

2021 No. 179

POLICE, ENGLAND AND WALES

The Police and Crime Commissioner Elections (Returning Officers' Accounts) (Amendment) Regulations 2021

<i>Made</i> - - - -	<i>22nd February 2021</i>
<i>Laid before Parliament</i>	<i>23rd February 2021</i>
<i>Coming into force</i> - -	<i>25th March 2021</i>

The Minister for the Cabinet Office makes the following Regulations in exercise of the powers conferred by sections 55(10) and 154(5) of the Police Reform and Social Responsibility Act 2011(a).

Citation, commencement, extent, and transitional provision

1.—(1) These Regulations may be cited as the Police and Crime Commissioner Elections (Returning Officers' Accounts) (Amendment) Regulations 2021 and come into force on 25th March 2021.

(2) Any amendment made by these Regulations has the same extent as the provision amended.

(3) The amendments made by these Regulations do not apply in relation to a Police and Crime Commissioner election for which the date of poll is on or before 5th May 2021.

Amendment of the Police and Crime Commissioner Elections (Returning Officers' Accounts) Regulations 2012

2.—(1) The Police and Crime Commissioner Elections (Returning Officers' Accounts) Regulations 2012(b) are amended as follows.

(2) In regulation 4 (time for submission of accounts)—

- (a) the existing text becomes paragraph (1);
- (b) in that paragraph, for “regulation 5” substitute “paragraphs (2) and (3)”; and
- (c) after that paragraph insert—

“(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.”.

(a) 2011 c. 13. Section 55 was amended by S.I. 2015/1526 and 2016/997. See section 55(12) for the definition of “the Minister”.

(b) S.I. 2012/2088, as amended by S.I. 2015/1526, 2016/488 and 997.

- (3) Omit regulation 5 (incomplete accounts).
- (4) In regulation 6 (documents to be submitted with accounts)—
 - (a) the existing text becomes paragraph (1);
 - (b) in that paragraph—
 - (i) omit “or 5”;
 - (ii) omit sub-paragraph (a);
 - (c) after that paragraph insert—
 - “(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.”.

Consequential amendments

3.—(1) In the Greater Manchester Combined Authority (Transfer of Police and Crime Commissioner Functions to the Mayor) Order 2017(a), in Schedule 2 (exclusion of legislation from application to the combined authority mayor with policing and crime functions), at the end insert—

“**37.** Police and Crime Commissioner Elections (Returning Officers’ Accounts) (Amendment) Regulations 2021.”.

(2) In the West Yorkshire Combined Authority (Election of Mayor and Functions) Order 2021(b), in Schedule 6 (exclusion of legislation from application to the combined authority mayor with policing and crime functions), at the end insert—

“**37.** Police and Crime Commissioner Elections (Returning Officers’ Accounts) (Amendment) Regulations 2021.”.

22nd February 2021

Chloe Smith
Minister of State for the Constitution and Devolution
Cabinet Office

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Police and Crime Commissioner Elections (Returning Officers’ Accounts) Regulations 2012 (S.I. 2012/2088) (“the 2012 Regulations”), which make provision for the submission of accounts by returning officers in respect of the recovery of their charges in connection with a police and crime commissioner election.

Regulation 2(2) amends regulation 4 of the 2012 Regulations. New regulation 4(2) allows a returning officer to request an extension of time to submit accounts if necessary.

Regulation 2(3) omits regulation 5 of the 2012 Regulations, which provided for the submission of incomplete accounts. This makes the 2012 Regulations consistent with similar Regulations that apply to UK Parliamentary elections.

Regulation 2(4) amends regulation 6 of the 2012 Regulations to remove the requirement for submission of documents with accounts, and replace it with a requirement to submit supporting documentation when requested to do so. Again, this change makes the Regulations consistent with similar Regulations that apply to UK Parliamentary elections.

(a) S.I. 2017/470, to which there are amendments not relevant to these Regulations.
(b) S.I. 2021/112.

An impact assessment has not been prepared for this instrument as no impact on the private or voluntary sector is foreseen.

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