

**Changes to legislation:** There are currently no known outstanding effects for the Police Reform and Social Responsibility Act 2011, SCHEDULE 4. (See end of Document for details)

## SCHEDULES

### SCHEDULE 4

Section 4

#### COMMISSIONER OF POLICE OF THE METROPOLIS

##### Modifications etc. (not altering text)

- C1** Sch. 4 modified (temp.) (31.3.2014) by [The Police Reform and Social Responsibility Act 2011 \(Transitional Provision\) Order 2013 \(S.I. 2013/2319\)](#), arts. 1(2), **2(2)**

##### *Civilian staff*

- 1 (1) The Commissioner of Police of the Metropolis must appoint a person to be responsible for the proper administration of the metropolitan police force's financial affairs (referred to in this Part as the metropolitan police force's chief finance officer).
- (2) The Commissioner of Police of the Metropolis may appoint such other staff as the Commissioner thinks appropriate—
- (a) to enable the Commissioner to exercise the Commissioner's functions, or
- (b) otherwise to assist the metropolitan police force.
- (3) Section 113 of the Local Government Finance Act 1988 applies to the chief finance officer of the Commissioner of Police of the Metropolis as it applies to the persons having responsibility for the administration of financial affairs mentioned in that section.

##### Commencement Information

- II** Sch. 4 para. 1 in force at 16.1.2012 by [S.I. 2011/3019](#), art. 3, **Sch. 1** (with art. 7(3))

- 2 (1) The Commissioner of Police of the Metropolis must appoint a qualified person to act as chief finance officer, if and for as long as—
- (a) that post is vacant, or
- (b) the holder of that post is, in the Commissioner's opinion, unable to carry out the duties of that post.
- (2) For the purposes of sub-paragraph (1) a person is qualified to be appointed to act as chief finance officer if that person is qualified to be appointed to the post under paragraph 1.
- (3) A reference in any enactment to the metropolitan police force's chief finance officer includes a reference to a person acting as chief finance officer in accordance with sub-paragraph (1).

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**Commencement Information**

**I2** Sch. 4 para. 2 in force at 16.1.2012 by [S.I. 2011/3019](#), [art. 3](#), [Sch. 1](#) (with [art. 7\(3\)](#))

*Remuneration etc of staff*

- 3 (1) The Commissioner of Police of the Metropolis may pay remuneration, allowances and gratuities to the members of the metropolitan police force's civilian staff.
- (2) The Commissioner of Police of the Metropolis may pay—
  - (a) pensions to, or in respect of, persons who have been members of the metropolitan police force's civilian staff, and
  - (b) amounts for or towards provision of pensions to, or in respect of, persons who have been members of the metropolitan police force's civilian staff.
- (3) In this paragraph “allowances”, in relation to a member of a metropolitan police force's civilian staff, means allowances in respect of expenses incurred by the member of staff in the course of employment as such a member of staff.

**Commencement Information**

**I3** Sch. 4 para. 3 in force at 16.1.2012 by [S.I. 2011/3019](#), [art. 3](#), [Sch. 1](#)

*Incidental powers*

- 4 (1) The Commissioner of Police of the Metropolis may do anything which is calculated to facilitate, or is conducive or incidental to, the exercise of the functions of the Commissioner.
- (2) That includes—
  - (a) entering into contracts and other agreements (whether legally binding or not), but only with the consent of the Mayor's Office for Policing and Crime;
  - (b) acquiring and disposing of property, apart from land, but only with the consent of the Mayor's Office for Policing and Crime.
- <sup>F1</sup>(3) .....
- (4) Sub-paragraph (3) does not require the Commissioner of Police of the Metropolis to obtain the consent of the Mayor's Office for Policing and Crime in order to enter into a contract or other agreement with a person—
  - (a) by virtue of which the person becomes, or is, a member of the metropolitan police force's civilian staff, or
  - (b) which otherwise relates to the person's membership of that civilian staff (including the terms and conditions of the person's membership).
- (5) This paragraph is subject to the other provisions of this Act and to any other enactment about the powers of the Commissioner.

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#### Textual Amendments

- F1** Sch. 4 para. 4(3) repealed (13.5.2014) by [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\)](#), s. 185(1), [Sch. 11 para. 100](#) (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/949, art. 3, Sch. para. 23(j)

#### Commencement Information

- I4** Sch. 4 para. 4 in force at 16.1.2012 by [S.I. 2011/3019](#), art. 3, [Sch. 1](#)

### *<sup>F2</sup>Financial arrangements etc*

#### Textual Amendments

- F2** Sch. 4 para. 4A and cross-heading inserted (13.5.2014) by [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\)](#), [ss. 141\(2\)](#), 185(1) (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/949, art. 3, Sch. para. 11

- 4A (1) The Commissioner of Police of the Metropolis may, by way of temporary loan or overdraft from a bank or otherwise, borrow sums temporarily required by the Commissioner, but only—
- for the purpose of meeting expenses pending the receipt of revenues receivable by the Commissioner in respect of the period of account in which the expenses are chargeable,
  - in sterling, and
  - with the consent of the Mayor's Office for Policing and Crime.
- (2) The Commissioner of Police of the Metropolis—
- may not borrow money except as permitted by sub-paragraph (1);
  - may not enter into a credit arrangement.
- (3) The Commissioner of Police of the Metropolis may invest—
- for any purpose relevant to the Commissioner's functions under any enactment, or
  - for the purpose of the prudent management of the Commissioner's financial affairs,
- but only with the consent of the Mayor's Office for Policing and Crime.
- (4) The following provisions of Part 1 of the Local Government Act 2003 (capital finance etc and accounts), and any regulations made under them by the Secretary of State, apply in relation to the Commissioner of Police of the Metropolis as they apply in relation to a local authority in England—
- section 6 (protection of lenders);
  - section 7 (meaning of “credit arrangements”);
  - sections 9 to 11 (capital receipts), except for section 11(2)(b) and (3) to (6);
  - section 13 (security for money borrowed etc);
  - section 14 (information);
  - section 15 (guidance);
  - section 16 (meaning of “capital expenditure”);
  - section 17 (external funds);
  - section 18 (companies etc), ignoring any reference to a Passenger Transport Executive;

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- (j) section 20 (directions);
  - (k) sections 21 and 22 (accounts).
- (5) Any of those provisions, or regulations made under them by the Secretary of State, that apply for the purposes of Chapter 1 of Part 1 of the Local Government Act 2003 apply also (so far as relevant) for the purposes of sub-paragraphs (1) to (3).
- (6) An order under section 217 of the Local Government and Public Involvement in Health Act 2007, as it has effect for the purposes of section 18(2)(b) of the Local Government Act 2003 as applied by sub-paragraph (4)(i), applies—
- (a) with the substitution of a reference to the Commissioner of Police of the Metropolis for a reference to a local authority, and
  - (b) with any other necessary modifications.]

*Damages and costs in legal proceedings*

- 5 (1) The following amounts must be paid out of the police fund kept by the Mayor's Office for Policing and Crime—
- (a) any damages or costs awarded against the Commissioner of Police of the Metropolis in any proceedings brought against the Commissioner in respect of the acts or omissions of a member of the metropolitan police force's civilian staff;
  - (b) any costs incurred by the Commissioner of Police of the Metropolis in any such proceedings so far as not recovered by the Commissioner in the proceedings; and
  - (c) any sum required in connection with the settlement of any claim made against the Commissioner of Police of the Metropolis in respect of the acts or omissions of a member of the metropolitan police force's civilian staff, if the settlement is approved by the Mayor's Office for Policing and Crime.
- (2) The Mayor's Office for Policing and Crime may, in such cases and to such extent as appear to the Office to be appropriate, pay out of the police fund kept by the Office—
- (a) any damages or costs awarded against a member of the metropolitan police force's civilian staff in proceedings for any unlawful conduct of that person;
  - (b) any costs incurred and not recovered by such a member of staff in such proceedings; and
  - (c) any sum required in connection with the settlement of a claim that has or might have given rise to such proceedings.

**Commencement Information**

**I5** Sch. 4 para. 5 in force at 16.1.2012 by [S.I. 2011/3019](#), art. 3, [Sch. 1](#)

*Disciplinary action etc*

- 6 Section 4(1) does not affect the application of regulations under section 50 of the Police Act 1996 to the constable who occupies the office of Commissioner of Police of the Metropolis.

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**Commencement Information**

**I6** Sch. 4 para. 6 in force at 16.1.2012 by [S.I. 2011/3019](#), art. 3, [Sch. 1](#)

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