



# House of Commons

## NOTICES OF AMENDMENTS

given on

**Monday 7 October 2013**

*For other Amendment(s) see the following page(s) of Supplement to Votes:  
585, 587, 589-90, 709-14, 729-730 and 735-36*

### CONSIDERATION OF BILL

#### ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING BILL, AS AMENDED

##### *Violent offender orders*

Secretary Theresa May

NC8

To move the following Clause:—

- ‘(1) In section 98 of the Criminal Justice and Immigration Act 2008 (violent offender orders), after subsection (5) there is inserted—
  - “(6) The Secretary of State may by order—
    - (a) amend subsection (3);
    - (b) make consequential amendments to subsection (4).”
- (2) In section 147(5) of that Act (orders etc subject to affirmative resolution procedure), after paragraph (d) there is inserted—
  - “(da) an order under section 98(6),”.
- (3) In section 99 of that Act (qualifying offenders), in paragraph (b) of subsection (5) (meaning of “relevant offence”) after “a specified offence” there is inserted “, or the offence of murder,”.

##### *Offence of forced marriage: Scotland*

Secretary Theresa May

NC9

To move the following Clause:—

- ‘(1) A person commits an offence under the law of Scotland if he or she—
  - (a) uses violence, threats or any other form of coercion for the purpose of causing another person to enter into a marriage, and
  - (b) believes, or ought reasonably to believe, that the conduct may cause the other person to enter into the marriage without free and full consent.
- (2) A person commits an offence under the law of Scotland if he or she—

**Anti-social Behaviour, Crime and Policing Bill**, *continued*

- (a) practises any form of deception with the intention of causing another person to leave the United Kingdom, and
- (b) intends the other person to be subjected to conduct outside the United Kingdom that is an offence under subsection (1) or would be an offence under that subsection if the victim were in Scotland.
- (3) “Marriage” means any religious or civil ceremony of marriage (whether or not legally binding).
- (4) It is irrelevant whether the conduct mentioned in paragraph (a) of subsection (1) is directed at the victim of the offence under that subsection or another person.
- (5) A person commits an offence under subsection (1) or (2) only if, at the time of the coercion or deception—
  - (a) the person or the victim or both of them are in Scotland,
  - (b) neither the person nor the victim is in Scotland but at least one of them is habitually resident in Scotland, or
  - (c) neither the person nor the victim is in the United Kingdom but at least one of them is a UK national.
- (6) “UK national” means an individual who is—
  - (a) a British citizen, a British overseas territories citizen, a British National (Overseas) or a British Overseas citizen;
  - (b) a person who under the British Nationality Act 1981 is a British subject; or
  - (c) a British protected person within the meaning of that Act.
- (7) A person guilty of an offence under this section is liable—
  - (a) on summary conviction, to imprisonment for a term not exceeding 12 months or to a fine not exceeding the statutory maximum or both;
  - (b) on conviction on indictment, to imprisonment for a term not exceeding 2 years or to a fine or both.’.

*Fees for criminal record certificates etc*

Secretary Theresa May

NC10

To move the following Clause:—

‘In Part 5 of the Police Act 1997 (criminal record certificates etc), in section 125 (regulations), after subsection (1) there is inserted—

- “(1A) In prescribing the amount of a fee that—
- (a) is payable in relation to applications under a particular provision of this Part, but
  - (b) is not payable in relation to applications made by volunteers,
- the Secretary of State may take into account not only the costs associated with applications in relation to which the fee is payable but also the costs associated with applications under that provision made by volunteers.’”.

**Anti-social Behaviour, Crime and Policing Bill, *continued***

*Power of community support officer to issue fixed penalty notice for cycle light offence*

Secretary Theresa May

**NC11**

To move the following Clause:—

- (1) Part 1 of Schedule 4 to the Police Reform Act 2002 (powers of community support officers) is amended as follows.
- (2) In sub-paragraph (2)(b) of paragraph 1 (power to issue fixed penalty notices)—
  - (a) for “in respect of an offence” there is substituted “in respect of—
    - (i) an offence”;
    - (ii) an offence, under section 42 of the Road Traffic Act 1988, of contravening or failing to comply with a construction or use requirement about lighting equipment or reflectors for cycles;”.
  - (b) at the end there is inserted “, or
    - (i) an offence, under section 42 of the Road Traffic Act 1988, of contravening or failing to comply with a construction or use requirement about lighting equipment or reflectors for cycles;”.
- (3) In sub-paragraph (2) of paragraph 11A (power to stop cycles)—
  - (a) for “has committed an offence” there is substituted “has committed—
    - (a) an offence”;
    - (b) an offence, under section 42 of the Road Traffic Act 1988, of contravening or failing to comply with a construction or use requirement about lighting equipment or reflectors for cycles;”.

*Credit for time in custody awaiting extradition to United Kingdom to serve sentence*

Secretary Theresa May

**NC12**

To move the following Clause:—

- ‘In section 49 of the Prison Act 1952 (persons unlawfully at large), after subsection (3) there is inserted—
  - “(3A) Where—
    - (a) a person is extradited to the United Kingdom from a category 1 territory for the purpose of serving a term of imprisonment or another form of detention mentioned in subsection (2) of this section, and
    - (b) the person was for any time kept in custody in that territory with a view to the extradition (and not also for any other reason),
 the Secretary of State shall exercise the power under that subsection to direct that account shall be taken of that time in calculating the period for which the person is liable to be detained.
  - (3B) In subsection (3A) of this section “category 1 territory” means a territory designated under the Extradition Act 2003 for the purposes of Part 1 of that Act.”.

Secretary Theresa May

**1**

Clause 1, page 2, line 7, leave out paragraph (b).

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**Anti-social Behaviour, Crime and Policing Bill, *continued***

- Secretary Theresa May 2
- Clause 4, page 3, line 38, at end insert—  
     ‘() the Natural Resources Body for Wales.’
- Secretary Theresa May 3
- Clause 4, page 3, line 39, leave out from ‘functions’ to end of line 43 and insert ‘,  
 or a Special Health Authority exercising security management functions on the direction  
 of the Secretary of State, or  
     () the Welsh Ministers exercising security management functions, or a  
 person or body exercising security management functions on the  
 direction of the Welsh Ministers or under arrangements made between  
 the Welsh Ministers and that person or body.’
- Secretary Theresa May 4
- Clause 4, page 3, line 44, leave out paragraphs (h) and (i).
- Secretary Theresa May 5
- Clause 4, page 4, line 1, at end insert—  
     ‘() In subsection (1) “security management functions” means—  
         (a) the Secretary of State’s security management functions within the  
         meaning given by section 195(3) of the National Health Service Act  
         2006;  
         (b) the functions of the Welsh Ministers corresponding to those functions.’
- Secretary Theresa May 6
- Clause 8, page 5, line 21, at end insert—  
     ‘(za) a judge of the High Court or a judge of the county court, if the injunction  
     was granted by the High Court.’
- Secretary Theresa May 7
- Clause 8, page 5, line 27, leave out ‘(3)(a)’ and insert ‘(3)(za) or (a)’.
- Secretary Theresa May 8
- Clause 9, page 5, line 38, at end insert—  
     ‘() a judge of the High Court, if the injunction was granted by the High  
     Court.’
- Secretary Theresa May 9
- Clause 9, page 6, line 3, at end insert—  
     ‘() A warrant issued by a judge of the High Court must require the respondent to be  
     brought before that court.’

**Anti-social Behaviour, Crime and Policing Bill, *continued***

Secretary Theresa May	<b>10</b>
Clause 12, page 6, line 24, after ‘lives’ insert ‘(“the premises”)’.	
Secretary Theresa May	<b>11</b>
Clause 12, page 6, line 25, leave out paragraph (a).	
Secretary Theresa May	<b>12</b>
Clause 12, page 6, line 27, leave out ‘the local authority or housing provider’ and insert—	
(i) a local authority,	
(ii) the chief officer of police for the police area that the premises are in, or	
(iii) if the premises are owned or managed by a housing provider, that housing provider.’	
Secretary Theresa May	<b>13</b>
Clause 12, page 6, line 35, leave out ‘local authority or’.	
Secretary Theresa May	<b>14</b>
Clause 12, page 6, line 37, leave out ‘authority or’ and insert ‘housing’.	
Secretary Theresa May	<b>15</b>
Clause 12, page 6, line 40, leave out ‘authority or’ and insert ‘housing’.	
Secretary Theresa May	<b>16</b>
Clause 21, page 11, leave out line 26 and insert ‘any person’.	
Secretary Theresa May	<b>17</b>
Clause 21, page 12, line 4, leave out paragraph (b).	
Secretary Theresa May	<b>18</b>
Clause 32, page 18, line 23, leave out from ‘if’ to first ‘that’ in line 25 and insert ‘satisfied on reasonable grounds’.	
Secretary Theresa May	<b>19</b>
Clause 40, page 23, line 1, leave out subsection (5).	
Secretary Theresa May	<b>20</b>
Clause 43, page 24, leave out lines 19 to 22.	

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**Anti-social Behaviour, Crime and Policing Bill, *continued***

- Secretary Theresa May 21
- Clause 43, page 24, line 31, leave out subsection (3) and insert—  
 ‘(3) While an appeal against a community protection notice is in progress—  
 (a) a requirement imposed by the notice to stop doing specified things remains in effect, unless the court orders otherwise, but  
 (b) any other requirement imposed by the notice is of no effect.  
 For this purpose an appeal is “in progress” until it is finally determined or is withdrawn.’.
- Secretary Theresa May 22
- Clause 45, page 26, line 9, leave out ‘specified in’ and insert ‘alleged to constitute a failure to comply with’.
- Secretary Theresa May 23
- Clause 45, page 26, line 11, leave out paragraph (a).
- Secretary Theresa May 24
- Clause 45, page 26, line 19, leave out paragraph (a).
- Secretary Theresa May 25
- Clause 60, page 36, line 7, at end insert—  
 ‘() Before a local authority makes a public spaces protection order restricting the public right of way over a highway that is also within the area of another local authority, it must consult that other authority if it thinks it appropriate to do so.’.
- Secretary Theresa May 26
- Clause 62, page 37, line 6, at end insert ‘, or  
 () a variation of a public spaces protection order.’.
- Secretary Theresa May 27
- Clause 62, page 37, line 10, after ‘order’ insert ‘or variation’.
- Secretary Theresa May 28
- Clause 62, page 37, line 11, after ‘order’ insert ‘(or by the order as varied)’.
- Secretary Theresa May 29
- Clause 62, page 37, line 13, after ‘order’ insert ‘or variation’.
- Secretary Theresa May 30
- Clause 62, page 37, line 15, after ‘order’ insert ‘or variation’.

**Anti-social Behaviour, Crime and Policing Bill, *continued***

- Secretary Theresa May 31  
 Clause 62, page 37, line 17, leave out ‘public spaces protection order’ and insert ‘order or variation’.
- Secretary Theresa May 32  
 Clause 62, page 37, line 17, leave out ‘its prohibitions or requirements’ and insert ‘the prohibitions or requirements imposed by the order (or by the order as varied)’.
- Secretary Theresa May 33  
 Clause 62, page 37, line 20, after ‘order’ insert ‘or variation’.
- Secretary Theresa May 34  
 Clause 62, page 37, line 21, after ‘order’ insert ‘(or by the order as varied)’.
- Secretary Theresa May 35  
 Clause 62, page 37, line 24, leave out from first ‘or’ to end of line and insert ‘variation, or any of the prohibitions or requirements imposed by the order (or by the order as varied)’.
- Secretary Theresa May 36  
 Clause 62, page 37, line 25, leave out ‘its prohibitions or requirements’ and insert ‘the prohibitions or requirements imposed by the order (or by the order as varied)’.
- Secretary Theresa May 37  
 Clause 62, page 37, line 29, after ‘order’ insert ‘, or of a variation of a public spaces protection order.’.
- Secretary Theresa May 38  
 Clause 63, page 38, line 3, at end insert—  
 ‘() Consuming alcohol in breach of a public spaces protection order is not an offence under this section (but see section 59).’.
- Secretary Theresa May 39  
 Clause 70, page 42, line 14, at end insert—  
 ‘() In calculating when the period of 48 hours ends, Christmas Day is to be disregarded.’.
- Secretary Theresa May 40  
 Clause 73, page 44, line 11, at end insert—  
 ‘() In calculating when the period of 48 hours ends, Christmas Day is to be disregarded.’.

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**Anti-social Behaviour, Crime and Policing Bill, *continued***

- Secretary Theresa May 41  
 Clause 81, page 49, line 17, after ‘owner’ insert ‘or occupier’.
- Secretary Theresa May 42  
 Clause 81, page 49, line 21, at end insert—  
 ‘( ) An order under this section may be made only against a person who has been served with the application for the order.’.
- Secretary Theresa May 43  
 Clause 81, page 49, line 22, after ‘must’ insert ‘also’.
- Secretary Theresa May 44  
 Clause 81, page 49, line 26, leave out paragraph (c).
- Secretary Theresa May 45  
 Clause 93, page 64, line 3, at end insert—  
 ‘( ) For the purposes of subsection (2), an action is appropriate to be carried out by a person only if it has one or more of the following objects—  
 (a) assisting in the person’s rehabilitation;  
 (b) ensuring that the person makes reparation for the behaviour or offence in question;  
 (c) punishing the person.’.
- Secretary Theresa May 46  
 Clause 93, page 64, leave out lines 6 to 11 and insert—  
 ‘(a) have regard to the need promote public confidence in the out-of-court disposal process;  
 (b) have regard to any guidance issued by the Secretary of State about how local policing bodies are to discharge their functions under this section;  
 (c) carry out the necessary consultation and take account of all views expressed by those consulted.  
 ( ) In subsection (3)(c) “the necessary consultation” means—  
 (a) consultation with the chief officer of police for the area,  
 (b) consultation with whatever community representatives the local policing body thinks it appropriate to consult, and  
 (c) whatever other public consultation the local policing body thinks appropriate.’.
- Secretary Theresa May 47  
 Clause 93, page 64, line 16, at end insert—  
 ‘( ) The Secretary of State must publish any guidance issued under subsection (3)(b).’.



**Anti-social Behaviour, Crime and Policing Bill, *continued***

- Secretary Theresa May 48
- Clause 93, page 64, line 22, at end insert—  
 “out-of-court disposal process” means the process by which a person is dealt with under section 94 or by means of a conditional caution or youth conditional caution.’.
- Secretary Theresa May 49
- Clause 104, page 75, line 17, after ‘offence’ insert ‘under the law of England and Wales’.
- Secretary Theresa May 50
- Clause 104, page 75, line 22, after ‘offence’ insert ‘under the law of England and Wales’.
- Secretary Theresa May 51
- Clause 112, page 80, line 24, at end insert—  
 ‘( ) The Secretary of State may secure the reimbursement of payments made under section 61(5) or (7) of the Police Act 1996 (payment by Scottish Ministers or Department of Justice in Northern Ireland towards expenses incurred by the Police Negotiating Board for the United Kingdom) to the extent that, by reason of the abolition of the Board, the payments are not needed.’.
- Secretary Theresa May 52
- Clause 114, page 83, line 22, leave out ‘Police Advisory Board for England and Wales’ and insert ‘appropriate advisory or negotiating body’.
- Secretary Theresa May 53
- Clause 114, page 83, line 24, at end insert—  
 “(1A) In subsection (1) above, “the appropriate advisory or negotiating body” means—  
 (a) as regards England and Wales, the Police Advisory Board for England and Wales;  
 (b) as regards Scotland, the Police Negotiating Board for Scotland.’.
- Secretary Theresa May 54
- Clause 114, page 83, line 25, after ‘above’ insert ‘as regards England and Wales,’.
- Secretary Theresa May 55
- Clause 114, page 83, line 37, leave out from ‘paragraph’ to end of line 40 and insert ‘3, for sub-paragraph (3) there is substituted—  
 “(3) The Secretary of State shall—  
 (a) consult with the Police Advisory Board for England and Wales before exercising the power as regards England and Wales;  
 (b) consult with the Police Negotiating Board for Scotland before exercising the power as regards Scotland;

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**Anti-social Behaviour, Crime and Policing Bill, *continued***

- (c) consult with the Northern Ireland Policing Board and the Police Association for Northern Ireland before exercising the power as regards Northern Ireland.”.

Secretary Theresa May

**56**

Clause **129**, page **99**, line **6**, leave out from ‘But’ to end of line 8 and insert ‘if proceedings in respect of the extradition are adjourned under section 8A or 8B, the permitted period is extended by the number of days for which the proceedings are so adjourned.’”.

Secretary Theresa May

**57**

Clause **134**, page **103**, line **2**, at end insert—

- ‘( ) In section 28 of that Act (appeal against discharge at extradition hearing: category 1 territory)—
- (a) in subsection (4), for “section may” there is substituted “section—  
(a) may”;
- (b) at the end of that subsection there is inserted “, but  
(b) lies only with the leave of the High Court.”’.

Secretary Theresa May

**58**

Clause **134**, page **103**, line **13**, at end insert—

- ‘( ) In section 105 of that Act (appeal against discharge at extradition hearing: category 2 territory)—
- (a) in subsection (4), for “section may” there is substituted “section—  
(a) may”;
- (b) at the end of that subsection there is inserted “, but  
(b) lies only with the leave of the High Court.”’.

Secretary Theresa May

**59**

Clause **134**, page **103**, line **20**, leave out from ‘subsection’ to third ‘the’ in line 22 and insert ‘(7) there is inserted—

- “(7A) Where a person gives notice of application for leave to appeal after the end of the permitted period (whether or not the application is for leave to appeal on human rights grounds),”’.

Secretary Theresa May

**60**

Clause **134**, page **103**, line **25**, at end insert—

- ‘( ) In section 110 of that Act (appeal against discharge by Secretary of State)—
- (a) in subsection (4), for “section may” there is substituted “section—  
(a) may”;
- (b) at the end of that subsection there is inserted “, but  
(b) lies only with the leave of the High Court.”’.

**Anti-social Behaviour, Crime and Policing Bill, *continued***

- Secretary Theresa May 61
- Clause 144, page 117, line 13, at end insert—
- ‘(5A) Any reference in the Police and Criminal Evidence Act 1984 to an “indictable offence” has effect as if it included a reference to low-value shoplifting (as defined in section 22A(3) of the Magistrates’ Courts Act 1980).
- (5B) In section 84 of the Armed Forces Act 2006 (definitions), after subsection (2) there is inserted—
- “(2A) In subsection (2)(a), the reference to an “indictable offence” has effect as if it included a reference to low-value shoplifting (as defined in section 22A(3) of the Magistrates’ Courts Act 1980).”’.
- Secretary Theresa May 62
- Clause 149, page 119, line 21, at end insert ‘, but this does not apply to a power of the Scottish Ministers to make an order under section 152’.
- Secretary Theresa May 63
- Clause 151, page 120, line 11, at end insert—
- ‘() section [*Violent offender orders*];’.
- Secretary Theresa May 64
- Clause 151, page 120, line 12, leave out ‘Part 9’ and insert ‘sections 103 and 104’.
- Secretary Theresa May 65
- Clause 151, page 120, line 14, leave out ‘114’ and insert ‘114(1), (2) and (4)’.
- Secretary Theresa May 66
- Clause 151, page 120, line 17, leave out ‘section 128’ and insert ‘sections 128, [*Fees for criminal record certificates etc*]’.
- Secretary Theresa May 67
- Clause 151, page 120, line 17, at end insert ‘and [*Power of community support officer to issue fixed penalty notice for cycle light offence*]’.
- Secretary Theresa May 68
- Clause 151, page 120, line 18, leave out ‘section’ and insert ‘sections [*Credit for time in custody awaiting extradition to United Kingdom to serve sentence*] and’.
- Secretary Theresa May 69
- Clause 151, page 120, leave out line 19 and insert—
- ‘(j) section 144 except subsection (5B);
- (k) section 146.’.

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**Anti-social Behaviour, Crime and Policing Bill, *continued***

- Secretary Theresa May 70
- Clause 151, page 120, line 23, at end insert—  
‘() section 114(3);’.
- Secretary Theresa May 71
- Clause 151, page 120, line 32, at end insert—  
‘() section 114(5);’.
- Secretary Theresa May 72
- Clause 151, page 120, line 37, at end insert—  
‘() Section [*Offence of forced marriage: Scotland*] extends only to Scotland.’.
- Secretary Theresa May 73
- Clause 151, page 120, line 38, at end insert—  
‘(5A) Section 144(5B) has the same extent as section 84 of the Armed Forces Act 2006, and the powers conferred by section 384 of that Act (power to extend Act to the Channel Islands and powers to make provisions of that Act apply with modifications in relation to the Channel Islands, British overseas territories and the Isle of Man) are exercisable in relation to the amendment of that Act made by section 144(5B) of this Act.’.
- Secretary Theresa May 74
- Clause 152, page 121, line 9, at end insert—  
‘() section [*Fees for criminal record certificates etc*], which comes into force at the end of the period of 2 months beginning with that day;’.
- Secretary Theresa May 75
- Clause 152, page 121, line 11, at end insert—  
‘() section [*Offence of forced marriage: Scotland*].’.
- Secretary Theresa May 76
- Clause 152, page 121, line 19, at end insert—  
‘() Section [*Offence of forced marriage: Scotland*] comes into force on whatever day the Scottish Ministers appoint by order.’.
- Secretary Theresa May 77
- Clause 152, page 121, line 27, at end insert—  
‘() The Scottish Ministers may by order make whatever saving, transitional or transitory provision they think appropriate in connection with the coming into force of section [*Offence of forced marriage: Scotland*].’.

**Anti-social Behaviour, Crime and Policing Bill, *continued***

Secretary Theresa May 78

Clause 152, page 121, line 27, at end insert—

- ‘() An order under this section bringing into force on a particular day a provision which refers to the Police Negotiating Board for Scotland may, if it appears to the Secretary of State that no body of that name will be in existence on that day, bring the provision into force subject to whatever consequential amendment or transitional provision the Secretary of State thinks appropriate.’

Secretary Theresa May 79

Schedule 6, page 145, line 2, at end insert—

- ‘() may if necessary use reasonable force for the purpose of exercising a power under this paragraph;
- () may authorise a person to carry out on the officer’s behalf a search under this paragraph.’

Secretary Theresa May 80

Schedule 6, page 145, line 29, at end insert—

- ‘() A constable—
  - (a) may if necessary use reasonable force for the purpose of exercising a power under this paragraph;
  - (b) may authorise a person to carry out on the constable’s behalf a search under this paragraph.’

Secretary Theresa May 81

Schedule 6, page 146, line 5, leave out paragraph 5.

Secretary Theresa May 82

Schedule 8, page 158, line 20, at end insert—

*‘Government of Wales Act 2006 (c. 32)*

In Schedule 7 to the Government of Wales Act 2006 (legislative competence of Welsh Assembly), in the list of exceptions in paragraph 12, for “Anti-social behaviour orders” there is substituted “Orders to protect people from behaviour that causes or is likely to cause harassment, alarm or distress”.

Secretary Theresa May 83

Schedule 8, page 161, line 36, at end insert—

*‘Police Act 1997 (c. 50)*

In section 137 of the Police Act 1997 (extent), in subsection (2) (provisions extending to England and Wales only), after “sections” in paragraph (e) there is inserted “125(1A)”.

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**Anti-social Behaviour, Crime and Policing Bill, *continued***

Secretary Theresa May

Schedule 8, page 163, line 35, at end insert—

84

*Police and Fire Reform (Scotland) Act 2012 (Consequential Provisions and Modifications) Order 2013 (S.I. 2013/602)*

In article 14 of the Police and Fire Reform (Scotland) Act 2012 (Consequential Provisions and Modifications) Order 2013 (pensions: special constables and police cadets), in paragraph (2), for “the Police Negotiating Board for the United Kingdom” there is substituted “the Police Negotiating Board for Scotland”.

Secretary Theresa May

Schedule 8, page 164, line 4, leave out ‘The’ and insert ‘In the Schedule, the’.

85

Secretary Theresa May

Schedule 8, page 164, line 32, at end insert—

86

<p>‘Police and Fire Reform (Scotland) Act 2012 (Consequential Provisions and Modifications) Order 2013 (S.I. 2013/602)</p>	<p>In Schedule 1, paragraph 5(4) to (6).’</p>
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Secretary Theresa May

Schedule 8, page 165, line 4, at end insert—

87

‘In section 28 of that Act (appeal against discharge at extradition hearing: category 1 territory), in subsection (5), for “Notice of an appeal” there is substituted “Notice of application for leave to appeal”.’

Secretary Theresa May

Schedule 8, page 165, line 23, at end insert—

88

‘In section 105 of that Act (appeal against discharge at extradition hearing: category 2 territory), in subsection (5), for “Notice of an appeal” there is substituted “Notice of application for leave to appeal”.’

Secretary Theresa May

Schedule 8, page 165, line 24, leave out paragraph 74 and insert—

89

- ‘74 (1) Section 108 of that Act (appeal against extradition order: category 2 territory) is amended as follows.
- (2) In subsection (4), for the words before “is 14 days” there is substituted “Notice of application for leave to appeal under this section must be given—
- (a) in accordance with rules of court, and
  - (a) subject to subsections (5) and (7A), before the end of the permitted period, which”.
- (3) In subsection (5)—
- (a) for “But notice of an appeal” there is substituted “Notice of application for leave to appeal”
  - (b) after “if it is an” there is inserted “application for leave to”.

**Anti-social Behaviour, Crime and Policing Bill, *continued***

- (4) In subsection (6), for the words before “before the person is extradited” there is substituted “Notice of application for leave to appeal on human rights grounds given after the end of the permitted period must be given”.
- (5) In subsection (7)—
  - (a) for “notice of an appeal” there is substituted “notice of application for leave to appeal”;
  - (b) for “consider the appeal” there is substituted “grant leave”;
  - (c) for “to consider the appeal” there is substituted “for the appeal to be heard”.
- (6) In subsection (8), for ““appeal on human rights grounds” means an appeal” there is substituted ““to appeal on human rights grounds” means to appeal”.

Secretary Theresa May

90

Schedule 8, page 165, line 26, at end insert—

In section 110 of that Act (appeal against discharge by Secretary of State), in subsection (5), for “Notice of an appeal” there is substituted “Notice of application for leave to appeal”.

Secretary Theresa May

91

Schedule 8, page 166, line 33, at end insert—

‘PART 4

AMENDMENTS CONSEQUENTIAL ON ESTABLISHMENT OF POLICE SERVICE OF SCOTLAND

*Terrorism Act 2000 (c. 11)*

- (1) Schedule 8 to the Terrorism Act 2000 (detention) is amended as follows.
- (2) In paragraph 20B(10), for paragraph (b) of the definition of “a specified chief officer of police” there is substituted—
  - “(b) the chief constable of the Police Service of Scotland, where—
    - (i) the person who provided the material, or from whom it was taken, resides in Scotland, or
    - (ii) the chief constable believes that the person is in, or is intending to come to, Scotland.”
- (3) In paragraph 20J—
  - (a) for paragraphs (d) and (e) of the definition of “police force” there is substituted—
    - “(d) the Police Service of Scotland;
    - (e) the Scottish Police Authority;”;
  - (b) in the second of the three definitions of “responsible chief officer of police”, for the words after “the chief constable of” there is substituted “the Police Service of Scotland”.

*Counter-Terrorism Act 2008 (c. 28)*

In section 18D of the Counter-Terrorism Act 2008 (use of retained material), in subsection (2) for “the Scottish Police Services Authority” there is substituted “the Scottish Police Authority”.

**Anti-social Behaviour, Crime and Policing Bill**, *continued*

In section 18E(1) of that Act (interpretation of sections 18 to 18E), for paragraph (d) of the definition of “police force” there is substituted—

“(d) the Police Service of Scotland;”.

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