

Changes to legislation: There are currently no known outstanding effects for the Police Reform and Social Responsibility Act 2011, SCHEDULE 12. (See end of Document for details)

SCHEDULES

SCHEDULE 12

Section 89

COLLABORATION AGREEMENTS

1 The Police Act 1996 is amended as follows.

Commencement Information

II Sch. 12 para. 1 in force at 16.1.2012 by S.I. 2011/3019, art. 3, Sch. 1

- 2 (1) Section 23 (police force collaboration agreements) is amended in accordance with this paragraph.
- (2) In the title, for “**Police force collaboration agreements**” substitute “**Collaboration agreements involving police forces**”.
- (3) Omit subsection (1).
- (4) In subsection (2), for the words before paragraph (a) substitute—
- “(2) Force collaboration provision may, in particular, consist of provision—”.
- (5) Omit subsection (3).
- (6) In subsection (4), for “An agreement” substitute “A collaboration agreement”.
- (7) In subsection (5), for “an agreement” substitute “a collaboration agreement”.
- (8) Omit subsections (6), (7) and (8).

Commencement Information

I2 Sch. 12 para. 2 in force at 16.1.2012 by S.I. 2011/3019, art. 3, Sch. 1

- 3 (1) Section 23A (police authority collaboration agreements) is amended in accordance with this paragraph.
- (2) For the title substitute “**Collaboration agreements involving policing bodies**”.
- (3) Omit subsection (1).
- (4) In subsection (2)—
- (a) for the words before paragraph (a) substitute—
- “(2) Policing body collaboration provision, or policing body & force collaboration provision, may, in particular, consist of provision—”;
- (b) in paragraphs (a) and (b), for “authorities” substitute “policing bodies”;
- (c) in paragraph (c)—
- (i) for “an authority” substitute “a policing body”;

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- (ii) for “another authority” (in each place) substitute “ another policing body ”.
- (5) In subsection (3), for “In this section” substitute “ In relation to policing body collaboration provision, or policing body & force collaboration provision, ”.
- (6) Omit subsection (4).
- (7) In subsection (5)—
 - (a) for “A police authority may make an agreement” substitute “ A policing body may make a collaboration agreement ”;
 - (b) for “police authorities” substitute “ policing bodies ”.
- (8) For subsection (6), substitute—

“(6) A policing body must consult the chief officer of police of the police force which the body is responsible for maintaining before making a collaboration agreement (unless that chief officer is a party to the agreement).”.
- (9) Omit subsection (7).

Commencement Information

I3 Sch. 12 para. 3 in force at 16.1.2012 by S.I. 2011/3019, art. 3, Sch. 1

- 4 (1) Section 23B (collaboration agreements: payments) is amended in accordance with this paragraph.
- (2) In subsection (1), for “relevant police authorities” substitute “ parties to the agreement ”.
- (3) In subsection (2)—
 - (a) after “may” insert “ in the case of policing bodies or chief officers of police who are parties to the agreement ”;
 - (b) in paragraph (a), for “authorities” (in each place) substitute “ policing bodies or chief officers of police ”.
- (4) In subsection (3), for “A relevant police authority” substitute “ A policing body or chief officer of police ”.
- (5) Omit subsections (4) and (5).

Commencement Information

I4 Sch. 12 para. 4 in force at 16.1.2012 by S.I. 2011/3019, art. 3, Sch. 1

- 5 (1) Section 23C (collaboration agreements: consultation and supplemental) is amended in accordance with this paragraph.
- (2) Omit subsection (1).
- (3) After subsection (5) insert—

“(6) If circumstances are such that one or more of the parties to a collaboration agreement would not, at a particular time, have power to enter into a collaboration agreement of that description (whether because of a failure to

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meet the requirements of section 22A(1) or (5) or otherwise) each person who does not have that power must cease to be a party to the agreement.”.

Commencement Information

I5 Sch. 12 para. 5 in force at 16.1.2012 by S.I. 2011/3019, art. 3, Sch. 1

- 6 (1) Section 23D (collaboration agreements: accountability) is amended as follows.
- (2) In subsection (1)—
- (a) for “police force collaboration agreement” substitute “ collaboration agreement ”;
 - (b) for “police authority” substitute “ policing body ”.
- (3) In subsection (2), for “approving an agreement as mentioned in section 23(6), a police authority” substitute “ making a collaboration agreement to which a chief officer of police is to be a party, a policing body ”.
- (4) In subsection (3)—
- (a) for “police authority” (in each place) substitute “ policing body ”;
 - (b) for “consider making” substitute “ make ”.
- (5) In subsection (4), for “police authority” substitute “ policing body ”.

Commencement Information

I6 Sch. 12 para. 6 in force at 16.1.2012 by S.I. 2011/3019, art. 3, Sch. 1

- 7 In section 23E (collaboration agreements: publication), in subsection (2), for the words before “must” substitute “ In a case where information is notified to a chief officer of police under section 23D(2), that information ”.

Commencement Information

I7 Sch. 12 para. 7 in force at 16.1.2012 by S.I. 2011/3019, art. 3, Sch. 1

- 8 In section 23F (collaboration agreements: guidance), for “police authorities” (in each place) substitute “ policing bodies ”.

Commencement Information

I8 Sch. 12 para. 8 in force at 16.1.2012 by S.I. 2011/3019, art. 3, Sch. 1

- 9 In section 23G (collaboration agreements: directions), in subsections (1) and (2), for “police authorities” substitute “ policing bodies ”.

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I9 Sch. 12 para. 9 in force at 16.1.2012 by S.I. 2011/3019, art. 3, Sch. 1

- 10 After section 23H insert—

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“23HA Decisions about efficiency or effectiveness

In reaching a conclusion about whether or not a collaboration agreement is, or would be, in the interests of efficiency or effectiveness of one or more police forces (the “police forces under consideration”), a person must, in particular, consider—

- (a) the existing collaboration agreements, and other arrangements for co-operation, to which the police forces under consideration are parties;
- (b) the desirability of police forces taking a consistent approach in making such agreements and other arrangements; and
- (c) the opportunities available to the police forces under consideration to make such agreements and other arrangements.”.

Commencement Information

I10 Sch. 12 para. 10 in force at 16.1.2012 by S.I. 2011/3019, art. 3, Sch. 1

- 11 (1) Section 23I (collaboration agreements: definitions) is amended in accordance with this paragraph.
- (2) In subsection (1), for “23” substitute “ 22A ”.
- (3) In subsection (4), for the words before paragraph (a) insert—
- “ (4) Policing body” means—
- (aa) a local policing body.”.
- (4) After subsection (4) insert—
- “ (5) The following expressions have the meanings given in section 22A—
- “collaboration agreement”;
- “force collaboration provision”;
- “policing body collaboration provision”;
- “policing body & force collaboration provision”.
- (6) References to the police force which a policing body is responsible for maintaining include—
- (a) in the case of the British Transport Police Authority, the British Transport Police, and
 - (b) in the case of the Civil Nuclear Police Authority, the Civil Nuclear Constabulary.
- (7) References to a police force include—
- (a) references to the special constables appointed by a chief officer of police, and
 - (b) references to the civilian employees of the police force;
- and references to the members of a police force are to be read accordingly.
- (8) For that purpose “civilian employee” means—
- (a) in the case of a police force maintained under section 2 or 5A, the members of the civilian staff of that force;

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- (b) in the case of any other police force, the employees of the policing body responsible for maintaining that force who are under the direction and control of the chief officer of police of that force.”.

Commencement Information

I11 Sch. 12 para. 11 in force at 16.1.2012 by S.I. 2011/3019, art. 3, Sch. 1

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