

SCHEDULE 2

Article 10(5)

Further modifications having effect until the coming into force of section 1 of the 2011 Act

1. Until the coming into force of section 1 of the 2011 Act, the provisions of that Act listed in Schedule 1 have effect with the following modifications.

2. Section 19(6)(b) has effect as if it read—

“(b) a police authority established under section 3 of the 1996 Act;”.

3. Section 91(4)(a) has the effect of inserting the new paragraph (aa) (and not paragraph (ab)) in section 40B(2) of the 1996 Act after the existing paragraph (a), which remains as before.

4. Section 93(5) has the effect of inserting the new paragraph (aa) (and not paragraph (ab)) in section 53(2) of the 1996 Act after the existing paragraph (a), which remains as before.

5. Section 94(3) has effect as if the substituted section 96A(1A) of the 1996 Act read—

“(1A) The Secretary of State and the police authority that maintains a police force may enter into agreements with respect to the level of performance to be achieved by the police force in respect of any of its national and international functions.”.

6. In Schedule 11—

(a) paragraph 2(8)(b) has the effect of omitting only paragraph (b) of the definition of “police authority” in section 5(5) of the Crime and Disorder Act 1998(1);

(b) paragraph 5(5) has effect as if the new subsection (4)(a) inserted in section 7 of the Crime and Disorder Act 1998 read—

“(a) if the area (or any part of it) falls within a police area listed in Schedule 1 to the 1996 Act, the police authority;”.

7. Notwithstanding the coming into force of paragraph 13 of Schedule 16, section 8A(1) to (6) and (8) of the 1996 Act continues to have effect.

8. Notwithstanding the coming into force of paragraph 16 of Schedule 16, sections 14(1) to (3), 15(1), (2) and (4), 16(1) and 17(1) of the 1996 Act continue to have effect.

9. Paragraph 18(2) of Schedule 16 has the effect of omitting only the words “and to the Metropolitan Police Authority” from section 18(1)(a) of the 1996 Act.

10. In paragraph 23 of Schedule 16—

(a) sub-paragraph (2) has the effect of substituting “section 4 of the Police Reform and Social Responsibility Act 2011” for “section 9A(1)” in section 24(3) of the 1996 Act;

(b) sub-paragraph (3) has effect as if the reference to section 2 of the 2011 Act in the substituted section 24(3A) of the 1996 Act was a reference to section 15(2) of the 1996 Act;

(c) sub-paragraph (5)(b) has effect as if it read—

“(b) after “section 10(1)” insert “of this Act and section 4 of the 2011 Act””.

11. Paragraph 29 of Schedule 16 has effect as if it read—

“29. In section 31, at the end insert—

“(2) The Commissioner of Police of the Metropolis may grant to members of the metropolitan police force rewards for exceptional diligence or other specially meritorious conduct.”,

and accordingly the existing words of the section become subsection (1).”.

(1) 1998 c. 37. Relevant amendments were made by section 97 of the Police Reform Act 2002.

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12. Paragraph 30(3)(b) of Schedule 16 has the effect of inserting the new paragraph (aa) (and not paragraph (ab)) in section 39A(4) of the 1996 Act after the existing paragraph (a), which remains as before.

13. In paragraph 31 of Schedule 16—

(a) sub-paragraph (3) has the effect of omitting the reference to section 9E of the 1996 Act (and not the reference to section 11) from section 42A(1) of that Act;

(b) sub-paragraph (4) has effect as if it read—

“(4) In subsection (2), after paragraph (a) insert—

“(aa) the Mayor’s Office for Policing and Crime;”.”.

14. Paragraph 35(3) of Schedule 16 has the effect of inserting the new paragraph (aa) (and not paragraph (ab)) in section 53A(3) of the 1996 Act after the existing paragraph (a), which remains as before.

15. Paragraph 36(2) of Schedule 16 has the effect of inserting the new paragraph (aa) (and not paragraph (ab)) in section 57(4) of the 1996 Act after the existing paragraph (a), which remains as before.

16. Paragraph 46 of Schedule 16 has the effect of omitting Schedule 2A from the 1996 Act (and not Schedule 2).

17. Paragraph 80 of Schedule 16 has effect as if it read—

“**80.** In section 2 (acquisition and deposit of records), in subsection (6), omit “the Metropolitan Police Authority,”.”.

18. Paragraph 81 of Schedule 16 has effect as if it read—

“**81.** In section 8 (interpretation), in subsection (1), omit “the Metropolitan Police Authority,”.”.

19. Paragraph 84 of Schedule 16 has effect as if it read—

“**84.** In the Local Government Act 1966, in section 11 (grants for certain expenditure due to ethnic minority population), in subsection (2) for “Metropolitan Police Authority” substitute “Mayor’s Office for Policing and Crime”.”.

20. Paragraph 85(2) of Schedule 16 has effect as if it read—

“(2) In subsection (5)(a), for “Metropolitan Police Authority” substitute “Mayor’s Office for Policing and Crime”.”.

21. Paragraph 87(3) of Schedule 16 has effect as if the new section 11(9)(a) inserted in the Superannuation (Miscellaneous Provisions) Act 1967 read—

“(a) a police authority established under section 3 of the Police Act 1996;”.

22. Paragraph 91 of Schedule 16 has effect as if paragraph (a)(i) of the substituted definition of “civilian officer” in section 57(4) of the Firearms Act 1968 read—

“(i) a person employed by a police authority established under section 3 of the Police Act 1996 who is under the direction and control of a chief officer of police;”.

23. Paragraph 93 of Schedule 16 has effect as if it read—

“**93.** In the Local Government Grants (Social Need) Act 1969, in section 1 (provision of grants), in subsection (4), for “Metropolitan Police Authority” substitute “Mayor’s Office for Policing and Crime”.”.

24. Paragraph 97(2) of Schedule 16 has effect as if it read—

- “(2) For “police authority” (in the first place) substitute “local policing body or the Commissioner of Police of the Metropolis”.”.
25. Paragraph 102 of Schedule 16 has effect as if it read—
- “102. In section 98 (interpretation of sections 95 and 97), in subsection (1A) omit “and the Metropolitan Police Authority”.”.
26. Paragraph 103 of Schedule 16 has effect as if it read—
- “103. In section 99 (meetings and proceedings of local authorities), omit “the Metropolitan Police Authority”.”.
27. Paragraph 104 of Schedule 16 has effect as if—
- (a) sub-paragraph (2) omitted paragraph (eza) (and not paragraph (e)) from section 100J(1) of the Local Government Act 1972(2);
- (b) sub-paragraph (3) omitted the reference to paragraph (eza) (and not the reference to paragraph (e)) from section 100J(3) of that Act;
- (c) sub-paragraph (4)(b) read—
- “(b) omit “or the Metropolitan Police Authority”.”.
28. Paragraph 107 of Schedule 16 has effect as if the words “Police and crime commissioners and” were omitted from the new section 120(3A) inserted in the Local Government Act 1972.
29. In paragraph 108 of Schedule 16—
- (a) sub-paragraph (2) has effect as if it read—
- “(2) In subsection (1)—
- (a) after “London Fire and Emergency Planning Authority”, insert “and”;
- (b) omit “and the Metropolitan Police Authority”.”;
- (b) notwithstanding the coming into force of sub-paragraph (3), section 146A(1A) to (1C) of the Local Government Act 1972 continues to have effect in respect of a police authority established under section 3 of the 1996 Act, but each reference to the Metropolitan Police Authority in the section is omitted.
30. Paragraph 109 of Schedule 16 has effect as if it read—
- “109. In section 223 (appearance of local authorities in legal proceedings), for “Metropolitan Police Authority” substitute “Mayor’s Office for Policing and Crime”.”.
31. Paragraph 110 of Schedule 16 has effect as if it read—
- “110. In section 228 (inspection of documents), omit “or the Metropolitan Police Authority”.”.
32. Paragraph 111 of Schedule 16 has effect as if it read—
- “111. In section 229 (photographic copies of documents), omit “and the Metropolitan Police Authority”.”.
33. Paragraph 112 of Schedule 16 has effect as if it read—
- “112. In section 231 (service of notices on local authorities, etc), in subsection (4), omit “and the Metropolitan Police Authority”.”.
34. Paragraph 113 of Schedule 16 has effect as if it read—

(2) 1972 c. 70. Relevant amendments were made by Schedule 7 to the 1996 Act and Schedule 27 to the Greater London Authority Act 1999.

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- “**113.** In section 232 (public notices), in subsection (1A), omit “and the Metropolitan Police Authority”.”.
- 35.** Paragraph 114 of Schedule 16 has effect as if it read—
- “**114.** In section 233 (service of notices by local authorities), in subsection (11), omit “and the Metropolitan Police Authority”.”.
- 36.** Paragraph 115 of Schedule 16 has effect as if it read—
- “**115.** In section 234 (authorisation of documents), in subsection (4), omit “and the Metropolitan Police Authority”.”.
- 37.** Paragraph 116 of Schedule 16 has effect as if it read—
- “**116.**—(1) Schedule 12 (meetings and proceedings of local authorities) is amended in accordance with this paragraph.
- (2) In paragraph 6A(1), omit “or the Metropolitan Police Authority”.
- (3) In paragraph 6B(b), omit “and the Metropolitan Police Authority”.
- (4) In paragraph 46, omit “and the Metropolitan Police Authority”.”.
- 38.** Paragraph 118 of Schedule 16 has effect as if it read—
- “**118.** In the Employment Agencies Act 1973, in section 13 (interpretation), for subsection (7)(fa) substitute—
- “(fa) the exercise by the Mayor’s Office for Policing and Crime of any of that Office’s functions;
- (fb) the exercise by the Commissioner of Police of the Metropolis of any of the Commissioner’s functions;”.”.
- 39.** Paragraph 121 of Schedule 16 has the effect of substituting section 25(1)(caa) of the Local Government Act 1974⁽³⁾ (and not section 25(1)(ca)).
- 40.** Paragraph 127 of Schedule 16 has effect as if it read—
- “**127.** In section 44 (interpretation etc of Part 1), in subsection (1), in paragraph (a) of the definition of “local authority” omit “the Metropolitan Police Authority”.”.
- 41.** Paragraph 132(3) of Schedule 16 has effect as if the definition of “police pension authority” inserted in section 11(2) of the Police Pensions Act 1976⁽⁴⁾ read—
- ““police pension authority” means—
- (a) any police authority established under section 3 of the Police Act 1996;
- (b) the Commissioner of Police of the Metropolis;
- (c) the Common Council of the City of London in its capacity as a police authority; and
- (d) any police authority within the meaning of the Police (Scotland) Act 1967;”.
- 42.** Paragraph 141 of Schedule 16 has the effect of substituting section 99(4)(dcc) of the Local Government, Planning and Land Act 1980⁽⁵⁾ (and not section 99(4)(dc)).
- 43.** Paragraph 142 of Schedule 16 has the effect of substituting paragraph 5CC of Schedule 16 to the Local Government, Planning and Land Act 1980 (and not paragraph 5C).

(3) 1974 c. 7. Relevant amendments were made by Schedule 7 to the 1996 Act and section 394 of the Greater London Authority Act 1999.

(4) 1976 c. 35.

(5) 1980 c. 65. Relevant amendments were made by Schedule 7 to the 1996 Act and Schedule 27 to the Greater London Authority Act 1999.

44. Paragraph 156 of Schedule 16 has effect as if it read—
- “156. In section 33 (enforceability by local authorities of certain covenants relating to land), in subsection (9)(a), for “Metropolitan Police Authority” substitute “Mayor’s Office for Policing and Crime”.”.
45. Paragraph 157 of Schedule 16 has the effect of substituting section 41(13)(caa) of the Local Government (Miscellaneous Provisions) Act 1982(6) (and not section 41(13)(ca)).
46. Paragraph 159 of Schedule 16 has effect as if it read—
- “159. In the County Courts Act 1984(7), in section 60 (rights of audience), in subsection (3), in the definition of “local authority” for “Metropolitan Police Authority” substitute “Mayor’s Office for Policing and Crime”.”.
47. Paragraph 163(2) of Schedule 16 has the effect of inserting the new paragraph (aa) (and not paragraph (ab)) in section 67(4) of the Police and Criminal Evidence Act 1984(8) after the existing paragraph (a) (which remains as before).
48. Paragraph 169 of Schedule 16 has effect as if it read—
- “169. In the Housing Act 1985, in section 106 (minor definitions – general), in the definition of “local authority” in subsection (1), for “Metropolitan Police Authority” substitute “Mayor’s Office for Policing and Crime”.”.
49. Paragraph 170 of Schedule 16 has effect as if it read—
- “170. In the Landlord and Tenant Act 1985, in section 38 (minor definitions), in the definition of “local authority”, for “Metropolitan Police Authority” substitute “Mayor’s Office for Policing and Crime”.”.
50. Paragraph 173 of Schedule 16 has effect as if it read—
- “173. In section 6 (interpretation and application of Part 2), in subsection (2)(a), for “Metropolitan Police Authority” substitute “Mayor’s Office for Policing and Crime”.”.
51. Paragraph 174 of Schedule 16 has effect as if it read—
- “174. In section 9 (interpretation and application of Part 3), in subsection (1)(a), for “Metropolitan Police Authority” substitute “Mayor’s Office for Policing and Crime”.”.
52. Paragraph 176 of Schedule 16 has effect as if it read—
- “176. In the Landlord and Tenant Act 1987, in section 58 (exempt landlords and resident landlords), in subsection (1)(a), after “Police Act 1996,” insert “the Mayor’s Office for Policing and Crime,”.”.
53. Paragraph 179 of Schedule 16 has effect as if it read—
- “179. In the Local Government Act 1988, in Schedule 2 (public supply or works contracts: the public authorities), omit “The Metropolitan Police Authority”.”.
54. Paragraph 186 of Schedule 16 has effect as if it read—
- “186. In section 111 (interpretation)—
- (a) in subsection (2), after paragraph (e) insert—

(6) 1982 c. 30. Relevant amendments were made by Schedule 7 to the 1996 Act and Schedule 27 to the Greater London Authority Act 1999.

(7) 1984 c. 28. Relevant amendments were made by Schedule 4 to the Police and Magistrates’ Courts Act 1994 (c. 29), Schedule 7 to the 1996 Act and Schedule 27 to the Greater London Authority Act 1999.

(8) 1984 c. 60. Relevant amendments were made by section 11 of the Criminal Justice Act 2003 (c. 44) and Schedule 4 to the Police and Justice Act 2006 (c. 48).

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- “(ea) the Commissioner of Police of the Metropolis,”;
- (b) in subsection (3), at the end insert “and the 2011 Act is the Police Reform and Social Responsibility Act 2011”.”.
- 55.** Paragraph 202(2) of Schedule 16 has effect as if it read—
- “(2) In subsection (1), in the words after paragraph (b), omit “or the Metropolitan Police Authority”.”.
- 56.** Paragraph 209 of Schedule 16 has effect as if it read—
- “**209.** In section 252 (procedure for making orders), in subsection (12), in the definition of “local authority”, for “Metropolitan Police Authority” substitute “Mayor’s Office for Policing and Crime”.”.
- 57.** Paragraph 227 of Schedule 16 has effect as if—
- (a) sub-paragraph (2) read—
- “(2) In subsection (1), after “the Police Act 1996” insert “, the Mayor’s Office for Policing and Crime or the Commissioner of Police of the Metropolis”.”;
- (b) sub-paragraph (3) read—
- “(3) In subsection (2)—
- (a) in paragraph (a)—
- (i) after “the Police Act 1996” insert “or the Mayor’s Office for Policing and Crime”;
- (ii) after “an authority” insert “or to that Office”;
- (b) after paragraph (a) insert—
- “(aa) relates to the Commissioner of Police of the Metropolis and has been sent (or a copy of which has been sent) by the Commission to him.”.”;
- (c) sub-paragraph (4) had the effect of omitting section 32(3) of the Audit Commission Act 1998(**9**) (and not substituting a new subsection).
- 58.** Paragraph 230 of Schedule 16 has the effect of inserting the new sub-paragraph (kb) (but not sub-paragraph (ka)) in paragraph 1 of Schedule 2 to the Audit Commission Act after the existing sub-paragraph (k) (which remains as before).
- 59.** Paragraph 242(3) of Schedule 16 has the effect of omitting section 1(4)(c) of the Local Government Act 1999(**10**) (and not the remainder of section 1(4)).
- 60.** Paragraph 248 of Schedule 16 has the effect of inserting the new paragraph (aa) in section 71(4) of the Criminal Justice and Court Services Act 2000(**11**) after the existing paragraph (a) (which remains as before).
- 61.** Paragraph 249 of Schedule 16 has the effect of substituting paragraph 58 in Schedule 1 to the Freedom of Information Act 2000(**12**) (and not paragraph 57).
- 62.** Paragraph 257(5) of Schedule 16 has the effect of omitting paragraph (h) of section 49(6) of the Local Government Act 2000(**13**) (and not paragraph (m)).

(9) 1998 c. 18. Relevant amendments were made by Schedule 8 to the Greater London Authority Act 1999, Schedule 7 to the Criminal Justice and Police Act 2001 (c. 16) and Schedule 4 to the Serious Organised Crime and Police Act 2005 (c. 15).

(10) 1999 c. 27. Relevant amendments were made by section 4 of the Police and Justice Act 2006 (c. 4) and Schedule 18 to the Local Government and Public Involvement in Health Act 2007 (c. 28).

(11) 2000 c. 43. Relevant amendments were made by section 123 of the Serious Organised Crime and Police Act 2005.

(12) 2000 c. 36.

(13) 2000 c. 22.

- 63.** Paragraph 271(b) of Schedule 16 has effect as if it read—
- “(b) in subsection (4)—
 - (i) in paragraph (c), omit “and”;
 - (ii) after paragraph (c) insert—
- “(ca) the Mayor’s Office for Policing and Crime; and”.”.
- 64.** Paragraph 276 of Schedule 16 has effect as if it read—
- “**276.** In section 38 (unified power for Secretary of State to fund speed cameras etc), in subsection (5)(b), for “Metropolitan Police Authority” substitute “Mayor’s Office for Policing and Crime”.”.
- 65.** Paragraph 287(3) of Schedule 16 has the effect of inserting the new paragraph (aa) (but not paragraph (ab)) in section 22(3) of the Police Reform Act 2002 after the existing paragraph (a) (which remains as before).
- 66.** Paragraph 289 of Schedule 16 has the effect of inserting the new paragraph (ba) (but not paragraph (bb)) in section 24 of the Police Reform Act 2002 after the existing paragraph (b) (which remains as before).
- 67.** Paragraph 293 of Schedule 16 has the effect of inserting the new paragraph (ab) (but not paragraph (ac)) in section 38A(3) of the Police Reform Act 2002 after the existing paragraph (a) (which remains as before).
- 68.** Paragraph 294(3) of Schedule 16 has the effect of inserting the new paragraph (aa) (but not paragraph (ab)) in section 39(11) of the Police Reform Act 2002 after the existing paragraph (a) (which remains as before).
- 69.** Paragraph 297 of Schedule 16 has the effect of inserting the new paragraph (ca) (but not paragraph (cb)) in section 43(9) of the Police Reform Act 2002 after the existing paragraph (c) (which remains as before).
- 70.** Paragraph 298 of Schedule 16 has the effect of inserting the new paragraph (ca) (but not paragraph (cb)) in section 45(3) of the Police Reform Act 2002 after the existing paragraph (c) (which remains as before).
- 71.** Paragraph 299(7) of Schedule 16 has the effect of inserting the new paragraph (aa) (but not paragraph (ab)) in section 51(7) of the Police Reform Act 2002 after the existing paragraph (a) (which remains as before).
- 72.** Paragraph 311 of Schedule 16 has effect as if it read—
- “**311.** In section 8 (local justice areas), in subsection (7)(c), for “Metropolitan Police Authority” substitute “the Mayor’s Office for Policing and Crime”.”.
- 73.** Paragraph 312 of Schedule 16 has effect as if it read—
- “**312.** In section 41 (disqualification of lay justices who are members of local authorities), in subsection 6(c), for “Metropolitan Police Authority” substitute “Mayor’s Office for Policing and Crime”.”.
- 74.** Paragraph 315 of Schedule 16 has effect as if it read—
- “**315.** In the Licensing Act 2003, in section 170 (exemption of police from liability for damages, in subsection (4A), for “police authority” substitute “local policing body”.”.

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75. Paragraph 328 of Schedule 16 has the effect of inserting the new sub-paragraph (ca) (but not sub-paragraph (cb)) in paragraph 7(2) of Schedule 4 to the Railways and Transport Safety Act 2003⁽¹⁴⁾ after the existing sub-paragraph (c) (which remains as before).

76. Paragraph 335 of Schedule 16 has the effect of substituting sub-paragraph (d) (and not sub-paragraph (c)) in paragraph 2(1) of Schedule 14 to the Housing Act 2004⁽¹⁵⁾.

77. Paragraph 340 of Schedule 16 has effect as if it read—

“**340.** In the Drugs Act 2005, in section 19 (interpretation), in subsection (7)—

(a) after “Police Act 1996” insert “or by the Mayor’s Office for Policing and Crime under Part 1 of the Police Reform Act 2011;

(b) after “that authority” insert “or Office”.”.

78. In paragraph 360 of Schedule 16—

(a) sub-paragraph (2)(b) has the effect of inserting the new paragraph (ba) (but not paragraph (bb)) in paragraph 5(7) of Schedule 1 to the Police and Justice Act 2006⁽¹⁶⁾ after the existing paragraph (b) (which remains as before).

(b) sub-paragraph (3) has effect as if it read—

“(3) In paragraph 6 (strategic priorities), after sub-paragraph (2)(a) insert—

“(aa) the Mayor’s Office for Policing and Crime,”.”.

(c) sub-paragraph (4) has effect as if it read—

“(4) In paragraph 7 (chairman and other members), before sub-paragraph (2)(a) insert—

“(za) the Mayor’s Office for Policing and Crime,”.”.

(d) sub-paragraph (8) has effect as if it read—

“(8) In paragraph 48 (power to modify objects, functions and strategy of the Agency), after sub-paragraph (10)(a) insert—

“(aa) the Mayor’s Office for Policing and Crime,”.”.

79. Paragraph 370 has effect as if it read—

“**370.** In the Serious Crime Act 2007⁽¹⁷⁾, in section 39 (compliance with orders: authorised monitors), in subsection (10), in the definition of “law enforcement agency”, before paragraph (a) insert—

“(za) the Commissioner of Police of the Metropolis;”.”.

80. Paragraph 382(b) has effect as if it read—

“(b) in subsection (8), after paragraph (d) insert—

“(e) the Police Reform and Social Responsibility Act 2011.”.”.

81. Paragraph 383 has effect as if it read—

“**383.** In Schedule 19 (public authorities), in Part 1, under the heading “Police”, for “The Metropolitan Police Authority established under section 5B of the Police Act 1996” substitute “The Mayor’s Office for Policing and Crime established under section 3 of the Police Reform and Social Responsibility Act 2011”.”.

⁽¹⁴⁾ 2003 c. 20.

⁽¹⁵⁾ 2004 c. 34.

⁽¹⁶⁾ 2006 c. 48.

⁽¹⁷⁾ 2007 c. 27.

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