



Police Reform and Social Responsibility Act 2011

2011 CHAPTER 13

PART 1

POLICE REFORM

CHAPTER 6

POLICE AND CRIME COMMISSIONERS: ELECTIONS AND VACANCIES

Elections: further provision

70 Declaration of acceptance of office of police and crime commissioner

- (1) A person elected to the office of police and crime commissioner for any police area may not act in that office unless the person has—
 - (a) made a declaration of acceptance of the office in a form specified in an order made by the Secretary of State^{F1} ..., and
 - (b) delivered the declaration to the appropriate officer,
in each case, when not ineligible by virtue of subsection (5).
- (2) If the person fails to make and deliver a declaration in accordance with subsection (1) within the period of two months beginning with the day after the election, the office of police and crime commissioner for that area becomes vacant at the end of the period.
- (3) Any declaration made under this section must be made before—
 - (a) the appropriate officer;
 - (b) a justice of the peace or magistrate in the United Kingdom, the Channel Islands or the Isle of Man, or
 - (c) a commissioner appointed to administer oaths in the Senior Courts.

Changes to legislation: There are currently no known outstanding effects for the Police Reform and Social Responsibility Act 2011, Section 70. (See end of Document for details)

- (4) Any person before whom a declaration is authorised to be made under this section may take the declaration.
- (5) A person is ineligible to make or give a declaration of acceptance of office under this section in respect of the office of police and crime commissioner for a police area at any time when the person is a member of—
- (a) the House of Commons;
 - (b) the Scottish Parliament;
 - (c) the National Assembly for Wales;
 - (d) the Northern Ireland Assembly;
 - (e) the European Parliament.
- (6) No salary, and no payment towards the provision of superannuation benefits, is to be paid under this Act to or in respect of a police and crime commissioner until the commissioner has complied with the requirements of subsection (1).
- (7) Subsection (6) does not affect any entitlement of a police and crime commissioner to payments in respect of the period before the commissioner complies with the requirements of subsection (1) once the commissioner has complied with those requirements.

Textual Amendments

- F1** Words in s. 70(1)(a) omitted (8.12.2021) by virtue of [The Transfer of Functions \(Secretary of State for Levelling Up, Housing and Communities\) Order 2021 \(S.I. 2021/1265\)](#), art. 1(2), **Sch. 2 para. 22(4)(d)** (with art. 12)

Modifications etc. (not altering text)

- C1** S. 70 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. 31**
- C2** S. 70 modified (20.12.2023) by [The York and North Yorkshire Combined Authority Order 2023 \(S.I. 2023/1432\)](#), arts. 1(2), 33(2), **Sch. 5 para. 31**
- C3** S. 70(1)(a) functions to be exercisable concurrently with the Chancellor of the Duchy of Lancaster (12.8.2015) by [The Transfer of Functions \(Police and Crime Commissioner Elections\) Order 2015 \(S.I. 2015/1526\)](#), arts. 1(2), **3(1)(2)(f)** (with arts. 3(3), 4)

Commencement Information

- I1** S. 70 in force at 25.4.2012 by [S.I. 2012/1129](#), **art. 2(b)**

Changes to legislation:

There are currently no known outstanding effects for the Police Reform and Social Responsibility Act 2011, Section 70.