



Policing and Crime Act 2017

2017 CHAPTER 3

PART 3

POLICE WORKFORCE AND REPRESENTATIVE INSTITUTIONS

CHAPTER 1

POLICE WORKFORCE

Police rank structure

47 Power to make regulations about police ranks

After section 50 of the Police Act 1996 insert—

“50A Regulations for police forces: ranks

- (1) The Secretary of State may by regulations specify the ranks that may be held by members of police forces, other than chief officers of police.
- (2) The ranks must include the rank of constable.
- (3) The Secretary of State may by regulations make provision that is consequential on, or incidental or supplemental to, regulations under subsection (1).
- (4) The power conferred by subsection (3) includes power to—
 - (a) repeal, revoke or otherwise amend legislation that (in relation to members of police forces in England and Wales) makes provision with respect to ranks that are not specified in regulations under subsection (1);
 - (b) make other amendments of legislation that are consequential on regulations under subsection (1).

Status: This is the original version (as it was originally enacted).

- (5) In subsection (4), “legislation” means any provision of—
- (a) an Act (including this Act),
 - (b) subordinate legislation within the meaning of the Interpretation Act 1978,
 - (c) an Act of the Scottish Parliament or an instrument made under such an Act,
 - (d) a Measure or Act of the National Assembly for Wales or an instrument made under a Measure or Act of that Assembly, or
 - (e) Northern Ireland legislation or an instrument made under Northern Ireland legislation.
- (6) Regulations under this section may include transitional, transitory or saving provision.
- (7) Regulations under this section may make different provision for different cases or circumstances.

50B Regulations under section 50A: procedure

- (1) A statutory instrument containing regulations under section 50A may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.
- (2) If the College of Policing submits to the Secretary of State a draft of regulations under section 50A, then (subject to subsection (3)) the Secretary of State must—
- (a) lay before each House of Parliament for approval a draft of a statutory instrument containing regulations in terms of the draft prepared by the College of Policing, and
 - (b) if the draft of the statutory instrument is approved by both Houses of Parliament, make the regulations in those terms.
- (3) The duty under subsection (2) does not apply if the Secretary of State considers—
- (a) that it would be unlawful to make regulations in terms of the draft,
 - (b) that it would impair the efficiency of the police to do so, or
 - (c) that it would for some other reason be wrong to do so.
- (4) The Secretary of State may not lay before each House of Parliament for approval a draft of a statutory instrument containing regulations under section 50A unless—
- (a) the draft is laid in accordance with the duty under subsection (2), or
 - (b) the College of Policing has approved the text of the regulations.”

48 Section 47: consequential amendments

- (1) The Police Act 1996 is amended as follows.
- (2) Omit—
- (a) section 9H (other members of the metropolitan police force);
 - (b) section 13 (other members of police forces).

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

- (3) Section 50 (regulations for police forces) is amended as follows.
- (4) Omit subsection (2)(a).
- (5) In subsection (2ZA), after “under”, in the second place it occurs, insert “section 50A (regulations as to police ranks) or under”.
- (6) In each of subsections (2ZB) and (2ZC), for “subsection (2)(a), (b), (c) or (g)” substitute “subsection (2)(b), (c) or (g)”.