



# Policing and Crime Act 2017

## 2017 CHAPTER 3

### PART 2

#### POLICE COMPLAINTS, DISCIPLINE AND INSPECTION

### CHAPTER 4

#### POLICE DISCIPLINE

#### **30 Police barred list and police advisory list**

- (1) After Part 4 of the Police Act 1996, insert the Part set out in Schedule 8 to this Act.
- (2) In consequence of the new Part 4A of the Police Act 1996 (as inserted by Schedule 8), the Police Reform and Social Responsibility Act 2011 is amended as follows.
- (3) In section 42 (appointment of Commissioner of Police of the Metropolis), after subsection (3A) insert—

“(3AA) But a person who would be eligible for appointment by virtue of subsection (3A) is not eligible for appointment at a time when the person is included in the police barred list maintained under section 88B of the Police Act 1996.”
- (4) In section 43 (Deputy Commissioner of Police of the Metropolis), after subsection (3) insert—

“(3A) The Secretary of State may not recommend to Her Majesty that She appoint a person as the Deputy Commissioner of Police of the Metropolis unless that person is eligible for appointment.

(3B) A person is not eligible for appointment at a time when the person is included in the police barred list maintained under section 88B of the Police Act 1996.”
- (5) In Part 1 of Schedule 8 (appointment of Chief Constables), in paragraph 1—

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*Status: This is the original version (as it was originally enacted).*

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- (a) the existing text becomes sub-paragraph (1);
  - (b) after that sub-paragraph insert—
    - “(2) The police and crime commissioner also has duties under section 88C of the Police Act 1996 (effect of inclusion in police barred list) in relation to the appointment of a chief constable.”
- (6) The Secretary of State may by regulations made by statutory instrument make provision that—
- (a) corresponds or is similar to that made by or under Part 4A of the Police Act 1996 (as inserted by Schedule 8), and
  - (b) relates to a person who is, or has been, employed or appointed by a person with functions of a public nature exercisable in, or in relation to, England and Wales that relate to policing or law enforcement (other than a chief officer of police or a local policing body, within the meaning of the Police Act 1996).
- (7) A statutory instrument containing regulations under subsection (6) is subject to annulment in pursuance of a resolution of either House of Parliament.