
STATUTORY INSTRUMENTS

1994 No. 2023

POLICE

The Police Authorities (Selection Panel) Regulations 1994

Made - - - - 1st August 1994
Laid before Parliament 5th August 1994
Coming into force in accordance with regulation 1(2)
and (3)

In exercise of the powers conferred upon me by paragraph 11 of Schedule 1C to the Police Act 1964⁽¹⁾, I hereby make the following Regulations:

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Police Authorities (Selection Panel) Regulations 1994.

(2) Subject to paragraph (3) below, these Regulations shall come into force on the day when Schedule 2 to the Police and Magistrates' Courts Act 1994⁽²⁾ (by which Schedule 1C to the 1964 Act is inserted) is brought into force by order under section 94(1) of that Act of 1994 for the purpose of the appointment of members of the police authorities established under section 3 of the 1964 Act⁽³⁾.

(3) Regulations 3, 4 and 8 below shall come into force—

- (a) on the day referred to in paragraph (2) above, or
- (b) 1st December 1994,

whichever is the later.

- (c) These Regulations extend to England and Wales only.

Interpretation

2. In these Regulations—

“the 1964 Act” means the Police Act 1964;

“panel” means selection panel;

(1) 1964 c. 48; Schedule 1C was inserted by section 3(2) of, and Schedule 2 to, the Police and Magistrates' Courts Act 1994 (c. 29).

(2) 1994 c. 29.

(3) Section 3 is substituted by section 2 of the Police and Magistrates' Courts Act 1994.

“relevant authority member” means a member of the police authority appointed (or to be appointed) under paragraph 5 of Schedule 1B to the 1964 Act⁽⁴⁾.

Notifications by clerk

3.—(1) Not less than four months before the term of office of a relevant authority member is due to expire, the clerk to the police authority shall notify the members of the panel of this fact.

(2) Where a person ceases to be a relevant authority member otherwise than on the expiry of his term of office, the clerk to the police authority shall notify the members of the panel of this fact.

Requirement to advertise

4.—(1) Subject to paragraph (3) below, where a panel are required to nominate persons willing to be candidates to be appointed as relevant authority members, they shall publish in at least two newspapers circulating in the police area for which they are appointed a notice stating the matters referred to in paragraph (2) below.

(2) The matters to be included in a notice published under paragraph (1) above are—

- (a) the name of the police authority and police area;
- (b) that a vacancy exists, or will exist, amongst those members of that authority to which members of the public are eligible for appointment;
- (c) that the duties in connection therewith include—
 - (i) attendance at meetings of the police authority and its committees;
 - (ii) keeping abreast of developments in both local and national policing;
 - (iii) representing the police authority in discussions with interested parties;
 - (iv) attendance at local police consultative groups, and
 - (v) liaising with representatives of the local community on policing issues;
- (d) that persons are only eligible for appointment if they—
 - (i) are aged over 21 and under 70 years;
 - (ii) live or work in the police area at the time of their appointment;
 - (iii) have lived or worked in that area for at least the whole of the period of twelve months prior to their appointment, and
 - (iv) are not otherwise disqualified;
- (e) that, if a person wishes to have his name put forward, he must apply to the panel for an application form, and
- (f) the date, not being less than one month after the date when the notice is published, by which the application form must be completed and returned to the panel if it is to be considered by them in connection with a particular vacancy.

(3) This regulation shall not apply where—

- (a) either of the conditions specified in paragraph (4) below is satisfied, and
- (b) the panel have decided to exercise the discretion conferred on them by regulation 8(1) below, and
- (c) on completion of the procedure required by regulation 8(2) below, the panel have the names of a sufficient number of persons willing to be nominated as candidates for appointment as relevant authority members.

(4) Schedule 1B was inserted by section 3(2) of, and Schedule 2 to, the Police and Magistrates' Courts Act 1994.

- (4) The conditions referred to in paragraph (3)(a) above are—
- (a) that, at the date when the vacancy occurred or, as the case may be, is expected to occur, less than two years have passed since the coming into force of this regulation;
 - (b) that, at that date, less than two years have passed since the date of the publication of the last notice previously published in accordance with paragraph (1) above.
- (5) In paragraph (3) above “sufficient number” means a number four times greater than the number of appointments that are to be made under paragraph 5 of Schedule 1B to the 1964 Act.

Applications to be considered for appointment to police authority

5.—(1) A member of the public who wishes to be considered for appointment as a relevant authority member shall submit an application to the panel setting out—

- (a) his name and address;
- (b) his age;
- (c) his current occupation, if any, and any positions held by him up to ten years before the date of the application;
- (d) his relevant skills and experience;
- (e) his academic, professional and vocational qualifications, if any; and
- (f) the reasons why he wishes to be so considered.

(2) The panel shall supply free of charge to any person not disqualified for membership a form for the purposes of an application under paragraph (1) above.

(3) Together with a form supplied under paragraph (2) above there shall be supplied information about the office of relevant authority member including a statement setting out paragraphs 11, 12, 14 and 15 of Schedule 1B to the 1964 Act as it applies to such members.

(4) An application made before the coming into force of this regulation which satisfies the requirements of paragraph (1) above shall have effect as if made under that paragraph.

Consideration of applications by panel

6.—(1) A panel shall consider any application for appointment as a relevant authority member which has been duly made under regulation 5 above.

(2) Where an application has been received at a time when no appointment under paragraph 5 of Schedule 1B to the 1964 Act is required to be made, the panel may delay considering it until such time as the panel are required to nominate persons willing to be so appointed.

(3) Subject to paragraph (5) below, a panel may only consider applications under paragraph (1) above and may only nominate persons under paragraph 8 of Schedule 1C to the 1964 Act if all of their members are present.

(4) A decision of a panel to nominate a person under paragraph 8 of Schedule 1C to the 1964 Act may be taken by a majority of their members.

(5) A panel may act if two of their members are present if—

- (a) not less than one week’s notice was given of the meeting in question; or
- (b) the member of the panel who is not present has previously consented in writing to the other members acting in his absence; or
- (c) the meeting is held for the purpose of making the appointment referred to in paragraph 1(2)(c) of Schedule 1C to the 1964 Act.

Record maintained by panel

7.—(1) The members of a panel shall maintain a record of the persons who have applied to be considered for appointment as relevant authority members.

(2) The record maintained under this regulation shall state—

- (a) the name and address of every applicant together with his age;
- (b) such details about the application as the members of the panel consider appropriate;
- (c) in the case of a person nominated under paragraph 8 of Schedule 1C to the 1964 Act, that fact; and
- (d) in the case of a person who is disqualified for being appointed as a relevant authority member, the grounds of the disqualification.

(3) An entry in the register maintained under this regulation may be deleted on the expiry of four years from the date when it was made.

Nominations by panel from names listed in record

8.—(1) Where—

- (a) a panel are required to nominate persons willing to be candidates to be appointed as relevant authority members, and
- (b) either of the conditions in regulation 4(4) above is satisfied,

the panel may consider the names of the persons previously listed in the record maintained under regulation 7 above, except regulation 7(2)(d), with a view to nominating persons included in that record without complying with regulation 4(1) above.

(2) Where a panel propose to nominate the name of any such person they shall give that person a notice—

- (a) stating their proposal, and
- (b) requiring him to reply not later than three weeks after the date of that notice stating that he continues to be willing to be nominated to be a candidate for appointment as a relevant authority member.

Home Office
1st August 1994

John Redwood
One of Her Majesty's Principal Secretaries of
State

EXPLANATORY NOTE

(This note is not part of the Regulations)

Under Schedule 1B to the Police Act 1964 (as inserted by Schedule 2 to the Police and Magistrates' Courts Act 1994), police authorities established under section 3 of the 1964 Act (as substituted by section 2 of the 1994 Act) consist of three categories of members. These are councillor members (appointed under paragraph 2 of Schedule 1B); magistrate members (appointed under paragraph 8 of that Schedule); and members appointed (under paragraph 5 of that Schedule) by the councillor and magistrate members from a short-list prepared by the Secretary of State under Schedule 1C to the 1964 Act (as inserted by Schedule 2 to the 1994 Act). The short-list derives from a list of persons willing to be so appointed who are nominated by a selection panel. These Regulations, which extend to England and Wales only, provide for the procedures to be followed in relation to the selection of persons for nomination under paragraph 8 of Schedule 1C and the conduct of the proceedings of the selection panel.

Regulation 5 provides for the content of applications from members of the public wishing to be considered for appointment under paragraph 5 of Schedule 1B. Regulation 6 requires the panel to consider such applications (regulation 6(1)); makes provision for majority voting (regulation 6(4)); and for decisions to be taken when only two members of a panel are present subject to the safeguards in regulation 6(5).

Regulation 7 requires the panel to make a record of applicants and such a record may be used under regulation 8 for the purpose of making future nominations under paragraph 8 of Schedule 1C without complying with the requirement to advertise in local newspapers which is imposed by regulation 4(1) if either of the conditions in regulation 4(4) is satisfied. Regulation 4(2) sets out the content of such advertisements and regulation 3 requires the clerk to the police authority to notify the panel of a vacancy or impending vacancy amongst the members of the police authority who are appointed from those nominated by the panel.