



Police Reform and Social Responsibility Act 2011

2011 CHAPTER 13

PART 1

POLICE REFORM

CHAPTER 6

POLICE AND CRIME COMMISSIONERS: ELECTIONS AND VACANCIES

Conduct of elections

58 Power to make provision about elections etc

- (1) The Secretary of State may by order make provision as to—
 - (a) the conduct of elections of persons to be police and crime commissioners;
 - (b) the questioning of such an election and the consequences of irregularities.
- (2) The provision which may be made under subsection (1)(a) includes, in particular, provision—
 - (a) about registration of electors;
 - (b) for disregarding alterations in a register of electors;
 - (c) about the registration or other recognition of political parties and other persons incurring expenditure in relation to elections of police and crime commissioners;
 - (d) about funding and expenditure, in relation to elections of police and crime commissioners, of candidates, political parties and other persons incurring such expenditure;
 - (e) for the combination of polls at elections of police and crime commissioners and other polls;

Status: This is the original version (as it was originally enacted).

- (f) for any election held in consequence of any irregularity at an ordinary election to be treated as held at an ordinary election for any of the purposes of this Act.
- (3) An order under subsection (1) may—
- (a) apply or incorporate, with or without modifications or exceptions, any relevant provision;
 - (b) modify any form contained in any relevant provision so far as may be necessary to enable it to be used both for the original purpose and in relation to elections for police and crime commissioners;
 - (c) include provision creating criminal offences.
- (4) 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.
- (5) The Secretary of State may by order make modifications of any relevant provision that are consequential on any provision of—
- (a) section 1(4),
 - (b) this Chapter,
 - (c) an order under subsection (1), or
 - (d) regulations under section 54.
- (6) Provision that may be made under subsection (5) includes, in particular, provision modifying any relevant provision so as to apply (with or without modifications)—
- (a) in relation to elections for police and crime commissioners as it applies in relation to other elections;
 - (b) in relation to police and crime commissioners as it applies in relation to persons elected at other elections.
- (7) In this section—
- “relevant provision” means any provision (whenever passed or made) of, or made under, any of the following—
- (a) the Representation of the People Acts,
 - (b) the Local Government Act 1972,
 - (c) the Local Government Act 2000,
 - (d) the Political Parties, Elections and Referendums Act 2000,
 - (e) the European Parliamentary Elections Act 2002,
 - (f) the Government of Wales Act 2006, and
 - (g) any other enactment relating to parliamentary elections, European Parliamentary elections or local government elections;
- “modify” includes amend, repeal or revoke (and related terms are to be read accordingly).