
S T A T U T O R Y I N S T R U M E N T S

2020 No. 190

POLICE, ENGLAND AND WALES

**The Police and Crime Commissioner Elections (Amendment)
Order 2020**

Made

27th February 2020

Coming into force in accordance with article 1(2)

The Minister for the Cabinet Office, in whom the powers conferred by paragraph 16(1) of Schedule 7 to the Police and Crime Commissioner Elections Order 2012(**a**) (“the 2012 Order”) and by sections 58(1) and 154(5) of the Police Reform and Social Responsibility Act 2011(**b**) (“the 2011 Act”) are now vested(**c**), makes the following Order in exercise of those powers.

The Minister for the Cabinet Office has consulted the Electoral Commission in accordance with section 7(2)(hc) of the Political Parties, Elections and Referendums Act 2000(**d**) and paragraph 16(3)(b) of Schedule 7 to the 2012 Order(**e**).

In accordance with section 154(2)(b) of the 2011 Act and paragraph 16(2) of Schedule 7 to the 2012 Order, a draft of this Order has been laid before Parliament and approved by resolution of each House of Parliament.

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Police and Crime Commissioner Elections (Amendment) Order 2020.

(2) This Order comes into force on the day after the day on which it is made.

(3) In this Order, “the 2012 Order” means the Police and Crime Commissioner Elections Order 2012.

Amendment of the 2012 Order

2.—(1) The 2012 Order is amended as follows.

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- (a) S.I. 2012/1917. Paragraph 16(1) of Schedule 7 to the Police and Crime Commissioner Elections Order 2012 was amended by paragraph 2(3)(i) of the Schedule to S.I. 2015/1526.
 - (b) 2011 c.13 (“the 2011 Act”). Section 58(1) of the 2011 Act was amended by article 4(2)(a) of S.I. 2014/268 and paragraph 24(d) of Schedule 2 to S.I. 2016/1997. Section 154(5) of the 2011 Act was amended by article 4(3) of S.I. 2014/268 and paragraph 24(j) of Schedule 2 to S.I. 2016/997.
 - (c) In article 2(1) of S.I. 2012/1917, the definition of “the Minister” was inserted by paragraph 2(2) of the Schedule to S.I. 2015/1526 and that definition was subsequently amended by paragraph 36 of Schedule 2 to S.I. 2016/997. The powers to make these Regulations conferred by sections 58(1) and 154(5) of the 2011 Act are vested in the Minister for the Cabinet Office by paragraph 24(d) and (j) of Schedule 2 to S.I. 2016/997.
 - (d) 2000 c.41. Section 7(2)(hc) was inserted by paragraph 11 of Schedule 10 to the 2011 Act.
 - (e) Paragraph 16(3) of Schedule 7 was amended by paragraph 2(3)(i) of the Schedule to S.I. 2015/1526. See previous footnote (c) in relation to the definition of “the Minister”.

- (ix) Form 17 (certificate as to employment on duty on the day of the poll);
- (x) Form 18 (declaration to be made by companion of a voter with disabilities).

Chloe Smith
Minister of State
Cabinet Office

27th February 2020

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Police and Crime Commissioner Elections Order 2012 (“the 2012 Order”).

The 2012 Order sets out certain requirements in relation to “election expenses”, as defined in article 50 of that Order. Part 2 of Schedule 7 to the 2012 Order sets out a list of matters which are excluded from being election expenses within the meaning of article 50. Article 2(3) of this Order adds to that list of matters reasonably incurred expenditure by or on behalf of a disabled candidate that is reasonably attributable to the candidate’s disability.

Article 3 provides for the amendment of election forms specified in the 2012 Order in relation to a police area where, pursuant to an order made under section 4A of the Fire and Rescue Services Act 2004, the police and crime commissioner is also the fire and rescue authority for that area. The effect of these amendments is that, on the specified election forms, references to the police and crime commissioner are replaced by references to the police, fire and crime commissioner save for the reference in Form 7 that is referred to in article 3(2)(b). That reference is amended by article 2(4) so that the declaration by a candidate that the candidate is not nominated for election for any other police area covers all other police areas.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen.

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