



# Police and Justice Act 2006

## 2006 CHAPTER 48

### PART 1

#### POLICE REFORM

##### *Police forces and police authorities*

## **2 Amendments to the Police Act 1996**

Schedule 2 (which makes amendments to the Police Act 1996 (c. 16)) has effect.

## **3 Delegation of police authority functions**

(1) Section 107 of the Local Government Act 1972 (c. 70) (application to police authorities of provisions about discharge of local authority functions) is amended as follows.

(2) After subsection (3A) there is inserted—

“(3B) Section 101 above, in its application to a police authority, shall have effect as if a reference in subsection (1), (2), (4) or (5) to an officer of an authority included a reference to a member of that authority.”

(3) For subsection (4) there is substituted—

“(4) The Secretary of State may by regulations make provision regulating the power of a police authority under section 101 above to arrange for the discharge of their functions by a committee, sub-committee, officer or member of the authority as respects part only of their area.

(4A) Regulations under subsection (4) may in particular—

- (a) impose limitations or restrictions on the functions which may be the subject of arrangements of the kind referred to in that subsection;

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*Status: This is the original version (as it was originally enacted).*

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- (b) make provision as to the membership or chairmanship of any committee or sub-committee discharging functions under such arrangements;
- (c) impose limitations or restrictions on which officers or members of a police authority may discharge functions under such arrangements.

(4B) A statutory instrument containing regulations under subsection (4) shall be subject to annulment in pursuance of a resolution of either House of Parliament.”

- (4) Subsection (6) (members of police authority committees must be authority members) is omitted.

#### **4 Police authorities as best value authorities**

- (1) In section 1 of the Local Government Act 1999 (c. 27) (authorities that are best value authorities)—

- (a) in subsection (1), at the beginning of paragraph (d) there is inserted “(subject to subsection (8))”;
- (b) in subsection (4), for “subsection (1)(d)” there is substituted “this section”;
- (c) in subsection (6), at the beginning of paragraph (c) there is inserted “(subject to subsection (8))”;
- (d) after subsection (7) there is inserted—

“(8) A police authority is not a best value authority for the purposes of the following provisions of this Part—

- section 5 (best value reviews);
- section 6 (best value performance plans);
- sections 7 to 9 (audit of best value performance plans);
- section 13(5) (requirement of best value performance plan to record fact of adverse report etc);
- section 15(2)(a) and (b) (directions relating to best value performance plans).”

- (2) A reference in any provision contained in or made under any Act other than the Local Government Act 1999 (c. 27) to an authority that is a best value authority for the purposes of Part 1 of that Act includes, if the context allows, a police authority.