

Status: Point in time view as at 31/03/2014.

Changes to legislation: There are currently no known outstanding effects for the Police Reform and Social Responsibility Act 2011, Part 1. (See end of Document for details)

SCHEDULES

SCHEDULE 16

POLICE REFORM: MINOR AND CONSEQUENTIAL AMENDMENTS

PART 1

POLICE ACT 1996

1 The Police Act 1996 is amended in accordance with this Part.

Commencement Information

I1 Sch. 16 para. 1 in force at 16.1.2012 by S.I. 2011/3019, art. 3, Sch. 1

2 For the italic cross-heading before section 1 substitute— “*Police areas and police forces*”.

Commencement Information

I2 Sch. 16 para. 2 in force at 22.11.2012 by S.I. 2012/2892, art. 2(i)

3 Omit the italic cross-heading before section 2.

Commencement Information

I3 Sch. 16 para. 3 in force at 22.11.2012 by S.I. 2012/2892, art. 2(i)

4 (1) Section 2 (maintenance of police forces) is amended in accordance with this paragraph.

(2) The existing provision of section 2 becomes subsection (1) of that section.

(3) After that subsection, insert—

“(2) For further provision about the maintenance of those police forces, see Chapter 1 of Part 1 of the Police Reform and Social Responsibility Act 2011.”.

Commencement Information

I4 Sch. 16 para. 4 in force at 22.11.2012 by S.I. 2012/2892, art. 2(i)

5 Omit—

(a) sections 3 to 5, and

(b) the italic cross-heading before section 5A.

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Commencement Information

I5 Sch. 16 para. 5 in force at 22.11.2012 by S.I. 2012/2892, art. 2(i)

6 (1) Section 5A (maintenance of the metropolitan police force) is amended in accordance with this paragraph.

(2) The existing provision of section 5A becomes subsection (1) of that section.

(3) After that subsection, insert—

“(2) For further provision about the maintenance of the metropolitan police force, see Chapter 2 of Part 1 of the Police Reform and Social Responsibility Act 2011.”.

Commencement Information

I6 Sch. 16 para. 6 in force at 16.1.2012 by S.I. 2011/3019, art. 3, Sch. 1

7 Omit sections 5B to 6.

Commencement Information

I7 Sch. 16 para. 7 in force at 16.1.2012 by S.I. 2011/3019, art. 3, Sch. 1 (with art. 10(4))

8 Before section 6ZA insert the following cross-heading— “ *The City of London* ”.

Commencement Information

I8 Sch. 16 para. 8 in force at 22.11.2012 by S.I. 2012/2892, art. 2(i)

9 After that cross-heading insert—

Common Council to remain police authority for City

“6AZA The Common Council of the City of London is to continue to be the police authority for the City of London police area.”.

Commencement Information

I9 Sch. 16 para. 9 in force at 22.11.2012 by S.I. 2012/2892, art. 2(i)

10 (1) Section 6ZA (power to confer particular functions on police authorities) is amended in accordance with this paragraph.

(2) In the title, for “**police authorities**” substitute “ **the Common Council** ”.

(3) In subsection (1), for “police authorities” substitute “ the Common Council ”.

(4) In subsection (2)—

(a) for “a police authority” substitute “ the Common Council ”;

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- (b) for “police force maintained for its area” substitute “ the City of London police force ”;
 - (c) for “the authority” substitute “ the Common Council ”.
- (5) In subsection (3), for paragraphs (a) and (b) substitute—
- “(a) the Common Council,
 - (b) the Commissioner of Police for the City of London, and”.
- (6) Omit subsection (4).

Commencement Information

110 Sch. 16 para. 10 in force at 22.11.2012 by S.I. 2012/2892, art. 2(i)

- 11 (1) Section 6ZB (plans by police authorities) is amended in accordance with this paragraph.
- (2) In the title, for “**police authorities**” substitute “ **the Common Council** ”.
- (3) In subsection (1)—
- (a) for “every police authority” substitute “ the Common Council ”;
 - (b) for “the authority's” substitute “the Common Council's”;
 - (c) for “its area” substitute “ the City of London police area, and for the discharge by the City of London Police of its national or international functions ”.
- (4) For subsection (2) substitute—
- “(2) In issuing a policing plan, the Common Council must have regard to the strategic policing requirement issued under section 37A.”.
- (5) In subsection (3)—
- (a) for “a police authority” substitute “ the Common Council ”;
 - (b) for “relevant chief officer of police” substitute “ Commissioner of Police for the City of London ”;
 - (c) for “the authority” substitute “ the Common Council ”.
- (6) In subsection (4)—
- (a) for “a police authority” substitute “ the Common Council ”;
 - (b) for “relevant chief officer of police” (in the first place) substitute “ Commissioner of Police for the City of London ”;
 - (c) for “authority for” substitute “ Common Council for ”;
 - (d) for “Authority shall” substitute “ Common Council shall ”;
 - (e) for “relevant chief officer of police” (in the second place) substitute “ Commissioner of Police for the City of London ”.
- (7) In subsection (8), for paragraphs (a) and (b) substitute—
- “(a) the Common Council,
 - (b) the Commissioner of Police for the City of London, and”.
- (8) Omit subsection (9).
- (9) Omit subsection (11).

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Commencement Information

I11 Sch. 16 para. 11 in force at 22.11.2012 by S.I. 2012/2892, art. 2(i)

- 12 (1) Section 6ZC (reports by police authorities) is amended in accordance with this paragraph.
- (2) In the title, for “**police authorities**” substitute “**the Common Council**”.
- (3) In subsection (1)—
- (a) for “police authorities” substitute “the Common Council”;
 - (b) for “policing of their areas” substitute “discharge of the Common Council's functions”.
- (4) In subsection (3), for paragraphs (a) and (b) substitute—
- “(a) the Common Council,
 - (b) the Commissioner of Police for the City of London, and”.
- (5) Omit subsection (4).

Commencement Information

I12 Sch. 16 para. 12 in force at 22.11.2012 by S.I. 2012/2892, art. 2(i)

- 13 Omit sections 8A to 9G.

Commencement Information

I13 Sch. 16 para. 13 in force at 16.1.2012 by S.I. 2011/3019, art. 3, Sch. 1 (with Sch. 2 para. 7)

- 14 Before section 9H insert the following cross-heading— “Police ranks”.

Commencement Information

I14 Sch. 16 para. 14 in force at 16.1.2012 by S.I. 2011/3019, art. 3, Sch. 1

- 15 Omit sections 10 to 12A.

Commencement Information

I15 Sch. 16 para. 15 in force at 22.11.2012 by S.I. 2012/2892, art. 2(i)

- 16 Omit sections 14 to 17.

Commencement Information

I16 Sch. 16 para. 16 in force at 16.1.2012 by S.I. 2011/3019, art. 3, Sch. 1 (with Sch. 2 para. 8)

- 17 Before section 18 insert the following cross-heading— “City of London”.

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Commencement Information

I17 Sch. 16 para. 17 in force at 22.11.2012 by S.I. 2012/2892, art. 2(i)

- 18 (1) Section 18 (supply of goods and services) is amended in accordance with this paragraph.
- (2) In subsection (1), omit paragraph (a).
- (3) In subsection (1)(b)—
- (a) for “shall also apply with that modification” substitute “ shall, ”;
 - (b) at the end insert “ , apply with the modification set out in subsection (2) ”.
- (4) In subsection (3)—
- (a) for “A police authority” substitute “ The Common Council in its capacity as police authority ”;
 - (b) for “another police authority” substitute “ another local policing body ”;
 - (c) for “a police authority collaboration agreement” substitute “ force collaboration provision in a collaboration agreement ”.

Commencement Information

I18 Sch. 16 para. 18(1)(2) in force at 16.1.2012 by S.I. 2011/3019, art. 3, Sch. 1 (with Sch. 2 para. 9)

I19 Sch. 16 para. 18(3)(4) in force at 22.11.2012 by S.I. 2012/2892, art. 2(i)

- 19 Omit sections 19 to 21.

Commencement Information

I20 Sch. 16 para. 19 in force at 22.11.2012 by S.I. 2012/2892, art. 2(i)

- 20 Omit the cross-heading “*General provisions*” before section 22.

Commencement Information

I21 Sch. 16 para. 20 in force at 22.11.2012 by S.I. 2012/2892, art. 2(i)

- 21 (1) Section 22 (reports by chief constables to police authorities) is amended as follows.
- (2) In subsection (1)—
- (a) for “Every chief officer of police of a police force” substitute “ The Commissioner of Police for the City of London ”;
 - (b) for “police authority” substitute “ Common Council ”;
 - (c) for the words from “the area” to “maintained” substitute “ the City of London police area ”.
- (3) In subsection (2), for “A chief officer” substitute “ The chief constable ”.
- (4) In subsection (3)—
- (a) for “The chief officer of police of a police force” substitute “ The Commissioner of Police for the City of London ”;

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- (b) for “police authority” substitute “ Common Council ”;
- (c) for “that authority” substitute “ the Common Council ”;
- (d) for “area for which the force is maintained” substitute “ City of London police area ”.

(5) In subsection (4), for “police authority” substitute “ Common Council ”.

(6) In subsection (5)—

- (a) for “chief officer” substitute “ Commissioner of Police for the City of London ”;
- (b) for “police authority” substitute “ Common Council ”;
- (c) for “that authority” substitute “ the Common Council ”.

(7) In subsection (6)—

- (a) for “police authority” substitute “ Common Council ”;
- (b) for “the authority” substitute “ the Common Council ”.

Commencement Information

I22 Sch. 16 para. 21 in force at 22.11.2012 by S.I. 2012/2892, art. 2(i)

22 After section 22 insert the following cross-heading— “ *General provisions* ”.

Commencement Information

I23 Sch. 16 para. 22 in force at 16.1.2012 by S.I. 2011/3019, art. 3, Sch. 1

23 (1) Section 24 (aid of one police force by another) is amended as follows.

(2) In subsection (3), for “sections 9A and 10(1)” substitute “ sections 2 and 4 of the Police Reform and Social Responsibility Act 2011 (“the 2011 Act”) ”.

(3) For subsection (3A) substitute—

“(3A) While a member of the civilian staff of a police force maintained under section 2, or a member of the civilian staff of the metropolitan police force, is provided under this section for the assistance of another police force, that member of staff is, notwithstanding section 2 or 4 of the 2011 Act, under the direction and control of the chief officer of police of that other force.”.

(4) In subsection (4)—

- (a) for “police authority” (in both places) substitute “ local policing body ”;
- (b) for “those authorities” substitute “ those bodies ”;
- (c) for “police authorities” substitute “ local policing bodies ”.

(5) In subsection (4A)—

- (a) for “police authority” substitute “ local policing body ”;
- (b) for “section 10(1)” substitute “ sections 2 and 4 of the 2011 Act ”.

Commencement Information

I24 Sch. 16 para. 23 in force at 16.1.2012 by S.I. 2011/3019, art. 3, Sch. 1 (with Sch. 2 para. 10)

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- 24 In section 25(1) (provision of special services)—
- (a) for “police authority” substitute “ local policing body ”;
 - (b) for “that authority” substitute “ that body ”.

Commencement Information

I25 Sch. 16 para. 24 in force at 16.1.2012 by S.I. 2011/3019, art. 3, Sch. 1

- 25 (1) Section 26 (provision of advice and assistance to international organisations etc) is amended in accordance with this paragraph.
- (2) In subsection (1)—
- (a) for “police authority” substitute “ local policing body ”;
 - (b) for “the authority” substitute “ the body ”.
- (3) In subsection (2)—
- (a) for “police authority” substitute “ local policing body ”;
 - (b) for “the authority” substitute “ the body ”.
- (4) In subsections (5) and (6), for “police authority” substitute “ local policing body ”.

Commencement Information

I26 Sch. 16 para. 25 in force at 16.1.2012 by S.I. 2011/3019, art. 3, Sch. 1

- 26 In section 27 (special constables), in subsection (2), for “police force collaboration agreement” substitute “ collaboration agreement ”.

Commencement Information

I27 Sch. 16 para. 26 in force at 16.1.2012 by S.I. 2011/3019, art. 3, Sch. 1

- 27 In section 28 (police cadets), in subsection (3)—
- (a) for “Without prejudice to subsection (2)” substitute “ Accordingly ”;
 - (b) for “the police authority that maintains a police force” substitute “ the chief officer of a police force ”.

Commencement Information

I28 Sch. 16 para. 27 in force at 16.1.2012 by S.I. 2011/3019, art. 3, Sch. 1

- 28 (1) Section 30 (jurisdiction of constables) is amended in accordance with this paragraph.
- (2) In subsection (3A)—
- (a) for “section 24” substitute “ section 22A ”;
 - (b) for “police authority” substitute “ local policing body ”.
- (3) In subsection (3B), for “police force collaboration agreement under section 23” substitute “ collaboration agreement under section 22A ”.

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Commencement Information

I29 Sch. 16 para. 28 in force at 16.1.2012 by S.I. 2011/3019, art. 3, Sch. 1

29 For section 31 (rewards for diligence) substitute—

“31 Rewards for diligence

- (1) The chief constable of a police force maintained under section 2 may grant to members of that police force rewards for exceptional diligence or other specially meritorious conduct.
- (2) The Commissioner of Police of the Metropolis may grant to members of the metropolitan police force rewards for exceptional diligence or other specially meritorious conduct.
- (3) The Common Council may, on the recommendation of the Commissioner of Police for the City of London, grant out of the City of London police fund to members of the City of London police force rewards for exceptional diligence or other specially meritorious conduct.”.

Commencement Information

I30 Sch. 16 para. 29 in force at 16.1.2012 by S.I. 2011/3019, art. 3, Sch. 1 (with Sch. 2 para. 11)

- 30 (1) Section 39A (codes of practice for chief officers) is amended as follows.
- (2) Omit subsection (3).
 - (3) In subsection (4)—
 - (a) for the words from “preparing” to “Agency” substitute “ issuing or revising such a code, the Secretary of State ”;
 - (b) for paragraph (a) substitute—
 - “(a) such persons as appear to the Secretary of State to represent the views of police and crime commissioners;
 - (aa) the Mayor's Office for Policing and Crime;
 - (ab) the Common Council;”;
 - (c) for “it” substitute “ the Secretary of State ”.

Commencement Information

I31 Sch. 16 para. 30 in force at 16.1.2012 by S.I. 2011/3019, art. 3, Sch. 1 (with Sch. 2 para. 12)

- 31 (1) Section 42A is amended in accordance with this paragraph.
- (2) In the title, for “**removal of senior officers**” substitute “ **exercise of powers under section 42** ”.
 - (3) In subsection (1), omit “9E, 11 or”.
 - (4) In subsection (2), for paragraph (a) substitute—
 - “(a) the Mayor's Office for Policing and Crime;”.

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I32 Sch. 16 para. 31(1)(3)(4) in force at 16.1.2012 by S.I. 2011/3019, art. 3, Sch. 1 (with Sch. 2 para. 13)

I33 Sch. 16 para. 31(2) in force at 22.11.2012 by S.I. 2012/2892, art. 2(i)

- 32 In section 50 (regulations for police forces), in subsection (4)(a), for “police authorities” substitute “ local policing bodies ”.

Commencement Information

I34 Sch. 16 para. 32 in force at 16.1.2012 by S.I. 2011/3019, art. 3, Sch. 1

- 33 In section 51 (regulations for special constables), in subsection (3A)(a), for “police authorities” substitute “ local policing bodies ”.

Commencement Information

I35 Sch. 16 para. 33 in force at 16.1.2012 by S.I. 2011/3019, art. 3, Sch. 1

- 34 In section 52 (regulations for police cadets), in subsection (1A)(a), for “police authorities” substitute “ local policing bodies ”.

Commencement Information

I36 Sch. 16 para. 34 in force at 16.1.2012 by S.I. 2011/3019, art. 3, Sch. 1

- 35 (1) Section 53A (regulation of procedures and practices) is amended in accordance with this paragraph.
- (2) In subsection (2), omit paragraph (b) (and the word “and” at the end of paragraph (a)).
- (3) In subsection (3), for paragraph (a) substitute—
- “(a) such persons as appear to the Secretary of State to represent the views of police and crime commissioners;
 - (aa) the Mayor's Office for Policing and Crime;
 - (ab) the Common Council;”.
- (4) Omit subsection (5).
- (5) In subsection (6), omit paragraph (a).

Commencement Information

I37 Sch. 16 para. 35(1)(3) in force at 16.1.2012 by S.I. 2011/3019, art. 3, Sch. 1 (with Sch. 2 para. 14)

I38 Sch. 16 para. 35(2)(4)(5) in force at 22.11.2012 by S.I. 2012/2892, art. 2(i)

- 36 (1) Section 57 (common services) is amended in accordance with this paragraph.
- (2) In subsection (4), for paragraph (a) substitute—
- “(a) such persons as appear to the Secretary of State to represent the views of police and crime commissioners,
 - (aa) the Mayor's Office for Policing and Crime,

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(ab) the Common Council.”.

(3) Omit subsections (5) and (6).

Commencement Information

I39 Sch. 16 para. 36(1)(2) in force at 16.1.2012 by S.I. 2011/3019, art. 3, **Sch. 1** (with Sch. 2 para. 15)

I40 Sch. 16 para. 36(3) in force at 22.11.2012 by S.I. 2012/2892, **art. 2(i)**

- 37 In section 60 (regulations for Police Federations), in subsection (2)—
- (a) in paragraph (c), after “Federations to” insert “ local policing bodies, ”;
 - (b) in paragraph (d), after “provided by” insert “ local policing bodies or ”.

Commencement Information

I41 Sch. 16 para. 37 in force at 16.1.2012 by S.I. 2011/3019, art. 3, **Sch. 1**

- 38 In section 61 (the Police Negotiating Board for the United Kingdom), in subsection (1)(a), for “authorities” substitute “ persons and bodies ”.

Commencement Information

I42 Sch. 16 para. 38 in force at 16.1.2012 by S.I. 2011/3019, art. 3, **Sch. 1**

- 39 In section 63 (Police Advisory Boards for England and Wales and for Scotland), in subsection (2), after “interests” insert “ of local policing bodies, ”.

Commencement Information

I43 Sch. 16 para. 39 in force at 16.1.2012 by S.I. 2011/3019, art. 3, **Sch. 1**

- 40 In section 84 (representation etc at disciplinary and other proceedings), in the definition of “relevant authority” in subsection (4)—
- (a) in paragraph (a), for “a senior officer” substitute “ the chief officer of police ”;
 - (b) in paragraph (b), for “a senior officer, the police authority” substitute “ the chief officer of police, the local policing body ”.

Commencement Information

I44 Sch. 16 para. 40 in force at 16.1.2012 by S.I. 2011/3019, art. 3, **Sch. 1** (with art. 8(3)) (as amended (14.11.2012) by S.I. 2012/2892, art. 8(3))

- 41 In section 87 (guidance concerning disciplinary proceedings etc), in subsection (1)—
- (a) for paragraph (a) substitute—
“ (a) local policing bodies, ”;
 - (b) for paragraph (e), substitute—
“ (e) members of the civilian staff of a police force, including the metropolitan police force (within the meaning of Part

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1 of the Police Reform and Social Responsibility Act 2011).”.

Commencement Information

I45 Sch. 16 para. 41 in force at 16.1.2012 by S.I. 2011/3019, art. 3, Sch. 1

- 42 (1) Section 88 (liability of wrongful acts of constables) is amended in accordance with this paragraph.
- (2) In subsections (2)(b) and (4), for “police authority” substitute “local policing body”.
- (3) In subsection (5)—
- (a) in paragraph (a), for “police authority” substitute “local policing body”;
 - (b) in paragraph (c), for “authority's” substitute “local policing body's”.
- (4) In subsection (5A), for “police authority” (in each place) substitute “local policing body”.
- (5) In subsection (6), for “police authority” (in each place) substitute “local policing body”.

Commencement Information

I46 Sch. 16 para. 42 in force at 16.1.2012 by S.I. 2011/3019, art. 3, Sch. 1

- 43 In section 93 (acceptance of gifts or loans), in subsection (1), for “the authority” substitute “the body”.

Commencement Information

I47 Sch. 16 para. 43 in force at 16.1.2012 by S.I. 2011/3019, art. 3, Sch. 1

- 44 In section 97 (police officers engaged on service outside their force), in subsection (2), for “police authority” (in each place) substitute “local policing body”.

Commencement Information

I48 Sch. 16 para. 44 in force at 16.1.2012 by S.I. 2011/3019, art. 3, Sch. 1

- 45 (1) Section 98 (cross-border aid of one police force by another) is amended in accordance with this paragraph.
- (2) In subsection (6)—
- (a) for “police authority” (in each place) substitute “local policing body”;
 - (b) for “those authorities” substitute “those bodies”;
 - (c) for “police authorities” substitute “local policing bodies”.
- (3) Before subsection (7) insert—
- “(6B) In this section “local policing body” includes—
- (a) a police authority in Scotland, and

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(b) the Northern Ireland Policing Board.”.

Commencement Information

I49 Sch. 16 para. 45 in force at 16.1.2012 by S.I. 2011/3019, art. 3, Sch. 1

46 Omit Schedules 2 and 2A.

Commencement Information

I50 Sch. 16 para. 46 in force at 16.1.2012 by S.I. 2011/3019, art. 3, Sch. 1 (with Sch. 2 para. 16)

47 (1) Schedule 6 (appeals to Police Appeals Tribunals) is amended in accordance with this paragraph.

(2) In paragraph 2(1)—

- (a) for “four members” substitute “ three members ”;
- (b) for “relevant police authority” (in the first place) substitute “ relevant local policing body ”;
- (c) in sub-paragraph (b), at the end insert “ and ”;
- (d) omit sub-paragraph (c).

(3) In paragraph 9, for “relevant police authority” (in each place) substitute “ relevant local policing body ”.

(4) In paragraph 10(b), for “relevant police authority” means the police authority” substitute “relevant local policing body” means the local policing body”.

Commencement Information

I51 Sch. 16 para. 47 in force at 16.1.2012 by S.I. 2011/3019, art. 3, Sch. 1

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Changes to legislation:

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