

Draft Regulations laid before Parliament under section 63B(6) of the Police and Criminal Evidence Act 1984, section 61(2) of the Animal Welfare Act 2006 and section 20(6) of the Violent Crime Reduction Act 2006 for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2011 No.

**POLICE, ENGLAND AND WALES
ANIMALS, ENGLAND
LOCAL GOVERNMENT, ENGLAND AND WALES
FEES AND CHARGES**

**The Local Policing Bodies (Consequential
Amendments) Regulations 2011**

Made - - - - *****
Coming into force - - *16th January 2012*

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 63B(6) of the Police and Criminal Evidence Act 1984⁽¹⁾, section 6(4), (5), (6), (8) and (14) of the Animal Welfare Act 2006⁽²⁾ and sections 15, 16(7), 17(6) and 20(5) of the Violent Crime Reduction Act 2006⁽³⁾.

In accordance with section 6(15) of the Animal Welfare Act 2006, the Secretary of State has consulted those persons appearing to him to represent interests with which these Regulations are concerned as he considered appropriate.

In accordance with section 63B(6) of the Police and Criminal Evidence Act 1984, section 61(2) of the Animal Welfare Act 2006 and section 20(6) of the Violent Crime Reduction Act 2006, a draft of this instrument was laid before Parliament and approved by a resolution of each House of Parliament.

Citation, commencement, extent and application

1.—(1) These Regulations may be cited as the Local Policing Bodies (Consequential Amendments) Regulations 2011 and shall come into force on 16th January 2012.

(2) These Regulations extend to England and Wales.

(1) 1984 c. 60. Section 63B was inserted by section 57 of the Criminal Justice and Court Services Act 2000 (c. 43); it has been amended subsequently but none of the amendments is relevant to these Regulations.
(2) 2006 c. 45.
(3) 2006 c. 38.

(3) Regulation 3 applies in England only.

Amendments to the Police and Criminal Evidence Act 1984 (Drug Testing of Persons in Police Detention) (Prescribed Persons) Regulations 2001

2.—(1) The Police and Criminal Evidence Act 1984 (Drug Testing of Persons in Police Detention) (Prescribed Persons) Regulations 2001⁽⁴⁾ are amended as follows.

(2) In regulation 2 (prescribed persons)—

- (a) in paragraph (1), for “a police authority or police force” substitute (in both places where those words appear) “a local policing body or chief officer of police”;
- (b) in paragraph (2), for “a police authority or a police force” substitute “a local policing body or a chief officer of police”.

Amendments to the Docking of Working Dogs’ Tails (England) Regulations 2007

3.—(1) The Docking of Working Dogs’ Tails (England) Regulations 2007⁽⁵⁾ are amended as follows.

(2) In regulation 2 (interpretation), in the definition of “police identification”, for “police authority” substitute “local policing body or chief officer of police”.

(3) In regulation 3(2)(c)(iii) (certification requirements), for “police authority” substitute “local policing body or chief officer of police”.

Amendments to the Local Authorities (Alcohol Disorder Zones) Regulations 2008

4.—(1) The Local Authorities (Alcohol Disorder Zones) Regulations 2008⁽⁶⁾ are amended as follows.

(2) In regulation 15 (rates of charges: calculation of total cost of alcohol disorder zone)—

- (a) in paragraph (3)—
 - (i) for “an employee of a police authority” substitute “a person”;
 - (ii) for “police authority employees” substitute “civilian staff”;
- (b) in paragraph (4), for “police authority” substitute “local policing body”.

(3) In regulation 21(1) (allocation of charges received)—

- (a) for “police authority” substitute “local policing body”;
- (b) for “that authority” substitute “that body”.

Home Office

Minister of State

⁽⁴⁾ S.I. 2001/2645.

⁽⁵⁾ S.I. 2007/1120.

⁽⁶⁾ S.I. 2008/1430.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make amendments to various instruments in consequence of the changes to policing governance made by Part 1 of the Police Reform and Social Responsibility Act 2011 (“the Act”).

The Act abolishes police authorities in England and Wales, outside London, and replaces them with police and crime commissioners. It also replaces the Metropolitan Police Authority with the Mayor’s Office for Policing and Crime. The Act makes no change to the role of the Common Council of the City of London as the police authority for the City of London police area. The Act amends the Interpretation Act 1978 with the effect that the words “local policing body” are defined as a police and crime commissioner, the Mayor’s Office for Policing and Crime and the Common Council in its capacity as a police authority.

The Act also establishes chief constables of police forces in England and Wales and the Commissioner of Police of the Metropolis (known collectively as chief officers of police) as corporations sole with the power to employ staff (previously all police staff were employees of the police authorities).

These Regulations amend the Police and Criminal Evidence Act 1984 (Drug Testing of Persons in Police Detention) (Prescribed Persons) Regulations 2001, the Docking of Working Dogs’ Tails (England) Regulations 2007 and the Local Authorities (Alcohol Disorder Zones) Regulations 2008 in order to reflect the replacement of police authorities with local policing bodies, and the new arrangements for the employment of police staff.

The amendments made by these Regulations do not otherwise change the substantive effect of any of the instruments amended.