

POLICE REFORM ACT 2002

EXPLANATORY NOTES

THE ACT

Commentary on Sections

Part 6: Miscellaneous

Section 94: Expenses of members of police authorities etc.

453. Paragraph 25 of Schedule 2 to the 1996 Act provided that a police authority may pay its members such expenses and allowances as the Secretary of State may determine. This provision was amended by section 107 of the Criminal Justice and Police Act 2001 to remove the Secretary of State's automatic prescription as to schemes for paying allowances. Police authorities are now free to determine their own schemes of allowances for their chairmen, vice chairmen and other members. The amended provision, however, requires police authorities when making or revising arrangements for the payment of allowances to have regard to any guidance from the Secretary of State. It also gives the Secretary of State a reserve power to limit by regulation the allowances paid. Separate provisions were made for the Metropolitan Police Authority and for all other police authorities outside London. This is because members of the Metropolitan Police Authority who are members of the Greater London Assembly are salaried and as such may not be paid allowances in performance of their duties on the police authority. The position as regards to expenses remained unchanged by the Criminal Justice and Police Act 2001.
454. This section aims to remove this distinction and bring the provisions relating to expenses into line with those on allowances. The exception is that while Greater London Assembly members of the Metropolitan Police Authority may not be paid allowances, they may receive reimbursement of expenses.
455. *Subsections (1) and (2)* amend paragraph 25A of Schedule 2 to the 1996 Act and paragraph 20A of Schedule 2A to the 1996 Act to add the reimbursement of expenses to existing provision on the payment of allowances to members of police authorities outside London and to members of the Metropolitan Police Authority.
456. *Subsection (3)* amends sub-paragraph (6) of paragraph 20A of Schedule 2A to the 1996 Act to make it clear that the reference in that sub-paragraph disallowing payment to any member of the Metropolitan Police Authority who is also a member of the London Assembly refers only to allowances and not to expenses.
457. *Subsections (4)(a) and (b)* repeal the remaining provisions in the 1996 Act whereby police authorities outside London and the Metropolitan Police Authority may only make reimbursement of expenses as the Secretary of State may determine.