
STATUTORY INSTRUMENTS

2012 No. 2913

The Localism Act 2011 (Commencement No. 8 and Transitional, Transitory and Savings Provisions) Order 2012

Citation and interpretation

1.—(1) This Order may be cited as the Localism Act 2011 (Commencement No. 8 and Transitional, Transitory and Savings Provisions) Order 2012.

(2) In this Order—

“the 2000 Act” means the Local Government Act 2000(1);

“allegation” means an allegation in writing that relates to the conduct of a member of a police authority where that alleged conduct occurred prior to the commencement date;

“commencement date” means the 22nd November 2012;

“elected member” means a member of a county, district or county borough council appointed to a police authority in accordance with regulation 7 of the Police Authority Regulations 2008(2);

“host authority”, in relation to an independent member, means the local authority which is being provided by the Secretary of State with financial resources in connection with the exercise of functions by or in relation to the Police and Crime Panel(3) in the area of the independent member’s former police authority(4);

“independent member” means an independent member of a police authority who was appointed in accordance with regulation 9 of the Police Authority Regulations 2008;

“member” means an elected or independent member;

“police authority” means a police authority in England or Wales established under section 3 of the Police Act 1996(5); and

“relevant local authority” means—

(a) in the case of an elected member, the relevant council within the meaning given by paragraph 8 of Schedule 2 to the Police Act 1996(6) of which that person is a member; or

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- (1) 2000 c. 22. Part 3 of the Local Government Act 2000 (“the 2000 Act”) was amended in particular by the Local Government and Public Involvement in Health Act 2007 (c. 28) and the Localism Act 2011 (c. 20) (“the 2011 Act”). Section 26 and Schedule 4, and Part 5 of Schedule 25 and section 237 so far as relating to that Part, of the 2011 Act made amendments and repeals to Part 3 of the 2000 Act (and other legislation) which were commenced in relation to England and Wales except in so far as they apply to a police authority by virtue of the Localism Act 2011 (Commencement No. 2 and Transitional and Saving Provision) Order 2012 (S.I. 2012/57), the Localism Act 2011 (Commencement No. 6 and Transitional, Savings and Transitory Provisions) Order 2012 (S.I. 2012/1463). The provisions made by S.I. 2012/1463 were amended by the Localism Act 2011 (Commencement No. 6 and Transitional, Savings and Transitory Provisions) (Amendment) Order 2012 (S.I. 2012/1714).
- (2) S.I. 2008/630. There are amendments, but none is relevant for these purposes.
- (3) Section 102 of the Police Reform and Social Responsibility Act 2011 defines “police and crime panel”.
- (4) The Secretary of State may provide financial resources to a local authority in connection with the exercise of functions by or in relation to the Police and Crime Panel under paragraph 11(2)(b) or 20(1)(c) of Schedule 6 to the Police Reform and Social Responsibility Act 2011 (c. 13).
- (5) 1996 c.16. This section is repealed by virtue of section 99 of, and paragraphs 1 and 5(a) of Part 1 of Schedule 16 to, the Police Reform and Social Responsibility Act 2011. Those provisions are commenced by virtue of article 2 of the Police Reform and Social Responsibility Act 2011 (Commencement No. 7 and Transitional Provisions and Commencement No. 3 and Transitional Provisions (Amendment)) Order 2012 (S.I. 2012/ 2892).
- (6) 1996 c. 16. Schedule 2 of the Police Act 1996 was repealed by virtue of section 99 and paragraphs 1 and 46 of Part 1 of Schedule 16 to the Police Reform and Social Responsibility Act 2011 (c. 13) (“the 2011 Act”). Those provisions were

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- (b) in the case of an independent member, the host authority in relation to that member.

commenced by virtue of article 3 of, and paragraphs (nn)(i) of Schedule 1 to, the Police Reform and Social Responsibility Act 2011 (Commencement No. 3 and Transitional Provisions) Order 2011 ([S.I. 2011/3019](#)). That Order contains transitory and saving provisions in connection with the continued existence of police authorities established under section 3 of the Police Act 1996: article 10(5) of, and paragraph 16 of Schedule 2 to, that Order provide that paragraph 46 of Schedule 16 to the 2011 Act does not have effect as omitting Schedule 2. Article 10 of that Order applies until the coming into force of section 1 of the 2011 Act. Section 1 of that Act provides for the replacement of police authorities for police areas outside London with police and crime commissioners.