



Greater London Authority Act 1999

1999 CHAPTER 29

PART VI

POLICE AND PROBATION SERVICES

Commissioners and Commanders

314 General functions of the Commissioner

After section 9 of the Police Act 1996 there shall be inserted—

“9A General functions of the Commissioner of Police of the Metropolis

- (1) The metropolitan police force shall be under the direction and control of the Commissioner of Police of the Metropolis appointed under section 9B.
- (2) In discharging his functions, the Commissioner of Police of the Metropolis shall have regard to the local policing plan issued by the Metropolitan Police Authority under section 8.”

315 Appointment of Commissioner

After section 9A of the Police Act 1996 there shall be inserted—

“9B Appointment of Commissioner of Police of the Metropolis

- (1) There shall be a Commissioner of Police of the Metropolis.
- (2) Any appointment of a Commissioner of Police of the Metropolis shall be made by Her Majesty by warrant under Her sign manual.
- (3) A person appointed as Commissioner of Police of the Metropolis shall hold office at Her Majesty’s pleasure.

Status: This is the original version (as it was originally enacted).

- (4) Any appointment of a Commissioner of Police of the Metropolis shall be subject to regulations under section 50.
- (5) Before recommending to Her Majesty that She appoint a person as the Commissioner of Police of the Metropolis, the Secretary of State shall have regard to—
 - (a) any recommendations made to him by the Metropolitan Police Authority; and
 - (b) any representations made to him by the Mayor of London.
- (6) Any functions exercisable by the Mayor of London under subsection (5) may only be exercised by him personally.”

316 Functions of the Deputy Commissioner

After section 9B of the Police Act 1996 there shall be inserted—

“9C Functions of Deputy Commissioner of Police of the Metropolis

- (1) The Deputy Commissioner of Police of the Metropolis may exercise any or all of the powers and duties of the Commissioner of Police of the Metropolis—
 - (a) during any absence, incapacity or suspension from duty of the Commissioner,
 - (b) during any vacancy in the office of the Commissioner, or
 - (c) at any other time, with the consent of the Commissioner.
- (2) The Deputy Commissioner of Police of the Metropolis shall not have power to act by virtue of subsection (1)(a) or (b) for a continuous period exceeding three months, except with the consent of the Secretary of State.
- (3) The Deputy Commissioner of Police of the Metropolis shall also have all the powers and duties of an Assistant Commissioner of Police of the Metropolis.”

317 Appointment of Deputy Commissioner

After section 9C of the Police Act 1996 there shall be inserted—

“9D Appointment of Deputy Commissioner of Police of the Metropolis

- (1) There shall be a Deputy Commissioner of Police of the Metropolis.
- (2) Any appointment of a Deputy Commissioner shall be made by Her Majesty by warrant under Her sign manual.
- (3) A person appointed as the Deputy Commissioner shall hold office at Her Majesty’s pleasure.
- (4) Any appointment of a Deputy Commissioner shall be subject to regulations under section 50.
- (5) Before recommending to Her Majesty that She appoint a person as the Deputy Commissioner, the Secretary of State shall have regard to—

- (a) any recommendations made to him by the Metropolitan Police Authority; and
- (b) any representations made to him by the Commissioner.

(6) In this section—

“the Commissioner” means the Commissioner of Police of the Metropolis;

“Deputy Commissioner” means Deputy Commissioner of Police of the Metropolis.”

318 Removal of Commissioner or Deputy Commissioner

After section 9D of the Police Act 1996 there shall be inserted—

“9E Removal of Commissioner or Deputy Commissioner

- (1) The Metropolitan Police Authority, acting with the approval of the Secretary of State, may call upon the Commissioner of Police of the Metropolis to retire in the interests of efficiency or effectiveness.
- (2) Before seeking the approval of the Secretary of State under subsection (1), the Metropolitan Police Authority shall give the Commissioner of Police of the Metropolis an opportunity to make representations and shall consider any representations that he makes.
- (3) Where the Commissioner of Police of the Metropolis is called upon to retire under subsection (1), he shall retire on such date as the Metropolitan Police Authority may specify or on such earlier date as may be agreed upon between him and the Authority.
- (4) This section shall apply in relation to the Deputy Commissioner of Police of the Metropolis as it applies to the Commissioner of Police of the Metropolis.
- (5) This section is without prejudice to—
 - (a) section 9B(3),
 - (b) section 9D(3),
 - (c) any regulations under section 50, or
 - (d) any regulations under the Police Pensions Act 1976.”

319 Appointment, removal and functions of Assistant Commissioners

After section 9E of the Police Act 1996 there shall be inserted—

“9F Assistant Commissioners of Police of the Metropolis

- (1) The ranks that may be held in the metropolitan police force shall include that of Assistant Commissioner of Police of the Metropolis (“Assistant Commissioner”).
- (2) Any appointment of an Assistant Commissioner shall be made by the Metropolitan Police Authority, but subject to the approval of the Secretary of State and to regulations under section 50.

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

- (3) Subsections (1) to (3) of section 9E shall apply in relation to an Assistant Commissioner as they apply to the Commissioner of Police of the Metropolis.
- (4) Subsection (3) is without prejudice to—
 - (a) any regulations under section 50, or
 - (b) any regulations under the Police Pensions Act 1976.
- (5) An Assistant Commissioner may exercise any of the powers and duties of the Commissioner of Police of the Metropolis with the consent of the Commissioner.
- (6) Subsection (5) is without prejudice to any regulations under section 50.”

320 Appointment and removal of Commanders

After section 9F of the Police Act 1996 there shall be inserted—

“9G Commanders

- (1) The ranks that may be held in the metropolitan police force shall include that of Commander.
- (2) Any appointment of a Commander in the metropolitan police force shall be made by the Metropolitan Police Authority, but subject to the approval of the Secretary of State and to regulations under section 50.
- (3) Subsections (1) to (3) of section 9E shall apply in relation to a Commander in the metropolitan police force as they apply to the Commissioner of Police of the Metropolis.
- (4) Subsection (3) is without prejudice to—
 - (a) any regulations under section 50, or
 - (b) any regulations under the Police Pensions Act 1976.”

321 Continuation in post of Commissioners and Commanders

- (1) Any appointment of a person as the Commissioner of Police of the Metropolis under section 1 of the Metropolitan Police Act 1829 which is in force immediately before the coming into force of section 315 above shall have effect as from the coming into force of that section as the appointment of that person as the Commissioner of Police of the Metropolis under and in accordance with section 9B of the Police Act 1996.
- (2) If, immediately before the coming into force of section 317 above, there is in force in respect of a person who is one of the Assistant Commissioners of Police of the Metropolis an authorisation under section 8 of the Metropolitan Police Act 1856 (authorisation of one of the Assistant Commissioners to act as Commissioner in case of vacancy, illness or absence) that person shall be taken, as from the coming into force of section 317 above, to have been appointed as the Deputy Commissioner of Police of the Metropolis under and in accordance with section 9D of the Police Act 1996.
- (3) Any appointment of a person (other than a person in relation to whom subsection (2) above has effect) as an Assistant Commissioner of Police of the Metropolis under section 2 of the Metropolitan Police Act 1856 which is in force immediately before the coming into force of section 319 above shall have effect as from the coming into

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force of that section as the appointment of that person as an Assistant Commissioner of Police of the Metropolis under and in accordance with section 9F of the Police Act 1996.

- (4) Any appointment of a person as a Commander in the metropolitan police force which is in force immediately before the coming into force of section 320 above shall have effect as from the coming into force of that section as the appointment of that person as a Commander under and in accordance with section 9G of the Police Act 1996.