



Police Act 1996

1996 CHAPTER 16

PART I

ORGANISATION OF POLICE FORCES

[^{F1} Police ranks]

11 Appointment and removal of chief constables.

- (1) The chief constable of a police force maintained under section 2 shall be appointed by the police authority responsible for maintaining the force, but subject to the approval of the Secretary of State and to regulations under section 50.
- (2) Without prejudice to any regulations under section 50 or under the ^{M1}Police Pensions Act 1976, the police authority, acting with the approval of the Secretary of State, may call upon the chief constable [^{F1} in the interests of efficiency or effectiveness, to retire or to resign] .
- (3) Before seeking the approval of the Secretary of State under subsection (2), the police authority shall give the chief constable [^{F2}—
 - (a) an explanation in writing of the authority's grounds for calling upon him, in the interests of efficiency or effectiveness, to retire or to resign; and
 - (b) an opportunity to make representations;and the authority shall consider any representations made by or on behalf of the chief officer.

The opportunity given to the chief constable to make representations must include the opportunity to make them in person.]

- [^{F3}(3A) A police authority maintaining a police force under section 2, acting with the approval of the Secretary of State, may suspend from duty the chief constable of that force if—
- (a) it is proposing to consider whether to exercise its power under subsection (2) to call upon the chief constable to retire or to resign and is satisfied that, in

Status: Point in time view as at 16/01/2012. This version of this provision has been superseded.

Changes to legislation: Police Act 1996, Section 11 is up to date with all changes known to be in force on or before 13 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

the light of the proposal, the maintenance of public confidence in that force requires the suspension; or

- (b) having been notified by the Secretary of State that he is proposing to consider whether to require the police authority to exercise that power, it is satisfied that, in the light of the Secretary of State's proposal, the maintenance of public confidence in that force requires the suspension; or
- (c) it has exercised that power or been sent under section 42(2A) a copy of a notice of the Secretary of State's intention to require it to exercise that power, but the retirement or resignation has not yet taken effect;

and it shall be the duty of a police authority maintaining such a force (without reference to the preceding provisions of this subsection) to suspend the chief constable of that force from duty if it is required to do so by the Secretary of State under section 42(1A).]

- (4) A chief constable who is called upon to [^{F4} retire or resign under subsection (2), shall retire or resign with effect from such date as the police authority may specify, or with effect from such earlier date] as may be agreed upon between him and the authority.

Textual Amendments

- F1** Words in s. 11(2) substituted (1.6.2004) by [Police Reform Act 2002 \(c. 30\), ss. 30\(2\)\(a\), 108\(2\); S.I. 2004/1319, art. 2\(a\)](#)
- F2** Words in s. 11(3) substituted (1.6.2004) by [Police Reform Act 2002 \(c. 30\), ss. 31\(2\), 108\(2\); S.I. 2004/1319, art. 2\(b\)](#)
- F3** S. 11(3A) inserted (1.6.2004) by [Police Reform Act 2002 \(c. 30\), ss. 32\(2\), 108\(2\); S.I. 2004/1319, art. 2\(c\)](#)
- F4** Words in s. 11(4) substituted (1.6.2004) by [Police Reform Act 2002 \(c. 30\), ss. 30\(2\)\(b\), 108\(2\); S.I. 2004/1319, art. 2\(a\)](#)

Marginal Citations

- M1** 1976 c. 35.

Status:

Point in time view as at 16/01/2012. This version of this provision has been superseded.

Changes to legislation:

Police Act 1996, Section 11 is up to date with all changes known to be in force on or before 13 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.