



Criminal Justice and Police Act 2001

2001 CHAPTER 16

PART 5

POLICE ORGANISATION

Police ranks

122 Deputy Assistant Commissioners of Police of the Metropolis

- (1) Before section 9G of the 1996 Act (appointment and removal of Commanders in the metropolitan police force), there shall be inserted—

“9F AAppointment and removal of Deputy Assistant Commissioners

- (1) The ranks that may be held in the metropolitan police force shall include that of Deputy Assistant Commissioner of Police of the Metropolis (“Deputy Assistant Commissioner”).
- (2) Any appointment of a Deputy Assistant Commissioner shall be made by the Metropolitan Police Authority, but subject to the approval of the Secretary of State and to regulations under section 50.
- (3) Subsections (1) to (3) of section 9E shall apply in relation to a Deputy Assistant Commissioner as they apply in relation to the Commissioner of Police of the Metropolis.
- (4) Subsection (3) of this section is without prejudice to—
- (a) any regulations under section 50, or
 - (b) any regulations under the Police Pensions Act 1976 (c. 35).”
- (2) In section 9H(2) of that Act (ranks that may be held in the metropolitan police force), for “and” at the end of paragraph (c) there shall be substituted—
- “(ca) Deputy Assistant Commissioner of Police of the Metropolis, and”.

- (3) In section 42(5) of that Act (application of section 42 to the powers of the Metropolitan Police Authority to call upon Commissioner of Police of the Metropolis etc. to resign), for “or” at the end of paragraph (c) there shall be substituted—
- “(ca) a Deputy Assistant Commissioner of Police of the Metropolis, or”.

123 Appointment and removal of deputy chief constables

- (1) After section 11 of the 1996 Act (appointment and removal of chief constables), there shall be inserted—

“11A Appointment and removal of deputy chief constables

- (1) Every police force maintained under section 2 shall have a deputy chief constable.
- (2) The appointment of a person to be the deputy chief constable of a police force shall be made, in accordance with regulations under section 50, by the police authority responsible for maintaining that force, but only after consultation with the chief constable and subject to the approval of the Secretary of State.
- (3) Subsections (2) to (4) of section 11 shall apply in relation to a deputy chief constable as they apply in relation to a chief constable.”
- (2) In section 13 of that Act (ranks that may be held in police forces)—
- (a) in subsection (1), after “chief constable” there shall be inserted “, deputy chief constable”; and
- (b) subsection (2) shall be omitted.
- (3) In section 42 of that Act (removal of chief constables, etc.)—
- (a) in subsection (2)—
- (i) after “with respect to” there shall be inserted “a deputy chief constable or”;
- (ii) for “or assistant chief constable” there shall be substituted “, the deputy chief constable or, as the case may be, the assistant chief constable”;
- and
- (b) in subsection (4), after “chief constable” there shall be inserted “, deputy chief constable”.

124 Power of deputy to exercise functions of chief constable

- (1) In section 12 of the 1996 Act (assistant chief constable), subsections (4) to (6) shall be omitted.
- (2) After that section, there shall be inserted—

“12A Power of deputy to exercise functions of chief constable

- (1) A deputy chief constable of a police force may exercise or perform any or all of the powers or duties of the chief constable of that force—
- (a) during any absence, incapacity or suspension from duty of the chief constable,

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

- (b) during any vacancy in the office of the chief constable, or
 - (c) at any other time, with the consent of the chief constable.
- (2) A police authority responsible for maintaining a police force may designate a person holding the rank of assistant chief constable in that force to exercise or perform any or all of the powers or duties of the chief constable of that force—
- (a) during any absence, incapacity or suspension from duty of both the chief constable and the deputy chief constable, or
 - (b) during any vacancy in the offices of both the chief constable and the deputy chief constable.
- (3) Only one person shall be authorised to act at any one time by virtue of a designation under subsection (2).
- (4) The power to act by virtue of subsection (1)(a) or (b) or subsection (2) shall not be exercisable for a continuous period exceeding three months except with the consent of the Secretary of State.
- (5) The provisions of subsections (1) and (2) shall be without prejudice to any other enactment that makes provision for the exercise by any other person of powers conferred on a chief constable.”

125 Chief superintendents

- (1) In section 9H(2) of the 1996 Act (ranks that shall be prescribed for the metropolitan police force), after “those of” there shall be inserted “chief superintendent,”.
- (2) In section 13(1) of that Act (ranks that shall be prescribed for other police forces), after “ranks of” there shall be inserted “chief superintendent,”.
- (3) In the provisions of that Act that are set out in subsection (4), before the word “superintendent”, wherever occurring, there shall be inserted “chief”.
- (4) Those provisions are—
- (a) section 50(3) (meaning of “senior officer” for the purposes of proceedings in which a member of a police force may be dismissed etc.);
 - (b) section 65 (meaning of “senior officer” for the purposes of complaints made against members of a police force); and
 - (c) section 84(1) and (3) (representation at disciplinary and other proceedings).
- (5) In Schedule 6 to the 1996 Act (appeals to police appeal tribunals)—
- (a) in paragraph 10(a), before “superintendent” there shall be inserted “chief”; and
 - (b) in paragraph 10(c)(i)—
 - (i) after “of the rank of” there shall be inserted “chief superintendent or”; and
 - (ii) for “that rank” there shall be substituted “one of those ranks”.
- (6) The amendments of Schedule 6 to that Act by virtue of this section shall not affect any appeal brought by a member of a police force under section 85 of that Act before the coming into force of this section.