

EXPLANATORY MEMORANDUM TO
THE POLICE FEDERATION (AMENDMENT) REGULATIONS 2007

2007 No. 2751

1. This explanatory memorandum has been prepared by the Home Office and is laid before Parliament by Command of Her Majesty.

2. Description

2.1 The Regulations substitute a new regulation 16(4) into the Police Federation Regulations 1969 (the **1969 Regulations**). Regulation 16 deals with the raising of funds by the Police Federation of England and Wales (the **Police Federation**), including by means of subscriptions from members. Where at the end of any year, the funds held by a branch board of the Police Federation exceed certain amounts specified in regulation 16(4), the excess must be dealt with in accordance with that regulation. The new regulation 16(4) updates the amounts specified in the regulation and sets out amended provision for dealing with funds in excess of these amounts. The changes were originally proposed by the Police Federation.

3. Matters of special interest to the Joint Committee on Statutory Instruments

3.1 None

4. Legislative Background

4.1 The changes set out in these Regulations are made pursuant to a request from the Police Federation, following the approval of the Police Federation members at its 2007 Annual Conference. The changes provide updated specified amounts in regulation 16(4); these amounts were last updated in 1975. The changes also reflect the way in which the Federation would like funds held in excess of these amounts to be dealt with.

5. Territorial Extent and Application

5.1 This instrument applies to England and Wales.

6. European Convention on Human Rights

6.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. Policy background

7.1 The Police Federation for England and Wales represent police members of the 43 police forces in England and Wales respectively in certain matters affecting their welfare and efficiency. The Police Federation is a tripartite organisation made up of representatives from the constable, sergeant and inspector ranks. Each of the 43 police forces within England and Wales has its own federation structure based on three branch boards based on rank. The three boards meet as a Joint Branch, or in the case of the Metropolitan Police's case, as a Joint Executive. The 43 forces are grouped into regions. Each of the regions send a Constable, Sergeant and Inspector to the National Body called the Joint Central Committee (JCC).

7.2 The 1969 Regulations set out the internal organisational arrangements of the Police Federation. The changes to regulation 16(4) were proposed by the Police Federation to update the amount of income allowed to be retained by the Branch Boards at the end of any financial year. In addition, the changes include provision governing the allocation of any funds held in excess of these amounts. Under these new provisions, the branch boards can pay such amount of their excess as they see fit to their Joint Branch Board and any additional excess remaining is then paid to the appropriate Central Committee (e.g. a constables branch board pays any additional excess remaining to the constables' central committee).

7.3 The changes to regulation 16(4) were approved by the Police Federation members at the 2007 Federation Annual Conference. The Secretary of State has consulted the three Central Committees of the Police Federation, sitting together as a Joint Committee, as required by Section 60(4) of the Police Act 1996. This Joint Committee has also approved the changes.

7.4 Details of the changes will be sent out in a Joint Branch Board (JBB) Circular from the General Secretary of the Federation and will also be printed in the Federation's Finance Regulation Sections of their Finance Manual. A Home Office Circular will also be circulated to their members.

8. Impact

8.1 A Regulatory Impact Assessment has not been prepared for this instrument as it has no impact on business, charities or voluntary bodies.

8.2 The impact on the public sector will be minimal as the Federation is a staff association that has its finances specifically regulated by an Act of Parliament. Regulations 16(4) will only apply to Police Federation branch board's funds.

9. Contact

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