



Police Reform and Social Responsibility Act 2011

2011 CHAPTER 13

PART 1

POLICE REFORM

CHAPTER 3

FUNCTIONS OF ELECTED LOCAL POLICING BODIES ETC

Financial matters

21 Police fund

- (1) Each elected local policing body must keep a fund to be known as the police fund.
- (2) All of an elected local policing body's receipts must be paid into the relevant police fund.
- (3) All of an elected local policing body's expenditure must be paid out of the relevant police fund.
- (4) An elected local policing body must keep accounts of payments made into or out of the relevant police fund.
- (5) Subsections (2) and (3) are subject to any regulations under the Police Pensions Act 1976.
- (6) In this section "relevant police fund", in relation to an elected local policing body, means the police fund which that body keeps.

Status: This is the original version (as it was originally enacted).

22 Minimum budget for police and crime commissioner

- (1) Section 41 of the Police Act 1996 (directions as to minimum budget) is amended as follows.
- (2) In subsection (1)—
 - (a) for “a police authority established under section 3” substitute “a police and crime commissioner”;
 - (b) for “the authority” substitute “the commissioner”;
 - (c) for “its budget requirement” substitute “the commissioner’s budget requirement”.
- (3) After subsection (1) insert—

“(1A) But the Secretary of State may not give a direction to the police and crime commissioner for a police area by virtue of subsection (1) unless the Secretary of State is satisfied that it is necessary to give the direction in order to prevent the safety of people in that police area from being put at risk.”.
- (4) In subsection (4)—
 - (a) for “a police authority” substitute “a police and crime commissioner”;
 - (b) for “the authority” substitute “the commissioner”.

23 Minimum budget for Mayor’s Office for Policing and Crime

- (1) The Greater London Authority Act 1999 is amended as follows.
- (2) Section 95 (minimum budget for Metropolitan Police Authority) is amended in accordance with subsections (3) to (7).
- (3) In the title, for “**Metropolitan Police Authority**” substitute “**Mayor’s Office for Policing and Crime**”.
- (4) In subsection (1), for “Metropolitan Police Authority” substitute “Mayor’s Office for Policing and Crime”.
- (5) In subsection (2), for “Metropolitan Police Authority” substitute “Mayor’s Office for Policing and Crime”.
- (6) After subsection (2) insert—

“(2A) But the Secretary of State may not give a direction to the Authority under subsection (2) unless the Secretary of State is satisfied that it is necessary to give the direction in order to prevent the safety of people in the metropolitan police district from being put at risk.”.
- (7) In subsections (3), (4) and (7), for “Metropolitan Police Authority” (in each place) substitute “Mayor’s Office for Policing and Crime”.
- (8) In section 96 (provisions supplemental to section 95), in subsection (6), for “Metropolitan Police Authority” substitute “Mayor’s Office for Policing and Crime”.

24 Police grant

- (1) Section 46 of the Police Act 1996 (police grant) is amended as follows.

Status: This is the original version (as it was originally enacted).

- (2) In subsection (1)—
- (a) for paragraph (a) substitute—
 - “(a) police and crime commissioners,
 - (aa) the Common Council, and”;
 - (b) for the words after paragraph (b) substitute—
 - “and in those provisions a reference to a grant recipient is a reference to a police and crime commissioner, the Common Council or the Greater London Authority.”.
- (3) In subsection (2)(b), for “authority” substitute “grant recipient”.
- (4) In subsection (4), for “police authorities” substitute “grant recipients”.
- (5) In subsection (5), for “different authorities or different classes of authority” substitute “different grant recipients or different classes of grant recipient”.
- (6) In subsection (7), for “police authority” substitute “grant recipient”.
- (7) In subsection (7A)—
- (a) for “Metropolitan Police Authority” substitute “Mayor’s Office for Policing and Crime”;
 - (b) for “that Authority” substitute “that Office”.
- (8) In subsection (8)—
- (a) for “an authority’s” substitute “a grant recipient’s”;
 - (b) for “the authority” substitute “the grant recipient”;
 - (c) for “an authority” substitute “a grant recipient”.
- (9) In subsection (9), for “Metropolitan Police Authority” substitute “Mayor’s Office for Policing and Crime”.

25 Other grants etc under Police Act 1996

- (1) The Police Act 1996 is amended as follows.
- (2) In section 47 (grants for capital expenditure)—
- (a) in subsection (1), for the words from “by” to “Authority”, substitute “by local policing bodies”;
 - (b) in subsection (4), for “by virtue of subsection (1)(b)” substitute “under subsection (1) in respect of expenditure incurred (or to be incurred) by the Mayor’s Office for Policing and Crime”;
 - (c) in subsection (5)—
 - (i) for “Metropolitan Police Authority” substitute “Mayor’s Office for Policing and Crime”;
 - (ii) for “that Authority” substitute “that Office”.
- (3) In section 48 (grants for expenditure on safeguarding national security)—
- (a) in subsection (1), for the words from “by” to “security”, substitute “by local policing bodies in connection with safeguarding national security”;
 - (b) in subsection (4), for “by virtue of subsection (1)(b)” substitute “under subsection (1) in respect of expenditure incurred (or to be incurred) by the Mayor’s Office for Policing and Crime”;

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- (c) in subsection (5)—
 - (i) for “Metropolitan Police Authority” substitute “Mayor’s Office for Policing and Crime”;
 - (ii) for “that Authority” substitute “that Office”.
- (4) In section 92 (grants by local authorities)—
 - (a) in subsection (1), for “police authority established under section 3” substitute “police and crime commissioner”;
 - (b) in subsection (2), for “Metropolitan Police Authority” substitute “Mayor’s Office for Policing and Crime”.
- (5) In section 93 (acceptance of gifts or loans)—
 - (a) in subsection (1), for “police authority” substitute “local policing body”;
 - (b) in subsection (2), for “police authority” substitute “local policing body”.
- (6) Section 94 (financing of new police authorities) is amended as follows.
- (7) In the title, for “**police authorities**” substitute “**police and crime commissioners**”.
- (8) In subsection (1)—
 - (a) for “police authority established under section 3” substitute “police and crime commissioner”;
 - (b) for “it” substitute “the commissioner”.
- (9) In subsection (2)—
 - (a) for “police authority established under section 3” substitute “police and crime commissioner”;
 - (b) for “it” substitute “the commissioner”;
 - (c) for “its” (in both places) substitute “the commissioner’s”.
- (10) In subsection (3)—
 - (a) for “an authority” substitute “a commissioner”;
 - (b) for “its” substitute “the commissioner’s”.
- (11) In subsection (4)—
 - (a) for “a police authority” substitute “a police and crime commissioner”;
 - (b) for “it” (in both places) substitute “the commissioner”.

26 Precepts

- (1) The Local Government Finance Act 1992 is amended in accordance with subsections (2) and (3).
- (2) In section 39 (precepting and precepted authorities), in subsection (1) (major precepting authorities), for paragraph (b) substitute—
 - “(b) a police and crime commissioner;”.
- (3) In section 65 (duty to consult ratepayers), in subsection (3) (definition of relevant authority), after “major precepting authority” insert “, apart from a police and crime commissioner”.
- (4) Schedule 5 (issuing precepts) has effect.

Status: This is the original version (as it was originally enacted).

27 Other grants etc

- (1) Section 155 of the Local Government and Housing Act 1989 (emergency financial assistance to local authorities) is amended in accordance with subsections (2) and (3).
- (2) In subsection (1A) (grants to GLA functional bodies), for paragraph (b) substitute—
“(b) the Mayor’s Office for Policing and Crime, or”.
- (3) In subsection (4) (meaning of local authority), for paragraph (ea) substitute—
“(ea) a police and crime commissioner;”.
- (4) In section 33 of the Local Government Act 2003 (interpretation of Chapter 1 of Part 3: expenditure grant), in subsection (1) (meaning of local authority), for paragraph (m) substitute—
“(m) a police and crime commissioner.”.