Police Reform and Social Responsibility Act 2011

2011 CHAPTER 13

PART 1

POLICE REFORM

CHAPTER 6

POLICE AND CRIME COMMISSIONERS: ELECTIONS AND VACANCIES

Holding of elections

50 Ordinary elections

(1) An election of police and crime commissioners for all police areas (an "ordinary election") is to be held—

(a) in 2012;

(b) in each subsequent fourth year.

(2) The poll at the ordinary election of police and crime commissioners in 2012 is to be held on 15 November 2012.

(3) The poll at an ordinary election of police and crime commissioners in any year after 2012 is to be held on the ordinary day of election in the year of the election.

(4) But, if the Secretary of State so specifies in an order, the poll at an ordinary election of police and crime commissioners in any year after 2012 is to be held on such day in the year of the election as may be specified in the order.

(5) An order under subsection (4)—

(a) may not specify, as the day of a poll, a day which is before the ordinary day of election in the year of the election;

(b) may not be made within the period of six months ending with the ordinary day of election in relation to England, or (if earlier) the ordinary day of election in relation to Wales, in the year of the election (or the first of the elections) to which the order relates.

(6) In this section, "the ordinary day of election" in any year means—

(a) in relation to England, the day which is the ordinary day of election in that year of councillors for counties in England and districts (see sections 37 and 37A of the Representation of the People Act 1983), and

(b) in relation to Wales, the day which is the ordinary day of election in that year of councillors for counties in Wales and county boroughs (see sections 37 and 37B of that Act).

(7) The term of office of a person elected as a police and crime commissioner at an ordinary election—

(a) begins with the seventh day after the day of the poll at the election, and

(b) ends with the sixth day after the day of the poll at the next ordinary election of police and crime commissioners.

(8) Subsection (7) is subject to any provision of or made under this or any other Act relating to the appointment or election of police and crime commissioners or their ceasing to hold office.

51 Election to fill vacancy in office of commissioner

(1) This section applies where a vacancy occurs in the office of police and crime commissioner for a police area.

(2) An election must be held to fill the vacancy.

(3) The police area returning officer must fix the date of the poll at the election.

(4) The date fixed must be not more than 35 days after the relevant event (computed in accordance with section 73).

(5) For the purposes of subsection (4), "the relevant event" means—

(a) in a case where the High Court or the appropriate officer has declared the office to be vacant, the making of that declaration;

(b) in any other case, the giving of notice of the vacancy to the appropriate officer by two or more relevant electors.

(6) For this purpose "relevant elector" means a person who is registered in a register of local government electors in respect of an address within the police area.

(7) If the vacancy occurs within the period of six months ending with the day of the poll at the next ordinary election of police and crime commissioners—

(a) no election is to be held under subsection (2) in respect of the vacancy, and

(b) accordingly, the office is to be left unfilled until that ordinary election.

(8) The term of office of a person elected as a police and crime commissioner for a police area at an election to fill a vacancy in the office—

(a) begins immediately the person is declared to be elected as police and crime commissioner for the area;

(b) ends at the time when it would have ended had the person been elected at the most recent ordinary election of police and crime commissioners.

(9) In the case of a vacancy occurring in consequence of the failure of, or other irregularity in relation to, an election, subsections (3) and (4) have effect subject to any provision made by an order under section 58.

52 Persons entitled to vote

(1) A person is entitled to vote as an elector at an election of a police and crime commissioner for a police area if on the date of the poll—

(a) the person would be entitled to vote as an elector at a local government election in an electoral area wholly or partly comprised in the police area, and

(b) the address in respect of which the person is registered in the register of local government electors for that electoral area is within the police area.

(2) A person is not entitled to vote as an elector more than once in the same police area at any election of a police and crime commissioner.

53 Public awareness about elections: role of Electoral Commission

The Electoral Commission must, in relation to—

(a) each ordinary election of police and crime commissioners under section 50,

(b) each election to fill a vacancy in the office of police and crime commissioner for a police area under section 51,

take such steps as it considers appropriate to raise public awareness about the election and how to vote in it.