



# Police Reform and Social Responsibility Act 2011

## 2011 CHAPTER 13

### PART 1

#### POLICE REFORM

### CHAPTER 3

#### FUNCTIONS OF ELECTED LOCAL POLICING BODIES ETC

##### *Other provisions about functions*

#### **18 Delegation of functions by police and crime commissioners**

- (1) The police and crime commissioner for a police area may—
  - (a) appoint a person as the deputy police and crime commissioner for that police area, and
  - (b) arrange for the deputy police and crime commissioner to exercise any function of the police and crime commissioner.
- (2) A police and crime commissioner may arrange for any person (who is not the deputy police and crime commissioner) to exercise any function of the commissioner.
- (3) But a police and crime commissioner may not—
  - (a) appoint a person listed in subsection (6) as the deputy police and crime commissioner;
  - (b) arrange for the deputy police and crime commissioner to exercise a function listed in subsection (7)(a), (e) or (f);
  - (c) arrange, under subsection (2), for a person listed in subsection (6) to exercise any function; or

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*Status: This is the original version (as it was originally enacted).*

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- (d) arrange, under subsection (2), for any person to exercise a function listed in subsection (7).
- (4) A deputy police and crime commissioner may arrange for any other person to exercise any function of the police and crime commissioner which is, in accordance with subsection (1)(b), exercisable by the deputy police and crime commissioner.
- (5) But the deputy police and crime commissioner may not arrange for a person to exercise a function if—
- (a) the person is listed in subsection (6), or
  - (b) the function is listed in subsection (7).
- (6) The persons referred to in subsections (3)(a) and (c) and (5) are—
- (a) a constable (whether or not in England and Wales);
  - (b) a police and crime commissioner;
  - (c) the Mayor’s Office for Policing and Crime;
  - (d) the Deputy Mayor for Policing and Crime appointed by the Mayor’s Office for Policing and Crime;
  - (e) the Mayor of London;
  - (f) the Common Council of the City of London;
  - (g) any other person or body which maintains a police force;
  - (h) a member of the staff of a person falling within any of paragraphs (a) to (g).
- (7) The functions referred to in subsection (3) are—
- (a) issuing a police and crime plan (see section 5);
  - (b) determining police and crime objectives (see section 7);
  - (c) attendance at a meeting of a police and crime panel in compliance with a requirement by the panel to do so (see section 29);
  - (d) preparing an annual report to a policing and crime panel (see section 12);
  - (e) appointing the chief constable, suspending the chief constable, or calling upon the chief constable to retire or resign (see section 38);
  - (f) calculating a budget requirement (see section 43 of the Local Government Finance Act 1992).
- (8) If a function of a police and crime commissioner is exercisable by any other person in accordance with this section, any property or rights vested in the commissioner may be dealt with by the other person in exercising the function, as if vested in that person.
- (9) Subsection (2) applies whether or not there is a deputy police and crime commissioner.
- (10) The deputy police and crime commissioner is a member of the police and crime commissioner’s staff.
- (11) For further provision about the appointment of a deputy police and crime commissioner, see paragraphs 8 to 12 of Schedule 1.