EXPLANATORY MEMORANDUM TO:
THE POLICE SERVICE OF NORTHERN IRELAND (CONDUCT ETC) (AMENDMENT) REGULATIONS 2004 No 315

This explanatory memorandum has been prepared by the Northern Ireland Office and is laid before Parliament by Command of Her Majesty.

This memorandum contains information for the Joint Committee on Statutory Instruments and the Merit Committee.

2. Description

These regulations introduce amendments to a number of Royal Ulster Constabulary (now the Police Service of Northern Ireland) Regulations and the Police and Criminal Evidence (Application to the Police Ombudsman) Order (Northern Ireland) 2000.

3. Matters of special interest to the Joint Committee on Statutory Instruments

These regulations correct errors previously reported by the JCSI;

in their 1st report:
The Police and Criminal Evidence (Application to the Police Ombudsman) Order (Northern Ireland) 2000 (SR 2000 No. 314); and

in their 3rd report:
The RUC (Conduct) Regulations 2000 (SR 2000 No. 315).
The RUC (Unsatisfactory Performance) Regulations 2000 (SR 2000 No. 316).
The RUC (Appeals) Regulations 2000 (SR 2000 No. 317).
The RUC (Complaints)(Informal) Regulations 2000 (SR 2000 No. 319).
The RUC (Conduct)(Senior Officer) Regulations 2000 (SR 2000 No. 320)

A number of minor amendments are also included which our legal adviser recommended to make clearer existing provisions within the regulations.

4. Legislative Background

These regulations are being made to correct errors highlighted by the JCSI in two reports and to make clearer existing provisions.

5. Extent

These regulations apply to Northern Ireland only.

6. Policy Background

The policy objectives of the parent Act provide the Secretary of State with powers to make regulations with respect to the conduct, effectiveness, efficiency and the maintenance of discipline of police officers and, procedures for the informal resolution of complaints. Also may by order provide that any

provision of the PACE (Northern Ireland) Order 1989 which relates to the investigation of offences by police officers to apply to investigations conducted by persons who are not police officers.

7. Impact

A Regulatory Impact Assessment has not been prepared for this instrument as it has no impact on business, charities or voluntary bodies.

8. Contact

Ivan Sweet at the Northern Ireland Office, Telephone: 028 90 523255 or e-mail: Ivan.Sweet@nio.x.gsi.gov.uk, can answer any queries regarding this instrument.