STATUTORY INSTRUMENTS

## 2011 No. 3019

The Police Reform and Social Responsibility Act 2011 (Commencement No. 3 and Transitional Provisions) Order 2011

## Transitional provision in relation to complaints against members of the Metropolitan Police Authority

**5.**—(1) This article applies in relation to any allegation that a member or co-opted member of the Metropolitan Police Authority has failed, or may have failed, to comply with that authority's code of conduct, if that allegation is being handled by the authority in accordance with Part 3 of the Local Government Act 2000(1) immediately before the authority is abolished under section 3(12) of the 2011 Act.

(2) Where the member or co-opted member to whom the allegation relates is also a member of the London Assembly, the allegation shall be referred to the Greater London Authority, and shall be dealt with by that authority as if Part 3 of the Local Government Act 2000 and regulations made under that Part continued to apply to it, modified so that—

- (a) references to the code of conduct of the relevant authority have effect as references to the code of conduct of the Metropolitan Police Authority applicable at the time when the conduct which is the subject matter of the allegation is said to have occurred;
- (b) references to the standards committee of the relevant authority have effect as references to the standards committee of the Greater London Authority; and
- (c) references to the monitoring officer of the relevant authority have effect as references to the monitoring officer of the Greater London Authority.

(3) Where the member or co-opted member to whom the allegation relates is not a member of the London Assembly, the allegation shall be referred to the Mayor's Office for Policing and Crime, and shall be dealt with by that office as if Part 3 of the Local Government Act 2000 and regulations made under that Part continued to apply to it, modified so that—

- (a) references to the code of conduct of the relevant authority have effect as references to the code of conduct of the Metropolitan Police Authority applicable at the time when the conduct which is the subject matter of the allegation is said to have occurred;
- (b) references to the standards committee of the relevant authority have effect as references to the Mayor's Office for Policing and Crime;
- (c) references to the monitoring officer of the relevant authority have effect as references to the chief executive appointed by the Mayor's Office for Policing and Crime under paragraph 2(1) of Schedule 3 to the 2011 Act; and
- (d) in the event of a finding that the member or co-opted member to whom the allegation relates failed to comply with the code of conduct of the Metropolitan Police Authority and that a sanction should be imposed, the only sanction that is available to the Mayor's Office for Policing and Crime is censure.

(4) Anything done or treated as done by or in relation to the Metropolitan Police Authority in respect of the allegation has effect as if done—

<sup>(1) 2000</sup> c. 22.

- (a) by the Greater London Authority, in a case to which paragraph (2) applies, and
- (b) by the Mayor's Office for Policing and Crime, in a case to which paragraph (3) applies.