STATUTORY RULES OF NORTHERN IRELAND

# 2000 No. 314

# POLICE

## The Police and Criminal Evidence (Application to Police Ombudsman) Order (Northern Ireland) 2000

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| *Made - - - -* | *23rd October 2000* |
| *To be laid before Parliament* | |
| *Coming into operation* | *6th November 2000* |

The Secretary of State, in exercise of the powers conferred on him by Section 56(2) of the Police (Northern Ireland) Act 1998(**1**) hereby makes the following Order:—

**Citation and commencement**

**1.** This Order may be cited as the Police and Criminal Evidence (Application to Police Ombudsman) Order (Northern Ireland) 2000 and shall come into operation on 6th November 2000.

**2.** In this Order, unless the context otherwise requires "the 1989 Order" means the Police and Criminal Evidence (Northern Ireland) Order 1989.

"Officer" means an officer of the Ombudsman;

"Ombudsman" means the Police Ombudsman for Northern Ireland established under section 51 of the Police (Northern Ireland) Act 1998.

**3.**—(1) Subject to the modifications in paragraphs (2) and (3) and Schedule 2, the provisions of the 1989 Order contained in Schedule 1 which relate to investigations of offences conducted by police officers or to persons detained by the police shall apply to investigations conducted by officers which relate to matters of the Ombudsman under Part VII of the Police (N.I.) Act 1998.

(2) Where in the 1989 Order any act or thing is to be done by a constable or police officers of a rank specified in column 1 of Part II of Schedule 2, that act or thing shall be done by an officer of at least the grade specified in column 2 of Schedule 2 and the 1989 Order shall be applied as if that grade were specified in that Order.

(3) Where any provision of the 1989 Order as applied to an officer—

(a) confers a power on an officer, and

(b) does not provide that that power may only be exercised with the consent of some person other than an officer

(**1**) S.I.1998 c. 32

the officer may use reasonable force, if necessary, in the exercise of the power. 23rd October 2000

*Peter Mandelson*
One of Her Majesty's Principal, Secretaries of State

Northern Ireland Office