STATUTORY INSTRUMENTS

2026 No. 773

NATIONAL CRIME AGENCY

The National Crime Agency Barred List and National Crime Agency Advisory List Regulations 2026

Made - - - -	*6th July 2026*
Laid before Parliament	*13th July 2026*
Coming into force - -	*21st September 2026*

The Secretary of State makes these Regulations in exercise of the powers conferred by section 252(1) of, and paragraphs 1(3), 6, 9(2) and 11(3) of Schedule 25 to, the Crime and Policing Act 2026(**a**).

In accordance with paragraph 15(1) of Schedule 25 to that Act, the Secretary of State has consulted with the Scottish Ministers before making these Regulations.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the National Crime Agency Barred List and National Crime Agency Advisory List Regulations 2026 and come into force on 21st September 2026.

(2) These Regulations extend to England and Wales, Scotland and Northern Ireland.

Interpretation

2. In these Regulations—

"the 2026 Act" means the Crime and Policing Act 2026;

"advisory list" means the National Crime Agency advisory list(**b**);

"barred list"means the National Crime Agency barred list(**c**);

"NCA" means National Crime Agency;

Information to be included in the barred list

3.—(1) The Director General of the NCA must include in the barred list the following information in relation to each person ("P") included in the list—

(a) P's full name;

(**a**) 2026 c. 20.
(**b**) the National Crime Agency advisory list has the meaning given in paragraph 14 of Schedule 25 to the 2026 Act.
(**c**) the National Crime Agency barred list has the meaning given in paragraph 14 of Schedule 25 to the 2026 Act.

(b) P's date of birth;

(c) whether, at the time of the dismissal or finding by virtue of which P was included in the list, P was an NCA officer or former NCA officer;

(d) where P was an NCA officer or former NCA officer—

(i) P's grade, or in the case of a former NCA officer P's last grade;

(ii) P's staff number;

(e) the reason for the dismissal or finding, including (where applicable)—

(i) a description of P's conduct which led to the dismissal or finding; and

(ii) the way in which the conduct was (if at all) contrary to NCA standards;

(f) the date of the dismissal or finding;

(g) if P was included in the advisory list, the date that they were included in that list and whether P resigned or retired.

(2) In this regulation—

"NCA standards" has the same meaning as in the National Crime Agency (Complaints and Misconduct) Regulations 2013(**a**).

Automatic removal following an appeal

4. Where paragraph 4 of Schedule 25 to the 2026 Act does not apply, the Director General of the NCA must nevertheless remove a person ("P") from the barred list as soon as reasonably practicable where—

(a) P is reinstated or re-engaged as an NCA officer following the decision of any court or tribunal; or

(b) the dismissal by virtue of which P was included in the list under paragraph 2(1)(a) of Schedule 25 to the 2026 Act is found to have been an unfair dismissal by any court or tribunal.

Automatic removal on death

5. Where it comes to the attention of he Director General of the NCA that a person who is included in the barred list has died, they must remove that person from the list as soon as reasonably practicable.

Removal on application of barred person

6.—(1) Paragraph (2) applies where a person ("P") has been included in the barred list for five years or longer beginning on the day on which P was included in the list.

(2) P may apply to the Director General of the NCA to be removed from the list where—

(a) the application is P's first application under this regulation; or

(b) in any other case, the condition set out in paragraph (3) is met.

(3) The condition in this paragraph is met if P makes the application—

(a) on or after the date specified by the Director General of the NCA under paragraph (7) when dismissing P's most recent application; or

(**a**) S.I. 2013/2325.

(b) where no date was specified under paragraph (7), after the expiry of the five year period beginning with the date on which the Director General of the NCA dismissed P's most recent application.

(4) An application under paragraph (2)—

(a) must be made in the form and manner determined by the Director General of the NCA;

(b) may contain any information or be accompanied by any other documents that P considers relevant to the application.

(5) On considering P's application, where the Director General of the NCA is satisfied that it is appropriate for P to be removed from the list, they must remove P as soon as reasonably practicable, otherwise they must dismiss the application.

(6) In determining whether it is appropriate for P to be removed from the list the Director General of the NCA must have regard to—

(a) the extent to which P has shown that P is suitable to be employed or otherwise appointed by a law enforcement employer;

(b) the circumstances of the dismissal, or which led to the finding, by virtue of which P was included in the list;

(c) the impact on public confidence in the NCA of removing P from the list.

(7) Where the Director General of the NCA dismisses P's application, they may specify a date (being no later than the last day of the period of five years beginning with the day on which the application is dismissed) before which no further application may be made by P under this regulation.

(8) Before making a decision under paragraph (5) or (7), the Director General of the NCA may request further representations, information or documents from P.

(9) The Director General of the NCA must give P notice of their decision on P's application before the end of the period of five working days beginning with the day on which the decision is made.

(10) In this regulation—

"law enforcement employer" has the meaning given in section 206 of the 2026 Act.

Information to be included in the advisory list

7. The Director General of the NCA must include in the advisory list the following information in relation to each person ("P") included in the list—

(a) P's full name;

(b) P's date of birth;

(c) where Condition 1 in paragraph 10 of Schedule 25 to the 2026 Act (inclusion of persons in advisory list) is met in relation to P—

(i) P's grade at the time of resigning or retiring;

(ii) P's staff number;

(iii) whether P resigned or retired;

(iv) the date P resigned or retired;

(v) a summary of the relevant allegation;

(vi) in a case where disciplinary proceedings have been brought, the form of those proceedings;

(d) where Condition 2 in paragraph 10 of Schedule 25 to the 2026 Act is met in relation to P—

(i) P's grade at the time of resigning or retiring;

(ii) P's staff number;

(iii) whether P resigned or retired;

(iv) the date P resigned or retired;

(v) the date the relevant allegation about P came to the attention of the Director General of the NCA;

(vi) a summary of the relevant allegation.

Removal from advisory list on application of listed person

8.—(1) Paragraph (2) applies where a person ("P") has been included in the advisory list for five years or longer beginning on the day on which P was included in the list.

(2) P may apply to the Director General of the NCA to be removed from the list where—

(a) the application is P's first application under this regulation; or

(b) the condition set out in paragraph (3) is met.

(3) The condition in this paragraph is met if P makes the application—

(a) on or after the date specified by the Director General of the NCA under paragraph (6) when dismissing P's most recent application; or

(b) where no date was specified under paragraph (6), after the expiry of the five year period beginning with the date on which they dismissed P's most recent application.

(4) An application under paragraph (2)—

(a) must be made in the form and manner determined by the Director General of the NCA;

(b) may contain any information or be accompanied by any other documents that P considers relevant to the application.

(5) If, on considering P's application, the Director General of the NCA is satisfied that it is appropriate for P to be removed from the advisory list, they must remove P from the list, otherwise they must dismiss the application.

(6) If the Director General of the NCA dismisses P's application, they may specify a date (being no later than the last day of the period of five years beginning with the day on which the application is dismissed) before which no further application may be made by P under this regulation.

(7) Before making a decision under paragraph (5) or (6), the Director General of the NCA may request further representations, information or documents from P.

(8) The Director General of the NCA must give P notice of their decision on P's application before the end of the period of five working days beginning with the day on which the decision is made.

Automatic removal on death

9. Where it comes to the attention of the Director General of the NCA that a person who is included in the advisory list has died, they must remove the person from the list as soon as reasonably practicable.

Angela Eagle
Minister of State
Home Office

6th July 2026

EXPLANATORY NOTE

(This note is not part of the Regulations)

Schedule 25 to the Crime and Policing Act 2026 (c. 20) (special police forces: barred persons lists and advisory lists) requires the Director General of the NCA to maintain a "barred persons list" (paragraph 1) and an "advisory list" (paragraph 9) in relation to the National Crime Agency.

These Regulations make provision relating to the operation of those lists.

Regulation 3 specifies the information that must be included in the NCA barred list.

Regulations 4-6 makes provision for circumstances in which a person must be removed from the list.

Regulation 7 specifies the information that must be included in the NCA advisory list. Regulations 8-9 make provisions for the circumstances in which a person must be removed from the advisory list.

A full impact assessment has not been produced for these Regulations as no, or no significant,

impact on the private, voluntary or public sector is foreseen.

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