

2017 No. 726 (C. 57)

**FIRE AND RESCUE SERVICES, ENGLAND AND
WALES**

LOCAL GOVERNMENT, ENGLAND

POLICE, ENGLAND AND WALES

**The Policing and Crime Act 2017 (Commencement No. 3 and
Transitional and Saving Provisions) Regulations 2017**

Made - - - -

6th July 2017

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 183(1) and (9) of the Policing and Crime Act 2017^(a).

Citation and interpretation

1.—(1) These Regulations may be cited as the Policing and Crime Act 2017 (Commencement No. 3 and Transitional and Saving Provisions) Regulations 2017.

(2) In these Regulations “the Act” means the Policing and Crime Act 2017.

Provisions coming into force on 17th July 2017

2. The day appointed for the coming into force of the following provisions of the Act is 17th July 2017—

- (a) section 8 (combined authority mayors: exercise of fire and rescue functions) in so far as it is not already in force^(b);
- (b) section 11(1) to (7) and Schedule 3 (inspection of fire and rescue services) in so far as not already in force;
- (c) section 12 (fire safety inspections);
- (d) section 33(9) (Independent Office for Police Conduct) in so far as is necessary for the purposes of paragraph (e); and
- (e) in Schedule 9 (Independent Office for Police Conduct)—
 - (i) paragraph 1 in so far as is necessary for the purposes of sub-paragraph (ii); and
 - (ii) paragraph 9 but only for the purpose of making remuneration or other payments to the Director General and non-executive members.

^(a) 2017 c. 3.

^(b) See section 183(5)(e) of the Policing and Crime Act 2017.

Transitional provision in relation to the Independent Office for Police Conduct

3. Until the commencement of section 33(1) of the Act the references to “the Office” in paragraph 4(2) and (5) of Schedule 2 to the Police Reform Act 2002(a) (as amended by paragraph 9(3) and (4) of Schedule 9 to the Act) are, for the purpose mentioned in regulation 2(e)(ii), to be read as references to the Independent Police Complaints Commission.

Saving provision

4. The amendment of section 28(1)(a) of the Fire and Rescue Services Act 2004(b) by section 11(3) of the Act does not apply for the purpose of revoking the appointment of an inspector in relation to fire and rescue authorities in England.

Nick Hurd
Minister of State
Home Office

6th July 2017

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations bring into force on 17th July 2017 specified provisions of the Policing and Crime Act 2017 (c. 3) (“the Act”) and make transitional and saving provision in relation to the coming into force of certain of those provisions. They are the third commencement regulations under the Act. Other provisions of the Act were brought into force on Royal Assent by section 183(5) of the Act or commenced on 31st March 2017 by virtue of section 183(6) of the Act.

Regulation 2(a) provides for the commencement, so far as it is not already in force, of section 8 of the Act. Section 8 of the Act amends the Local Democracy, Economic Development and Construction Act 2009 (c. 20) to make provision for secondary legislation that would enable a mayor of a combined authority who has statutory responsibility for both policing and fire to delegate fire and rescue functions to the chief constable who would employ both police and fire personnel.

Regulation 2(b) provides for the commencement, so far as not already in force, of section 11(1) to (7) of, and Schedule 3 to, the Act, which make provision about the inspection of fire and rescue authorities in England under the Fire and Rescue Services Act 2004 (c. 21) and limit existing fire and rescue inspection provisions to Wales only.

Regulation 2(c) provides for the commencement of section 12 of the Act, which makes amendments to the Regulatory Reform (Fire Safety) Order 2005 (S.I. 2005/1541) in light of the new inspection regime for England.

Regulation 2(d) and (e) provides for the commencement of amendments made by the Act to the Police Reform Act 2002 (c. 30) and enables remuneration of the Director General and non-executive members of the Independent Office for Police Conduct if they are appointed before the Independent Police Complaints Commission becomes the Independent Office for Police Conduct.

Regulation 3 makes transitional provision to ensure that the references to the Independent Office for Police Conduct in paragraph 4(2) and (5) of Schedule 2 to the Police Reform Act 2002, as amended by the Act, can be read as references to the Independent Police Complaints Commission until the provision in section 33(1) of the Act, which provides for the renaming of the Independent Police Complaints Commission, is brought into force.

(a) 2002 c. 30.

(b) 2004 c. 21.

Regulation 4 makes saving provision to enable the revocation of the appointment of an inspector appointed by Her Majesty in relation to fire and rescue authorities in England. An inspector was appointed by the Fire and Rescue Services (Appointment of Inspector) (England) Order 2013 (S.I. 2013/1120).

NOTE AS TO EARLIER COMMENCEMENT REGULATIONS

(This note is not part of the Regulations)

The following provisions of the Policing and Crime Act 2017 (c. 3) have been brought into force, or will come into force, on the date specified by commencement regulations made before these Regulations.

<i>Provision</i>	<i>Date Commencement</i>	<i>S.I. No.</i>
Sections 1 to 7	3rd April 2017	2017/399
Section 32	3rd April 2017	2017/399
Section 33 (partially)	3rd April 2017	2017/399
Sections 36 and 37	2nd May 2017	2017/399
Section 45 (partially)	3rd April 2017	2017/399
Section 49	3rd April 2017	2017/399
Section 50	3rd April 2017	2017/399
Section 51 (partially)	3rd April 2017	2017/399
Sections 52 to 75	3rd April 2017	2017/399
Sections 77 to 79	3rd April 2017	2017/399
Sections 120 to 122	3rd April 2017	2017/399
Section 124	3rd April 2017	2017/399
Section 125	2nd May 2017	2017/399
Sections 127 to 130	2nd May 2017	2017/399
Section 133	3rd April 2017	2017/399
Section 134	3rd April 2017	2017/399
Sections 135 to 140	6th April 2017	2017/399
Sections 143 to 156	1st April 2017	2017/482
Section 163	3rd April 2017	2017/399
Section 175	3rd April 2017	2017/399
Sections 177 and 178	3rd April 2017	2017/399
Schedule 1	3rd April 2017	2017/399
Schedule 9 (partially)	3rd April 2017	2017/399
Schedule 12 (partially)	3rd April 2017	2017/399
Schedule 14 (partially)	3rd April 2017	2017/399

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