



Police Reform and Social Responsibility Act 2011

2011 CHAPTER 13

PART 1

POLICE REFORM

CHAPTER 6

POLICE AND CRIME COMMISSIONERS: ELECTIONS AND VACANCIES

Conduct of elections

55 Returning officers: expenditure

- (1) A returning officer may recover charges in respect of services rendered, or expenses incurred, by the officer for or in connection with an election of a police and crime commissioner if—
 - (a) the services were necessarily rendered, or the expenses were necessarily incurred, for the efficient and effective conduct of the election, and
 - (b) the total of the officer's charges does not exceed the amount ("the overall maximum recoverable amount") specified in, or determined in accordance with, an order made by the Secretary of State, with the consent of the Treasury, for the purposes of this subsection.
- (2) An order under subsection (1) may specify, or make provision for determining in accordance with the order, a maximum recoverable amount for services or expenses of any specified description.
- (3) Subject to subsection (4), the returning officer may not recover more than the specified maximum recoverable amount in respect of any specified services or expenses.
- (4) In a particular case the Secretary of State may authorise the payment of—

Status: This is the original version (as it was originally enacted).

- (a) more than the overall maximum recoverable amount, or
- (b) more than the specified maximum recoverable amount for any specified services or expenses,

if the Secretary of State is satisfied that the conditions in subsection (5) are met.

- (5) Those conditions are—
 - (a) that it was reasonable for the returning officer concerned to render the services or incur the expenses, and
 - (b) that the charges in question are reasonable.
- (6) The amount of any charges recoverable in accordance with this section is to be paid by the Secretary of State on an account being submitted to the Secretary of State.
- (7) But the Secretary of State may, before payment, apply for the account to be taxed under section 56.
- (8) Where the superannuation contributions required to be paid by a local authority in respect of any person are increased by any fee paid under this section as part of a returning officer's charges at an election of a police and crime commissioner, then on an account being submitted to the Secretary of State a sum equal to the increase must be paid to the authority by the Secretary of State.
- (9) On the request of a returning officer for an advance on account of the officer's charges, the Secretary of State may make such an advance on such terms as the Secretary of State thinks fit.
- (10) The Secretary of State may by regulations make provision as to—
 - (a) the time when, and
 - (b) the manner and form in which,
 accounts are to be rendered to the Secretary of State for the purposes of the payment of a returning officer's charges.
- (11) Any sums required by the Secretary of State for making payments under this section are to be charged on, and paid out of, the Consolidated Fund.
- (12) In this section—
 - “local authority” has the same meaning as in section 54;
 - “local returning officer” has the same meaning as in that section;
 - “returning officer” means—
 - (a) a police area returning officer, or
 - (b) a local returning officer on whom functions are conferred under subsection (2) of that section;
 - “specified” means specified in, or determined in accordance with, an order under subsection (1).