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**Changes to legislation:** There are currently no known outstanding effects for the Police Reform and Social Responsibility Act 2011, SCHEDULE 3. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 3

Section 3

#### MAYOR'S OFFICE FOR POLICING AND CRIME

##### *Allowances*

- 1 (1) The occupant of the Mayor's Office for Policing and Crime is to be paid authorised allowances.
- (2) In this paragraph “authorised allowances” means allowances, in respect of expenses incurred by the occupant of the Mayor's Office for Policing and Crime in the exercise of the functions of that Office, which are of the kinds and amounts designated by the Secretary of State as payable in accordance with this paragraph.
- (3) A determination under this paragraph may make different provision for different cases.
- (4) Payments under this paragraph are to be made by the Mayor's Office for Policing and Crime.

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##### **Commencement Information**

**II** Sch. 3 para. 1 in force at 16.1.2012 by S.I. 2011/3019, art. 3, Sch. 1

##### *Staff*

- 2 (1) The Mayor's Office for Policing and Crime must appoint a person to be the head of that Office's staff (referred to in this Part as the chief executive of the Mayor's Office for Policing and Crime).
- (2) The Mayor's Office for Policing and Crime may appoint such other staff (in addition to the chief executive, and the chief finance officer appointed under section 127(2) of the Greater London Authority Act 1999) as the Office thinks appropriate to enable the Office to exercise its functions.
- (3) A reference in any enactment to the officers of a functional body of the Greater London Authority is, in the case of the Mayor's Office for Policing and Crime, to be read as a reference to the staff of that Office.

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##### **Commencement Information**

**I2** Sch. 3 para. 2 in force at 16.1.2012 by S.I. 2011/3019, art. 3, Sch. 1

- 3 (1) The Mayor's Office for Policing and Crime must appoint a person to act as chief executive, if and for as long as—
- (a) that post is vacant, or

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- (b) the holder of that post is, in the opinion of the Mayor's Office for Policing and Crime, unable to carry out the duties of that post.
- (2) A reference in any enactment to the chief executive of the Mayor's Office for Policing and Crime includes a reference to a person acting as chief executive in accordance with sub-paragraph (1).

#### Commencement Information

**I3** Sch. 3 para. 3 in force at 16.1.2012 by S.I. 2011/3019, art. 3, Sch. 1

#### *The Deputy Mayor for Policing and Crime*

- 4 (1) This paragraph applies to the person appointed under section 19 to be the Deputy Mayor for Policing and Crime.
- (2) None of the following may be appointed as the Deputy Mayor for Policing and Crime—
  - (a) a person who has not attained the age of 18 on the day of appointment;
  - (b) a person who is subject to a relevant disqualification;
  - (c) a Member of the House of Commons;
  - (d) a member of the European Parliament;
  - (e) a member of the National Assembly for Wales;
  - (f) a member of the Scottish Parliament;
  - (g) a member of the Northern Ireland Assembly.
- (3) The terms and conditions of a person who is appointed as the Deputy Mayor for Policing and Crime must provide for the appointment to end not later than the day when the current term of office of the occupant of the Mayor's Office for Policing and Crime ends.
- (4) If, and for as long as, the person who is Deputy Mayor for Policing and Crime is a member of the London Assembly, the Deputy Mayor for Policing and Crime is not to be regarded as a member of staff of the Mayor's Office of Policing and Crime.
- (5) But sub-paragraph (4) does not prevent the person who is the Deputy Mayor for Policing and Crime from receiving allowances and gratuities under paragraph 6.
- (6) Section 7 of the Local Government and Housing Act 1989 (appointment of staff on merit) does not apply to the Deputy Mayor for Policing and Crime.
- (7) In this paragraph “current term of office”, in relation to the appointment of a member of staff by the occupant of the Mayor's Office for Policing and Crime, means the occupant's term of office which is running at the time the appointment is made.
- (8) For the purposes of this paragraph, a person is subject to a relevant disqualification if the person is disqualified from being elected as, or being, a police and crime commissioner under—
  - (a) section 65(1) (police officers, police-related employment etc), other than paragraph (e)(ii); or
  - (b) section 66(1), (3)(a)(iii) or (iv), (3)(c) or (3)(d) (citizenship, bankruptcy, criminal convictions & corrupt or illegal election practices).

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**Commencement Information**

**I4** Sch. 3 para. 4 in force at 16.1.2012 by S.I. 2011/3019, art. 3, Sch. 1

*Notification of appointments*

- 5 (1) This paragraph applies to every appointment of a member of staff of the Mayor's Office for Policing and Crime.
- (2) The Mayor's Office for Policing and Crime must notify the London Assembly of—
- (a) the name of the person appointed;
  - (b) the post to which the person has been appointed; and
  - (c) the terms and conditions on which the person has been appointed.
- (3) In this paragraph, a reference to appointment of a person as a member of staff of the Mayor's Office for Policing and Crime includes a reference to a person who is already a member of staff of the Office being appointed to a different post within the staff of the Office.

**Commencement Information**

**I5** Sch. 3 para. 5 in force at 16.1.2012 by S.I. 2011/3019, art. 3, Sch. 1

*Remuneration etc of staff*

- 6 (1) The Mayor's Office for Policing and Crime may pay remuneration, allowances and gratuities to the members of the staff of the Office.
- (2) The Mayor's Office for Policing and Crime may pay—
- (a) pensions to, or in respect of, persons who have been members of the staff of the Office, and
  - (b) amounts for or towards provision of pensions to, or in respect of, persons who have been members of the staff of the Office.
- (3) In this paragraph “allowances”, in relation to a member of the staff of the Mayor's Office for Policing and Crime, means allowances in respect of expenses incurred by the member of staff in the course of employment as such a member of staff.

**Commencement Information**

**I6** Sch. 3 para. 6 in force at 16.1.2012 by S.I. 2011/3019, art. 3, Sch. 1

*Incidental powers*

- 7 (1) The Mayor's Office for Policing and Crime may do anything which is calculated to facilitate, or is conducive or incidental to, the exercise of the functions of the Office.
- (2) That includes—
- (a) entering into contracts and other agreements (whether legally binding or not);

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- (b) acquiring and disposing of property (including land);
- (c) borrowing money.

(3) This paragraph is subject to the other provisions of this Act and to any other enactment about the powers of the Mayor's Office for Policing and Crime.

**Commencement Information**

**17** Sch. 3 para. 7 in force at 16.1.2012 by S.I. 2011/3019, art. 3, Sch. 1

*Protection from personal liability*

- 8 (1) A person who is the occupant of the Mayor's Office for Policing and Crime has no personal liability for an act or omission done by the person in the exercise of the functions of the office unless it is shown to have been done otherwise than in good faith.
- (2) A person who is a member of staff of the Mayor's Office for Policing and Crime has no personal liability for an act or omission done by the person in the carrying out of duties as a member of staff unless it is shown to have been done otherwise than in good faith.

**Commencement Information**

**18** Sch. 3 para. 8 in force at 16.1.2012 by S.I. 2011/3019, art. 3, Sch. 1

*Financial year*

- 9 (1) The first financial year of the Mayor's Office for Policing and Crime is the period that—
- (a) begins with the day on which section 3 comes into force, and
  - (b) ends with the relevant 31 March.
- (2) After that, the financial year of the Mayor's Office for Policing and Crime is the period of 12 months ending with 31 March.
- (3) In this paragraph “relevant 31 March”, in relation to the first financial year of the Mayor's Office for Policing and Crime, means—
- (a) if that financial year begins on or before 1 October, the first 31 March that falls after the beginning of the financial year;
  - (b) if that financial year begins after 1 October, the second 31 March that falls after the beginning of the financial year.

**Commencement Information**

**19** Sch. 3 para. 9 in force at 16.1.2012 by S.I. 2011/3019, art. 3, Sch. 1

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