

## HOME OFFICE PLAN OF SECONDARY LEGISLATION AS AT FEBRUARY 2015

### Crime and Policing Group

<b>Name of SI</b>	<b>Details</b>	<b>Procedure</b>
Policing and Crime Act 2009 (Commencement No. X) Order 2015	Commencement Order to commence the remaining amendments to the Proceeds of Crime Act 2002 in the Policing and Crime Act 2009	No procedure
Crime and Courts Act 2013 (Commencement No. X) Order 2015	Commencement Order to commence the remaining amendments to the Proceeds of Crime Act 2002 in the Crime and Courts Act 2013, in particular those in Schedule 19	No procedure
Proceeds of Crime Act 2002 (Confiscation Orders by Magistrates' Courts) Order 2015 (Name TBC)	Ability for Magistrates Courts to make low value confiscation orders under the Proceeds of Crime Act 2002	Affirmative
Crime and Courts Act 2013 (Extension of amendments of Part 8 of the Proceeds of Crime Act 2002 to Northern Ireland) Order 2015	Extends certain provisions relating to Proceeds of Crime Act to Northern Ireland (in the absence of legislative consent from the Northern Ireland Assembly)	Negative

Name of SI	Details	Procedure
Proceeds of Crime Act 2002 (References to Financial Investigators) Order 2015	To make changes to the current list of designated bodies in respect to legal powers exercised under the Proceeds of Crime Act 2002, to change the level of authorisations for some financial investigators, and to provide for references to financial investigators in relation to the new extended powers under the Proceeds of Crime Act 2002	Negative
Proceeds of Crime Act 2002 (Cash Searches: Code of Practice) England, Wales and Scotland Order 2015	To revise a code of practice from 2008 in relation to cash searches under the Proceeds of Crime Act 2002	Affirmative
Proceeds of Crime Act 2002 (Cash Searches: Code of Practice) (Northern Ireland) Order 2015	To revise a code of practice from 2008 in relation to cash searches under the Proceeds of Crime Act 2002	Affirmative
Proceeds of Crime Act 2002 (Investigations: Code of Practice) England and Wales Order 2015	To revise a code of practice from 2008 in relation to investigations under the Proceeds of Crime Act 2002	Affirmative
Proceeds of Crime Act 2002 (Investigations: Code of Practice) (Northern Ireland) Order 2015	To revise a code of practice from 2008 in relation to investigations under the Proceeds of Crime Act 2002	Affirmative

Name of SI	Details	Procedure
Proceeds of Crime Act 2002 (Search, Seizure and Detention of Property: Code of Practice) (England and Wales) Order 2015	To issue a code of practice in relation to search, seizure and detention of property under Part 2 of the Proceeds of Crime Act 2002	Affirmative
Proceeds of Crime Act 2002 (Search, Seizure and Detention of Property: Code of Practice) (Northern Ireland) Order 2015	To commence a code of practice in relation to search, seizure and detention of property in Northern Ireland under Part 4 of the Proceeds of Crime Act 2002, for certain appropriate officers which the SoS has policy responsibility for	Affirmative
Proceeds of Crime Act 2002 (Application of Police and Criminal Evidence Act 1984) Order 2015	Makes provision for the application of certain provisions of the Police and Criminal Evidence Act 1984 – PACE concerning search warrants to search and seizure warrants under POCA	Negative
Crime and Courts Act 2013 (Consequential Amendments) Order 2014	This provides the Immigration Officers operating certain proceeds of crime powers in Northern Ireland will be subject to a Code of Practice by amending s195S Proceeds of Crime Act 2002	Affirmative
Crime and Courts Act 2013 (Commencement No. 12) Order 2015	Commencement Order to commence amendments to the Proceeds of Crime Act 2002 in sections 46 and 47 of the Crime and Courts Act 2013	No procedure

Name of SI	Details	Procedure
Crime and Courts Act 2013 (Relevant Legal Aid Payments) Regulations 2015	To modify the application of Part 2 of POCA to enable payments towards legal aid to be made out of assets restrained under POCA	Affirmative
Proceeds of Crime Act 2002 (Legal Aid Exception (Restrictions) ) Regulations 2015	To set out the circumstances in which payments towards legal aid may be made out of assets restrained under POCA	Affirmative
Proceeds of Crime Act 2002 (External Investigations) (Amendment) Order 2015	To provide investigative assistance for other countries in relation to confiscation, amendments required to take account of amendments made to the Proceeds of Crime Act 2002	Negative
Proceeds of Crime Act 2002 (Enforcement in different parts of the United Kingdom) (Amendment) Order 2015	Amendment of existing order to take account of amendments made to the Proceeds of Crime Act 2002	Negative
Proceeds of Crime Act 2002 (Investigations in different parts of the United Kingdom) (Amendment) Order 2015	Amendment of existing order to take account of amendments made to the Proceeds of Crime Act 2002	Negative

Name of SI	Details	Procedure
Proceeds of Crime Act 2002 (Forfeiture Notices) Regulations 2015	Provides procedure for service to notify that cash is to be forfeited without a court hearing	Negative
Police (Injury Benefit) Regulations 2015	Amendment to the police injury benefit scheme to make express on face of legislation that ESA payments may be deducted from injury benefit payments	Negative
Police Pensions (Consequential Provisions) Regulations 2015	These Regulations make consequential provision in relation to public service pensions for members of a police force in England and Wales	Affirmative
Police Pensions Regulations 2015	New regulations for 2015 Police Pension Scheme	Negative
Police Pensions (Miscellaneous Consequential Amendments) Regulations 2015	New regulations for all the consequential arrangements to allow transition from existing schemes to 2015 scheme, plus miscellaneous consequential amendments to the Police Pensions Regulations 1987, the Police Pensions Regulations 2006 and related regulations, primarily to reflect changes to the tax arrangements for pensions which came into force in 2006 and to bring the 1987 regulations into line with the 2006 regulations, where there is no reason for any difference	Negative
Police Federation Regulations 2015	To amend the Police Federation regulations to implement some of the recommendations of the Normington review including, change membership and subscription rules and allow greater transparency of accounts	Negative

Name of SI	Details	Procedure
Pay Review Body Name Order 2015	To change the name of the NCA Remuneration Review Body to the Police and NCA Remuneration Review Body	Negative
Police (Promotion) (Amendment) Regulations 2015	To implement the introduction of the National Police Promotions Framework as the standard process for promotion to Sergeant and Inspector for all forces	Negative
Police (Amendment) Regulations 2015	Amending Police Regulations 2003 to introduce new definitions of categories of 'Limited duty' and the pay consequences for officers of being placed on 'adjusted duty'; allow for the deduction of Employment Support Allowance from police pay; introduce a power to take and retain DNA samples from police officers; and to specify the process for consulting on determinations made under Police Regulations 2003.	Negative
The College of Policing (Charging of Fees) Order 2015	To set out fees chargeable by the College of Policing for certain services	Negative
Special Constable (Amendment) Regulations 2015	Amends Special Constables Regulations 1965 to permit power to take and retain DNA samples from special constables; and to remove the requirement for the approval of the Secretary of State before PCCs may make changes to allowances payable to special constables	Negative
Police Act 1996 (Services) Regulations 2015	To specify the contractual arrangements to be used by the police service when procuring specified services *This instrument and the following three instruments are linked	No procedure
Police Act 1996 (Equipment) (Amendment) (No 2) Regulations 2015	Amending the schedule to the Police Act 1996 (Equipment) Regulations 2011 to set design and performance standards for further specified police equipment and to specify the contractual arrangements through which they must be purchased	Negative

Name of SI	Details	Procedure
Police Act 1996 (Equipment) (Amendment) (No 3) Regulations 2015	Amending the schedule to the Police Act 1996 (Equipment) Regulations 2011 to set design and performance standards for further specified police equipment and to specify the contractual arrangements through which they must be purchased	Negative
Police Act 1996 (Services) (Amendment) Regulations 2015	To specify the contractual arrangements to be used by the police service when procuring specified services	Negative
Misuse of Drugs (Amendment No. X) Regulations 2015	To reschedule ketamine under the 2001 Regulations (subject to Ministerial approval)	Negative
Misuse of Drugs (Amendment No X) Regulations 2015	To remove the current exemptions applicable to temazepam prescriptions under the 2001 Regulations	Negative
Misuse of Drugs Regulations 2015	To consolidate the Misuse of Drugs Regulations 2001 and the various instruments amending the regulations	Negative
Misuse of Drugs (Amendment No X) Regulations 2015	To Schedule two new psychoactive substances MT-45 and 4,4'DMAR under the Misuse of Drugs Regulations 2001	Negative
Misuse of Drugs (Designation) (Amendment No X) Order 2015	To designate two new psychoactive substances MT-45 and 4,4'DMAR under the Misuse of Drugs (Designation) Order 2001 as drugs to which section 7(4) of the 1971 Act applies	Negative
The Firearms Act1968 (Amendment) Regulations 2015	EU Directive mandating a computerised data filing system for Registered Firearms Dealers and also to record and maintain the information for a minimum of 20 years	Negative

Name of SI	Details	Procedure
Amendment to The Firearms (Variation of Fees) Order 2015	Amendment to the Firearms Act 1968 to facilitate a proposed increase in firearms licensing fees in respect of firearm and shotgun certificates and Registered Firearms Dealers	Negative
Sexual Offences Act 2003 (Prescribed Police Stations) Regulations 2015	Annual update of list of prescribed police stations at which registered sex offenders must give notification	Negative
Anti-social Behaviour, Crime and Policing Act 2014 (Commencement No. X) Order 2015	This order will commence the provisions in Part 9 of the Act which amend Part 2 of the Sexual Offences Act 2003. The amendments repeal the sexual offences prevention order, foreign travel order, and risk of sexual harm order in England and Wales, and replace them with the sexual harm prevention order and sexual risk order	N/A
The Anti-social Behavior, Crime and Policing Act 2014 (Commencement No. x, Transitional and Transitory Provisions) Order 2015	This order will commence Part 1 of the 2014 Act (injunctions) along with various other provisions (including consequential)	No procedure
The Anti-social Behaviour, Crime and Policing Act 2014 (Authorised Persons) Order 2015	This order will authorise local authorities to designate housing providers (as defined by s.20 of the 2014 Act) as capable of issuing community penalty notices (CPNs) and fixed penalty notices	Affirmative
The Anti-social Behaviour, Crime and Policing Act 2014 (Authorised Persons Public Spaces) Order 2015	This order will designate the City of London Corporation as capable of making Public Spaces Protection Orders (PSPOs) under section 71 of the 2014 Act	Negative



**Border Force, Immigration Enforcement and UK Visas and Immigration**

Name of SI	Details	Procedure
Home Office (Complaints and Misconduct) Regulations 2015	<p>This order will revoke and relay the UK Border Agency (Complaints and Misconduct) Regulations 2010, which confer functions on the Independent Police Complaints Commission (IPCC) in respect of staff and contractors carrying out customs revenue functions, general customs functions and specified enforcement functions in relation to immigration.</p> <p>The purpose is to correct drafting errors and to ensure accuracy and consistency with the parallel Police Regulations</p>	Negative
Immigration and Nationality (Fees) Order 2015	<p>This Order replaces the Immigration and Nationality (Fees) Order 2011 and enables fees to be set for functions in connection with immigration and nationality under the powers contained in the Immigration Act 2014, and will set fees maxima in respect of each function</p>	Affirmative
Immigration and Nationality (Fees) Regulations 2015	<p>Regulations set specific fee levels for immigration and nationality fees (at or below maxima set in Fees Order 2015)</p>	Negative
Short-term Holding Facility Rules 2015	<p>Provides rules to govern the running of short-term holding facilities where an individual can be held in immigration detention for up to 7 days</p>	Negative
Pre Departure Accommodation Rules 2015	<p>Provides rules governing the running of Pre-Departure Accommodation</p>	Negative
Immigration (Short-term Holding Facilities) Regulations 2015	<p>Extends the application of a number of the sections in Part 8 of the Immigration and Asylum Act 1999 to short-term holding facilities</p>	Negative

Name of SI	Details	Procedure
Removal Centre Rules 2015	A redraft of the rules governing the operation and management of immigration removal centres	Negative
The Passenger, Crew and Service Information (Civil Penalties) Regulations 2015	Establishes a civil penalty scheme to penalise non-compliance with requirements on carriers for passenger, crew and service information	Affirmative
The Immigration and Police (Passenger, Crew and Service Information) (Amendment) Order 2015	Amends existing legislation about requirements on carriers for passenger, crew and service information to include an obligation for carriers to use interactive systems where required	Negative
The Channel Tunnel (International Arrangements) (Amendment) Order 2015	Modifies certain immigration powers for application at UK immigration controls in France and Belgium	Negative

**Other**

Name of SI	Details	Procedure
The Police and Criminal Evidence Act 1984 (Codes of Practice) (Revisions to Code A) Order 2015	In line with the Home Secretary's announcement on 30 April concerning stop and search reforms, PACE Code A is to be amended to make clear what 'reasonable grounds for suspicion' are and that the misuse of the power by the police would be dealt with by performance or disciplinary proceedings	Affirmative
The Police and Criminal Evidence Act 1984 (Codes of Practice) (Revisions to Code E) Order 2015	To amend PACE Code E concerning the audio recording of interviews to exempt the recording of khat and cannabis warnings	Negative
The Criminal Justice and Courts Act Commencement Order (bringing in amendments to Part IV of PACE concerning the definition of a 'juvenile') 2015	Commencing an amendment to Part IV of the Police and Criminal Evidence Act 1984 which will have the effect of requiring the police to transfer 17 year olds to local authority accommodation following charge	N/A
<b>Office for Security and Counter-Terrorism</b>		
The Counter-Terrorism and Security Act 2015 (Commencement) Order 2015	Commencing various provisions contained in Chapter 1 of Part 5 and Part 4 of the Act (preventing people being drawn into terrorism)	N/A

The Counter-Terrorism and Security Act 2015 (Schedule 6 Amendment) Order 2015	An order to add various bodies to the list of specified authorities in Schedule 6 and to make consequential amendments to Chapter 1 of Part 5	Affirmative
The Terrorism Act 2000 (Schedule 7 Code of Practice) Order 2015	An order to bring into operation a revised Code of Practice governing the use of powers contained in Schedule 7 to the Terrorism Act 2000	Affirmative
Regulation of Investigatory Powers (Acquisition and Disclosure of Communications Data: Code of Practice) Order 2015	To bring into force a revised Code of Practice relating to the acquisition and disclosure of communications data under chapter 2 of Part 1 of RIPA	Affirmative
Retention of Communications Data (Code of Practice) 2015	To bring into force a code of practice relating to the retention of communications data under section 1 of the Data Retention and Investigatory Powers Act 2014	Affirmative
Data Retention & Investigatory Powers Act 2014 (Commencement) Order 2015	Commencing section 1(6) of the Data Retention & Investigatory Powers Act 2014	N/A
The Authority to Carry Scheme Regulations 2015	To bring into force the Authority to Carry Scheme established under Part 4 of the Counter-Terrorism and Security Act 2015	Affirmative

<p>The Authority to Carry (Civil Penalties) Regulations 2015</p>	<p>Establishing a civil penalty scheme to penalise non-compliance with the Authority to Carry Scheme</p>	<p>Affirmative</p>
<p>The Counter-Terrorism and Security Act 2015 (Code of Practice for Officers exercising functions under Schedule 1) Regulations 2015</p>	<p>To bring into operation the Code of Practice relating to the exercise of powers to seize and retain travel documents under Schedule 1 of the Act.</p>	<p>Made Affirmative</p>
<p>The Counter-Terrorism and Security Act 2015 (Part 5 Amendment and Section 29 Guidance)</p>	<p>To approve the statutory guidance issued under section 29 of the Act and to add Scottish bodies to Schedule 6 and 7 and to make certain consequential amendments.</p>	<p>Affirmative</p>