



Police Reform and Social Responsibility Act 2011

2011 CHAPTER 13

PART 1

POLICE REFORM

CHAPTER 6

POLICE AND CRIME COMMISSIONERS: ELECTIONS AND VACANCIES

Disqualification

66 Disqualification from election or holding office as police and crime commissioner: other grounds

- (1) A person is disqualified from being elected as, or being, a police and crime commissioner unless the person satisfies the citizenship condition (see section 68).
- (2) A person is disqualified from being elected as, or being, a police and crime commissioner if the person—
 - (a) is disqualified from being a member of the House of Commons under section 1(1)(a) to (c) of the House of Commons Disqualification Act 1975 (judges, civil servants, members of the armed forces), or
 - (b) is a member of the legislature of any country or territory outside the United Kingdom.
- (3) A person is disqualified from being elected as, or being, a police and crime commissioner if—
 - (a) the person is the subject of—
 - (i) a debt relief restrictions order under paragraph 1 of Schedule 4ZB to the Insolvency Act 1986;

Status: This is the original version (as it was originally enacted).

- (ii) an interim debt relief restrictions order under paragraph 5 of that Schedule;
 - (iii) a bankruptcy restrictions order under paragraph 1 of Schedule 4A to that Act;
 - (iv) a bankruptcy restrictions interim order under paragraph 5 of that Schedule;
 - (b) a debt relief restrictions undertaking has effect in respect of the person under paragraph 7 of Schedule 4ZB to that Act;
 - (c) the person has been convicted in the United Kingdom, the Channel Islands, or the Isle of Man, of any imprisonable offence (whether or not sentenced to a term of imprisonment in respect of the offence); or
 - (d) the person is incapable of being elected as a member of the House of Commons, or is required to vacate a seat in the House of Commons, under Part 3 of the Representation of the People Act 1983 (consequences of corrupt or illegal practices).
- (4) For the purpose of subsection (3)(c)—
- (a) “imprisonable offence” means an offence—
 - (i) for which a person who has attained the age of 18 years may be sentenced to a term of imprisonment, or
 - (ii) for which, in the case of such a person, the sentence is fixed by law as life imprisonment;
 - (b) a person is to be treated as having been convicted—
 - (i) on the expiry of the ordinary period allowed for an appeal or application in respect of the conviction, or
 - (ii) if an appeal or application is made in respect of the conviction, when the appeal or application is finally disposed of or abandoned or fails by reason of non-prosecution.
- (5) A person is disqualified from being elected as, or being, police and crime commissioner for a police area if the person—
- (a) is a member of staff of a relevant council, or
 - (b) holds any employment in an entity which is under the control of a relevant council within subsection (7)(a), (b), (c) or (f).
- (6) For this purpose—
- “member of staff” has the same meaning as in section 65;
 - “relevant council”, in relation to a police area, means a council within subsection (7) for an area which, or any part of which, lies within the police area.
- (7) Those councils are—
- (a) a county council;
 - (b) a county borough council;
 - (c) a district council;
 - (d) a parish council;
 - (e) a community council;
 - (f) the Council of the Isles of Scilly.
- (8) In subsection (5)(b), the reference to an entity under the control of a relevant council is to be construed in accordance with regulations made by the Secretary of State.

- (9) Nothing in subsection (5) is to be taken to disqualify a person by virtue of being a teacher, or otherwise employed, in a school or other educational institution maintained or assisted by a relevant council.