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Anti-social Behaviour, Crime and Policing Act 2014

2014 CHAPTER 12

PART 11

POLICING ETC

Chief officers of police and local policing bodies

VALID FROM 21/07/2014

140 Appointment of chief officers of police

- (1) Paragraph 2 of Schedule 8 to the Police Reform and Social Responsibility Act 2011 (appointment of chief constables) is amended as follows.
- (2) In sub-paragraph (1)(a), for “is, or has been, a constable in any part of the United Kingdom” there is substituted “ is eligible for appointment ”.
- (3) After sub-paragraph (1) there is inserted—
 - “(1A) 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.
 - (1B) 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.

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- (1C) 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.
- (1D) The College of Policing must recommend to the Secretary of State matters to be designated under this paragraph.
- (1E) The Secretary of State may make regulations under this paragraph only if they give effect to a recommendation under sub-paragraph (1D).”
- (4) Section 42 of that Act (appointment of Commissioner of Police of the Metropolis) is amended as follows.
- (5) In subsection (3), for “is, or has been, a constable in any part of the United Kingdom” there is substituted “ is eligible for appointment ”.
- (6) After subsection (3) there is inserted—
- “(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.
- (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).”

141 Financial arrangements etc for chief officers of police

- (1) In Schedule 2 to the Police Reform and Social Responsibility Act 2011 (chief constables), after paragraph 7 there is inserted—

“Financial arrangements etc

- 7A (1) A chief constable may, by way of temporary loan or overdraft from a bank or otherwise, borrow sums temporarily required by the chief constable, but only—
- (a) for the purpose of meeting expenses pending the receipt of revenues receivable by the chief constable in respect of the period of account in which the expenses are chargeable,
 - (b) in sterling, and
 - (c) with the consent of the relevant police and crime commissioner.
- (2) A chief constable—

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- (a) may not borrow money except as permitted by sub-paragraph (1);
 - (b) may not enter into a credit arrangement.
 - (3) A chief constable may invest—
 - (a) for any purpose relevant to the chief constable's functions under any enactment, or
 - (b) for the purpose of the prudent management of the chief constable's financial affairs,but only with the consent of the relevant police and crime commissioner.
 - (4) The following provisions of Part 1 of the Local Government Act 2003 (capital finance etc and accounts) apply in relation to a chief constable as they apply in relation to a local authority—
 - (a) section 6 (protection of lenders);
 - (b) section 7 (meaning of “credit arrangements”);
 - (c) sections 9 to 11 (capital receipts), except for section 11(2)(b) and (3) to (6);
 - (d) section 13 (security for money borrowed etc);
 - (e) section 14 (information);
 - (f) section 15 (guidance);
 - (g) section 16 (meaning of “capital expenditure”);
 - (h) section 17 (external funds);
 - (i) section 18 (companies etc), ignoring any reference to a Passenger Transport Executive;
 - (j) section 20 (directions);
 - (k) sections 21 and 22 (accounts);
 - (l) section 24(1) and (2)(b) (application to Wales).
 - (5) Regulations made by the Secretary of State under any of the provisions listed in sub-paragraph (4) apply in relation to the chief constable of a police force in England as they apply in relation to a local authority in England.
 - (6) Regulations made by the Welsh Ministers under any of those provisions apply in relation to the chief constable of a police force in Wales as they apply in relation to a local authority in Wales.
 - (7) Any of those provisions, or regulations made under them, that apply for the purposes of Chapter 1 of Part 1 of the Local Government Act 2003 apply also (so far as relevant) for the purposes of sub-paragraphs (1) to (3).
 - (8) An order under section 217 or 218 of the Local Government and Public Involvement in Health Act 2007, as it has effect for the purposes of section 18(2)(b) of the Local Government Act 2003 as applied by sub-paragraph (4)(i), applies—
 - (a) with the substitution of a reference to a chief constable for a reference to a local authority, and
 - (b) with any other necessary modifications.”
- (2) In Schedule 4 to that Act (Commissioner of Police of the Metropolis), after paragraph 4 there is inserted—

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“Financial arrangements etc

- 4A (1) The Commissioner of Police of the Metropolis may, by way of temporary loan or overdraft from a bank or otherwise, borrow sums temporarily required by the Commissioner, but only—
- (a) for the purpose of meeting expenses pending the receipt of revenues receivable by the Commissioner in respect of the period of account in which the expenses are chargeable,
 - (b) in sterling, and
 - (c) with the consent of the Mayor's Office for Policing and Crime.
- (2) The Commissioner of Police of the Metropolis—
- (a) may not borrow money except as permitted by sub-paragraph (1);
 - (b) may not enter into a credit arrangement.
- (3) The Commissioner of Police of the Metropolis may invest—
- (a) for any purpose relevant to the Commissioner's functions under any enactment, or
 - (b) for the purpose of the prudent management of the Commissioner's financial affairs,
- but only with the consent of the Mayor's Office for Policing and Crime.
- (4) The following provisions of Part 1 of the Local Government Act 2003 (capital finance etc and accounts), and any regulations made under them by the Secretary of State, apply in relation to the Commissioner of Police of the Metropolis as they apply in relation to a local authority in England—
- (a) section 6 (protection of lenders);
 - (b) section 7 (meaning of “credit arrangements”);
 - (c) sections 9 to 11 (capital receipts), except for section 11(2)(b) and (3) to (6);
 - (d) section 13 (security for money borrowed etc);
 - (e) section 14 (information);
 - (f) section 15 (guidance);
 - (g) section 16 (meaning of “capital expenditure”);
 - (h) section 17 (external funds);
 - (i) section 18 (companies etc), ignoring any reference to a Passenger Transport Executive;
 - (j) section 20 (directions);
 - (k) sections 21 and 22 (accounts).
- (5) Any of those provisions, or regulations made under them by the Secretary of State, that apply for the purposes of Chapter 1 of Part 1 of the Local Government Act 2003 apply also (so far as relevant) for the purposes of sub-paragraphs (1) to (3).
- (6) An order under section 217 of the Local Government and Public Involvement in Health Act 2007, as it has effect for the purposes of section 18(2)(b) of the Local Government Act 2003 as applied by sub-paragraph (4)(i), applies—

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- (a) with the substitution of a reference to the Commissioner of Police of the Metropolis for a reference to a local authority, and
- (b) with any other necessary modifications.”

Commencement Information

11 S. 141 in force at 13.5.2014 by S.I. 2014/949, art. 3, Sch. para. 11

142 Grants to local policing bodies

- (1) In section 46 of the Police Act 1996 (police grant), in subsection (1), for the words from “for each financial year” to the end of paragraph (b) there is substituted “for each financial year—
 - (a) make grants to police and crime commissioners for the purposes of their functions,
 - (b) make grants to the Common Council for the purposes of its functions as police authority, and
 - (c) make grants to the Greater London Authority for the purposes of the functions of the Mayor's Office for Policing and Crime;”.
- (2) The words “for police purposes” are omitted—
 - (a) in subsection (1) of section 47 of the Police Act 1996 (grants for capital expenditure);
 - (b) in subsection (2) of section 92 of that Act (grants by local authorities).

Commencement Information

12 S. 142 in force at 13.5.2014 by S.I. 2014/949, art. 3, Sch. para. 12

143 Powers of local policing bodies to provide or commission services

- (1) A local policing body may provide or arrange for the provision of—
 - (a) services that in the opinion of the local policing body will secure, or contribute to securing, crime and disorder reduction in the body's area;
 - (b) services that are intended by the local policing body to help victims or witnesses of, or other persons affected by, offences and anti-social behaviour;
 - (c) services of a description specified in an order made by the Secretary of State.
- (2) An order under subsection (1)(c) may make different provision for different areas.
- (3) A local policing body arranging for the provision of services under this section may make grants in connection with the arrangements.

A grant may be subject to any conditions (including conditions as to repayment) that the local policing body thinks appropriate.
- (4) In this section—

“anti-social behaviour” means behaviour by a person that causes or is likely to cause harassment, alarm or distress to one or more other persons not of the same household as that person;

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- “crime and disorder reduction” means reduction in levels of—
- (a) crime and disorder (including anti-social behaviour and other behaviour adversely affecting the local environment),
 - (b) the misuse of drugs, alcohol and other substances, and
 - (c) re-offending.

Commencement Information

I3 S. 143 in force at 20.3.2014 by S.I. 2014/630, art. 3(a)

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