

**Status:** This version of this provision is prospective.

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Greater Manchester Combined Authority (Transfer of Police and Crime Commissioner Functions to the Mayor) Order 2017. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

PROSPECTIVE

## SCHEDULE 1

Modifications of police and crime commissioner enactments in their application to the mayor

### PART 1

#### Primary Legislation

##### Police Reform and Social Responsibility Act 2011

32. In Schedule 1—

(a) for paragraph 1, substitute—

“1. This Schedule applies in relation to the mayor in the exercise of PCC functions.”;

(b) for paragraph 4, substitute—

“4.—(1) The mayor must make authorised pension payments.

(2) In this paragraph “authorised pension payments” means—

(a) pensions to, or in respect of, persons who have been the police and crime commissioner for Greater Manchester, and

(b) amounts for or towards provision of pensions to, or in respect of, persons who have been the police and crime commissioner for Greater Manchester,

which are of the kinds and amounts determined by the Secretary of State as payable in accordance with this paragraph.”;

(c) in paragraph 5(2), for “any of paragraphs 2 to” substitute “paragraph”;

(d) in paragraph 8(1)—

(i) for each reference to “deputy police and crime commissioner” substitute “deputy mayor for policing and crime”;

(ii) for sub-paragraph (3) and (3A), substitute—

“(3) The terms and conditions of a person appointed as the deputy mayor for policing and crime must ensure that the person’s term of office ends no later than the third day after the day of the poll at an election for the return of a mayor(2).

(3A) The terms and conditions must also provide for the deputy mayor for policing and crime’s appointment to end when, following an election held to fill a vacancy in the office of the appointing mayor, the person elected makes and delivers a declaration under section 70.”.

(e) for paragraph 9(1), substitute—

“(1) The mayor must notify the police and crime panel of each proposed appointment by the mayor of a deputy mayor for policing and crime.”;

(1) Paragraph 8 was amended by section 122(2) and (3) of the Policing and Crime Act 2017 (c. 3).

(2) S.I. 2016/448 makes provision for the election of a mayor with PCC functions in Greater Manchester.

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(f) in paragraph 10(9)(a), for “ordinary election of a police and crime commissioner under section 50” substitute “election for the return of the mayor”;

(g) for paragraph 13, substitute—

“**13.**—(1) The mayor may pay —

- (a) remuneration, allowances and gratuities to members of the combined authority’s staff deployed wholly or partly in relation to the mayor’s PCC functions; and
- (b) to the deputy mayor for policing and crime where that person is not a member of staff of the combined authority, allowances and gratuities.

(2) The mayor may pay—

- (a) pensions to, or in respect of, persons who have been members of the combined authority’s staff deployed wholly or partly in relation to the mayor’s PCC functions; and
- (b) amounts for or towards provision of pensions to, or in respect of, persons who have been members of the combined authority’s staff deployed wholly or partly in relation to the mayor’s PCC functions.

(3) In this paragraph “allowances”—

- (a) in relation to a member of the combined authority’s staff deployed wholly or partly in relation to the mayor’s PCC functions, means allowances in respect of expenses incurred by the member of staff in the course of employment in relation to such functions; and
- (b) in relation to a deputy mayor for policing and crime who is not a member of the combined authority’s staff, means allowances in respect of expenses incurred by the deputy mayor for policing and crime in the course of that person’s duties as deputy mayor for policing and crime.”;

(h) for paragraph 15(2), substitute—

“(2) A person who is—

- (a) a member of staff of the combined authority deployed wholly or partly in relation to the mayor’s PCC functions; or
- (b) a member of the combined authority exercising the mayor’s PCC functions;

has no personal liability for an act or omission done by the person, in the carrying out of duties relating to the mayor’s PCC functions as a member of staff or as a member of the combined authority, unless it is shown to have been done otherwise than in good faith.”;

(i) for paragraph 16, substitute—

“**16.** References to the financial year of the mayor are to be read as if they were references to the financial year of the combined authority.”.

#### Commencement Information

**II** Sch. 1 para. 32 in force at 8.5.2017, see [art. 1\(2\)](#)

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**Changes and effects yet to be applied to :**

- Sch. 1 para. 32 coming into force by [S.I. 2017/470 art. 1\(2\)](#)

**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 1 para. 55(4A) inserted by [S.I. 2018/444 art. 4\(3\)\(c\)](#)
- Sch. 2 para. 37 inserted by [S.I. 2021/179 reg. 3\(1\)](#)
- Sch. 2 para. 38 inserted by [S.I. 2021/390 art. 10\(1\)](#)
- art. 35 words substituted by [S.I. 2017/1250 reg. 35\(2\)](#)
- art. 51(2)(f) words substituted by [S.I. 2017/1250 reg. 35\(3\)](#)