

British Transport Police (Complaints & Misconduct) Regulations 2008

Made 28th November 2008
Coming into force 1st December 2008

The British Transport Police Authority makes the following Regulations in exercise of the powers conferred by Regulation 3 of the Independent Police Complaints Commission (Forces Maintained Otherwise than by Police Authorities) Order 2004¹,

PART 1 Preliminary

Citation, Commencement and Interpretation

1. (i) These Regulations may be cited as the British Transport Police Authority (Complaints & Misconduct) Regulations 2008 and shall come into force on 1 December 2008.

(ii) In these Regulations

“the 2004 Regulations” means the Police (Complaints and Misconduct) Regulation 2004²

“the 2003 Act” means the Railways & Transport Safety Act 2003³

“the police force” means the British Transport Police Force as established and maintained in accordance with Section 20 of the 2003 Act

“the police authority” means the British Transport Police Authority as established under Section 18 of the 2003 Act

“the police” means a police force established and maintained under the Police Act 1996⁴

“the 2002 Act” means the Police Reform Act 2002⁵

¹Independent Police Complaints Commission (Forces Maintained Otherwise than by Police Authorities) Order 2004/672

²Police (Complaints and Misconduct) Regulation 2004/643 as amended by The Police (Complaints and Misconduct) (Amendment) Regulations 2008 (SI 2008/2866)

³Railways & Transport Safety Act 2003 c.20

⁴Police Act 1996 c. 16

⁵Police Reform Act 2002 c. 30

Application to the British Transport Police

2. (i) In so far as Part 2 of the 2002 Act contains provisions relating to procedures to be established and maintained by forces maintained other than by police authorities, in relation to complaints to which Part 2 applies and, subject to the modifications set out in this regulation, Part 2 of the 2002 Act shall apply to any person serving with the police force as it applies in relation to persons serving with the police.

(ii) The 2004 Regulations shall apply to any person serving with the police force as they apply in relation to persons serving with the police.

(iii) In their application to any person serving with the police force Part 2 of the 2002 Act, the 2004 Regulations and these Regulations shall apply as if:-

(a) any reference to a police authority was a reference to the British Transport Police Authority

(b) any reference to a chief officer was reference to the Chief Constable of the Police Force appointed in accordance with Section 21 of the 2003 Act

(c) any reference (other than in this regulation) to a person serving with the police is a reference to:

(i) a member of the police force (being a constable of the police force of any rank, appointed in accordance with section 24 of the 2003 Act);

(ii) a police staff member (being a person employed in the service of the police force in accordance with section 27 of the 2003 Act) ;

(iii) a special constable (being a special constable of the police force of any grade, appointed in accordance with section 25 of the 2003 Act) ;

Made by Order of the Police Authority