

HOME OFFICE PLAN OF SECONDARY LEGISLATION AS AT July 2015

Office for Security and Counter Terrorism

Name of SI	Details	Procedure
The Telecommunications Restriction Orders (Custodial Institutions) (England and Wales) Regulations 2015	These regulations are made under section 80 of the Serious Crime Act 2015 and will enable the County Court to order a communications provider to disconnect mobile devices in use in custodial institutions without authorisation.	Affirmative
The Police and National Crime Agency (Remuneration Review Body) Regulations 2015	These regulations will abolish the National Crime Agency Remuneration Review Body and transfer its functions to the Police Remuneration Review Body. The name of this body will be changed to reflect its consolidated functions relating to determining pay and other terms and conditions of National Crime Agency and police officers.	Negative

Crime and Policing Group

Name of SI	Details	Procedure
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 Pension and Police (Injury Benefit) (Amendment) Regulations 2015	Amendment to allow widows/ widowers and civil partners of police officers killed on duty to retain their survivors benefits in the event of remarriage or cohabitation	Negative
Police (Injury Benefit) Amendment Regulations 2015	Amendments to ensure that the injury benefit scheme continues to work effectively for officers who join the new police pensions scheme established by the Police Pensions Regulations 2015 (the 2015 scheme).	negative
Police (Amendment) Regulations 2015	To amend the Police Regulations 2003 with the effect that part-time working arrangements for police officers be changed.	Negative
Police (Amendment) Regulations 2015	To amend the Police Regulations 2003 (24 & 33) to provide for shared parental leave	Negative
Police (Amendment) Regulations 2015	To amend the Police Regulations 2003 to provide for the dismissal of police officers on the grounds of medical capability,	Negative
Police Act 1996 (Services) Regulations 2016	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.	Negative

Name of SI	Details	Procedure
Police Act 1996 (Equipment) (Amendment) (No 2) Regulations 2016	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 (Equipment) (Amendment) (No 3) Regulations 2016	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 2016	To specify the contractual arrangements to be used by the police service when procuring specified services.	Negative
Modern Slavery Act 2015 (Commencement No 2) Regulations 2015	To bring into force the second tranche of provisions in the Modern Slavery Bill	None

Name of SI	Details	Procedure
Modern Slavery Act 2015 (Commencement No 3) Regulations 2015	To bring into force the provision in the Modern Slavery Act 2015 on transparency in supply chains	None
Modern Slavery Act 2015 (Consequential Amendments) (No 2) 2015	These Regulations make various amendments to primary legislation consequential on the Modern Slavery Act 2015	Affirmative
Licensing Act 2003 (Forms and Notices) (Amendment) Regulations 2016	These Regulations will reflect in forms the LASPO Act changes to references to the now the cap on certain fines, which has now been removed; entertainment licensing changes and the change in annual TENs limits from 12 to 15.	Negative
Welsh Language (Gambling and Licensing Forms)(Amendment) Regulations 2016	These Regulations will make amendments to Welsh language forms.	Negative
The Psychoactive Substances Act 2015 (Commencement) Regulations 2016	To bring into force the provisions of the Psychoactive Substances Act 2015	None
TBC: The Police and Criminal Evidence Act 1984 (Amendment: Qualifying Offences) Order 2015	This order will add certain offences relating to possession and importation of class A drugs and firearms.to the list of qualifying offences at section 65A(2) of PACE. Sections 65A(3) and (4) of PACE provide that the Secretary of State may amend the list by order made by statutory instrument. Under section 63F of PACE, persons arrested for or charged with qualifying offences may have their DNA profiles and fingerprints retained for longer periods than persons arrested for or charged with other offences.	Affirmative

Name of SI	Details	Procedure
<p>TBC: The National Police Records (Recordable Offences) Regulations 2015</p>	<p>The order will add the offence of racially aggravated harassment to the list of recordable offences thus allowing DNA and fingerprints to be taken on arrest for this offence. Sections.61(3)(a) and 63(2B) of PACE provide that DNA and fingerprints may be taken from persons arrested for a recordable offence. Section 5(1) of the Public Order Act 1986 creates an offence of harassment which is recordable. Section 31(1)(c) of the Crime and Disorder Act 1998 adds an aggravating factor where the offence is racially or religiously motivated. The former offence is recordable, but the latter is not, so the police can take DNA and fingerprints on arrest for the former offence but not the latter. Section 27(4) of PACE provides that the Secretary of State may amend the list of recordable offences by regulation.</p>	<p>Negative</p>

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

Name of SI	Details	Procedure
Immigration and Nationality (Fees) Order 2016	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 the 2015 Order and introduce new functions for which fees can be set out in regulations.	Affirmative
Immigration and Nationality (Fees) Regulations 2016	Regulations set specific fee levels for immigration and nationality fees (at or below maxima set in Fees Order 2015).	Negative
Short-term Holding Facility Rules 2015	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.	Negative
Pre Departure Accommodation Rules 2015	Provides rules governing the running of Pre-Departure Accommodation	Negative
Immigration (Short-term Holding Facilities) Regulations 2015	Extends the application of a number of the sections in Part 8 of the Immigration and Asylum Act 1999 to short-term holding facilities.	Negative