

Status: Point in time view as at 31/01/2017.

Changes to legislation: Policing and Crime Act 2017, Part 3 is up to date with all changes known to be in force on or before 25 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 9

INDEPENDENT OFFICE FOR POLICE CONDUCT

Commencement Information

II Sch. 9 in force for certain purposes at Royal Assent, see s. 183

PART 3

OTHER MINOR AND CONSEQUENTIAL AMENDMENTS

Superannuation Act 1972 (c. 11)

- 59 In Schedule 1 to the Superannuation Act 1972—
- (a) in the list of entries under the heading “Royal Commissions and other Commissions”, omit the entry relating to the Independent Police Complaints Commission;
 - (b) in the list of entries under the heading “Other Bodies”, insert at the appropriate place— “ The Independent Office for Police Conduct. ”;
 - (c) in the list of entries under the heading “Offices”, omit the entries relating to—
 - (i) the Chairman of the Independent Police Complaints Commission;
 - (ii) the Commissioners of the Independent Police Complaints Commission;
 - (iii) the Deputy Chairman of the Independent Police Complaints Commission.

Commencement Information

II Sch. 9 para. 59 in force for certain purposes at Royal Assent, see s. 183

House of Commons Disqualification Act 1975 (c. 24)

- 60 In Part 2 of Schedule 1 to the House of Commons Disqualification Act 1975 (bodies of which all members are disqualified), omit the entry relating to the Independent Police Complaints Commission and insert at the appropriate place— “ The Independent Office for Police Conduct. ”

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Commencement Information

I2 Sch. 9 para. 60 in force for certain purposes at Royal Assent, see s. 183

Northern Ireland Assembly Disqualification Act 1975 (c. 25)

- 61 In Part 2 of Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975 (bodies of which all members are disqualified), omit the entry relating to the Independent Police Complaints Commission and insert at the appropriate place—
 “ The Independent Office for Police Conduct. ”

Commencement Information

I3 Sch. 9 para. 61 in force for certain purposes at Royal Assent, see s. 183

Police Pensions Act 1976 (c. 35)

- 62 In section 11 of the Police Pensions Act 1976 (interpretation), in subsection (2A) (ba) for “Independent Police Complaints Commission” substitute “ Independent Office for Police Conduct ”.

Commencement Information

I4 Sch. 9 para. 62 in force for certain purposes at Royal Assent, see s. 183

Ministry of Defence Police Act 1987 (c. 4)

- 63 (1) The Ministry of Defence Police Act 1987 is amended as follows.
- (2) In section 3A (regulations relating to disciplinary matters), in subsections (1B) (a), (1F) and (1G) (as inserted by this Act) for “Independent Police Complaints Commission” substitute “ Director General of the Independent Office for Police Conduct ”.
- (3) In section 4 (representation etc at disciplinary proceedings), in subsection (5)(a) for “Independent Police Complaints Commission” substitute “ Independent Office for Police Conduct ”.

Commencement Information

I5 Sch. 9 para. 63 in force for certain purposes at Royal Assent, see s. 183

Aviation and Maritime Security Act 1990 (c. 31)

- 64 In section 22 of the Aviation and Maritime Security Act 1990 (power to require harbour authorities to promote searches in harbour areas), in subsection (4)(b)(i) for “Independent Police Complaints Commission” substitute “ Director General of the Independent Office for Police Conduct ”.

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Commencement Information

I6 Sch. 9 para. 64 in force for certain purposes at Royal Assent, see s. 183

Police Act 1996 (c. 16)

- 65 (1) The Police Act 1996 is amended as follows.
- (2) In the following provisions, for “Independent Police Complaints Commission” substitute “ Director General of the Independent Office for Police Conduct ”
- (a) section 50(3A)(a), (3E) and (3F) (regulation of police forces) (as inserted by this Act);
 - (b) section 51(2B)(a), (2F) and (2G) (regulations for special constables) (as inserted by this Act);
 - (c) section 87(1) (guidance concerning disciplinary proceedings etc) (as amended by this Act).
- (3) In the following provisions, for “Independent Police Complaints Commission” substitute “ Independent Office for Police Conduct ”
- (a) section 84(5) (representation etc at disciplinary and other proceedings);
 - (b) section 88C(5)(d) (effect of inclusion in police barred list) (as inserted by this Act);
 - (c) section 88K(3)(d) (effect of inclusion in police advisory list) (as inserted by this Act).
- (4) In section 54(2D) (appointment and functions of inspectors of constabulary)—
- (a) in paragraph (a)—
 - (i) for “Independent Police Complaints Commission” substitute “ Director General of the Independent Office for Police Conduct (“the Director General”) ”;
 - (ii) for “that Commission” substitute “ the Director General ”;
 - (b) in paragraph (b)—
 - (i) for “that Commission”, in both places, substitute “ the Director General ”;
 - (ii) for “its” substitute “ his or her ”.

Commencement Information

I7 Sch. 9 para. 65 in force for certain purposes at Royal Assent, see s. 183

Freedom of Information Act 2000 (c. 36)

- 66 In Part 6 of Schedule 1 to the Freedom of Information Act 2000 (other public bodies and offices: general) omit the entry relating to the Independent Police Complaints Commission and insert at the appropriate place— “ The Director General of the Independent Office for Police Conduct. ” “ The Independent Office for Police Conduct. ”

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Commencement Information

I8 Sch. 9 para. 66 in force for certain purposes at Royal Assent, see s. 183

Fire and Rescue Services Act 2004 (c. 21)

- 67 In section 4K of the Fire and Rescue Services Act 2004 (as inserted by this Act), in subsection (5)(b) for “Independent Police Complaints Commission” substitute “Director General of the Independent Office for Police Conduct”.

Commencement Information

I9 Sch. 9 para. 67 in force for certain purposes at Royal Assent, see s. 183

Commissioners for Revenue and Customs Act 2005 (c. 11)

- 68 (1) The Commissions for Revenue and Customs Act 2005 is amended as follows.
- (2) In section 18 (confidentiality), in subsection (2)(g)—
- (a) for “Independent Police Complaints Commission” substitute “ Director General of the Independent Office for Police Conduct ”;
 - (b) for “its” substitute “the Director General's”.
- (3) In section 28 (complaints and misconduct: England and Wales)—
- (a) in subsection (1), for “Independent Police Complaints Commission” substitute “ Director General of the Independent Office for Police Conduct (“the Director General”) ”;
 - (b) in subsection (2)—
 - (i) for “Independent Police Complaints Commission”, in both places, substitute “ Director General ”;
 - (ii) for “its” substitute “the Director General's”;
 - (c) in subsection (3) for “Independent Police Complaints Commission” substitute “ Director General ”;
 - (d) in subsection (4) for “Independent Police Complaints Commission”, in both places, substitute “ Director General ”.
- (4) In section 29 (confidentiality etc), in subsection (3)—
- (a) in the words before paragraph (a), for “Independent Police Complaints Commission” substitute “ Director General of the Independent Office for Police Conduct ”;
 - (b) for “its” substitute “the Director General's”;
 - (c) in paragraph (a), for “Commission” substitute “ Director General ”;
 - (d) in paragraph (b), for “Commission” substitute “ Director General ”.

Commencement Information

I10 Sch. 9 para. 68 in force for certain purposes at Royal Assent, see s. 183

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Police and Justice Act 2006 (c. 48)

- 69 (1) In section 41 of the Police and Justice Act 2006 (immigration and asylum enforcement functions and customs functions: complaints and misconduct)—
- (a) in subsection (1) for “Independent Police Complaints Commission” substitute “ Director General of the Independent Office for Police Conduct (“the Director General”) ”;
 - (b) in subsection (2A) for “Independent Police Complaints Commission” substitute “ Director General ”;
 - (c) in subsection (3) for “Independent Police Complaints Commission” substitute “ Director General ”;
 - (d) in subsection (4)(b), for “Independent Police Complaints Commission” substitute “ Director General ”;
 - (e) in subsection (5) for “Independent Police Complaints Commission” substitute “ Director General ”;
 - (f) in subsection (6) for “Independent Police Complaints Commission”, in both places, substitute “ Director General ”.
- (2) In the italic heading before that section for “Independent Police Complaints Commission” substitute “ Director General of the Independent Office for Police Conduct ”.

Commencement Information

I11 Sch. 9 para. 69 in force for certain purposes at Royal Assent, see s. 183

Local Democracy, Economic Development and Construction Act 2009 (c. 20)

- 70 In section 107EE of the Local Democracy, Economic Development and Construction Act 2009 (section 107EA orders: complaints and conduct matters etc) (as inserted by this Act), in subsection (5)(b) for “Independent Police Complaints Commission” substitute “ Director General of the Independent Office for Police Conduct ”.

Commencement Information

I12 Sch. 9 para. 70 in force for certain purposes at Royal Assent, see s. 183

Coroners and Justice Act 2009 (c. 25)

- 71 In section 47 of the Coroners and Justice Act 2009 (meaning of “interested person”)—
- (a) in subsection (2)(k) for “Independent Police Complaints Commission” substitute “ Director General of the Independent Office for Police Conduct ”;
 - (b) in subsection (5) for “Independent Police Complaints Commission” substitute “ Director General of the Independent Office for Police Conduct ”.

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Commencement Information

I13 Sch. 9 para. 71 in force for certain purposes at Royal Assent, see s. 183

Equality Act 2010 (c. 15)

- 72 In Part 1 of Schedule 19 to the Equality Act 2010 (public authorities: general), under the heading “Police” omit the entry relating to the Independent Police Complaints Commission and insert at the appropriate place— “ The Director General of the Independent Office for Police Conduct. ”“ The Independent Office for Police Conduct. ”

Commencement Information

I14 Sch. 9 para. 72 in force for certain purposes at Royal Assent, see s. 183

Police Reform and Social Responsibility Act 2011 (c. 13)

- 73 (1) The Police Reform and Social Responsibility Act 2011 is amended as follows.
- (2) In section 65 (disqualification from election or holding office as police and crime commissioner: police grounds), for “Independent Police Complaints Commission” substitute “ Independent Office for Police Conduct ”.
- (3) In Schedule 7 (regulations about complaints and conduct matters), for “Independent Police Complaints Commission”, in each place, substitute “ Director General of the Independent Office for Police Conduct. ”

Commencement Information

I15 Sch. 9 para. 73 in force for certain purposes at Royal Assent, see s. 183

Investigatory Powers Act 2016

- 74 (1) The Investigatory Powers Act 2016 is amended as follows.
- (2) In section 58 (section 57: meaning of “excepted disclosure”), in subsection (4)(c)—
- (a) for “the Independent Police Complaints Commission” substitute “ the Director General of the Independent Office for Police Conduct ”;
- (b) for “its functions” substitute “ the Director General's functions ”.
- (3) In section 106 (power to issue warrants to law enforcement officers), in subsection (11)—
- (a) for “the chairman, or a deputy chairman, of the Independent Police Complaints Commission” substitute “ the Director General of the Independent Office for Police Conduct ”;
- (b) omit “by the Commission”.
- (4) In section 107 (restriction on issue of warrants to certain law enforcement officers), in subsection (2), for paragraph (h) substitute—
- “(h) the Director General of the Independent Office for Police Conduct;”.

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(5) In section 133 (section 132: meaning of “excepted disclosure”), in subsection (3)(b)

(a) for “the Independent Police Complaints Commission” substitute “ the Director General of the Independent Office for Police Conduct ”;

(b) for “its functions” substitute “ the Director General's functions ”.

(6) In Schedule 4 (relevant public authorities and designated senior officers), in Part 1—

(a) omit the entry relating to the Independent Police Complaints Commission;

(b) after the entry relating to the Office of Communications insert—

| | |
|--|------------------|
| “Independent Office for Director or an All | (b) and (i)” |
| Police Conduct | equivalent grade |

(7) In Schedule 6 (issue of warrants under section 106 etc. table), in the entry relating to the chairman, or a deputy chairman, of the Independent Police Complaints Commission, for the first two columns substitute—

| | |
|---|---|
| “The Director General of the Independent Office for Police Conduct. | A person falling within paragraph 6A(2) of Schedule 2 to the Police Reform Act 2002 who is designated by the Director General for the purpose.” |
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Commencement Information

I16 Sch. 9 para. 74 in force for certain purposes at Royal Assent, see s. 183

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