

LORDS AMENDMENTS TO THE  
**POLICE REFORM AND SOCIAL RESPONSIBILITY BILL**

*[The page and line references are to HL Bill 62, the bill as first printed for the Lords.]*

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**Clause 1**

- 1 Page 1, line 6, leave out subsection (1)
- 2 Page 1, line 8, leave out subsection (2)
- 3 Page 1, line 9, leave out subsection (3)
- 4 Page 1, line 11, leave out subsection (4)
- 5 Page 2, line 30, at end insert –
  - “(h) the exercise of duties in relation to the safeguarding of children and the promotion of child welfare that are imposed on the chief constable by sections 10 and 11 of the Children Act 2004.”

**After Clause 1**

- 6 Insert the following new Clause –

**“Police Commission**

- (1) There shall be a body corporate for each police area listed in Schedule 1 to the Police Act 1996 to be known as a “Police Commission”.
- (2) A Police Commission shall consist of –
  - (a) a police and crime commissioner, and
  - (b) a police and crime panel.
- (3) The police and crime commissioner shall be appointed by the police and crime panel (from amongst its own members).”

**Clause 3**

- 7 Page 4, line 13, at end insert –

“(h) the exercise of duties in relation to the safeguarding of children and the promotion of child welfare that are imposed on the Commissioner by sections 10 and 11 of the Children Act 2004.”

#### Clause 5

8 Page 6, line 4, after “constable” insert “and to each of the other persons and bodies that are, for the purposes of section 5 of the Crime and Disorder Act 1998, responsible authorities in relation to local government areas that are wholly or partly within the relevant police area”

#### Clause 6

9 Page 6, line 39, at end insert –  
 “(e) give the panel a response to any such report or recommendations,  
 and  
 (f) publish any such response.”

10 Page 7, line 26, at end insert –  
 “( ) In its application by virtue of subsection (11)(e), section 43(2) of the 1999 Act (duty to send copies of current version of police and crime plan) has effect with the insertion after “to each London borough council” of the words “and to each of the other persons and bodies that are, for the purposes of section 5 of the Crime and Disorder Act 1998, responsible authorities in relation to local government areas that are wholly or partly within the metropolitan police district.”

#### Clause 10

11 Page 9, line 40, at end insert –  
 “( ) The elected local policing body for a police area must, in exercising its functions, have regard to the relevant priorities of each responsible authority.”

12 Page 10, line 8, leave out “reference in subsection (1)” and insert “references in this section”

13 Page 10, line 9, leave out “is a reference” and insert “are references”

14 Page 10, line 34, at end insert –  
 ““relevant priority”, in relation to a responsible authority, means a priority applicable to the exercise of that authority’s functions which is identified by that authority in compliance with a requirement imposed by regulations made under section 6(2) of the Crime and Disorder Act 1998;”

#### Clause 18

15 Page 14, line 11, at end insert –  
 “(A1) The police and crime commissioner for a police area may –  
 (a) appoint a person as the deputy police and crime commissioner for that police area, and

- (b) arrange for the deputy police and crime commissioner to exercise any function of the police and crime commissioner.”
- 16** Page 14, line 12, after “person” insert “(who is not the deputy police and crime commissioner)”
- 17** Page 14, line 14, leave out from “not” to end of line 16 and insert “—
- (a) appoint a person listed in subsection (3) as the deputy police and crime commissioner;
  - (b) arrange for the deputy police and crime commissioner to exercise a function listed in subsection (4)(a), (e) or (f);
  - (c) arrange, under subsection (1), for a person listed in subsection (3) to exercise any function; or
  - (d) arrange, under subsection (1), for any person to exercise a function listed in subsection (4).
- (2A) A deputy police and crime commissioner may arrange for any other person to exercise any function of the police and crime commissioner which is, in accordance with subsection (A1)(b), exercisable by the deputy police and crime commissioner.
- (2B) But the deputy police and crime commissioner may not arrange for a person to exercise a function if—
- (a) the person is listed in subsection (3), or
  - (b) the function is listed in subsection (4).”
- 18** Page 14, line 17, leave out “subsection (2)(a)” and insert “subsections (2)(a) and (c) and (2B)”
- 19** Page 14, line 20, at end insert—
- “(ca) the Deputy Mayor for Policing and Crime appointed by the Mayor’s Office for Policing and Crime;”
- 20** Page 14, line 23, at end insert—
- “(g) a member of the staff of a person falling within any of paragraphs (a) to (f).”
- 21** Page 14, line 24, leave out “(2)(b)” and insert “(2)”
- 22** Page 14, line 38, at end insert—
- “(6) Subsection (1) applies whether or not there is a deputy police and crime commissioner.
  - (7) The deputy police and crime commissioner is a member of the police and crime commissioner’s staff.
  - (8) For further provision about the appointment of a deputy police and crime commissioner, see paragraphs 7A to 7E of Schedule 1.”

### Clause 19

- 23** Page 15, line 15, leave out from “(2)” to end of line 18 and insert “(1)(b), exercisable by the Deputy Mayor for Policing and Crime.
- (5) But the Deputy Mayor for Policing and Crime may not arrange for a person to exercise a function if—
    - (a) the person is listed in subsection (6), or
    - (b) the function is listed in subsection (7).”

- 24 Page 15, line 24, at end insert –  
 “(f) a member of the staff of a person falling within any of paragraphs (a) to (e).”

#### Clause 20

- 25 Page 16, line 26, after “etc)” insert “ –  
 (a) ”
- 26 Page 16, line 37, at end insert –  
 “(6) Paragraph 10 applies in relation to such an appointment if the candidate is not a member of the London Assembly.  
 (7) Paragraphs 2, 4 and 5 are subject to paragraph 10.”;  
 (b) after paragraph 9 insert –  
 “10 (1) The London Assembly may veto the appointment of the candidate as Deputy Mayor for Policing and Crime if the candidate is not a member of the London Assembly.  
 (2) The exercise of that power of veto in relation to an appointment is not valid unless the London Assembly –  
 (a) has held a confirmation meeting in relation to the appointment before the exercise of the power; and  
 (b) notifies the Mayor’s Office for Policing and Crime of the veto within the period of 3 weeks described in paragraph 4(3).  
 (3) If the London Assembly vetoes the appointment of the candidate, the Mayor’s Office for Policing and Crime must not appoint the candidate.  
 (4) References in this Schedule to the London Assembly vetoing the appointment of a candidate are references to the Assembly making a decision, by the required majority, that the candidate should not be appointed as Deputy Mayor for Policing and Crime.  
 (5) For that purpose, the London Assembly makes that decision by the required majority if at least two-thirds of the votes given in making that decision are votes in favour of making that decision.””

#### Clause 28

- 27 Page 20, line 27, at end insert –  
 “() The functions of the police and crime panel for a police area must be exercised with a view to supporting the effective exercise of the functions of the police and crime commissioner for that police area.”
- 28 Page 21, line 3, after “Schedules” insert “1 (procedure for appointments of senior staff),”
- 29 Page 21, line 14, after “Schedule” insert “1,”

**Clause 29**

30 Page 21, line 39, at end insert –

“( ) If a police and crime panel requires the relevant police and crime commissioner to attend before the panel, the panel may (at reasonable notice) request the relevant chief constable to attend before the panel on the same occasion to answer any question which appears to the panel to be necessary in order for it to carry out its functions.”

**Clause 31**

31 Page 22, line 24, leave out “police and crime commissioners” and insert “relevant office holders”

32 Page 22, line 27, leave out “police and crime commissioner” and insert “relevant office holder”

33 Page 22, line 28, leave out “or engaged in other corrupt behaviour”

34 Page 22, line 32, at end insert –

“( ) In this section and that Schedule “relevant officer holder” means the holder of any of the following offices –

- (a) police and crime commissioner;
- (b) deputy police and crime commissioner;
- (c) the Mayor’s Office for Policing and Crime;
- (d) Deputy Mayor for Policing and Crime.”

**Clause 32**

35 Page 23, line 11, leave out “Greater London Authority” and insert “London Assembly”

36 Page 23, line 28, at end insert –

“( ) The following provisions apply to the police and crime panel –

- (a) the number of members of the panel, and their term of office, are to be fixed by the London Assembly;
- (b) persons who are not members of the London Assembly may be members of the panel.

( ) The following provisions apply to any sub-committee by which police and crime panel functions are to be discharged –

- (a) the number of members of the sub-committee, and their term of office, are to be fixed by the police and crime panel;
- (b) persons who are not members of the London Assembly may be members of the sub-committee.

( ) The police and crime panel functions must be exercised with a view to supporting the effective exercise of the functions of the Mayor’s Office for Policing and Crime.”

**Clause 33**

37 Page 24, line 34, at end insert –

- “( ) If the London Assembly requires the Deputy Mayor for Policing and Crime, or the person who is the occupant of the Mayor’s Office for Policing and Crime, to attend proceedings, the Assembly may (at reasonable notice) request the Commissioner of Police of the Metropolis to attend proceedings on the same occasion for the purpose of giving evidence.”

#### Clause 36

- 38 Page 25, line 26, leave out “reports” and insert “information”  
 39 Page 25, line 27, leave out “A report” and insert “Such information”  
 40 Page 25, line 30, leave out “a report” and insert “such information”  
 41 Page 25, line 31, leave out “a report” and insert “such information”  
 42 Page 25, line 32, leave out “a report” and insert “information”

#### Clause 41

- 43 Page 28, line 14, at end insert –  
 “( ) In a case where a deputy chief constable or assistant chief constable (the “acting chief constable”) is authorised by subsection (1)(a) or (5) to exercise or perform functions of a chief constable –  
 (a) the powers of the police and crime commissioner under section 38(2) and (3) are exercisable in relation to the acting chief constable as the powers are exercisable in relation to the chief constable (and references to chief constables in those provisions, and in other enactments relating to those provisions, are to be read accordingly); and  
 (b) the powers under section 39(4) and (5) or section 40(4) and (5) are not exercisable in relation to the acting chief constable.”

#### Clause 42

- 44 Page 28, line 35, leave out from beginning to second “the” in line 36 and insert “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 is, or has been, a constable in any part of the United Kingdom; and, before making such a recommendation,”

#### Clause 58

- 45 Page 36, line 29, leave out “of political parties in connection with” and insert “or other recognition of political parties and other persons incurring expenditure in relation to”  
 46 Page 36, line 31, leave out paragraphs (d) and (e) and insert –  
 “(d) about funding and expenditure, in relation to elections of police and crime commissioners, of candidates, political parties and other persons incurring such expenditure;”  
 47 Page 37, line 1, at end insert –  
 “( ) Provision within paragraph (d) of subsection (2) includes, in particular –  
 (a) provision prohibiting, or imposing limitations on, funding or expenditure of any kind mentioned in that paragraph, and

- (b) provision for treating funding or expenditure of any such kind which does not relate exclusively to an election of police and crime commissioners as being (or not being), wholly or partly, funding or expenditure in relation to which –
  - (i) any provision within paragraph (a) applies, or
  - (ii) any relevant provision applies.”

#### **Clause 65**

48 Leave out Clause 65

#### **Clause 73**

49 Leave out Clause 73

#### **After Clause 79**

50 Insert the following new Clause –

#### **“Policing protocol**

- (1) The Secretary of State must issue a policing protocol.
- (2) Each relevant person must have regard to the policing protocol in exercising the person’s functions.
- (3) The Secretary of State may at any time –
  - (a) vary the policing protocol, or
  - (b) replace the policing protocol.
- (4) Before varying or replacing the policing protocol, the Secretary of State must consult –
  - (a) such persons as appear to the Secretary of State to represent the views of elected local policing bodies,
  - (b) such persons as appear to the Secretary of State to represent the views of chief officers of police of police forces maintained by elected local policing bodies,
  - (c) such persons as appear to the Secretary of State to represent the views of police and crime panels, and
  - (d) such other persons as the Secretary of State thinks fit.
- (5) The functions of the Secretary of State under subsections (1) and (3) are exercisable by order.
- (6) In this section –
  - “police and crime panel” means –
    - (a) each police and crime panel established in accordance with Schedule 6 (police areas outside London);
    - (b) the London Assembly’s police and crime panel (see section 32);
  - “policing protocol” means a document which sets out, or otherwise makes provision about, ways in which relevant persons should (in the Secretary of State’s view) exercise, or refrain from exercising, functions so as to –

- (a) encourage, maintain or improve working relationships (including co-operative working) between relevant persons, or
- (b) limit or prevent the overlapping or conflicting exercise of functions;

“relevant persons” means –

- (a) the Secretary of State in the exercise of policing functions;
- (b) each elected local policing body;
- (c) the chief officer of each police force maintained by an elected local policing body;
- (d) police and crime panels.”

#### **Clause 90**

**51** Page 59, line 23, at end insert –

“( ) A statutory instrument containing an order under this section may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.”

#### **Clause 103**

**52** Page 65, line 28, at end insert –

“and to the person (if any) appointed as the deputy police and crime commissioner under section 18.”

#### **Clause 151**

**53** Page 101, line 32, at end insert –

“(A1) In section 2 of the Parks Regulation (Amendment) Act 1926 (power to make regulations), after subsection (1) insert –

“(1A) Regulations under subsection (1) may include provision applying (with any necessary modifications) sections 4 to 6 of the Royal Parks (Trading) Act 2000 (seizure, retention, disposal and forfeiture of property) in relation to offences under that subsection that are not park trading offences for the purposes of that Act.””

#### **Clause 155**

**54** Page 103, line 38, after “32(1)” insert “32(1)(a) or 36”

**55** Page 103, line 40, at end insert –

“(d) an order under paragraph 16 of Schedule 15 which contains provision amending an Act (whether or not it also contains other provision).”

#### **Clause 157**

**56** Page 104, line 14, leave out “and” and insert “to”

**57** Page 104, line 14, leave out “(4)” and insert “(5)”

**58** Page 104, line 22, at end insert –

“(3A) Section 99 and Schedule 15 apply to England and Wales and Scotland.”

59 Page 104, line 25, at end insert –

“(5) Subsection (4) does not apply to the amendment made to section 2 of the Parks Regulation (Amendment) Act 1926 by section 151(A1) above (which accordingly extends to England and Wales only).”

### Schedule 1

60 Page 107, line 5, at end insert –

“( ) A police and crime commissioner must comply with paragraphs 7B to 7E in appointing the commissioner’s chief executive or the commissioner’s chief finance officer.”

61 Page 107, line 24, at end insert –

*“The deputy police and crime commissioner*

- 7A (1) This paragraph applies to a person appointed under section 18 by a police and crime commissioner to be the deputy police and crime commissioner.
- (2) None of the following may be appointed as the deputy police and crime commissioner –
- (a) a person who has not attained the age of 18 on the day of the 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 police and crime commissioner must provide for the appointment to end not later than the day when the current term of office of the appointing police and crime commissioner ends.
- (4) Section 7 of the Local Government and Housing Act 1989 (appointment of staff on merit) does not apply to the deputy police and crime commissioner.
- (5) In this paragraph “current term of office”, in relation to the appointment of a deputy police and crime commissioner by a police and crime commissioner, means the commissioner’s term of office which is running at the time the appointment is made.
- (6) 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 66(1) (police officers, police-related employment etc), other than paragraph (e)(ii); or
  - (b) section 67(1), (3)(a)(iii) or (iv), (3)(c) or (3)(d) (citizenship, bankruptcy, criminal convictions & corrupt or illegal election practices).

*Scrutiny of senior appointments*

- 7B (1) A police and crime commissioner must notify the relevant police and crime panel of each proposed appointment by the commissioner of—
- (a) the commissioner’s chief executive,
  - (b) the commissioner’s chief finance officer, or
  - (c) a deputy police and crime commissioner.
- (2) In a case where the police and crime commissioner notifies the relevant police and crime panel of such an appointment (“a proposed senior appointment”), the commissioner must also notify the panel of the following information—
- (a) the name of the person whom the commissioner is proposing to appoint (“the candidate”);
  - (b) the criteria used to assess the suitability of the candidate for the appointment;
  - (c) why the candidate satisfies those criteria; and
  - (d) the terms and conditions on which the candidate is to be appointed.
- 7C (1) This paragraph applies if a police and crime panel is notified under paragraph 7B of a proposed senior appointment.
- (2) The panel must review the proposed senior appointment.
  - (3) The panel must make a report to the commissioner on the proposed senior appointment.
  - (4) The report must include a recommendation to the police and crime commissioner as to whether or not the candidate should be appointed.
  - (5) The panel must comply with sub-paragraphs (2) to (4), within the period of three weeks beginning with the day on which the panel receives the notification from the commissioner of the proposed senior appointment.
  - (6) The panel must publish the report to the commissioner made under this paragraph.
  - (7) It is for the panel to determine the manner in which the recommendation is to be published in accordance with sub-paragraph (6).
  - (8) In calculating the period of three weeks for the purpose of sub-paragraph (5), any relevant post-election period is to be ignored.
  - (9) For that purpose, “relevant post-election period” means the period that—
    - (a) begins with the day of the poll at an ordinary election of a police and crime commissioner under section 50, and
    - (b) ends with the day on which the person elected as police and crime commissioner delivers a declaration of acceptance of office under section 71.
- 7D (1) A police and crime panel must hold a confirmation hearing before making a report and recommendation under paragraph 7C to the police and crime commissioner in relation to a proposed senior appointment.
- (2) For the purposes of this Schedule a “confirmation hearing” is a meeting of the panel, held in public, at which the candidate is requested to appear for the purpose of answering questions relating to the appointment.

- (3) References in this Schedule to a person appearing at a meeting of the panel are references to the person –
  - (a) attending the meeting in person, or
  - (b) not attending the meeting in person, but participating in the proceedings at the meeting by any means that enable the person to hear, and be heard in, those proceedings as they happen.

7E (1) The police and crime commissioner may accept or reject the panel’s recommendation under paragraph 7C as to whether or not the candidate should be appointed.

- (2) The police and crime commissioner must notify the panel of the decision whether to accept or reject the recommendation.”

### Schedule 2

62 Page 109, line 13, leave out “chief finance officer of a chief constable” and insert “police force’s chief finance officer”

63 Page 109, line 32, after “(not)” insert “, but only with the consent of the relevant police and crime commissioner”

64 Page 109, line 35, leave out sub-paragraph (c) and insert –

“(2A) But the chief constable may not borrow money.

(2B) Sub-paragraph (2)(a) does not require the chief constable to obtain the consent of the relevant police and crime commissioner in order to enter into a contract or other agreement with a person –

- (a) by virtue of which the person becomes, or is, a member of the police force’s civilian staff, or
- (b) which otherwise relates to the person’s membership of that civilian staff (including the terms and conditions of the person’s membership).”

### Schedule 3

65 Page 111, line 21, leave out sub-paragraph (a)

### Schedule 4

66 Page 113, line 40, at end insert –

“1A (1) The Commissioner of Police of the Metropolis must appoint a qualified person to act as chief finance officer, if and for as long as –

- (a) that post is vacant, or
- (b) the holder of that post is, in the Commissioner’s opinion, unable to carry out the duties of that post.

(2) For the purposes of sub-paragraph (1) a person is qualified to be appointed to act as chief finance officer if that person is qualified to be appointed to the post under paragraph 1.

(3) A reference in any enactment to the metropolitan police force’s chief finance officer includes a reference to a person acting as chief finance officer in accordance with sub-paragraph (1).”

67 Page 114, line 21, after “(not)” insert “, but only with the consent of the Mayor’s

Office for Policing and Crime”

68 Page 114, line 24, leave out sub-paragraph (c) and insert –

“(2A) But the Commissioner of Police of the Metropolis may not borrow money.

(2B) Sub-paragraph (2A) does not require the Commissioner of Police of the Metropolis to obtain the consent of the Mayor’s Office for Policing and Crime in order to enter into a contract or other agreement with a person –

- (a) by virtue of which the person becomes, or is, a member of the metropolitan police force’s civilian staff, or
- (b) which otherwise relates to the person’s membership of that civilian staff (including the terms and conditions of the person’s membership).”

#### Schedule 5

69 Page 116, line 8, leave out “three-quarters” and insert “two-thirds”

#### Schedule 6

70 Page 118, line 40, leave out “two” and insert “the appropriate number of”

71 Page 118, line 41, leave out “(1)” and insert “(1)(a)”

72 Page 119, line 3, at end insert –

“(2A) For the purposes of sub-paragraph (1)(b), the “appropriate number” is –

- (a) two, or
- (b) if a resolution of the panel under sub-paragraph (2B) is in force, the number of co-opted members specified in that resolution.

(2B) A police and crime panel may resolve that the panel is to have the number of co-opted members specified in the resolution; but no such resolution may be passed unless –

- (a) that number of co-opted members is greater than two;
- (b) the Secretary of State agrees that the panel should have that number of co-opted members; and
- (c) the total membership of the panel, including that number of co-opted members, would not exceed 20.”

73 Page 123, line 24, leave out “two” and insert “the appropriate number of”

74 Page 123, line 25, leave out “(1)” and insert “(1)(a)”

75 Page 123, line 29, at end insert –

“(2A) For the purposes of sub-paragraph (1)(b), the “appropriate number” is –

- (a) two, or
- (b) if a resolution of the panel under sub-paragraph (2B) is in force, the number of co-opted members specified in that resolution.

(2B) A police and crime panel may resolve that the panel is to have the number of co-opted members specified in the resolution; but no such resolution may be passed unless –

- (a) that number of co-opted members is greater than two;

- (b) the Secretary of State agrees that the panel should have that number of co-opted members; and
  - (c) the total membership of the panel, including that number of co-opted members, would not exceed 20.”
- 76** Page 127, line 11, leave out paragraph (c)
- 77** Page 127, line 15, at end insert –
- “22A(1) If the police and crime panel for a police area has two co-opted members, a member of a local authority which is covered by that police area may not be a co-opted member of that panel.
- (2) If the police and crime panel for a police area has three or more co-opted members, a member of a local authority which is covered by that police area may be a co-opted member of that panel only if at least two of the other co-opted members are not members of any such local authority.”
- 78** Page 127, line 20, leave out “two”
- 79** Page 128, line 14, at end insert –
- “(ba) paragraphs 7C and 7D of Schedule 1;”
- 80** Page 129, line 3, at end insert –
- “( ) A police and crime panel must, in co-opting persons who are members of relevant local authorities, secure that (as far as is reasonably practicable) the balanced appointment objective is met.
- ( ) A police and crime panel –
- (a) must, from time to time, decide whether the panel’s exercise of the power conferred by paragraph 4(2B) or 13(2B) (changing the number of co-opted members of the panel) would enable the balanced appointment objective to be, or would contribute to that objective being, met or more effectively met; and
  - (b) if the panel decides that the exercise of the power would do so, must exercise that power accordingly.”
- 81** Page 129, line 5, leave out “the appointed” and insert “local authority”
- 82** Page 129, line 12, at end insert –
- “( ) For that purpose “local authority members” means –
- (a) appointed members of the police and crime panel, and
  - (b) co-opted members of the panel who are members of relevant local authorities.”
- 83** Page 129, line 13, after “members” insert “who are not members of relevant local authorities”
- 84** Page 129, line 16, at end insert –
- “Duty to nominate elected mayor to be a member of the panel*
- “31A(1) This paragraph applies if –
- (a) a local authority has a mayor and cabinet executive, and
  - (b) the elected mayor of that executive is not a member of the relevant police and crime panel.

- (2) If the relevant local authority has power under paragraph 6(2), 7(2), 8(2) or (3) or 16(2) to nominate one or more of its councillors to be members of that panel, any exercise of that power must be such as to secure that the elected mayor is the councillor, or one of the councillors, so nominated.
  - (3) If the Secretary of State is required by paragraph 10(2), 16(4)(b) or 18(2) to nominate one or more persons to be members of that panel, the Secretary of State must secure that the elected mayor is the person, or one of the persons, so nominated.
  - (4) The duty in sub-paragraph (2) or (3) does not apply at a particular time if the person who holds office as the elected mayor at that time (the “current mayor”) –
    - (a) has, since the start of the current mayoral term, already been nominated to be a member of that panel (whether by the relevant local authority or the Secretary of State), and
    - (b) did not become a member of that panel by virtue of the nomination.
  - (5) But sub-paragraph (4) does not prevent the exercise of a power under this Schedule so as to make a further nomination of the current mayor to be a member of that panel.
- 31B (1) This paragraph applies if –
- (a) a local authority has a mayor and cabinet executive,
  - (b) under paragraph 6(2), 7(2), 8(2) or (3) or 16(2) the local authority nominates the person who holds office as elected mayor of the executive at that time (the “current mayor”) to be a member of the relevant police and crime panel,
  - (c) that is the first such nomination of the current mayor since the start of the current mayoral term, and
  - (d) the current mayor does not become a member of that panel by virtue of the nomination.
- (2) The Secretary of State may not, by virtue of that failure of the current mayor to become a member of the police and crime panel, nominate a person to be a member of that panel under paragraph 10(2) or 16(4)(b).
- 31C (1) This paragraph applies for the purposes of paragraphs 31A and 31B and this paragraph.
- (2) A reference to the start of the current mayoral term of a person who is the elected mayor of the executive of a local authority is a reference to the time when that person –
    - (a) took office as elected mayor of that executive (if that person has been so elected on only one occasion), or
    - (b) most recently took office as elected mayor of that executive (if that person has been so elected on two or more occasions).
  - (3) The “relevant police and crime panel”, in relation to a local authority, is the police and crime panel for the police area which covers that authority.
  - (4) The expressions “elected mayor” and “mayor and cabinet executive” have the same meanings as in Part 2 of the Local Government Act 2000.”

- “(a) amend or otherwise modify any local authority enactment in its application to police and crime panels or members of police and crime panels, and
  - (b) apply any local authority enactment (with or without modifications) to police and crime panels or members of police and crime panels if, or to the extent that, it does not so apply.
- (2) In this paragraph “local authority enactment” means an enactment which relates to—
- (a) local authorities or committees or joint committees of local authorities, or
  - (b) members of such authorities, committees or joint committees.”

### Schedule 7

- 86** Page 131, line 36, at end insert—  
“which relate to any relevant office holder.”
- 87** Page 132, line 15, leave out “, or other corrupt behaviour”
- 88** Page 132, line 19, leave out from “offence” to end of line 20
- 89** Page 132, line 22, after “which” insert “—
- (a) relate to a holder of the office of—
    - (i) police and crime commissioner,
    - (ii) deputy police and crime commissioner, or
    - (iii) Deputy Mayor for Policing and Crime (unless the holder of that office is a member of the London Assembly), and”
- 90** Page 132, line 45, at end insert—
- “3A (1) This paragraph applies in relation to qualifying complaints which—
- (a) relate to a holder of the office of—
    - (i) the Mayor’s Office for Policing and Crime, or
    - (ii) Deputy Mayor for Policing and Crime, if the holder of that office is a member of the London Assembly, and
  - (b) are not, or cease to be, investigated by the Independent Police Complaints Commission or a police force.
- (2) Regulations must secure that such complaints are dealt with in accordance with Part 3 of the Local Government Act 2000.”
- 91** Page 133, line 10, leave out “police and crime commissioner” and insert “relevant office holder”
- 92** Page 133, line 12, at end insert—
- “(2) But that does not apply to regulations under, or for the purposes of, paragraph 3A.”
- 93** Page 133, line 18, after “expedient” insert “—
- (a) ”
- 94** Page 133, line 19, after “regulations” insert “, or
- (b) for the purposes of paragraph 3A.”

**Schedule 8**

- 95 Page 133, line 28, leave out “constable to be chief constable until” and insert “person to be chief constable unless –  
 (a) that person is, or has been, a constable in any part of the United Kingdom, and  
 (b) ”
- 96 Page 134, line 16, leave out “constable” and insert “person”
- 97 Page 134, line 32, leave out from “(2)” to “within” in line 33 and insert “to (4)”
- 98 Page 135, line 16, leave out “three-quarters” and insert “two-thirds”
- 99 Page 138, line 34, leave out from “private,” to “relating” in line 36 and insert “which the police and crime commissioner and the chief constable are both entitled to attend for the purpose of making representations”

**Schedule 10**

- 100 Page 143, line 6, leave out “limitation of expenses” and insert “funding and expenditure of candidates, political parties and other persons”
- 101 Page 143, line 14, leave out paragraph 14

**Schedule 11**

- 102 Page 145, line 42, at end insert –  
 “( ) In subsection (1), after “section 5” insert “, with subsection (1A),”.  
 ( ) After subsection (1) insert –  
 “(1A) In exercising functions under subsection (1), apart from devolved Welsh functions (as defined by section 5(8)), each of the responsible authorities for a local government area must have regard to the police and crime objectives set out in the police and crime plan for the police area which comprises or includes that local government area.””
- 103 Page 146, line 22, leave out “5(7)” and insert “5(8)”

**Schedule 14**

- 104 Page 154, line 40, leave out “this paragraph” and insert “sub-paragraphs (2) to (5)”
- 105 Page 155, line 16, at end insert –  
 “(6) In consequence of the amendments made by sub-paragraphs (2) to (5) –  
 (a) in section 12(2) (complaints, matters and persons to which Part 2 applies), omit “, paragraph 2(4) of Schedule 3”;  
 (b) in section 29(1) (interpretation of Part 2), omit paragraph (b) of the definition of “recordable conduct matter”.”
- 106 Page 156, line 13, leave out “paragraph 7(6)(a)” and insert “paragraphs 7(6)(a) and 16(1)(a)”
- 107 Page 156, line 14, at end insert –

- “(3) In section 22 (power of the Commission to issue guidance), in subsection (5)(c), omit sub-paragraph (ii) (and the word “and” at the end of sub-paragraph (i)).”
- 108** Page 156, line 34, leave out sub-paragraph (6) and insert –
- “(6) For sub-paragraph (2) substitute –
- “(2) The appropriate authority shall notify the complainant –
- (a) that the appropriate authority has decided to handle the complaint as permitted by sub-paragraph (1) (in a case where the appropriate authority is not required to apply for permission under sub-paragraph (1A) to so handle the complaint); or
- (b) about the making of the application under sub-paragraph (1A) (in a case where the appropriate authority makes such an application).”
- 109** Page 157, line 5, leave out “this paragraph” and insert “sub-paragraphs (2) to (4)”
- 110** Page 157, line 30, at end insert –
- “(5) In paragraph 16(2)(a) of Schedule 3, for “10(4)(b)” substitute “10(4D)”.
- 111** Page 157, line 34, leave out “this paragraph” and insert “sub-paragraphs (2) to (4)”
- 112** Page 158, line 21, at end insert –
- “(5) In paragraph 16(2)(a) of Schedule 3, for “11(3)(b)” substitute “11(3E)”.
- 113** Page 163, line 44, leave out sub-paragraph (9) and insert –
- “(9) In sub-paragraph (9) –
- (a) for “Commission” (in the first three places) substitute “relevant appeal body”;
- (b) for “considers appropriate, the Commission shall” substitute “considers appropriate –
- (a) sub-paragraph (9ZA) applies if the Commission is the relevant appeal body; or
- (b) sub-paragraph (9ZB) applies if the chief officer of police is the relevant appeal body.
- (9ZA) The Commission shall –”.
- (9A) Before sub-paragraph (9A) insert –
- “(9ZB) The chief officer of police shall take such action as the chief officer thinks appropriate in relation to the bringing of disciplinary proceedings in respect of the matters dealt with in the report.
- (9ZC) If disciplinary proceedings are brought by virtue of sub-paragraph (9ZB), it shall be the duty of the appropriate authority to ensure that they are proceeded with to a proper conclusion.”
- 114** Page 164, line 8, leave out “the”

### Schedule 15

115 Page 165, line 27, leave out from beginning to end of line 3 on page 166 and insert—

#### “CHIEF OFFICERS OF POLICE

##### *Current chief officers to remain in post*

- 1 (1) At the relevant commencement time a person who, immediately before that time, is in post as the existing chief officer of the police force for a police area becomes the new chief officer of that police force.
- (2) Where a person has, prior to the relevant commencement time, accepted an appointment as the existing chief officer of the police force for a police area which is to come into effect at a time (the “effective time”) which falls at or after the relevant commencement time, that appointment is to take effect at the effective time as an appointment as the new chief officer of that police force.
- (3) Sub-paragraph (2) is without prejudice to any right of the person appointed not to take up the appointment.

##### *Transfer of rights and liabilities*

- 2 At the relevant commencement time, all rights and liabilities which immediately before that time were rights and liabilities of the existing chief officer of the police force for a police area are to transfer to the new chief officer of that police force.

##### *Relevant legislative provisions”*

116 Page 166, line 5, leave out “day” and insert “time”

117 Page 166, line 6, after “apply” insert “after that time”

118 Page 166, line 10, leave out “day” and insert “time”

119 Page 166, line 11, after “apply” insert “after that time”

120 Page 166, line 20, leave out from beginning to end of line 24

121 Page 166, line 34, leave out from beginning to end of line 37 and insert—

##### *“Interpretation*

- 3A In this Part “relevant commencement time” means—
  - (a) in relation to a police area listed in Schedule 1 to the Police Act 1996, the time when section 2 comes into force in relation to that area;
  - (b) in relation to the metropolitan police district, the time when section 4 comes into force.

## PART 1A

## INITIAL TRANSFER FROM POLICE AUTHORITIES

*Transfer of property, rights and liabilities*

- 3B (1) At the relevant commencement time, all property, rights and liabilities which immediately before that time were property, rights and liabilities of the existing police authority for a police area are to transfer to, and by virtue of this paragraph vest in, the new policing body for that police area.
- (2) This paragraph does not apply to any rights or liabilities under a contract of employment (which are dealt with in paragraph 3C).

*Transfer of staff*

- 3C (1) Subject to sub-paragraphs (5) and (6), this paragraph applies to any person who immediately before the relevant commencement time is a member of the staff of the existing police authority for a police area (the “existing employer”).
- (2) A contract of employment between a person to whom this paragraph applies and the existing employer is to have effect from the relevant commencement time as if originally made between that person and the new policing body for the police area in relation to which the existing employer was established (the “new employer”).
- (3) Sub-paragraph (2) does not break the continuity of a person’s employment and accordingly such a person’s period of employment with the existing employer counts as a period of employment with the new employer for the purposes of the Employment Rights Act 1996.
- (4) Without prejudice to subsection (2) –
- (a) all the existing employer’s rights, powers, duties and liabilities under or in connection with a contract to which that sub-paragraph applies are by virtue of this paragraph transferred to the new employer at the relevant commencement time; and
  - (b) anything done before that date by or in relation to the existing employer in respect of that contract or the employee shall be deemed from that date to have been done by or in relation to the new employer.
- (5) Sub-paragraphs (2) to (4) are without prejudice to any right of a member of staff to terminate the contract of employment if a substantial change is made to the person’s detriment in the person’s working conditions; but no such right arises by reason only of the change in employer effected by this paragraph.
- (6) Where a person –
- (a) has, prior to the relevant commencement time, entered into a contract of employment with an existing police authority which is to come into effect at or after that time; and
  - (b) would, if the contract had come into effect before that date, have been a person to whom this paragraph applies,
- that person is to be treated as a person to whom this paragraph applies.

- (7) A person who would (but for this sub-paragraph) be treated as being dismissed by the operation of this paragraph (whether by an enactment or otherwise) is to be treated as not being so dismissed.
- (8) Sub-paragraph (7) does not apply to a person who, by virtue of sub-paragraph (5), does not become an employee of a new policing body.
- (9) This paragraph is subject to paragraph 3D.

*Police civilians*

- 3D (1) The new policing body for a police area –
- (a) is to have, for the purpose mentioned in sub-paragraph (2), relevant powers to arrange for the new chief officer of the police force for that area to discharge functions of that body; and
  - (b) must exercise those powers for the purpose mentioned in sub-paragraph (2).
- (2) That purpose is securing that the police civilian members of staff of that new policing body are under the direction and control of that chief officer.
- (3) Any arrangements made in compliance with section 15(2) of the Police Act 1996 between the existing police authority for a police area and the existing chief officer of the police force for that area which are in force immediately before the relevant time are to have effect at and after that time as if made under this paragraph between the new policing body for that area and the new chief officer of that police force.
- (4) Sub-paragraph (2) applies to a person who –
- (a) immediately before the relevant commencement time, is a police civilian member of the staff of an existing police authority, and
  - (b) at that time becomes a member of the staff of the new policing body for a police area by virtue of paragraph 3C.
- (5) For as long as the person continues to be a member of the staff of that body, the person is to be –
- (a) employed as a police civilian member of that staff, and
  - (b) under the direction and control of the new chief officer of the police for that area.
- (6) Sub-paragraph (5) does not prevent the new policing body from making arrangements with the person for the person to cease to be a police civilian member of staff of that body (whether or not the person remains a member of the staff of that body).
- (7) After the relevant commencement time, a new policing body may, for either of the purposes set out in sub-paragraph (8), make arrangements –
- (a) with any member of the staff the body who is not a police civilian member of staff to become a police civilian member of that staff, or
  - (b) with a person who is not a member of that body's staff to become a police civilian member of that staff.
- (8) In relation to the new policing body for a police area those purposes are –

- (a) replacing police civilian members of staff of the existing police authority for that area who did not become members of the staff of the new policing body in accordance with paragraph 3C;
  - (b) replacing police civilian members of staff of the new policing body who have ceased to be police civilian members of staff of that body otherwise than by virtue of a transfer scheme under Part 2 of this Schedule; or
  - (c) to supplement the police civilian members of staff of the new policing body.
- (9) Sub-paragraphs (1) to (5) are subject to—
- (a) any provision included in a collaboration agreement under section 22A of the Police Act 1996, and
  - (b) section 24(3A) of that Act (aid of one police force by another).
- (10) In this paragraph—
- (a) “relevant powers” means powers corresponding to those conferred by sections 101 and 107 of the Local Government Act 1972 on police authorities established under section 3 of the Police Act 1996;
  - (b) references to a police civilian member of staff of an existing police authority or a new policing body are references to a member of the staff of that authority or body who is employed solely to assist the police force maintained by that authority or body;
  - (c) the chief officers’ powers of direction and control referred to include powers of engagement and dismissal.

#### *Seconded staff*

- 3E In the case of a person who, immediately before the relevant commencement time, is seconded to the existing police authority for a police area, the secondment is to have effect, after that time, as a secondment to the new policing body for that police area.

#### *Interpretation*

- 3F In this Part “relevant commencement time” means—
- (a) in relation to a police area listed in Schedule 1 to the Police Act 1996, the time when section 1 comes into force in relation to that area;
  - (b) in relation to the metropolitan police district, the time when section 3 comes into force.

## PART 2

### SUBSEQUENT TRANSFER BY NEW POLICING BODY

#### *Power to direct new policing body to make transfer scheme*

- 4 (1) The Secretary of State may direct a new policing body—”

**122** Page 167, line 3, leave out “existing police authority” and insert “new policing body”

**123** Page 167, line 8, leave out “existing police authority” and insert “new policing body”

- 124 Page 167, line 17, leave out “an existing police authority” and insert “a new policing body”
- 125 Page 167, line 18, leave out “authority” and insert “body”
- 126 Page 167, line 21, leave out “authority” and insert “body”
- 127 Page 167, line 23, leave out “existing police authority” and insert “new policing body”
- 128 Page 167, line 23, at end insert –
- “5A (1) The Secretary of State may direct a new policing body –
    - (a) to modify a transfer scheme made by that body, and
    - (b) to submit such a scheme to the Secretary of State for approval.
  - (2) Sub-paragraphs (2) to (5) of paragraph 4 apply to a direction under sub-paragraph (1) of this paragraph as they apply to a direction under sub-paragraph (1) of paragraph 4.
  - (3) In the application of paragraph 4(2) to (5) by virtue of sub-paragraph (2) –
    - (a) references to paragraph 4(1)(b) have effect as references to sub-paragraph (1)(b) of this paragraph;
    - (b) references to the making of a scheme have effect as references to the modification of a scheme;
    - (c) references to a scheme have effect as references to a scheme as modified.
  - (4) The Secretary of State may modify a transfer scheme made by a new policing body if –
    - (a) the authority does not comply with a direction given to it under sub-paragraph (1), or
    - (b) the Secretary of State decides not to approve the modified scheme submitted by the body.
  - (5) A scheme modified by the Secretary of State under sub-paragraph (4) is to be treated as if modified (and made) by the new policing body.
  - (6) A scheme modified in accordance with this paragraph is to be deemed for all purposes to have come into force with those modifications.”
- 129 Page 167, line 25, leave out from “the” to “to” in line 26 and insert “new policing body”
- 130 Page 167, line 27, leave out paragraph (a)
- 131 Page 167, line 30, leave out sub-paragraph (2)
- 132 Page 167, line 43, leave out “existing police authority” and insert “new policing body”
- 133 Page 167, line 45, leave out paragraph (a)
- 134 Page 168, line 1, leave out “a member of staff of”
- 135 Page 168, line 4, leave out sub-paragraph (1)
- 136 Page 168, line 16, leave out sub-paragraph (4)
- 137 Page 168, line 41, leave out from first “the” to “and” in line 42 and insert “new

- policing body,”
- 138 Page 168, line 44, leave out sub-paragraph (i)
- 139 Page 169, line 8, leave out from “the” to end of line 9 and insert “new policing body”
- 140 Page 169, line 12, after “rights” insert “or interests”
- 141 Page 169, line 13, after “scheme” insert “or retained by the transferor under the scheme or create rights or liabilities as between the transferor and transferee under the scheme”
- 142 Page 169, line 16, leave out sub-paragraphs (3) and (4)
- 143 Page 169, line 24, leave out paragraph 11
- 144 Page 169, line 33, at end insert –
- “(3) A transfer scheme may confer functions on any person (including the Secretary of State).”
- 145 Page 170, line 5, leave out from “person” to end of line 14 and insert “if by virtue of a transfer scheme, the person –
- (a) ceases to be a member of the staff of an existing police authority, and
- (b) becomes a member of the staff of a new policing body.
- (4) Section 1 of the Local Government and Housing Act 1989 (politically restricted posts) does not apply to the person for as long as the person –
- (a) continues to be a member of the staff of the new policing body, and
- (b) carries out duties which are the same, or substantially the same, as the duties the person carried out as a member of the staff of the existing police authority.”
- 146 Page 170, line 18, at end insert –
- “(1A) The replacement of an existing chief officer, the transfer or abolition of the functions of an existing chief officer, and the transfer of the rights and liabilities of an existing chief officer, do not affect anything done before the replacement, transfer or abolition.
- (1B) The transfer of the property, rights and liabilities of a new policing body do not affect anything done before the transfer.”
- 147 Page 170, line 20, leave out “an existing police authority” and insert “a person”
- 148 Page 171, line 2, after first “to” insert “Part 1A of this Schedule and”
- 149 Page 171, line 3, after “of” insert “Part 1A of this Schedule and”
- 150 Page 171, line 4, leave out “of an existing police authority”
- 151 Page 171, line 6, at end insert –
- “Foreign property etc: perfection of vesting*
- 15A (1) Subsections (2) to (8) of section 414 of the Greater London Authority Act 1999 (foreign property, rights and liabilities: perfection of vesting) apply

in any case where a transfer by or under this Act provides for the transfer of foreign property, rights or liabilities.

- (2) In the application of those provisions by virtue of sub-paragraph (1) –
  - (a) references to a transfer or pension instrument have effect as references to the transfer by or under this Act; and
  - (b) references to the transferor and the transferee are to be construed accordingly.

*Transfers: supplementary provision*

- 15B (1) All property, rights and liabilities to which a statutory transfer applies are to be transferred by that transfer, notwithstanding that they may be or include –
- (a) property, rights and liabilities that would not otherwise be capable of being transferred, or
  - (b) rights and liabilities under enactments.
- (2) The property, rights and liabilities which may be transferred by a transfer scheme include –
- (a) property, rights and liabilities that would not otherwise be capable of being transferred, or
  - (b) rights and liabilities under enactments.
- (3) No right of reverter, right of pre-emption, right of forfeiture, right of re-entry, right to compensation, option or similar right affecting any land or other property shall operate or become exercisable as a result of any transfer of land or other property by virtue of a statutory transfer or a transfer scheme (whether or not any consent required to the transfer has been obtained).
- (4) No right to terminate or vary a contract or instrument shall operate or become exercisable, and no provision of a contract or relevant document, shall operate or become exercisable or be contravened, by reason of any transfer by virtue of a statutory transfer or a transfer scheme.
- (5) Sub-paragraphs (2) to (4) above have effect in relation to –
- (a) the grant or creation of an estate or interest in, or right over, any land or other property, or
  - (b) the doing of any other thing in relation to land or other property, as they have effect in relation to a transfer of land or other property.
- (6) A transfer scheme may make provision for the apportionment or division of any property, rights or liabilities.
- (7) Where a transfer scheme makes provision for the apportionment or division between two or more persons of any rights or liabilities under a contract, the contract shall have effect, as from the coming into force of the provision, as if it constituted two or more separate contracts separately enforceable by and against each of those persons respectively as respects the part of the rights or liabilities which falls to that person as a result of the apportionment or division.
- (8) The provision that may be made by a transfer scheme includes provision for –
- (a) any transfer of land or other property by virtue of the instrument,

- (b) the grant or creation of any estate or interest in, or right over, any land or other property by virtue of the instrument, or
  - (c) the doing of any other thing in relation to land or other property by virtue of the instrument,
- to be on such terms, including financial terms, as the person making the scheme thinks fit.
- (9) The Secretary of State may by order confer on any body or person to whom property, rights or liabilities are transferred by a statutory transfer or transfer scheme any statutory functions which were previously exercisable in relation to that property, or those rights or liabilities, by the transferor.
- (10) It shall be the duty –
- (a) of existing police authorities, new policing bodies, existing chief officers, new chief officers and local authorities, and
  - (b) of the trustees or managers, or administrators, of any pension scheme,
- to provide the Secretary of State with such information or assistance as the Secretary of State may reasonably require for the purposes of, or in connection with, the exercise of any powers exercisable by the Secretary of State in relation to a statutory transfer or a transfer scheme.
- (11) Where any person is entitled, in consequence of any transfer made by virtue of a statutory transfer or transfer scheme, to possession of a document relating in part to the title to, or to the management of, any land or other property in England and Wales –
- (a) the instrument may contain provision for treating that person as having given another person an acknowledgment in writing of the right of that other person to the production of the document and to delivery of copies thereof; and
  - (b) section 64 of the Law of Property Act 1925 (production and safe custody of documents) shall have effect accordingly, and on the basis that the acknowledgment did not contain any such expression of contrary intention as is mentioned in that section.
- (12) In this paragraph –
- “relevant document” means –
- (a) any enactment, other than an enactment contained in this Act;
  - (b) any subordinate legislation made otherwise than under this Act; or
  - (c) any deed or other instrument;
- “statutory transfer” means a transfer under Part 1 or 1A of this Schedule;
- “transfer scheme” means a transfer scheme under Part 2.”

**152** Page 171, line 10, leave out “the abolition of the existing police authorities” and insert “Part 1 of this Act (including provision that supplements or varies the provision made by this Schedule).

- (2) An order under this paragraph may, in particular –
- (a) amend, or otherwise modify, any enactment;
  - (b) make any provision that may be made by a transfer scheme under Part 2 of this Schedule (whether the provision in the order relates to that Part or Part 1A of this Schedule);

- (c) provide for the new policing body for a police area to make any payment which—
    - (i) before a day specified in the order could have been made out of the police fund of the existing police authority for that area, but
    - (ii) is not a liability which is transferred to the new policing body by virtue of Part 1A of this Schedule;
  - (d) provide for a new chief officer or a local authority to which property, rights or liabilities of a new policing body are, or are to be, transferred by virtue of a transfer scheme under Part 1A of this Schedule to make any payment which—
    - (i) before a day specified in the order could have been made out of the police fund of that new policing body, but
    - (ii) is not a liability which could be transferred by virtue of such a transfer scheme;
  - (e) make provision in relation to the accounts and audit of—
    - (i) existing police authorities, and
    - (ii) new policing bodies.
- (3) Provision of the kind referred to in sub-paragraph (2)(e) may, in particular—
- (a) amend, or otherwise modify, any enactment relating to the accounts and audit of public bodies in its application to—
    - (i) an existing police authority and the financial year in which that authority is abolished, or
    - (ii) a new policing body and the financial year in which that body is established;
  - (b) provide for the Secretary of State to give directions as to action to be taken in relation to the accounts and audit of—
    - (i) an existing police authority in relation to the financial year in which that authority is abolished, or
    - (ii) a new policing body in relation to the financial year in which that body is established;
  - (c) provide for a person who, in acting in accordance with such a direction, fails to comply with a code of practice or other document relating to proper accounting practice to be taken not to have so failed to comply.”

**153** Page 171, line 14, leave out from beginning to end of line 20 and insert—

““existing chief officer” means—

- (a) in relation to a police area listed in Schedule 1 to the Police Act 1996, the chief constable of the police force for that area before the coming into force of section 2 of this Act in relation to that area;
- (b) in relation to the metropolitan police district, the Commissioner of Police of the Metropolis immediately before the coming into force of section 4;”

**154** Page 171, line 30, at end insert—

““new chief officer” means—

- (a) in relation to a police area listed in Schedule 1 to the Police Act 1996, the chief constable established for that police area under section 2 of this Act;

- (b) in relation to the metropolitan police district, the Commissioner of Police of the Metropolitan established under section 4;”

### Schedule 16

- 155** Page 176, line 33, leave out paragraph 30
- 156** Page 187, line 12, at end insert –
- “109A In section 121 (acquisition of land compulsorily by principal councils), after subsection (3) insert –
- “(3A) Police and crime commissioners and the Mayor’s Office for Policing and Crime are to be treated as principal councils for the purposes of –
- (a) this section (apart from subsection (1)(b)), and
- (b) section 122.”.
- 157** Page 191, line 7, leave out paragraph 136
- 158** Page 196, line 23, after “commissioner” insert “, the Mayor’s Office for Policing and Crime”
- 159** Page 200, line 16, after “Act),” insert “by a member of the civilian staff of a police force (within the meaning of that Part of that Act), by a member of the civilian staff of the metropolitan police force (within the meaning of that Part of that Act),”
- 160** Page 200, line 32, leave out “Mayor’s Office for Policing and Crime” and insert “metropolitan police force”
- 161** Page 200, line 43, after “body” insert “, except for a deputy police and crime commissioner”
- 162** Page 208, line 36, leave out from “for” to end of line 37 and insert ““person employed by a police authority” substitute “relevant employee”;”
- 163** Page 211, line 25, leave out sub-paragraphs (i) and (ii) and insert –
- “(i) in paragraph (a)(i), for “a senior officer, the police authority” substitute “the chief officer or a person exercising or performing functions of the chief officer in accordance with section 41 of the Police Reform and Social Responsibility Act 2011, the local policing body”;
- (ii) in paragraph (a)(ii), for “a senior officer” substitute “the chief officer or a person so exercising or performing functions of the chief officer”;
- (iii) in paragraph (b)(i), for “a senior officer, the police authority” substitute “the chief officer or a person exercising or performing functions of the chief officer in accordance with section 41 of the Police Reform and Social Responsibility Act 2011, the local policing body”;
- (iv) in paragraph (b)(ii), for “a senior officer” substitute “the chief officer or a person so exercising or performing functions of the chief officer”;
- 164** Page 214, line 3, leave out from “sub-paragraph” to end of line 5 and insert “(6)(a) –
- (i) for “police authority” substitute “local policing body”;
- (ii) for “the authority” substitute “the body”;

- (c) in sub-paragraph (6)(c), for “police authority” substitute “local policing body”;
  - (d) in sub-paragraph (6), in the words after sub-paragraph (c), for “the authority” substitute “the body”.
- 165 Page 214, line 11, leave out ““that authority” substitute “that” and insert ““the authority” substitute “the”
- 166 Page 214, line 18, leave out ““the authority” substitute “the” and insert ““that authority” substitute “that”
- 167 Page 214, line 24, leave out ““the authority” substitute “the” and insert ““that authority” substitute “that”
- 168 Page 224, line 36, leave out from “Part 1,” to “, substitute” in line 37 and insert “under the heading “*Police*”, for “The Metropolitan” to “section 3 of that Act”

#### Schedule 17

- 169 Page 226, line 9, after “(6)” insert “ –
- (a) is subject to subsection (10), and
  - (b) ”
- 170 Page 226, leave out lines 15 to 17 and insert –
- “(10) An order under this section –
    - (a) must be laid before Parliament after being made, and
    - (b) ceases to have effect at the end of the period of 40 days beginning with the day on which the order is made unless before the end of that period the order is approved by a resolution of each House of Parliament.
  - (11) In calculating that period of 40 days no account is to be taken of any time during which Parliament is dissolved or prorogued or during which both Houses are adjourned for more than 4 days.
  - (12) Subsection (10)(b) –
    - (a) is without prejudice to anything previously done or to the power of the Secretary of State to make a new order under this section;
    - (b) does not apply to an order that only revokes a previous order under this section.”

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LORDS AMENDMENTS TO THE  
POLICE REFORM AND SOCIAL  
RESPONSIBILITY BILL

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