



Anti-social Behaviour, Crime and Policing Act 2014

2014 CHAPTER 12

PART 11

POLICING ETC

Review bodies for police remuneration etc

133 Consultation about regulations: England and Wales

(1) After section 52 of the Police Act 1996 there is inserted—

“52A Regulations about hours, leave or pay: consultation etc

- (1) This section applies where the Secretary of State is proposing to make regulations under section 50 or 52 on a matter that relates to—
- (a) hours of duty,
 - (b) leave,
 - (c) pay and allowances, or
 - (d) the issue, use and return of police clothing, personal equipment and accoutrements.
- (2) In the case of regulations under section 50 concerning members of police forces of or below the rank of chief superintendent, or regulations under section 52, before making the regulations the Secretary of State shall (subject to subsection (5))—
- (a) refer the matter to the Police Remuneration Review Body under section 64B(1), and
 - (b) consider that body's report on the matter.

Status: Point in time view as at 01/09/2014. This version of this provision has been superseded.

Changes to legislation: *Anti-social Behaviour, Crime and Policing Act 2014, Section 133 is up to date with all changes known to be in force on or before 26 May 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)*

- (3) In the case of regulations under section 50 concerning members of police forces above the rank of chief superintendent, before making the regulations the Secretary of State shall (subject to subsection (5))—
- (a) consider advice on the matter from the Senior Salaries Review Body, or
 - (b) where subsection (4) applies, refer the matter to the Police Remuneration Review Body under section 64B(1) and consider that body's report on the matter.
- (4) This subsection applies where—
- (a) the regulations would affect members of police forces who are not above the rank of chief superintendent as well as those who are, and
 - (b) the Secretary of State thinks that it would be preferable for the matter to be considered by the same body.
- (5) The duty to consider advice from the Senior Salaries Review Body or to refer the matter to the Police Remuneration Review Body does not apply if the Secretary of State considers that—
- (a) there is not enough time to do so because the need to make the regulations is so urgent, or
 - (b) it is unnecessary to do so by reason of the nature of the proposed regulations.
- (6) In all cases, before making the regulations the Secretary of State shall supply a draft of them to, and consider any representations made by, persons whom the Secretary of State considers to represent the interests of—
- (a) the persons and bodies who between them maintain police forces;
 - (b) chief officers of police;
 - (c) members of police forces;
 - (d) police cadets appointed under section 28.
- (7) The Secretary of State may by order amend this section in consequence of a change in the name or functions of the body for the time being specified in subsection (3)(a).
- (8) A statutory instrument containing an order under subsection (7) shall be subject to annulment in pursuance of a resolution of either House of Parliament.”
- (2) In section 63 of that Act (Police Advisory Board for England and Wales, etc), in subsection (3)(a), for “regulations with respect to any of the matters mentioned in section 61(1)” there is substituted “ regulations of a kind referred to in section 52A(1) ”.
- (3) In section 1 of the Police Pensions Act 1976 (police pensions regulations)—
- (a) in subsection (1), for “the Police Negotiating Board for the United Kingdom” there is substituted “ the appropriate advisory or negotiating body ”;
 - (b) after that subsection there is inserted—

“(1ZA) In subsection (1) above, “the appropriate advisory or negotiating body” means—

 - (a) as regards England and Wales, the Police Advisory Board for England and Wales;

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(b) as regards Scotland, the Police Negotiating Board for Scotland.

(1ZB) When carrying out consultation under subsection (1) above as regards England and Wales, the Secretary of State shall also invite the views of the Northern Ireland Policing Board and the Police Association for Northern Ireland.”

(4) In section 52 of the Police Act 1996 (regulations for police cadets), at the end there is inserted—

“(3) Before making regulations under this section relating to pensions the Secretary of State shall consult with the Police Advisory Board for England and Wales and shall also invite the views of the Northern Ireland Policing Board and the Police Association for Northern Ireland.”

(5) In Schedule 3 to the Police and Justice Act 2006 (power to merge police pension schemes), in paragraph 3, for sub-paragraph (3) there is substituted—

“(3) The Secretary of State shall—

- (a) consult with the Police Advisory Board for England and Wales before exercising the power as regards England and Wales;
- (b) consult with the Police Negotiating Board for Scotland before exercising the power as regards Scotland;
- (c) consult with the Northern Ireland Policing Board and the Police Association for Northern Ireland before exercising the power as regards Northern Ireland.”

Commencement Information

- I1** S. 133(1)(2)(4) in force at 1.9.2014 by [S.I. 2014/2125](#), [art. 2\(c\)](#)
- I2** S. 133(3) in force at 1.9.2014 for E.W. by [S.I. 2014/2125](#), [art. 3\(a\)](#)
- I3** S. 133(5) in force at 1.9.2014 for E.W.N.I. by [S.I. 2014/2125](#), [art. 4\(b\)](#)

Status:

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