

SCHEDULES

SCHEDULE 19

AMENDMENTS WHERE NCA IS PARTY TO POLICE COLLABORATION AGREEMENT

Police Act 1997 (c. 50)

- 1 (1) Section 93 of the Police Act 1997 (authorisations to interfere with property etc) is amended as follows.
- (2) In subsection (1B), after “National Crime Agency officer” insert “giving an authorisation on an application made by virtue of subsection (3)(b)(i)”.
- (3) In subsection (3)—
- (a) omit “or” at the end of paragraph (za)(i);
 - (b) in paragraph (za)(ii) for “section 23(1)” substitute “section 22A”;
 - (c) at the end of paragraph (za)(ii) insert “or
(iii) in a case where the chief officer of police of the authorising force has made an agreement under that section with the Director General of the National Crime Agency, by a National Crime Agency officer (but see subsection (3AA));”;
 - (d) in paragraph (b)—
 - (i) for “subsection (5)(f), by” substitute “subsection (5)(f)—
(i) by”;
 - (ii) at the end insert “or
(ii) in a case where the Director General of the National Crime Agency has made an agreement under section 22A of the Police Act 1996 with the chief officer of police of one or more police forces, by a member of a collaborative force;”.
- (4) After subsection (3A) insert—
- “(3AA) A National Crime Agency officer may make an application by virtue of subsection (3)(za)(iii) only if permitted by the terms of the agreement mentioned in that provision to make applications for authorisations under this section to the authorising officer of the authorising force.
- (3AB) For the purposes of subsection (3)(b), a police force is a collaborative force if—
- (a) its chief officer of police is a party to the agreement mentioned in that provision, and
 - (b) its members are permitted by the terms of the agreement to make applications for authorisations under this section to the authorising officer mentioned in that provision.

Status: This is the original version (as it was originally enacted).

Paragraph (b) of subsection (3A) applies for the purposes of this subsection.”

(5) In subsection (6)—

(a) after paragraph (aa) insert—

“(ab) in relation to a person within any of those paragraphs to whom an application is made by virtue of subsection (3)(za)(iii), means the area in England and Wales for which—

- (i) the person’s police force is maintained, or
- (ii) any other police force whose chief officer of police is a party to the agreement mentioned in subsection (3)(za)(iii) is maintained,

and which is specified in relation to NCA officers in the agreement mentioned in that provision;”;

(b) after paragraph (cb) insert—

“(cba) in relation to a person within subsection (5)(f) to whom an application is made by virtue of subsection (3)(b)(ii), means the area in England and Wales—

- (i) for which any collaborative force (within the meaning of subsection (3AB)) is maintained, and
- (ii) which is specified in relation to members of that force in the agreement mentioned in subsection (3)(b)(ii);”.