

**Changes to legislation:** There are currently no known outstanding effects for the Police Reform and Social Responsibility Act 2011, Cross Heading: No appointment until end of confirmation process. (See end of Document for details)

## SCHEDULES

### SCHEDULE 8

#### APPOINTMENT, SUSPENSION AND REMOVAL OF SENIOR POLICE OFFICERS

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

- C1** Sch. 8 applied (with modifications) (8.5.2017) by [The Greater Manchester Combined Authority \(Transfer of Police and Crime Commissioner Functions to the Mayor\) Order 2017 \(S.I. 2017/470\)](#), art. 1(2), [Sch. 1 para. 36](#)

#### PART 1

##### APPOINTMENT OF CHIEF CONSTABLES

###### *No appointment until end of confirmation process*

- 2 (1) A police and crime commissioner must not appoint a person to be chief constable unless—
- that person <sup>F1</sup>is eligible for appointment], and
  - the end of the confirmation process has been reached.

- <sup>F2</sup>(1A) <sup>F3</sup>Subject to sub-paragraph (1AA), a person] is eligible for appointment if the person is or has been—
- a constable in any part of the United Kingdom, or
  - a police officer in an approved overseas police force, of at least the approved rank.

- [ Where, under an order under section 4H of the Fire and Rescue Services Act <sup>F4</sup>(1AA) 2004 [<sup>F5</sup>or section 107EA(2) of the Local Democracy, Economic Development and Construction Act 2009], functions of a fire and rescue authority are delegated to the chief constable of the police force for a police area, a person is eligible for appointment as that chief constable if the person—

- has experience at a senior level in the provision of services provided under the Fire and Rescue Services Act 2004, and
- has undertaken training in relation to policing matters of a kind that is specified by the College of Policing for the purposes of this paragraph.]

- (1B) An “approved overseas police force” is a police force which—
- is in a country or territory outside the United Kingdom designated by regulations made by the Secretary of State, and
  - is designated in relation to that country or territory by the regulations.
- (1C) The “approved rank” for an approved overseas police force is the rank which is designated as the approved rank for that police force by the regulations.

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- (1D) The College of Policing must recommend to the Secretary of State matters to be designated under this paragraph.
- (1E) The Secretary of State may make regulations under this paragraph only if they give effect to a recommendation under sub-paragraph (1D).]
- (2) The end of the confirmation process is reached—
- (a) in a case where paragraph 7 applies, when the first of the events mentioned in sub-paragraphs (3) and (4) occurs; or
  - (b) in a case where paragraph 8 applies, when the first of the events mentioned in sub-paragraphs (3) and (5) occurs.
- (3) The first event mentioned in sub-paragraphs (2)(a) and (2)(b) is the period of three weeks mentioned in paragraph 4(6) ending without the relevant police and crime panel having given the police and crime commissioner any report on the proposed appointment.
- (4) The second event mentioned in sub-paragraph (2)(a) is the police and crime commissioner notifying the panel under paragraph 7(3) of the decision whether or not to accept the panel's recommendation in relation to the appointment.
- (5) The second event mentioned in sub-paragraph (2)(b) is the end of the confirmation process being reached in accordance with regulations under paragraph 10.

#### Textual Amendments

- F1** Words in Sch. 8 para. 2(1)(a) substituted (21.7.2014) by [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\)](#), [ss. 140\(2\)](#), [185\(1\)](#) (with [ss. 21](#), [33](#), [42](#), [58](#), [75](#), [93](#)); S.I. 2014/1916, art. 2(a)
- F2** Sch. 8 para. 2(1A)-(1E) inserted (21.7.2014) by [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\)](#), [ss. 140\(3\)](#), [185\(1\)](#) (with [ss. 21](#), [33](#), [42](#), [58](#), [75](#), [93](#)); S.I. 2014/1916, art. 2(a)
- F3** Words in Sch. 8 para. 2(1A) substituted (31.1.2017 for specified purposes, 3.4.2017 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), s. 183(1)(5)(e), [Sch. 1 para. 93\(a\)](#); S.I. 2017/399, reg. 2, Sch. para. 38
- F4** Sch. 8 para. 2(1AA) inserted (31.1.2017 for specified purposes, 3.4.2017 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), s. 183(1)(5)(e), [Sch. 1 para. 93\(b\)](#); S.I. 2017/399, reg. 2, Sch. para. 38
- F5** Words in [Sch. 8 para. 2\(1AA\)](#) inserted (31.1.2017 for specified purposes, 17.7.2017 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), [ss. 8\(10\)](#), [183\(1\)](#), (5)(e); S.I. 2017/726, reg. 2(a)

#### Commencement Information

- I1** Sch. 8 para. 2 in force at 22.11.2012 by [S.I. 2012/2892](#), [art. 2\(e\)](#)

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