STATUTORY INSTRUMENTS

2016 No. 448

LOCAL GOVERNMENT, ENGLAND
POLICE, ENGLAND

The Greater Manchester Combined Authority (Election of Mayor with Police and Crime Commissioner Functions) Order 2016

Made - - - - 29th March 2016

Coming into force in accordance with article 1

The Secretary of State makes the following Order in exercise of the powers conferred by sections 107A and 107F of, and paragraph 3 of Schedule 5B to, the Local Democracy, Economic Development and Construction Act 2009(**1**).

The district councils whose areas are comprised in the area of the Greater Manchester Combined Authority and the Greater Manchester Combined Authority have consented to the making of this Order.

A draft of this instrument has been laid before, and approved by a resolution of, each House of Parliament pursuant to section 117(2) of the Local Democracy, Economic Development and Construction Act 2009.

Accordingly, the Secretary of State makes the following Order:

Citation and commencement

1. This Order may be cited as the Greater Manchester Combined Authority (Election of Mayor with Police and Crime Commissioner Functions) Order 2016 and shall come into force on the day after the day on which it is made.

Interpretation

2. In this Order—

"the area" means the area of the combined authority;

(**1**) 2009 c. 20. Sections 107A and 107F and Schedule 5B were inserted by sections 2 and 4 of the Cities and Local Government Devolution Act 2016 (c. 1). Section 117(2), (2A) and (3) was substituted by section 13 of the Localism Act 2011 (c. 20). Section 117 was amended by paragraph 24 of Schedule 5 to the Cities and Local Government Devolution Act 2016.

"combined authority" means the Greater Manchester Combined Authority(**2**);

"first election" means the first election for the return of a mayor for the area;

"the ordinary day of election", in relation to any year, means the day which is the ordinary day of election in that year of councillors for counties in England and districts (see sections 37 and 37A of the Representation of the People Act 1983(**3**)).

Election of a mayor

3.—(1) There is to be a mayor for the area.

(2) The first election is to take place on 4th May 2017.

(3) Subsequent elections for the return of a mayor for the area shall take place—

(a) on the ordinary day of election in 2020, and

(b) in every fourth year thereafter on the same day as the ordinary day of election.

(4) The term of office of the mayor returned at an election for the return of a mayor for the area—

(a) begins with the fourth day after the day of the poll at the election for the return of a mayor for the area, and

(b) ends with the third day after the day of the poll at the next election for the return of a mayor for the area.

Police and Crime Commissioner functions

4.—(1) The mayor for the area shall exercise functions of a police and crime commissioner in relation to the area.

(2) There is to be no police and crime commissioner for the area from 8th May 2017.

(3) Any election of a police and crime commissioner for the area that would otherwise take place (whether before or after 8th May 2017) by virtue of section 50(1)(b) of the Police Reform and Social Responsibility Act 2011(**4**) is not to take place.

(4) The term of office of the police and crime commissioner for Greater Manchester is to continue until 8th May 2017.

(5) Any election to fill a vacancy in the office of police and crime commissioner for Greater Manchester which would otherwise take place under section 51 of the Police Reform and Social Responsibility Act 2011 is not to take place if the vacancy occurs within the period of six months ending on 8th May 2017.

(**2**) The Greater Manchester Combined Authority was established by the Greater Manchester Combined Authority Order 2011(S.I. 2011/908) as amended by the Greater Manchester Combined Authority (Amendment) Order 2015 (S.I. 2015/960).

(**3**) 1983 c. 2. Section 37 was amended by section 17 of and Schedule 3 to the Greater London Authority Act 1999 (c. 29) and by section 60(1) of the Local Government and Public Involvement in Health Act 2007 (c. 28). Section 37A was inserted by section 60(2) of the Local Government and Public Involvement in Health Act 2007.

(**4**) 2011 c. 13.