



# Police Reform and Social Responsibility Act 2011

## 2011 CHAPTER 13

### PART 1

#### POLICE REFORM

#### CHAPTER 6

##### POLICE AND CRIME COMMISSIONERS: ELECTIONS AND VACANCIES

##### *Disqualification*

#### **64 Disqualification from election as police and crime commissioner**

- (1) A person is disqualified from being elected to the office of police and crime commissioner for a police area [<sup>F1</sup>in England] at any election unless—
- (a) the person has attained the age of 18 when nominated as a candidate at the election, and
  - (b) on each relevant day, the person is registered in the register of local government electors for an electoral area in respect of an address in the police area.

[<sup>F2</sup>(1A) A person is disqualified from being elected to the office of police and crime commissioner for a police area in Wales at any election unless—

- (a) the person has attained the age of 18 when nominated as a candidate at the election, and
- (b) on each relevant day subsection (1B) or (1C) applies.

(1B) This subsection applies if—

- (a) the person is registered in a register of parliamentary electors in respect of an address within the police area, and

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*Changes to legislation:* There are currently no known outstanding effects for the Police Reform and Social Responsibility Act 2011, Section 64. (See end of Document for details)

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(b) the registration is not in pursuance of an overseas elector's declaration.

(1C) This subsection applies if—

- (a) the person is disqualified as a peer from voting as an elector at parliamentary elections, or is a <sup>F3</sup>relevant citizen of the Union] <sup>F3</sup>qualifying EU citizen or an EU citizen with retained rights], and
- (b) the person is registered in a register of local government electors in respect of an address within the police area.]

(2) In this section “relevant day”, in relation to a person who is a candidate at an election, means—

- (a) the day on which the person is nominated as a candidate at the election;
- (b) the day of the poll at the election.

(3) A person is disqualified from being elected to the office of police and crime commissioner for a police area at an ordinary election if the person has been nominated as a candidate for election as police and crime commissioner for any other police area at that election.

<sup>F4</sup>(3A) A person is disqualified from being elected to the office of police and crime commissioner for a police area at an ordinary election if the person—

- (a) has been nominated as a candidate for election as mayor for the area of a combined authority at an election to be held on the same day; and
- (b) by virtue of an order under section 107F(1) of the Local Democracy, Economic Development and Construction Act 2009, the mayor would exercise functions of a police and crime commissioner in relation to the area.]

(4) A person is disqualified from being elected to the office of police and crime commissioner for a police area at an election other than an ordinary election if—

- (a) the person is police and crime commissioner for any other police area, or
- (b) the person has been nominated as a candidate for election as police and crime commissioner for any other police area for which an election is held on the same day.

<sup>F5</sup>(4A) A person is disqualified from being elected to the office of police and crime commissioner for a police area at an election other than an ordinary election if—

- (a) the person is a mayor who, by virtue of an order under section 107F(1) of the Local Democracy, Economic Development and Construction Act 2009, exercises functions of a police and crime commissioner for the area of a combined authority; or
- (b) the person has been nominated as a candidate for election as a mayor who, by virtue of such an order, would exercise such functions and the election would take place on the same day.]

#### Textual Amendments

- F1** Words in s. 64(1) inserted (1.4.2018) by [Wales Act 2017 \(c. 4\)](#), ss. **8(10)**, 71(4) (with Sch. 7 paras. 1, 6); S.I. 2017/1179, reg. 3(b)
- F2** S. 64(1A)-(1C) inserted (1.4.2018) by [Wales Act 2017 \(c. 4\)](#), ss. **8(11)**, 71(4) (with Sch. 7 paras. 1, 6); S.I. 2017/1179, reg. 3(b)
- F3** Words in s. 64(1C)(a) substituted (1.11.2023 for specified purposes) by [Elections Act 2022 \(c. 37\)](#), s. 67(1), **Sch. 8 para. 6(4)**; S.I. 2023/1145, reg. 3(i)(iv)

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**Changes to legislation:** There are currently no known outstanding effects for the Police Reform and Social Responsibility Act 2011, Section 64. (See end of Document for details)

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**F4** S. 64(3A) inserted (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), arts. 1(2), **10(3)(a)**

**F5** S. 64(4A) inserted (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), arts. 1(2), **10(3)(b)**

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**Modifications etc. (not altering text)**

**C1** Ss. 64-68: power to apply conferred by 2009 c. 20, **Sch. 5C para. 9(1)** (as inserted (28.1.2016 for specified purposes, 28.3.2016 in so far as not already in force) by Cities and Local Government Devolution Act 2016 (c. 1), s. 25(2), **Sch. 2**)

**C2** S. 64 applied (with modifications) (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. 1 para. 29**

**C3** S. 64(3)(4) modified (20.12.2023) by The York and North Yorkshire Combined Authority Order 2023 (S.I. 2023/1432), arts. 1(2), 33(2), **Sch. 5 para. 29**

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**Commencement Information**

**I1** S. 64 in force at 25.4.2012 by S.I. 2012/1129, **art. 2(b)**

**Changes to legislation:**

There are currently no known outstanding effects for the Police Reform and Social Responsibility Act 2011, Section 64.