

EXPLANATORY MEMORANDUM TO
THE POLICE FEDERATION (AMENDMENT) REGULATIONS 2013
2013 No. 3189

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

2. **Purpose of the instrument**

2.1 This instrument makes a minor amendment to the Police Federation Regulations 1969 (“the 1969 Regulations”), which govern the constitution and proceedings of the Police Federation of England and Wales (“the Federation”).

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

3.1 None.

4. **Legislative Context**

4.1 Section 59 of the Police Act 1996 provides for the continued existence of the Federation, which represents the interests of members of police forces in England and Wales up to the rank of Chief Inspector in matters concerning their welfare. Section 60 gives the Secretary of State the power to make Regulations prescribing the constitution and proceedings of the Federation. Regulation 12 of the 1969 Regulations, made under that power, governs the election of members of the Constables’, Sergeants’ and Inspectors’ Central Committees of the Federation. This instrument amends regulation 12.

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**

- What is being done and why

7.1 At the request of the Federation, this instrument relaxes the rules on eligibility for election to the Federation’s Central Committees.

7.2 There is a branch of the Federation for each police force, consisting of the members of the force below the rank of Superintendent and the police

cadets undergoing training with a view to becoming members of the force (see regulation 4 of the 1969 Regulations).

7.3 A Constables', a Sergeants' and an Inspectors' Branch Board is elected from among the members of each branch of the relevant rank (see regulation 6 of the 1969 Regulations). The delegates to each Central Conference are elected by the branch board for the rank in question (see regulation 9 of the 1969 Regulations).

7.4 At present, regulation 12(1A) of the 1969 Regulations provides for the members of the Central Committees of the Federation to be elected from among the delegates to the Constables', Sergeants' and Inspectors' Central Conferences. Further provision as to eligibility for election is to be found in regulation 12(2).

7.5 This instrument amends regulation 12 of the 1969 Regulations with the effect that the members of the Central Committees are elected from among the members of the relevant Branch Boards, regardless of whether any particular Branch Board member is a delegate to the Central Conference in question. The additional requirements in regulation 12(2) are retained.

- Consolidation

7.6 Despite their age, the 1969 Regulations have not been heavily amended in the past. In view of the limited change being made by this instrument, this is not regarded as a suitable opportunity for consolidation of the amendments made previously.

8. Consultation outcome

8.1 This change to the 1969 Regulations is being made at the request of the Federation. The Secretary of State has consulted the three Central Committees of the Federation sitting together as a Joint Committee on a draft of the instrument, as required by section 60(4) of the Police Act 1996. The Joint Committee approved the draft.

9. Guidance

9.1 The Secretary of State is leaving it to the Federation to make its own arrangements in this regard.

10. Impact

10.1 There is no impact on business, charities, voluntary bodies or the public sector. The only effect of the instrument is to make a change to the internal proceedings of the Federation.

10.2 An Impact Assessment has not been prepared for this instrument.

11. Regulating small business

11.1 The legislation does not apply to small business.

12. Monitoring & review

12.1 In light of the nature of the instrument, no formal arrangements are thought necessary.

13. Contact

Nick Lawrence at the Home Office Tel: 020 7035 1888 or email: nicholas.lawrence13@homeoffice.gsi.gov.uk can answer any queries regarding the instrument.