
STATUTORY INSTRUMENTS

2016 No. 514

**The Police and Crime Commissioner Elections
(Local Returning Officers' and Police Area
Returning Officers' Charges) Order 2016**

PART 1

Introduction

Citation, commencement and revocation

1.—(1) This Order may be cited as the Police and Crime Commissioner Elections (Local Returning Officers' and Police Area Returning Officers' Charges) Order 2016.

(2) It comes into force on the day after the day on which it is made.

(3) Articles 2 to 9 apply only to a police and crime commissioner election the date of the poll for which is on or after 1st May 2016.

(4) So far as it relates to an election the poll for which is on or after 1st May 2016, the Police and Crime Commissioner Elections (Local Returning Officers' and Police Area Returning Officers' Charges) Order 2012(1) is revoked.

Interpretation

2.—(1) In this Order—

“the 2000 Act” means the Local Government Act 2000(2);

“Assembly general election” has the same meaning as in the National Assembly for Wales (Representation of the People) Order 2007(3);

“election for the return of an elected mayor” means an election for the return of an elected mayor under section 9H of the 2000 Act(4);

“governance referendum” means a referendum held under Chapter 4 of Part 1A of the 2000 Act;

“ordinary election of councillors” means an ordinary election of councillors within the meaning of section 7 of the Local Government Act 1972(5);

(1) [S.I. 2012/2378](#).

(2) [2000 c. 22](#).

(3) [S.I. 2007/236](#); amendments have been made to this instrument but they are not relevant to this Order. “Assembly general election” is defined in article 2(1).

(4) A new Part 1A of the Local Government Act 2000 was inserted by paragraph 1 of Schedule 2 to the Localism Act 2011 (c. 20). Section 9H is in Chapter 2 of Part 1A.

(5) [1972 c. 70](#); subsection (2) was amended by section 102 of, and paragraph 3 of Schedule 16 to, the Local Government Act 1985 (c. 51). Other amendments have been made to this section but they are not relevant to this Order.

“police area” means a police area listed in Schedule 1 to the Police Act 1996 (police areas outside London)(6);

“police area returning officer” in relation to a police area, means the person for the time being designated by an order made under section 54(1)(b) of the Police Reform and Social Responsibility Act 2011 (returning officers etc)(7) as the police area returning officer for that area, so far as such an order applies for the purposes of an election the poll for which is on or after 1st May 2016.

(2) Except so far as it relates to a voting area mentioned in Schedule 6, a reference in this Order to a voting area is a reference to a voting area within the meaning of article 2(2) of the Police and Crime Commissioner Elections Order 2012(8) (“2012 Order”).

(3) So far as it relates to a voting area mentioned in Schedule 6, a reference in this Order to a voting area is a reference to a voting area within the meaning of article 2(2B)(a) of the 2012 Order (meaning of voting area when an Assembly general election and an ordinary election of police and crime commissioners are combined)(9).

(6) 1996 c. 16; Schedule 1 has been amended by section 129 of the Police Act 1997 (c. 50) and by S.I.s 1997/1844; 1997/1845; 1997/1846; 1997/1847; 1997/1849; 1997/1850; 1997/1855; 1997/1857; and 2009/119.

(7) The Secretary of State’s functions under section 54(1) are exercisable concurrently with the Chancellor of the Duchy of Lancaster by virtue of S.I. 2015/1376 so far as they relate to an election the poll for which is on or after 1st May 2016.

(8) S.I. 2012/1917; relevant amendments to article 2 are made by S.I. 2015/1526 and S.I. 2016/300.

(9) paragraphs (2A) to (2C) were inserted by S.I. 2016/300.