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*Changes to legislation: There are currently no known outstanding effects for the Crime and Courts Act 2013, Paragraph 15. (See end of Document for details)*

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## SCHEDULES

### SCHEDULE 1

#### THE NCA & NCA OFFICERS

##### PART 2

##### NCA OFFICERS

##### *NCA specials*

- 15 (1) The Director General may select and appoint persons as National Crime Agency officers on a part-time unpaid basis (and such persons are referred to in this Part of this Act as “NCA specials”).
- (2) The terms and conditions of an appointment as an NCA special are to be determined by the Director General.
- (3) Sub-paragraph (1) does not prevent NCA specials from working otherwise than on a part-time basis if the Director General considers that it is appropriate for them to do so because of exceptional circumstances.
- (4) Sub-paragraph (1) does not prevent provision being made for—
- (a) the reimbursement of the expenses of NCA specials,
  - (b) the subsistence, accommodation or training of NCA specials, and
  - (c) the payment of sums to, or in respect of, current or former NCA specials to compensate for loss attributable to injury or death resulting from the performance of duties as NCA specials.
- (5) The Director General—
- (a) may designate an NCA special under section 10 as a person having the powers and privileges of a constable; but
  - (b) may not so designate an NCA special as a person having the powers of an officer of Revenue and Customs or the powers of an immigration officer.
- (6) If an NCA special is designated as a person having the powers and privileges of a constable, paragraph 11(1)(b) to (d) of Schedule 5 (powers and privileges in Scotland, Northern Ireland and outside the UK) do not apply in relation to the NCA special.
- (7) The Director General may not—
- (a) under paragraph 10, arrange for any function to be exercised by an NCA special or nominate an NCA special to exercise a power of direction;
  - (b) provide an NCA special by way of assistance under Part 3 of Schedule 3 (whether in response to a request or a direction).

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- (8) The Secretary of State may not appoint an NCA special to be a member of an advisory panel under paragraph 4 of Schedule 5 to make recommendations about the operational powers of the Director General.
- (9) The no-strike provisions in section 13 do not apply in relation to NCA specials.
- (10) No determination under regulations under section 14 may be made in relation to the pay and allowances and other terms and conditions of employment of NCA specials.
- (11) If a person is both—
- (a) an NCA special designated as a person having the powers and privileges of a constable, and
  - (b) a special constable or a member of the Police Service of Northern Ireland Reserve,
- none of the operational powers which the person has as an NCA special are exercisable at any time when the person is exercising any power or privilege which the person has as a special constable or as a member of the Police Service of Northern Ireland Reserve.
- (12) A person is not a civil servant by virtue of being an NCA special.

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**Commencement Information**

**II** Sch. 1 para. 15 in force at 7.10.2013 by S.I. 2013/1682, art. 3(b)

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