



# Police Reform and Social Responsibility Act 2011

## 2011 CHAPTER 13

### PART 1

#### POLICE REFORM

#### CHAPTER 5

##### POLICE FORCES IN AREAS WITH ELECTED LOCAL POLICING BODIES

##### *The metropolitan police force*

#### **42 Appointment of Commissioner of Police of the Metropolis**

- (1) The Commissioner of Police of the Metropolis is to be appointed by Her Majesty by warrant under Her sign manual.
- (2) A constable holds office as the Commissioner of Police of the Metropolis at Her Majesty's pleasure.
- (3) The Secretary of State may not recommend to Her Majesty that She appoint a person as the Commissioner of Police of the Metropolis unless that person <sup>[F1]</sup>is eligible for appointment]; and, before making such a recommendation, the Secretary of State must have regard to any recommendations made by the Mayor's Office for Policing and Crime.

[F2(3A) A person is eligible for appointment if the person is or has been—

- (a) a constable in any part of the United Kingdom, or
- (b) a police officer in an approved overseas police force, of at least the approved rank.

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*Changes to legislation:* There are currently no known outstanding effects for the Police Reform and Social Responsibility Act 2011, Section 42. (See end of Document for details)

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[ But a person who would be eligible for appointment by virtue of subsection (3A) is <sup>F3</sup>(3AA) not eligible for appointment at a time when the person is included in the police barred list maintained under section 88B of the Police Act 1996.]

- (3B) An “approved overseas police force” is a police force which—
- (a) is in a country or territory outside the United Kingdom designated by regulations made by the Secretary of State, and
  - (b) is designated in relation to that country or territory by the regulations.
- (3C) The “approved rank” for an approved overseas police force is the rank which is designated as the approved rank for that police force by the regulations.
- (3D) The College of Policing must recommend to the Secretary of State matters to be designated under this section.
- (3E) The Secretary of State may make regulations under this section only if they give effect to a recommendation under subsection (3D).]
- (4) The appointment of the Commissioner of Police of the Metropolis is subject to regulations under section 50 of the Police Act 1996.

#### Textual Amendments

- F1** Words in s. 42(3) substituted (21.7.2014) by [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\)](#), [ss. 140\(5\)](#), [185\(1\)](#) (with [ss. 21, 33, 42, 58, 75, 93](#)); [S.I. 2014/1916](#), art. 2(a)
- F2** S. 42(3A)-(3E) inserted (21.7.2014) by [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\)](#), [ss. 140\(6\)](#), [185\(1\)](#) (with [ss. 21, 33, 42, 58, 75, 93](#)); [S.I. 2014/1916](#), art. 2(a)
- F3** S. 42(3AA) inserted (31.1.2017 for specified purposes, 15.12.2017 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), [ss. 30\(3\)](#), [183\(1\)\(5\)\(e\)](#); [S.I. 2017/1139](#), reg. 2(c) (as amended by [S.I. 2017/1162](#), reg. 2)

#### Commencement Information

- I1** S. 42 in force at 16.1.2012 by [S.I. 2011/3019](#), art. 3, [Sch. 1](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Police Reform and Social Responsibility Act 2011, Section 42.