



Police Reform and Social Responsibility Act 2011

2011 CHAPTER 13

PART 1

POLICE REFORM

CHAPTER 6

POLICE AND CRIME COMMISSIONERS: ELECTIONS AND VACANCIES

Holding of elections

51 Election to fill vacancy in office of commissioner

- (1) This section applies where a vacancy occurs in the office of police and crime commissioner for a police area.
- (2) An election must be held to fill the vacancy.
- (3) The police area returning officer must fix the date of the poll at the election.
- (4) The date fixed must be not more than 35 days after the relevant event (computed in accordance with section 73).
- (5) For the purposes of subsection (4), “the relevant event” means—
 - (a) in a case where the High Court or the appropriate officer has declared the office to be vacant, the making of that declaration;
 - (b) in any other case, the giving of notice of the vacancy to the appropriate officer by two or more relevant electors.

Changes to legislation: There are currently no known outstanding effects for the Police Reform and Social Responsibility Act 2011, Section 51. (See end of Document for details)

- [^{F1}(6) A person is a relevant elector for the purposes of subsection (5) in relation to a police area in England if the person is registered in a register of local government electors in respect of an address within the police area.
- (6A) A person is a relevant elector for the purposes of subsection (5) in relation to a police area in Wales if subsection (6B) or (6C) applies.
- (6B) This subsection applies if—
- (a) the person is registered in a register of parliamentary electors in respect of an address within the police area, and
 - (b) the registration is not in pursuance of an overseas elector's declaration.
- (6C) This subsection applies if—
- (a) the person is [^{F2}disqualified as a peer from voting as an elector at parliamentary elections, or is a relevant citizen of the Union]^{F2}—
 - (i) disqualified as a peer from voting as an elector at parliamentary elections, or
 - (ii) a qualifying EU citizen, or an EU citizen with retained rights, who has attained the age of 18], and
 - (b) the person is registered in a register of local government electors in respect of an address within the police area.]
- (7) If the vacancy occurs within the period of six months ending with the day of the poll at the next ordinary election of police and crime commissioners—
- (a) no election is to be held under subsection (2) in respect of the vacancy, and
 - (b) accordingly, the office is to be left unfilled until that ordinary election.
- (8) The term of office of a person elected as a police and crime commissioner for a police area at an election to fill a vacancy in the office—
- (a) begins immediately the person is declared to be elected as police and crime commissioner for the area;
 - (b) ends at the time when it would have ended had the person been elected at the most recent ordinary election of police and crime commissioners.
- (9) In the case of a vacancy occurring in consequence of the failure of, or other irregularity in relation to, an election, subsections (3) and (4) have effect subject to any provision made by an order under section 58.

Textual Amendments

- F1** S. 51(6)-(6C) substituted for s. 51(6) (1.4.2018) by [Wales Act 2017 \(c. 4\)](#), **ss. 8(5)**, 71(4) (with [Sch. 7](#) paras. 1, 6); [S.I. 2017/1179](#), **reg. 3(b)**
- F2** Words in s. 51(6C)(a) substituted (1.11.2023 for specified purposes) by [Elections Act 2022 \(c. 37\)](#), s. 67(1), **Sch. 8 para. 6(2)**; [S.I. 2023/1145](#), **reg. 3(i)(iv)**

Modifications etc. (not altering text)

- C1** S. 51: power to exclude conferred by 2009 c. 20, s. 107F(6)(b) (as inserted (28.1.2016 for specified purposes, 28.3.2016 in so far as not already in force) by [Cities and Local Government Devolution Act 2016 \(c. 1\)](#), **ss. 4(1)**, 25(2))
- C2** S. 51 excluded (30.3.2016) by [The Greater Manchester Combined Authority \(Election of Mayor with Police and Crime Commissioner Functions\) Order 2016 \(S.I. 2016/448\)](#), arts. 1, **4(5)**

Changes to legislation: There are currently no known outstanding effects for the Police Reform and Social Responsibility Act 2011, Section 51. (See end of Document for details)

- C3** Ss. 50-61 excluded (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. 2 para. 21(b)**
- C4** S. 51 modified (7.4.2020) by The Local Government and Police and Crime Commissioner (Coronavirus) (Postponement of Elections and Referendums) (England and Wales) Regulations 2020 (S.I. 2020/395), regs. 1, **10**
- C5** S. 51(7) restricted (24.7.2014) by The Police and Crime Commissioner Elections (Amendment) (No. 2) Order 2014 (S.I. 2014/1963), arts. 1(3), **6**

Commencement Information

- I1** S. 51 in force at 25.4.2012 by S.I. 2012/1129, **art. 2(b)**

Changes to legislation:

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