

Status: This version of this schedule contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the Police Reform and Social Responsibility Act 2011, SCHEDULE 10. (See end of Document for details)

SCHEDULES

SCHEDULE 10

Section 74

ELECTIONS OF POLICE AND CRIME COMMISSIONERS: CONSEQUENTIAL AMENDMENTS

Modifications etc. (not altering text)

- C1** Sch. 10 excluded (8.5.2017) by [The Greater Manchester Combined Authority \(Transfer of Police and Crime Commissioner Functions to the Mayor\) Order 2017 \(S.I. 2017/470\)](#), art. 1(2), [Sch. 2 para. 21\(h\)](#)

Local Government Act 1972

- 1 The Local Government Act 1972 is amended as follows.

Commencement Information

- I1** Sch. 10 para. 1 in force at 25.4.2012 by [S.I. 2012/1129](#), [art. 2\(g\)](#)

- 2 In section 67 (consequential and transitional arrangements relating to Part 4), after subsection (5) insert—

“(5A) Without prejudice to subsection (5), an order under section 58 which makes provision altering any police areas may make provision as to who is to be a police and crime commissioner, including—

- (a) provision for the police and crime commissioner for a police area affected by the order to become the police and crime commissioner for a police area resulting from the order;
- (b) provision for the holding of an election for the police and crime commissioner for any police area resulting from the order.

(5B) Such an order which includes provision within subsection (5A)(b) may, in particular, require the election in question to be held before the alteration of police areas takes effect.”

Commencement Information

- I2** Sch. 10 para. 2 in force at 25.4.2012 by [S.I. 2012/1129](#), [art. 2\(g\)](#)

Representation of the People Act 1983

- 3 In section 13B(4) of the Representation of the People Act 1983 (alteration of registers: pending elections), omit “and” at the end of paragraph (d) and after paragraph (f) insert “and
- (g) elections of police and crime commissioners in England and Wales.”

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Commencement Information

I3 Sch. 10 para. 3 in force at 25.4.2012 by S.I. 2012/1129, art. 2(g)

Police Act 1996

4 The Police Act 1996 is amended as follows.

Commencement Information

I4 Sch. 10 para. 4 in force at 25.4.2012 by S.I. 2012/1129, art. 2(g)

- 5 (1) Section 32 (power to alter police areas by order) is amended as follows.
- (2) In subsection (3)(a), for “police authority” substitute “ local policing body ”.
- (3) In subsection (4), after “ensure that” insert “ no police area falls partly in England and partly in Wales and that ”.

Commencement Information

I5 Sch. 10 para. 5 in force at 25.4.2012 by S.I. 2012/1129, art. 2(g)

6 In section 33(1)(a) (objection to alterations proposed by Secretary of State) for “police authority” substitute “ local policing body ”.

Commencement Information

I6 Sch. 10 para. 6 in force at 25.4.2012 by S.I. 2012/1129, art. 2(g)

- 7 (1) Section 34 (orders altering police areas: supplementary provisions) is amended as follows.
- (2) For subsection (1)(a), substitute—
- “(a) provision as to who is to be a police and crime commissioner;”.
- (3) After subsection (1) insert—
- “(1A) Provision falling within subsection (1)(a) includes, in particular—
- (a) provision for the police and crime commissioner for a police area affected by the order to become the police and crime commissioner for a police area resulting from the order;
- (b) provision for the holding of an election for the police and crime commissioner for any police area resulting from the order.”
- (4) In subsection (2)—
- (a) omit “and” at the end of paragraph (a), and
- (b) after paragraph (b) insert “and
- (c) to apply (with or without modification) any provision of, or made under, Chapter 6 of Part 1 of the Police Reform and Social Responsibility Act 2011.”

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(5) After subsection (2) insert—

“(2A) An order under section 32 which includes provision within subsection (1A) (b) may, in particular require the election in question to be held before the alteration of police areas takes effect.”

Commencement Information

I7 Sch. 10 para. 7 in force at 25.4.2012 by S.I. 2012/1129, art. 2(g)

Political Parties, Elections and Referendums Act 2000

8 The Political Parties, Elections and Referendums Act 2000 is amended as follows.

Commencement Information

I8 Sch. 10 para. 8 in force at 25.4.2012 by S.I. 2012/1129, art. 2(g)

9 In section 5 (reports on elections and referendums)—

(a) in subsection (2), after paragraph (e) insert—

“(f) an ordinary election of police and crime commissioners.”;

(b) in subsection (2A), omit “or” after paragraph (b), and after paragraph (c) insert “or

(d) an election held under section 51 of the Police Reform and Social Responsibility Act 2011 (election to fill vacancy in office of police and crime commissioner).”.

Commencement Information

I9 Sch. 10 para. 9 in force at 25.4.2012 by S.I. 2012/1129, art. 2(g)

10 In section 6A (attendance of representatives of Commission at elections), in subsection (5), after paragraph (d) insert—

“(da) an election under section 51 of the Police Reform and Social Responsibility Act 2011 (election to fill vacancy in office of police and crime commissioner).”.

Commencement Information

I10 Sch. 10 para. 10 in force at 25.4.2012 by S.I. 2012/1129, art. 2(g)

11 In section 7 (Commission to be consulted on changes to electoral law), in subsection (2), after paragraph (h) insert—

“(ha) an order under subsection (1)(b) of section 54 of the Police Reform and Social Responsibility Act 2011 (designations of returning officers for elections of persons as police and crime commissioners in England and Wales);

(hb) regulations under subsection (2) of that section (functions of returning officers and local returning officers for such elections);

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- (hc) an order under section 58 of that Act (conduct of elections of persons as police and crime commissioners in England and Wales);”.

Commencement Information

I11 Sch. 10 para. 11 in force at 25.4.2012 by S.I. 2012/1129, art. 2(g)

PROSPECTIVE

- 12 In section 8 (powers with respect to elections exercisable only on Commission recommendation), in subsection (3), after paragraph (c) insert—
 “(d) the making of orders under section 58 of the Police Reform and Social Responsibility Act 2011 so far as relating to the matters mentioned in subsection (2)(d) of that section (funding and expenditure of candidates, political parties and other persons in connection with elections of persons as police and crime commissioners in England and Wales).”
- 13 In section 9A (setting of performance standards), in subsection (6), after paragraph (d) insert—
 “(da) an election under section 51 of the Police Reform and Social Responsibility Act 2011 (election to fill vacancy in office of police and crime commissioner);”.

Commencement Information

I12 Sch. 10 para. 13 in force at 25.4.2012 by S.I. 2012/1129, art. 2(g)

Local Government and Public Involvement in Health Act 2007

- 14 (1) Section 15 of the Local Government and Public Involvement in Health Act 2007 (structural and boundary change in England: incidental etc provision in orders or regulations) is amended as follows.
- (2) In subsection (1)—
 (a) in paragraph (a), for “police authority” in both places where it occurs substitute “local policing body”;
 (b) after paragraph (f) insert—
 “(fa) as to who is to be a police and crime commissioner;”.
- (3) After subsection (1) insert—
 “(1A) Provision falling within subsection (1)(fa) includes, in particular—
 (a) provision for the police and crime commissioner for a police area affected by an order by virtue of provision made under section 11(4)(g) to become the police and crime commissioner for a police area resulting from the order;
 (b) provision for the holding of an election for the police and crime commissioner for any police area resulting from the order.”
- (4) After subsection (3) insert—

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“(3A) Without prejudice to subsection (2), an order under section 7 or 10 which includes provision within subsection (1A)(b) may, in particular, require the election in question to be held before the alteration of police areas takes effect.”

Commencement Information

I13 Sch. 10 para. 14 in force at 25.4.2012 by S.I. 2012/1129, art. 2(g)

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