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STATUTORY INSTRUMENTS

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**2012 No. 1917**

**The Police and Crime Commissioner Elections Order 2012**

**PART 5**

Miscellaneous and supplemental

**Consequences where PCC election fails or is declared void**

**80.**—(1) This article applies where—

- (a) a notice under article 79 is given to the appropriate officer for a police area, or
- (b) at the conclusion of a trial of a PCC election petition questioning the election of a police and crime commissioner for a police area, a specified notice is given to the appropriate officer for the police area certifying that the election court hearing the petition has determined that the election is void.

(2) For the purposes of section 59(1)(a) of the 2011 Act (date of vacancy in office of police and crime commissioner in consequence of failure of, or other irregularity in relation to, a PCC election), a vacancy in the office of police and crime commissioner in the police area is to be regarded as occurring on the day on which the notice referred to in paragraph (1) is received by the appropriate officer.

(3) The appropriate officer must give notice of the vacancy in accordance with section 59(3) to (5) of the 2011 Act and an election to fill the vacancy must be held under section 51 of that Act (election to fill a vacancy in office of police and crime commissioner).

(4) For the purposes of section 51(4) of the 2011 Act (which specifies the period within which the election must be held), the “relevant event” is the receipt of the notice referred to in paragraph (1) by the appropriate officer.

(5) In paragraph (1)(b), “specified notice” means a notice under section 145(6) of the 1983 Act, as applied by paragraph 1 of Schedule 9.

**Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Police and Crime Commissioner Elections Order 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. A1 para. 4 applied by [S.I. 2023/1150 reg. 23](#)
- Sch. A1 inserted by [S.I. 2023/1150 Sch. 1](#)
- Sch. 2 para. 3(10) amendment to earlier affecting provision S.I. 2023/1147, reg. 17(5)(a)(iii) by [S.I. 2023/1406 reg. 19\(2\)\(a\)\(ii\)](#)
- Sch. 2 para. 3(10) inserted by [S.I. 2023/1147 reg. 17\(5\)\(a\)\(iii\)](#)
- Sch. 2 para. 4(6) inserted by [S.I. 2023/1147 reg. 17\(5\)\(b\)\(iii\)](#)
- Sch. 2 para. 9A inserted by [S.I. 2023/1225 reg. 8\(6\)\(a\)](#)
- Sch. 2 para. 29(1A) inserted by [S.I. 2023/1225 reg. 8\(6\)\(b\)\(ii\)](#)
- Sch. 2 para. 43(3A) inserted by [S.I. 2023/1225 reg. 8\(6\)\(d\)\(ii\)](#)
- Sch. 2 para. 43A-43D inserted by [S.I. 2023/1225 reg. 8\(6\)\(e\)](#)
- Sch. 2 para. 46A-46E inserted by [S.I. 2023/1225 reg. 8\(6\)\(g\)](#)
- Sch. 2 para. 55(6)-(9) inserted by [S.I. 2023/1225 reg. 8\(6\)\(h\)\(ii\)](#)
- Sch. 2 para. 57(1)(g) and word inserted by [S.I. 2023/1225 reg. 8\(6\)\(i\)\(ii\)](#)
- Sch. 2 para. 59A(1)(a)(ii)(iii) inserted by [S.I. 2023/1225 reg. 8\(6\)\(k\)\(iii\)\(bb\)](#)
- Sch. 2 para. 59A(1)(c)(ii) inserted by [S.I. 2023/1225 reg. 8\(6\)\(k\)\(iv\)\(bb\)](#)
- Sch. 2 para. 16C(7)(ca) inserted by [S.I. 2024/43 reg. 24\(2\)](#)
- Sch. 2 para. 7(14) inserted by [S.I. 2023/1147, reg. 17\(5\)\(ca\)\(iii\) \(as inserted\) by S.I. 2023/1406 reg. 19\(2\)\(b\)](#)
- Sch. 2 para. 16C(6) omitted by [S.I. 2023/1406 reg. 12\(b\)](#)
- Sch. 2 para. 16C(5) substituted by [S.I. 2023/1406 reg. 12\(a\)](#)
- Sch. 2 para. 6(5)-(7) substituted for Sch. 2 para. 6(5) by [S.I. 2023/1147 reg. 17\(5\)\(c\)](#)
- Sch. 2 para. 16C(7) word substituted by [S.I. 2023/1406 reg. 12\(c\)\(i\)](#)
- Sch. 2 para. 59A(1)(a)(i) words in Sch. 2 para. 59A(1)(a) renumbered as Sch. 2 para. 59A(1)(a)(i) by [S.I. 2023/1225 reg. 8\(6\)\(k\)\(iii\)\(aa\)](#)
- Sch. 2 para. 59A(1)(c)(i) words in Sch. 2 para. 59A(1)(c) renumbered as Sch. 2 para. 59A(1)(c)(i) by [S.I. 2023/1225 reg. 8\(6\)\(k\)\(iv\)\(aa\)](#)
- Sch. 2 para. 16C(7)(b) words substituted by [S.I. 2023/1406 reg. 12\(c\)\(ii\)](#)
- Sch. 2 para. 16C(7)(c) words substituted by [S.I. 2023/1406 reg. 12\(c\)\(ii\)](#)
- Sch. 2 para. 16C(7)(d) words substituted by [S.I. 2023/1406 reg. 12\(c\)\(iii\)](#)
- Sch. 3 rule 34(1)(ba) inserted by [S.I. 2023/1225 reg. 8\(7\)\(b\)](#)
- Sch. 3 rule 49(2)(e) and word inserted by [S.I. 2023/1225 reg. 8\(7\)\(c\)\(ii\)](#)
- Sch. 3 rule 70 Form 11 substituted by [S.I. 2023/1147 Sch. 8 Pt. 2](#)
- Sch. 3 rule 70 Form 13 substituted by [S.I. 2023/1147 Sch. 8 Pt. 2](#)
- Sch. 3 rule 70 Form 12 substituted by [S.I. 2023/1225 Sch. 6 Pt. 2](#)
- Sch. 3 rule 70 Form 14 substituted by [S.I. 2023/1225 Sch. 6 Pt. 2](#)
- Sch. 3 rule 49(2)(c) word omitted by [S.I. 2023/1225 reg. 8\(7\)\(c\)\(i\)](#)
- Sch. 3 rule 37(1)(b) words inserted by [S.I. 2023/1147 reg. 17\(7\)\(a\)](#)
- Sch. 3 rule 37 table words omitted by [S.I. 2023/1147 reg. 17\(7\)\(b\)\(ii\)](#)
- Sch. 3 rule 37 table words substituted by [S.I. 2023/1147 reg. 17\(7\)\(b\)\(i\)](#)
- Sch. 3 rule 32(1)(a) words substituted by [S.I. 2023/1225 reg. 8\(7\)\(a\)\(i\)](#)
- Sch. 3 rule 32(1)(b) words substituted by [S.I. 2023/1225 reg. 8\(7\)\(a\)\(ii\)](#)
- Sch. 4 para. 27(1)(a) words substituted by [S.I. 2023/1225 reg. 8\(8\)\(a\)\(i\)](#)
- Sch. 4 para. 27(1)(b) words substituted by [S.I. 2023/1225 reg. 8\(8\)\(a\)\(ii\)](#)
- Sch. 4 para. 27(2) words substituted by [S.I. 2023/1225 reg. 8\(8\)\(b\)](#)
- Sch. 7 para. 14A inserted by [S.I. 2024/428 reg. 4\(3\)](#)
- Sch. 10 para. 3(1)(b)(v) inserted by [S.I. 2023/1225 reg. 8\(10\)\(b\)](#)
- art. 3A inserted by [S.I. 2023/1150 reg. 36\(3\)](#)

- art. 13(1)(ea) art. 13(1)(ee) renumbered as art. 13(1)(ea) by [S.I. 2024/131 reg. 22\(2\)\(a\)](#)
- art. 13(1)(ea) words inserted by [S.I. 2024/131 reg. 22\(2\)\(b\)](#)
- art. 18A inserted by [S.I. 2023/1141 reg. 4\(2\)](#)
- art. 22(5A)-(5F) inserted by [S.I. 2023/1225 reg. 8\(3\)](#)