
STATUTORY INSTRUMENTS

2003 No. 527

The Police Regulations 2003

PART 2

GOVERNMENT

Appointment of senior officers

11.—^{F1}(1) Subject to sections 38 and 42 of the 2011 Act and regulations 9A and 10—

- (a) the Secretary of State may determine—
 - (i) the rank that must be held, or have been held; and
 - (ii) the period for which such rank must be held or have been held,for the purposes of appointment to the rank of chief constable, Commissioner of Police for the City of London or Commissioner of Police of the Metropolis (“chief constable or commissioner rank”); and
- (b) where the Secretary of State makes a determination under paragraph (a), a person may not be appointed to chief constable or commissioner rank unless they hold or have held such rank and for such period as determined by the Secretary of State.]

^{F2}(1A) Subject to any enactment governing an appointment to a rank higher than that of Chief Superintendent, and to regulations 9A and 10—

- (a) the Secretary of State may determine courses or assessment centres that candidates must have completed to be eligible for appointment to such a rank; and
- (b) where the Secretary of State makes a determination under paragraph (a), a person may not be appointed to such a rank unless that person has satisfactorily completed such courses or assessments centres as determined by the Secretary of State.]

^{F3}(2) An appointment to the rank of—

- (a) chief constable or deputy chief constable in a police force maintained under section 2 of the Act;
- (b) commissioner, deputy commissioner, assistant commissioner or deputy assistant commissioner in the metropolitan police force; or
- (c) assistant commissioner in the City of London police force,

shall be for a fixed term.

(2A) Subject to paragraph [^{F4}(2B) to (2D)], an appointment for a fixed term shall be for a maximum of five years.

(2B) An appointment for a fixed term may be extended, by agreement of the [^{F5}person who made the appointment] and the person appointed, for a further term of a maximum of three years and for subsequent terms each of a maximum of one year^{F6}....]

[^{F7}(2C) The reference in paragraph (2B) to the person who made the appointment shall have effect—

- (a) in the case of an appointment of a deputy chief constable under section 11A of the Act, as a reference to the chief constable; and
- (b) in the case of an appointment of an Assistant Commissioner under section 9F of the Act or a Deputy Assistant Commissioner under section 9FA of the Act, as a reference to the Commissioner of Police of the Metropolis.

(2D) Where an appointment for a fixed term is due to expire at a time when the person appointed is acting as chief officer, the appointment shall not expire until—

- (a) the date when the person ceases to act as chief officer, if the reason for the cessation is that the person is appointed as chief officer; or
- (b) six months after the date when the person ceases to act as chief officer, if the reason for the cessation is that another person is appointed as chief officer.

(2E) Where sub-paragraph (b) of paragraph (2D) applies, the chief officer shall notify the person appointed, not less than three months before the end of the six month period mentioned in that sub-paragraph, as to whether or not the appointment is to be extended in accordance with paragraph (2B) (and, if it applies, paragraph (2C)).

(2F) For the purposes of paragraph (2D) a person is acting as chief officer when the person is—

- (a) exercising or performing functions of a chief constable in accordance with section 41(1) (a) of the Police Reform and Social Responsibility Act 2011;
- (b) exercising powers or duties of the Commissioner of Police of the Metropolis in accordance with section 44(1)(a) or (b) of that Act; or
- (c) exercising duties of the Commissioner of Police for the City of London in accordance with section 25 of the City of London Police Act 1839.]

(3) [^{F8}Paragraphs (2) and (2D) are] without prejudice to any provision whereby a term of appointment comes to an end on promotion, dismissal, the conclusion of disciplinary proceedings or transfer to another police force and regulation 14 (retirement).

(4) The Secretary of State shall determine the circumstances in which a vacancy in a rank specified in paragraph (2) [^{F9}or the rank of assistant chief constable in a police force maintained under section 2 of the Act, or commander in the metropolitan police force or City of London police force] shall be advertised; if a vacancy is to be advertised, the advertisement shall contain such detail and be published in such manner as the Secretary of State may determine. The Secretary of State may determine that no appointment shall be made until after a date to be specified in the advertisement.

Textual Amendments

- F1** Reg. 11(1) substituted (4.1.2017) by [The Police \(Amendment\) \(No. 2\) Regulations 2016](#) (S.I. 2016/1200), regs. 1, **2(1)(a)**
- F2** Reg. 11(1A) substituted (4.1.2017) by [The Police \(Amendment\) \(No. 2\) Regulations 2016](#) (S.I. 2016/1200), regs. 1, **2(1)(b)**
- F3** Reg. 11(2)-(2B) substituted for reg. 11(2) (1.7.2006) by [The Police \(Amendment\) Regulations 2006](#) (S.I. 2006/1467), regs. 1, **2(2)** (with reg. 3)
- F4** Words in reg. 11(2A) substituted (22.11.2012) by [The Police \(Amendment No. 4\) Regulations 2012](#) (S.I. 2012/2712), regs. 1, **4(2)**
- F5** Words in reg. 11(2B) substituted (16.1.2012 in relation to the Metropolitan police district; 22.11.2012 in relation to the other police areas in E.W.) by [The Police \(Amendment\) Regulations 2011](#) (S.I. 2011/3026), regs. 1(1), **7(c)**

- F6** Words in reg. 11(2B) omitted (22.11.2012) by virtue of [The Police \(Amendment No. 4\) Regulations 2012 \(S.I. 2012/2712\)](#), regs. 1, **4(3)**
- F7** Reg. 11(2C)-(2F) inserted (22.11.2012) by [The Police \(Amendment No. 4\) Regulations 2012 \(S.I. 2012/2712\)](#), regs. 1, **4(4)**
- F8** Words in reg. 11(3) substituted (22.11.2012) by [The Police \(Amendment No. 4\) Regulations 2012 \(S.I. 2012/2712\)](#), regs. 1, **4(5)**
- F9** Words in reg. 11(4) inserted (1.7.2006) by [The Police \(Amendment\) Regulations 2006 \(S.I. 2006/1467\)](#), regs. 1, **2(3)** (with reg. 3)

Changes to legislation:

There are currently no known outstanding effects for the The Police Regulations 2003, Section 11.