

2013 No. 2319

POLICE, ENGLAND AND WALES

**The Police Reform and Social Responsibility Act 2011
(Transitional Provision) Order 2013**

<i>Made</i>	- - - -	<i>11th September 2013</i>
<i>Laid before Parliament</i>		<i>17th September 2013</i>
<i>Coming into force</i>	- -	<i>31st March 2014</i>

The Secretary of State makes the following Order in exercise of the power conferred by paragraph 24(1) and (2)(a) of Schedule 15 to the Police Reform and Social Responsibility Act 2011(a).

Citation, commencement, expiry and interpretation

1.—(1) This Order may be cited as the Police Reform and Social Responsibility Act 2011 (Transitional Provision) Order 2013.

(2) It comes into force on 31st March 2014.

(3) It ceases to have effect on the coming into force of provision in any enactment which makes amendments to Schedules 2 and 4 to the 2011 Act with the same effect as the modifications made by article 2.

(4) In this Order “the 2011 Act” means the Police Reform and Social Responsibility Act 2011.

Accounts of chief officers of police

2.—(1) Schedule 2 to the 2011 Act has effect as if the following paragraph were inserted after paragraph 7—

“Financial arrangements

7A.—(1) Sections 21 and 22 of the Local Government Act 2003(b) (accounts) apply in relation to a chief constable as they apply in relation to a local authority.

(2) Regulations made by the Secretary of State under those provisions apply in relation to the chief constable of a police force in England as they apply in relation to a local authority in England.

(3) Regulations made by the Welsh Ministers under those provisions apply in relation to the chief constable of a police force in Wales as they apply in relation to a local authority in Wales.”.

(a) 2011 c. 13.

(b) 2003 c. 26. Section 21 is amended by section 238 of the Local Government and Public Involvement in Health Act 2007 (c. 28) and section 73 of the Localism Act 2011 (c. 20).

(2) Schedule 4 to the 2011 Act has effect as if the following paragraph were inserted after paragraph 4—

“Financial arrangements

4A. Sections 21 and 22 of the Local Government Act 2003 (accounts), and regulations made by the Secretary of State under those provisions, apply in relation to the Commissioner of Police of the Metropolis as they apply in relation to a local authority.”.

Home Office
11th September 2013

Damian Green
Minister of State

EXPLANATORY NOTE

(This note is not part of the Order)

Under Part 1 of the Police Reform and Social Responsibility Act 2011 (“the 2011 Act”) chief constables in England and Wales and the Commissioner of Police of the Metropolis (“the Commissioner”) were established as corporations sole with the power to employ staff to enable them to exercise their functions or otherwise to assist their police forces.

Part 3 of Schedule 15 to the 2011 Act provides for the making of transfer schemes under which existing police civilian staff are to become employees of the relevant chief constable or the Commissioner. When these transfer schemes take effect, it will be for chief constables and the Commissioner to account for the pension liabilities in relation to these staff.

This Order modifies Schedules 2 and 4 to the 2011 Act, with the effect that chief constables and the Commissioner are treated as though they were subject to various local government enactments concerning accounting practices, and particularly the charging of expenditure to a revenue account. The purpose is to ensure that staff pension liabilities are treated in accordance with accepted practices in the accounts of chief constables and the Commissioner.

The relevant local government enactments are: sections 21 and 22 of the Local Government Act 2003; Parts 6 and 7 of the Local Authorities (Capital Finance and Accounting) (England) Regulations 2003 (S.I. 2003/3146) (and regulations 1 and 4(2) of those Regulations in so far as they apply for the purposes of Parts 6 and 7); Parts 5 and 6 of the Local Authorities (Capital Finance and Accounting) (Wales) Regulations 2003 (S.I.2003/3239) (and regulations 1 and 4(2) of those Regulations in so far as they apply for the purposes of Parts 5 and 6).

The modifications made by this Order cease to have effect on the coming into force of amendments to the 2011 Act having the same effect. Such amendments are made by clause 122 of the Anti-Social Behaviour, Crime and Policing Bill (H.C. Bill 93).

An Impact Assessment has not been produced for this instrument as there will be no quantifiable impact on business, charities or voluntary bodies.

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