
STATUTORY INSTRUMENTS

2011 No. 230

POLICE, ENGLAND AND WALES

The Police Federation (Amendment) Regulations 2011

Made - - - - *4th February 2011*
Laid before Parliament *8th February 2011*
Coming into force - - *1st March 2011*

The Secretary of State, in exercise of the powers conferred by section 60 of the Police Act 1996⁽¹⁾, makes the following Regulations.

In accordance with section 60(4) of that Act, the Secretary of State has consulted the three Central Committees of the Police Federation for England and Wales sitting together as a Joint Committee.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Police Federation (Amendment) Regulations 2011 and shall come into force on 1st March 2011.

(2) These Regulations extend to England and Wales.

Amendment to the Police Federation Regulations 1969

2.—(1) The Police Federation Regulations 1969⁽²⁾ are amended as follows.

(2) In regulation 6A (branch boards: membership), for paragraph (4) substitute—

“(4) By virtue of this paragraph, and without prejudice to the filling of the casual vacancy—

- (a) a member of a joint branch board who is elected to a relevant office of that board shall become an additional member of the appropriate branch board;
- (b) a member of the Joint Executive Committee of the metropolitan police force who is elected to a relevant office of that Committee shall become an additional member of the appropriate branch board; and
- (c) a member of a branch board of the metropolitan police force who is elected to a relevant office of that board shall become an additional member of that board.

(1) 1996 c. 16.

(2) S.I. 1969/1787; relevant amendments were made by S.I. 1990/1575 and S.I. 2004/2660.

(4A) An additional member by virtue of paragraph (4) shall remain such until the end of the month following the date when he ceases to hold the relevant office by reason of which he became an additional member, save that—

- (a) a person who ceases to hold the office of secretary of a joint branch board or of the Joint Executive Committee of the metropolitan police force shall remain an additional member until the end of the month in which elections are first held under regulation 6 following the date on which he ceases to hold that office; and
- (b) a person who, on a date when elections are held under regulation 6, holds any relevant office other than that of secretary of a joint branch board or of the Joint Executive Committee of the metropolitan police force, shall remain an additional member until the date of the next election to the relevant office that he holds.

(4B) For the purposes of paragraphs (4) and (4A) “relevant office” means the office of chairman or secretary of the board or Committee in question, or any other office specified in rules made for these purposes by that board or Committee with the approval of—

- (a) the chief officer (in the case of a joint branch board); or
- (b) the Commissioner of Police of the Metropolis (in the case of the Joint Executive Committee or a branch board of the metropolitan police force).”.

(3) In Schedule 2 (proceedings)—

- (a) in paragraph 1 at the end insert “; the Joint Executive Committee of the metropolitan police force.”;
- (b) in paragraph 2 for “paragraph 2A” substitute “paragraphs 2A to 2D”;
- (c) after paragraph 2A insert—

“**2B.** In any election to a relevant office held in the period beginning on 1st March 2011 and ending on 31st December 2011, the candidates may include any person who is discharging the duties or functions of that or any other relevant office of the specified body immediately before the election, notwithstanding that he is not then a member of the specified body.

2C. The election of any person to a relevant office of a specified body before 1st March 2011 shall not be questioned on the basis that the person was not a member of the specified body at the time of the election.

2D. In paragraphs 2B and 2C “relevant office” has the meaning given in regulation 6A(4B)(b)”.

Home Office
4th February 2011

Nick Herbert
Minister of State

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Police Federation Regulations 1969 (“the 1969 Regulations”) so as to extend the scope of regulation 6A(4), which provides that a person chosen to be secretary of a joint branch board (or, in the metropolitan police, the Joint Executive Committee) becomes an additional member of one of the branch boards constituting the joint branch board (or the Joint Executive Committee).

Regulation 2(2) of these Regulations replaces regulation 6A(4) of the 1969 Regulations with three new paragraphs having the effect that the secretary, the chairman and any other officer of a joint branch board, the Joint Executive Committee or a branch board of the metropolitan police specified in rules made by the board or Committee with the approval of the chief officer of the police force (or, in the metropolitan police, the Commissioner) becomes an additional member.

Regulation 2(3) of these Regulations amends Schedule 2 to the 1969 Regulations in order to regularise the position of a person elected to one of the offices listed above before these Regulations come into force, or in the period from the date of coming into force until the end of 2011, by removing any question as to his eligibility on the basis that he was not a member of the board or committee in question. By the end of 2011 elections will have been held in respect of all of the offices in question, and the new paragraphs in regulation 6A of the 1969 Regulations will ensure that the persons elected are additional members.

In replacing regulation 6A(4) of the 1969 Regulations, these Regulations also correct an error – regulation 6A(4) as originally inserted by the Police Federation (Amendment) Regulations 2004 (S.I. 2004/2660) refers to elections held under “this regulation”, but it is regulation 6 rather than regulation 6A which governs elections to branch boards.