

SCHEDULES

SCHEDULE 4

Section 4

COMMISSIONER OF POLICE OF THE METROPOLIS

Civilian staff

- 1 (1) The Commissioner of Police of the Metropolis must appoint a person to be responsible for the proper administration of the metropolitan police force's financial affairs (referred to in this Part as the metropolitan police force's chief finance officer).
- (2) The Commissioner of Police of the Metropolis may appoint such other staff as the Commissioner thinks appropriate—
 - (a) to enable the Commissioner to exercise the Commissioner's functions, or
 - (b) otherwise to assist the metropolitan police force.
- (3) Section 113 of the Local Government Finance Act 1988 applies to the chief finance officer of the Commissioner of Police of the Metropolis as it applies to the persons having responsibility for the administration of financial affairs mentioned in that section.
- 2 (1) The Commissioner of Police of the Metropolis must appoint a qualified person to act as chief finance officer, if and for as long as—
 - (a) that post is vacant, or
 - (b) the holder of that post is, in the Commissioner's opinion, unable to carry out the duties of that post.
- (2) For the purposes of sub-paragraph (1) a person is qualified to be appointed to act as chief finance officer if that person is qualified to be appointed to the post under paragraph 1.
- (3) A reference in any enactment to the metropolitan police force's chief finance officer includes a reference to a person acting as chief finance officer in accordance with sub-paragraph (1).

Remuneration etc of staff

- 3 (1) The Commissioner of Police of the Metropolis may pay remuneration, allowances and gratuities to the members of the metropolitan police force's civilian staff.
- (2) The Commissioner of Police of the Metropolis may pay—
 - (a) pensions to, or in respect of, persons who have been members of the metropolitan police force's civilian staff, and
 - (b) amounts for or towards provision of pensions to, or in respect of, persons who have been members of the metropolitan police force's civilian staff.

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- (3) In this paragraph “allowances”, in relation to a member of a metropolitan police force’s civilian staff, means allowances in respect of expenses incurred by the member of staff in the course of employment as such a member of staff.

Incidental powers

- 4 (1) The Commissioner of Police of the Metropolis may do anything which is calculated to facilitate, or is conducive or incidental to, the exercise of the functions of the Commissioner.
- (2) That includes—
- (a) entering into contracts and other agreements (whether legally binding or not), but only with the consent of the Mayor’s Office for Policing and Crime;
 - (b) acquiring and disposing of property, apart from land, but only with the consent of the Mayor’s Office for Policing and Crime.
- (3) But the Commissioner of Police of the Metropolis may not borrow money.
- (4) Sub-paragraph (3) does not require the Commissioner of Police of the Metropolis to obtain the consent of the Mayor’s Office for Policing and Crime in order to enter into a contract or other agreement with a person—
- (a) by virtue of which the person becomes, or is, a member of the metropolitan police force’s civilian staff, or
 - (b) which otherwise relates to the person’s membership of that civilian staff (including the terms and conditions of the person’s membership).
- (5) This paragraph is subject to the other provisions of this Act and to any other enactment about the powers of the Commissioner.

Damages and costs in legal proceedings

- 5 (1) The following amounts must be paid out of the police fund kept by the Mayor’s Office for Policing and Crime—
- (a) any damages or costs awarded against the Commissioner of Police of the Metropolis in any proceedings brought against the Commissioner in respect of the acts or omissions of a member of the metropolitan police force’s civilian staff;
 - (b) any costs incurred by the Commissioner of Police of the Metropolis in any such proceedings so far as not recovered by the Commissioner in the proceedings; and
 - (c) any sum required in connection with the settlement of any claim made against the Commissioner of Police of the Metropolis in respect of the acts or omissions of a member of the metropolitan police force’s civilian staff, if the settlement is approved by the Mayor’s Office for Policing and Crime.
- (2) The Mayor’s Office for Policing and Crime may, in such cases and to such extent as appear to the Office to be appropriate, pay out of the police fund kept by the Office—
- (a) any damages or costs awarded against a member of the metropolitan police force’s civilian staff in proceedings for any unlawful conduct of that person;
 - (b) any costs incurred and not recovered by such a member of staff in such proceedings; and

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- (c) any sum required in connection with the settlement of a claim that has or might have given rise to such proceedings.

Disciplinary action etc

- 6 Section 4(1) does not affect the application of regulations under section 50 of the Police Act 1996 to the constable who occupies the office of Commissioner of Police of the Metropolis.