

STATUTORY INSTRUMENTS

2012 No. 2088

POLICE, ENGLAND AND WALES

**The Police and Crime Commissioner Elections
(Returning Officers' Accounts) Regulations 2012**

Made - - - - *9th August 2012*
Laid before Parliament *13th August 2012*
Coming into force - - *15th September 2012*

These Regulations are made by the Secretary of State, in exercise of the powers conferred by section 55(10) and 154(5)(a) and (c) of the Police Reform and Social Responsibility Act 2011 ^{M1}.

Modifications etc. (not altering text)

- C1** Regulations excluded (8.5.2017) by [The Greater Manchester Combined Authority \(Transfer of Police and Crime Commissioner Functions to the Mayor\) Order 2017 \(S.I. 2017/470\)](#), arts. 1(2), 3(3), **Sch. 2 para. 26**
- C2** Regulations applied (with modifications) (22.9.2020) by [The Postponed Elections and Referendums \(Coronavirus\) and Policy Development Grants \(Amendment\) Regulations 2020 \(S.I. 2020/926\)](#), regs. 1(2), **10(3)** (with reg. 10(6))

Marginal Citations

- M1** 2011 c. 13.

Citation and commencement

1. These Regulations may be cited as the Police and Crime Commissioner Elections (Returning Officers' Accounts) Regulations 2012 and shall come into force on 15th September 2012.

Interpretation

2. In these Regulations—

“the 2011 Act” means the Police Reform and Social Responsibility Act 2011;

“account” means an account prepared by a returning officer for the purposes of section 55(6) of the 2011 Act and includes an account (or part of an account) prepared for that purpose in order to account for the use of an advance made under section 55(9) of the 2011 Act;

“Accounting Officer” means the accounting officer appointed under section 5(6) of the Government Resources and Accounts Act 2000 ^{M2} for the [^{F1}Cabinet Office];

“PCC election” means an election of a police and crime commissioner in accordance with Chapter 6 of Part 1 of the 2011 Act.

F1 Words in reg. 2 substituted (4.5.2016) by [The Police and Crime Commissioner Elections \(Returning Officers' Accounts\) \(Amendment\) Regulations 2016 \(S.I. 2016/488\)](#), regs. 1(2), **2(2)**

Marginal Citations

M2 2000 c.20.

Address for submission of accounts

3. An account must be addressed to the Accounting Officer and submitted by the returning officer to the Elections Claims Unit at the address notified by the Secretary of State ^{F2}....

F2 Words in reg. 3 omitted (8.12.2021) by virtue of [The Transfer of Functions \(Secretary of State for Levelling Up, Housing and Communities\) Order 2021 \(S.I. 2021/1265\)](#), art. 1(2), **Sch. 2 para. 31** (with art. 12)

Time for submission of accounts

4.—^{F3}(1) Subject to [^{F4}paragraphs (2) and (3)], a complete account must be submitted in accordance with these Regulations by the returning officer within the period of [^{F5}6] months commencing with the day of the declaration of the result of the PCC election to which the charges in the account relate.

^{F6}(2) If a returning officer is unable to submit an account within the period referred to in paragraph (1), that officer may, before the end of that period, apply to the Accounting Officer for an extension of time for the submission of the account.

(3) If the Accounting Officer agrees to an extension of time for the submission of the account, the returning officer must submit the account within such extended period as the Accounting Officer specifies.]

F3 Reg. 4 renumbered as reg. 4(1) (25.3.2021) by [The Police and Crime Commissioner Elections \(Returning Officers' Accounts\) \(Amendment\) Regulations 2021 \(S.I. 2021/179\)](#), regs. 1(1), **2(2)(a)** (with reg. 1(3))

F4 Words in reg. 4(1) substituted (25.3.2021) by [The Police and Crime Commissioner Elections \(Returning Officers' Accounts\) \(Amendment\) Regulations 2021 \(S.I. 2021/179\)](#), regs. 1(1), **2(2)(b)** (with reg. 1(3))

F5 Word in reg. 4 substituted (4.5.2016) by [The Police and Crime Commissioner Elections \(Returning Officers' Accounts\) \(Amendment\) Regulations 2016 \(S.I. 2016/488\)](#), regs. 1(2), **2(3)**

F6 Reg. 4(2)(3) inserted (25.3.2021) by [The Police and Crime Commissioner Elections \(Returning Officers' Accounts\) \(Amendment\) Regulations 2021 \(S.I. 2021/179\)](#), regs. 1(1), **2(2)(c)** (with reg. 1(3))

Incomplete accounts

^{F7}5.

F7 Reg. 5 omitted (25.3.2021) by virtue of The Police and Crime Commissioner Elections (Returning Officers' Accounts) (Amendment) Regulations 2021 (S.I. 2021/179), regs. 1(1), **2(3)** (with reg. 1(3))

Documents to be submitted with accounts

6.—^{F8}(1) An account submitted in accordance with regulation 4 ^{F9}... must be accompanied by—
^{F10}(a)

(b) a declaration, signed by the returning officer, in the following terms—
“I declare that this account, submitted for the purposes of the payment of charges in respect of services necessarily rendered and expenses necessarily incurred for the efficient and effective conduct of this police and crime commissioner election in the area for which I am responsible, is correct to the best of my knowledge and belief.”

^{F11}(2) If requested to do so by or on behalf of the Accounting Officer, the returning officer must submit supporting documentation relating to their account.]

F8 Reg. 6 renumbered as reg. 6(1) (25.3.2021) by The Police and Crime Commissioner Elections (Returning Officers' Accounts) (Amendment) Regulations 2021 (S.I. 2021/179), regs. 1(1), **2(4)(a)** (with reg. 1(3))

F9 Words in reg. 6(1) omitted (25.3.2021) by virtue of The Police and Crime Commissioner Elections (Returning Officers' Accounts) (Amendment) Regulations 2021 (S.I. 2021/179), regs. 1(1), **2(4)(b)(i)** (with reg. 1(3))

F10 Reg. 6(1)(a) omitted (25.3.2021) by virtue of The Police and Crime Commissioner Elections (Returning Officers' Accounts) (Amendment) Regulations 2021 (S.I. 2021/179), regs. 1(1), **2(4)(b)(ii)** (with reg. 1(3))

F11 Reg. 6(2) inserted (25.3.2021) by The Police and Crime Commissioner Elections (Returning Officers' Accounts) (Amendment) Regulations 2021 (S.I. 2021/179), regs. 1(1), **2(4)(c)** (with reg. 1(3))

Form of accounts

7.—(1) The form in which an account must be submitted must be such that the charges in respect of each of the specified services and specified expenses are shown separately.

(2) For the purposes of paragraph (1), the specified services and specified expenses are those set out in any order made under section 55(1) of the 2011 Act in force at the time of the PCC election to which the charges in the account relate.

Home Office

Nick Herbert
Minister of State

Changes to legislation: There are currently no known outstanding effects for the The Police and Crime Commissioner Elections (Returning Officers' Accounts) Regulations 2012. (See end of Document for details)

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provide for the time when, and manner and form in which, accounts are to be submitted by returning officers for police and crime commissioner elections.

Regulations 3 and 4 require the submission of an account within 8 months of the day on which the result of the police and crime commissioner election is declared.

Regulation 5 provides that a returning officer may submit an account to recover some of the charges that the officer is entitled to recover. This is known as an incomplete account and must be accompanied by a statement of the reasons for submitting it. The statement must also specify the date on which the complete account will be submitted. This must be not later than 3 months after the expiry of the initial period specified in regulation 4 although the Accounting Officer has power to specify an earlier date in certain circumstances.

Regulations 6 and 7 make provision about the form in which the accounts are to be submitted and the receipts and supporting documents to be submitted with them.

Changes to legislation:

There are currently no known outstanding effects for the The Police and Crime Commissioner Elections (Returning Officers' Accounts) Regulations 2012.