
STATUTORY INSTRUMENTS

2008 No. 631

POLICE, ENGLAND AND WALES

The Metropolitan Police Authority Regulations 2008

<i>Made</i>	- - - -	<i>6th March 2008</i>
<i>Laid before Parliament</i>		<i>7th March 2008</i>
<i>Coming into force</i>	- -	<i>1st April 2008</i>

The Secretary of State, in exercise of the powers conferred by paragraphs 1 and 7 of Schedule 2A to the Police Act 1996(1), makes the following Regulations.

In accordance with paragraph 6 of that Schedule the Secretary of State has consulted with—

- (a) the Metropolitan Police Authority,
- (b) the Association of Police Authorities,
- (c) the Greater London Authority,
- (d) persons whom he considers to represent the interests of London Boroughs,
- (e) such other persons as he thought fit.

PART 1

General Provisions

Citation, commencement, interpretation and extent

1.—(1) These Regulations may be cited as the Metropolitan Police Authority Regulations 2008 and subject to paragraph (2) shall come into force on 1st April 2008.

(2) These Regulations shall apply only in respect of appointments of members of the Metropolitan Police Authority that take effect on or after 1st October 2008(2).

2. In these Regulations—

“the Mayor” means the Mayor of London,

(1) 1996 c.16; Schedule 2A was substituted by section 2 of, and paragraph 4 of Schedule 2 to, the Police and Justice Act 2006 (c.48).

(2) Article 3 of the Police and Justice Act 2006 (Commencement No.1, Transitional and Savings Provisions) Order 2006 (S.I. 2006/3364) (as amended by S.I. 2008/617 (C.24)) provides that the previous Schedule 2A to the 1996 Act applies to appointments that take effect before 1st October 2008.

“the 1994 Regulations” means the Police Authorities (Selection Panel) Regulations 1994(3),
 “the 1996 Act” means the Police Act 1996,

3. These Regulations extend to England and Wales.

Transitional provisions

4.—(1) A person appointed under current paragraph 2 (appointment of Metropolitan Police Authority members by the Mayor) of Schedule 2A to the 1996 Act whose term of office under that Schedule expires on or after 1st October 2008 shall be treated as a person appointed under regulation 6 until the expiry of that term.

(2) A person appointed under current paragraph 3 (appointment of independent members of the Metropolitan Police Authority) of Schedule 2A to the 1996 Act whose term of office under that Schedule expires on or after 1st October 2008 shall be treated as a person appointed under regulation 7 until the expiry of that term.

(3) A term of office of a person appointed under current paragraph 3 of Schedule 2A to the 1996 Act shall be treated as a term of office of a person appointed under regulation 7 for the purposes of regulation 18(2).

(4) A person appointed under current paragraph 1(2)(a) of Schedule 3(4) (Police authorities: selection of independent members) to the 1996 Act shall be treated as persons appointed under regulation 30(b) until the expiry of their term of office under that Schedule.

(5) The record maintained by a selection panel under regulation 7 (record maintained by the panel) of the 1994 Regulations of persons who have applied to be considered for appointment as a member of the Metropolitan Police Authority shall be treated as a record maintained under regulation 43 of these Regulations.

PART 2

Members of the Metropolitan Police Authority

Number of Members of the Metropolitan Police Authority

5. Where, by virtue of section 5C of the 1996 Act (membership of the Metropolitan Police Authority), the Metropolitan Police Authority is to consist of twenty-three members—

- (a) twelve of those members shall be members of the London Assembly appointed under regulation 6, and
- (b) eleven shall be persons appointed under regulation 7.

Appointment of members from the London Assembly

6.—(1) The members referred to in regulation 5(a) shall be appointed by the Mayor.

(2) The Mayor shall exercise his power to appoint members of the Metropolitan Police Authority under paragraph (1) so as to ensure that, so far as practicable, in the case of the members for whose

(3) [S.I. 1994/2023](#) as amended by [S.I. 2000/1549](#) and [S.I. 2002/1282](#). These Regulations are revoked by [S.I.2008/630](#) from 1st October 2008.

(4) Schedule 3 to the Police Act 1996 was repealed by paragraph 6 of Schedule 2 to the Police and Justice Act 2006. Article 3 of the Police and Justice Act 2006 (Commencement No.1, Transitional and Savings Provisions) Order 2006 ([S.I. 2006/3364](#) as amended by [S.I 2008/617 \(C.24\)](#)) provides that the previous Schedule 2 to the 1996 Act applies to appointments that take effect before 1st October 2008.

appointment he is responsible, the proportion who are members of any given party is the same as the proportion of the members of the London Assembly who are members of that party.

(3) One of the members appointed by the Mayor under paragraph (1) may be the Mayor himself.

Appointment of independent members

7.—(1) Ten of the members referred to in regulation 5(b) shall be appointed—

- (a) by the existing members of the Metropolitan Police Authority,
- (b) from among persons on a short-list prepared by a selection panel in accordance with Part 3 of these Regulations.

(2) Where an existing member of the Metropolitan Police Authority is on the short-list referred to in paragraph (1)(b) that person shall not be entitled to play any role in the appointment of persons from that short-list and shall not be considered to be an existing member of the Metropolitan Police Authority for the purposes of paragraph (1)(a).

(3) One of the members referred to in regulation 5(b) shall be appointed by the Secretary of State.

8.—(1) The Metropolitan Police Authority shall arrange for a notice stating—

- (a) the name of each of its members appointed under regulations 6 and 7,
- (b) such other information relating to each of such members as the Metropolitan Police Authority considers appropriate,

to be published in such manner as appears to it to be appropriate.

(2) The Metropolitan Police Authority shall send to the Secretary of State a copy of any notice which it has arranged to be published under paragraph (1).

9. At least one of the members referred to in regulation 5(b) shall be a lay justice for an area all or part of which constitutes or forms part of the metropolitan police district.

Chairman and Vice-Chairman

10.—(1) If the Mayor is a member of the Metropolitan Police Authority, he is to be chairman.

(2) If the Mayor is not a member of the Metropolitan Police Authority he shall before each annual meeting appoint a chairman from among its members.

(3) On a casual vacancy occurring in the office of chairman, an appointment to fill the vacancy shall be made by the Mayor —

- (a) before the next meeting of the Metropolitan Police Authority (other than an extraordinary meeting), or
- (b) if that meeting is held within fourteen days after the date on which the vacancy occurs and is not an annual meeting, not later than the next following meeting.

11.—(1) Before an annual meeting of the Metropolitan Police Authority the Mayor may appoint one or more vice-chairmen from among the members of the Metropolitan Police Authority.

(2) Where a vice-chairman ceases to hold office at any time between annual meetings, the Mayor may make an appointment to fill the vacancy at any meeting of the Metropolitan Police Authority held more than fourteen days after the occurrence of the vacancy.

(3) Subject to any standing orders made by the Metropolitan Police Authority, anything authorised or required to be done by, to or before its chairman may be done by, to or before any vice-chairman of the Metropolitan Police Authority.

Disqualification

12.—(1) Subject to sub-paragraphs (3) and (4), a person shall be disqualified from being appointed as or being a member of the Metropolitan Police Authority if—

- (a) he holds any paid office or employment appointments to which are or may be made or confirmed by the Metropolitan Police Authority or any committee or sub-committee of the Metropolitan Police Authority, or by a joint committee on which the Metropolitan Police Authority is represented, or by any person holding any such office or employment;
- (b) a bankruptcy order has been made against him or his estate has been sequestrated or he has made a composition or arrangement with, or granted a trust deed for, his creditors;
- (c) he is subject to a disqualification order or disqualification undertaking under the Company Directors Disqualification Act 1986⁽⁵⁾, to a disqualification order under Part II of the Companies (Northern Ireland) Order 1989⁽⁶⁾, to a disqualification undertaking under the Company Directors Disqualification (Northern Ireland) Order 2002⁽⁷⁾ or to an order made under section 429(2)(b) of the Insolvency Act 1986⁽⁸⁾ (failure to pay under county court administration order); or
- (d) he has within five years before the date of his appointment or since his appointment been convicted in the United Kingdom, the Channel Islands or the Isle of Man of an offence, and has had passed on him a sentence of imprisonment (whether suspended or not) for a period of not less than three months.

(2) A paid employee of the Metropolitan Police Authority who is employed under the direction of a joint board, joint authority or joint committee on which the Metropolitan Police Authority is represented and any member of which is appointed on the nomination of some other police authority shall be disqualified from being appointed as or being a member of the Metropolitan Police Authority.

(3) Where a person is disqualified under paragraph (1)(b) by reason that a bankruptcy order has been made against him or his estate has been sequestrated, the disqualification shall cease—

- (a) unless the bankruptcy order is previously annulled or the sequestration of his estate is recalled or reduced, on his obtaining a discharge; and
- (b) if the bankruptcy order is annulled or the sequestration of his estate is recalled or reduced, on the date of that event.

(4) Where a person is disqualified under paragraph (1)(b) by reason of his having made a composition or arrangement with, or granted a trust deed for, his creditors and he pays his debts in full, the disqualification shall cease on the date on which the payment is completed, and in any other case it shall cease at the end of the period of five years beginning with the date on which the terms of the deed of composition or arrangement or trust deed are fulfilled.

(5) For the purposes of paragraph (1)(d), the date of a conviction shall be taken to be the ordinary date on which the period allowed for making an appeal or application expires or, if an appeal or application is made, the date on which the appeal or application is finally disposed of or abandoned or fails by reason of its non-prosecution.

13.—(1) A person shall be disqualified from being appointed as a member of the Metropolitan Police Authority under regulation 7 if—

- (a) he has not yet attained the age of eighteen years, or

⁽⁵⁾ 1986 c.46.

⁽⁶⁾ No.2404 (N.I.18).

⁽⁷⁾ No.3150 (N.I.4).

⁽⁸⁾ 1986 c.45.

- (b) neither his principal or only place of work, nor his principal or only place of residence, has been in the metropolitan police district during the whole of the period of twelve months ending with the day of appointment.

(2) A person shall be disqualified from being a member so appointed if, at any time, neither his principal or only place of work, nor his principal or only place of residence, is within that district.

14.—(1) A person shall be disqualified from being appointed as a member of the Metropolitan Police Authority under regulation 7, and from being a member so appointed, if he is—

- (a) a member of a London borough council;
- (b) the Mayor of London;
- (c) a member of the London Assembly;
- (d) a member of a police force;
- (e) an officer or employee of a police authority; or
- (f) an officer or employee of the Greater London Authority or of a London borough council.

(2) A person shall not be regarded for the purposes of paragraph (1)(f) as an employee of a London borough council by reason of his holding—

- (a) the post of head teacher or principal of a school, college or other educational institution or establishment which is maintained or assisted by a local education authority; or
- (b) any other post as a teacher or lecturer in any such school, college, institution or establishment.

15.—(1) A member of the selection panel for the Metropolitan Police Authority established under Part 3 of these Regulations shall be disqualified from being appointed as a member of a Metropolitan Police Authority under regulation 7, but a member so appointed may subsequently be appointed as a member of a selection panel under regulation 30.

(2) Regulations 12 and 13 do not apply to the Mayor.

Tenure of office

16. A member shall hold and vacate office as a member of the Metropolitan Police Authority in accordance with the terms of his appointment and these Regulations.

17.—(1) A person appointed under regulation 6 shall hold office as a member of the Metropolitan Police Authority for—

- (a) a term of four years, or
- (b) such shorter term as the Mayor appointing him may determine in any particular case, subject to the consent of the Secretary of State.

(2) A person appointed under regulation 7 shall hold office as a member of the Metropolitan Police Authority for—

- (a) a term of four years, or
- (b) such shorter term as the members of the Metropolitan Police Authority appointing him may determine in any particular case, subject to the consent of the Secretary of State.

18.—(1) Subject to paragraph (2) a person who ceases to be a member, otherwise than by virtue of regulation 22, or ceases to be chairman, may (if otherwise eligible) be re-appointed whether at the expiry of his term or subsequently.

(2) Members of the Metropolitan Police Authority referred to in regulation 5(b) shall not—

- (a) be appointed to serve more than two terms of office without the approval of the Secretary of State;
- (b) be appointed to serve a further term of office until four years after the expiry of the previous term, other than when appointed to serve a further term of office on the expiry of the previous term; and
- (c) be appointed to serve a further term unless the selection panel established under Part 3 of these Regulations is satisfied with their performance as a member during their previous term.

19. A person may at any time resign his office as a member, or as chairman or vice –chairman, by notice in writing to the Metropolitan Police Authority.

20.—(1) Where the Mayor is appointed to be a member of the Metropolitan Police Authority under regulation 6 he shall cease to be a member of the Metropolitan Police Authority if he ceases to be Mayor and does not on the same day again become Mayor.

(2) A member of the London Assembly appointed to be a member of the Metropolitan Police Authority under regulation 6 shall cease to be a member of the Metropolitan Police Authority if he ceases to be a member of the London Assembly and does not on the same day again become a member of the London Assembly.

21. The Mayor may remove from office a member of the Metropolitan Police Authority appointed by him under regulation 6 with a view to appointing another in his place if it considers that to do so would further the objective provided for by regulation 6(2).

22. The Metropolitan Police Authority may remove a member from office by notice in writing if—

- (a) he has been absent from meetings of the Metropolitan Police Authority for a period longer than three consecutive months without the consent of the Metropolitan Police Authority,
- (b) he has been convicted of a criminal offence (but is not disqualified from being a member under regulation 12),
- (c) the Metropolitan Police Authority is satisfied that the member is incapacitated by physical or mental illness, or
- (d) the Metropolitan Police Authority is satisfied that the member is otherwise unable or unfit to discharge his functions as a member.

23. Where the police Metropolitan Police Authority removes a member under regulation 22, it shall give notice of that fact—

- (a) in the case of a member appointed under regulation 6, to the Mayor, and
- (b) in the case of a member appointed under regulation 7, to the Secretary of State.

24. If a chairman or vice-chairman of the Metropolitan Police Authority ceases to be a member, he shall also cease to be chairman or vice-chairman.

Validity of acts

25. The acts and proceedings of any person appointed to be a member, chairman or vice-chairman of the Metropolitan Police Authority and acting in that office shall, notwithstanding his disqualification or want of qualification, be as valid and effectual as if he had been qualified.

26. The proceedings of the Metropolitan Police Authority shall not be invalidated by a vacancy in the membership of the Metropolitan Police Authority or in the office of chairman or vice-chairman or by any defect in the appointment of a person as a member or as chairman or vice-chairman.

Allowances

27.—(1) Subject to paragraphs (2) to (4), the Metropolitan Police Authority may make to its chairman, vice-chairman and other members such payments by way of reimbursement of expenses and allowances as the Metropolitan Police Authority may determine.

(2) No payment shall be made under this paragraph except in accordance with arrangements published by the Metropolitan Police Authority not more than twelve months before the making of the payment.

(3) The Metropolitan Police Authority may from time to time revise any arrangements made for the purposes of this paragraph; but no revisions shall take effect until published by the Metropolitan Police Authority.

(4) Payments made under this paragraph may differ according to whether the recipient is the chairman, a vice-chairman or other member or is appointed under regulation 6 or 7.

Members of standards committees

28. Regulation 27 shall have effect as if references to members of the Metropolitan Police Authority included references to persons who are not members of the Metropolitan Police Authority but are members of the Metropolitan Police Authority standards committee; and the power to make different payments according to the recipient shall include power to make different payments to persons who are not members of the Metropolitan Police Authority but are members of the Metropolitan Police Authority standards committee.

PART 3

Selection of members

Selection Panels

29. There shall be a selection panel for the Metropolitan Police Authority.

30. The selection panel shall consist of five members,

- (a) two of whom shall be appointed by the members of the Metropolitan Police Authority;
- (b) one of whom shall be appointed by the Secretary of State;
- (c) one of whom shall be appointed by the Mayor; and
- (d) one of whom shall be appointed by the members of the selection panel appointed under sub-paragraphs (a), (b) and (c) from a list of candidates prepared by the Secretary of State.

31.—(1) A person shall be disqualified from being appointed as or being a member of the selection panel if, by virtue of regulations 12, 13(1)(a) or 14(d), (e) and (f), he is disqualified—

- (a) from being appointed under regulation 7 as a member of the Metropolitan Police Authority,
or
- (b) from being a member so appointed.

(2) A person shall be disqualified from being appointed as or being a member of the selection panel under regulation 30(a) if, by virtue of regulation 13(1)(b) and (2) he is disqualified—

- (a) from being appointed under regulation 6 as a member of the Metropolitan Police Authority,
or
- (b) from being a member so appointed.

(3) A person shall be disqualified from being appointed as or being members of the selection panel under regulation 30(b), (c) or (d) if they are a member of the Metropolitan Police Authority,

32.—(1) Subject to paragraph (2) a person referred to in regulation 30(a) shall be appointed to hold office as a member of the selection panel for —

- (a) a term of five years, or
- (b) where that person is a member of the Metropolitan Police Authority and where the Metropolitan Police Authority considers it appropriate, for a term that expires on the same day as that on which that person's term as a member of the Metropolitan Police Authority expires under regulation 17.

(2) A person referred to in regulation 30(a) shall hold office for no more than ten years.

(3) A person referred to in regulation 30(b), (c) or (d) shall be appointed to hold office as a member of the selection panel for a term of five years and shall hold office for no more than two such terms.

(4) A person may at any time resign his office as a member of the selection panel by notice in writing to the person who under regulation 30 would be required to appoint his successor.

(5) A person shall not cease to be a member of the Metropolitan Police Authority by reason only that any of the persons appointing him cease to hold the position by virtue of which they appointed him.

33.—(1) A member of the selection panel may be removed from office by notice in writing by the Metropolitan Police Authority if—

- (a) the member has been absent from two consecutive meetings of the selection panel without the consent of the panel;
- (b) the member has been convicted of a criminal offence (but is not disqualified from being a member under section 31);
- (c) the members of the Metropolitan Police Authority are satisfied that the member is incapacitated by physical or mental illness; or
- (d) the members of the Metropolitan Police Authority are satisfied that the member is otherwise unable or unfit to discharge his functions as a member.

(2) When the member of the selection panel to be removed under paragraph (1) is the person referred to in regulation 30(b) that person may only be removed with the consent of the Secretary of State.

34. A person who ceases to be a member of the selection panel, otherwise than by virtue of regulation 33, may (if otherwise eligible) be re-appointed.

35.—(1) The acts and proceedings of any person appointed to be a member of the selection panel and acting in that office shall, notwithstanding his disqualification or want of qualification, be as valid and effectual as if he had been qualified.

(2) The proceedings of the selection panel shall not be invalidated by—

- (a) a vacancy in the membership of the panel, or
- (b) a defect in the appointment of a person as a member.

36.—(1) The Metropolitan Police Authority shall make to members of the selection panel such payments by way of reimbursement or expenses and allowances as it may determine.

(2) The Metropolitan Police Authority shall—

- (a) provide the selection panel with such accommodation, and such secretarial and other assistance, as they may reasonably require, and
- (b) meet any expenses incurred by the panel in the exercise of their functions.

Functions of selection panel – short-listing

37.—(1) Where appointments to the Metropolitan Police Authority are to be made under regulation 7 the selection panel shall nominate persons willing to be candidates for appointment.

(2) Unless there are only a smaller number of persons willing to be candidates who are not disqualified from being members, the number of persons to be nominated by the selection panel under this regulation on any occasion shall be a number twice the number of appointments to be made under regulation 7.

(3) Unless there are only a smaller number of lay justices willing to be candidates who are not disqualified from being members, where by virtue of regulation 9 the appointments to be made under regulation 7 must include the appointment of a person who is a lay justice then the persons to be nominated by the selection panel under this regulation on any occasion shall include two persons who are a lay justice.

(4) A person shall not be nominated under this regulation if, by virtue of regulation 12, 13 or 14 he is disqualified from being appointed as a member of the Metropolitan Police Authority under regulation 7.

(5) The persons nominated under this regulation shall form the short-list of persons for the purposes of regulation 7.

38. In exercising their functions the selection panel shall have regard to the desirability of ensuring that, so far as reasonably practicable, they persons nominated by them under regulation 37—

- (a) represent the interests of a wide range of people within the community of the metropolitan police district; and
- (b) include persons with skills, knowledge or experience which are under represented among the existing members of the Metropolitan Police Authority.

Notifications by Chief Executive

39.—(1) Not less than four months before the term of office of a Metropolitan Police Authority member appointed under regulation 7 is due to expire, the chief executive of the Metropolitan Police Authority shall notify the members of the selection panel of this fact.

(2) Not less than four months before the term of office of a Metropolitan Police Authority member is due to expire, the chief executive of the Metropolitan Police Authority shall notify the Secretary of State if the chief executive considers that the member may be reappointed and that reappointment would require the consent of the Secretary of State under regulation 18(2)(a).

(3) Where a person appointed under regulation 7 ceases to be a Metropolitan Police Authority member otherwise than on the expiry of his term of office, the chief executive of the Metropolitan Police Authority shall notify the members of the selection panel of this fact.

Requirement to advertise

40.—(1) Subject to paragraph (4), where the selection panel are required to nominate persons willing to be candidates to be appointed as Metropolitan Police Authority members under regulation 7, they shall publish in at least two newspapers circulating in the metropolitan police district a notice stating the matters referred to in paragraph (2).

- (2) The matters to be included in a notice published under paragraph (1) are—
- (a) the name of the Metropolitan Police Authority and metropolitan police district;
 - (b) that a vacancy exists, or will exist, amongst those members of the Metropolitan Police Authority to which members of the public are eligible for appointment;
 - (c) the matters the panel has to have regard to under regulation 38 and the functions of the Metropolitan Police Authority to promote equality and diversity⁽⁹⁾;
 - (d) that the persons the panel must nominate must include persons with skills, knowledge or experience which are under represented among the existing members of the Metropolitan Police Authority;
 - (e) that the duties in connection with the vacancy include—
 - (i) attendance at meetings of the Metropolitan Police Authority and its committees;
 - (ii) keeping abreast of developments in both local and national policing;
 - (iii) representing the Metropolitan Police Authority in discussions with interested parties;
 - (iv) attendance at local police consultative groups; and
 - (v) liaising with representatives of the local community on policing issues;
 - (f) that persons are only eligible for appointment if they—
 - (i) are aged over eighteen;
 - (ii) live or work in the metropolitan police district at the time of their appointment;
 - (iii) have lived or worked in that district for at least the whole of the period of twelve months prior to their appointment, and
 - (iv) are not otherwise disqualified;
 - (g) that, if a person wishes to have his name put forward, he must apply to the panel for an application form; and
 - (h) the date, not being less than one month after the date when the notice is published, by which the application form must be completed and returned to the panel if it is to be considered by them in connection with a particular vacancy.
- (3) Where the person the panel are required to nominate must be a lay justice in accordance with regulation 37(3) then the notice published under paragraph (1) shall indicate that fact.
- (4) This regulation shall not apply where—
- (a) the condition specified in paragraph (5) is satisfied, and
 - (b) the panel have decided to exercise the discretion conferred on them by regulation 44(1), and
 - (c) on completion of the procedure required by regulation 44(2), the panel have the names of a sufficient number of persons willing to be nominated as candidates for appointment under regulation 7 as Metropolitan Police Authority members.
- (5) The condition referred to in paragraph (4)(a) is that, at the date when the vacancy occurred or, as the case may be, is expected to occur, less than two years have passed since the date of the publication of the last notice previously published in accordance with paragraph (1).
- (6) In paragraph (4)(c) above “sufficient number” means twice the number of appointments that are to be made under regulation 7.

(9) This function of police authorities is prescribed by the Police Authorities (Particular Functions and Transitional Provisions) Order 2008 [S.I. 2008/82](#).

Applications to be considered for appointment to the Metropolitan Police Authority

41.—(1) A member of the public who wishes to be considered for appointment as a Metropolitan Police Authority member shall submit an application to the selection panel setting out—

- (a) his name and address;
- (b) his age;
- (c) his current occupation, if any, and any positions held by him up to ten years before the date of the application;
- (d) his relevant skills, experience and his academic, professional and vocational qualifications, if any, and
- (e) the reasons why he wishes to be so considered.

(2) The selection panel shall supply free of charge to any person not known to be disqualified for membership a form for the purposes of an application under paragraph (1) above.

(3) Together with a form supplied under paragraph (2) above there shall be supplied information about the office of Metropolitan Police Authority member including a statement setting out regulations 12, 13 and 14.

Consideration of applications by selection panel

42.—(1) The selection panel shall consider any application for appointment as a Metropolitan Police Authority member which has been made under regulation 41 for the purpose of producing a short-list under regulation 37.

(2) Where an application has been received at a time when no appointment under regulation 7 is required to be made, the selection panel may delay considering it until such time as the panel are required to nominate persons willing to be so appointed.

(3) Subject to paragraph (5), the selection panel may only consider applications under paragraph (1) and may only nominate persons under regulation 44 if all of their members are present.

(4) A decision of the selection panel to nominate a person under regulation 44 may be taken by a majority of its members.

(5) The selection panel may act if four of their members are present if—

- (a) not less than one week's notice was given of the meeting in question;
- (b) the member of the panel who is not present has died; or
- (c) the member of the panel who is not present has previously consented in writing to the other members acting in his absence.

Record maintained by selection panel

43.—(1) The members of the selection panel shall maintain a record of the persons who have applied to be considered for appointment as Metropolitan Police Authority members under regulation 7.

(2) The record maintained under this regulation shall state—

- (a) the name and address of every applicant together with his age;
- (b) such details about the application as the members of the selection panel consider appropriate; and
- (c) in the case of a person who is disqualified for being appointed as a Metropolitan Police Authority member under regulation 7, the grounds of the disqualification.

(3) An entry in the register maintained under this regulation may be deleted on the expiry of four years from the date when it was made.

Nominations by selection panel from name listed in record

44.—(1) Where—

- (a) the selection panel are required to nominate persons willing to be candidates to be appointed as Metropolitan Police Authority members, and
- (b) the condition in regulation 40(5) is satisfied,

the selection panel may consider the names of the persons previously listed in the record maintained under regulation 43, with a view to nominating persons included in that record without complying with regulation 40(1).

(2) Where the selection panel propose to nominate the name of any such person they shall give that person a notice—

- (a) stating their proposal, and
- (b) requiring him to reply not later than three weeks after the date of that notice stating whether he continues to be willing to be nominated to be a candidate for appointment as Metropolitan Police Authority member.

Home Office
6th March 2008

Tony McNulty
Minister of State

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision for the membership of the Metropolitan Police Authority established under the Police Act 1996.

Part 1 of the Regulations provides that they apply in respect of the members of the Metropolitan Police Authority appointed on or after 1st October 2008 and makes transitional provisions. Part 2 of the Regulations provides for the appointment of Metropolitan Police Authority members, for the appointment of chairman and vice-chairman, for the disqualification of members, their tenure of office, the validity of their acts and their allowances and those of the authorities' standards committee. Part 3 of the Regulations provides for the establishment of a selection panel to nominate persons for appointment as independent members of the Metropolitan Police Authority and for provisions governing the how that panel advertises for and makes such nominations.