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**Changes to legislation:** There are currently no known outstanding effects for the Police (Northern Ireland) Act 2000, Cross Heading: Independent members. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 1

#### THE NORTHERN IRELAND POLICING BOARD

#### PART III

#### MEMBERSHIP DURING DEVOLVED GOVERNMENT

##### *Independent members*

- 8 (1) The [<sup>F1</sup>Minister of Justice] shall so exercise his powers of appointment under paragraph 6(1)(b) as to secure that as far as is practicable the membership of the Board is representative of the community in Northern Ireland.
- (2) Before making any appointment under paragraph 6(1)(b), the [<sup>F2</sup>Minister of Justice] shall consult—
- (a) the First Minister and deputy First Minister;
  - (b) district councils; and
  - (c) such other bodies as he considers appropriate.
- (3) The [<sup>F3</sup>Minister of Justice] shall publish, in such manner as he considers appropriate, the names of bodies consulted by him under sub-paragraph (2)(c).
- (4) In relation to the first appointment of members of the Board under this Part following the making of a restoration order by the Secretary of State under section 2(2) of the <sup>M1</sup>Northern Ireland Act 2000—
- (a) sub-paragraph (2) applies as if paragraphs (b) and (c) were omitted; and
  - (b) sub-paragraph (3) does not apply.
- [<sup>F4</sup>(4A) In relation to the first appointment of members of the Board following the coming into effect of this Part in accordance with paragraph 2A(4)(b), the Secretary of State may, notwithstanding anything in sub-paragraph (1), so exercise his powers of appointment under paragraph 6(1)(b) as to secure that—
- (a) he appoints independent members of the Board only from among persons holding office as members of the Board immediately before the making of the restoration order mentioned in paragraph 2A(1), and
  - (b) all appointments made in accordance with paragraph (a) are for the same term of office (the “transitional period”), which must not exceed four months.
- (4B) Where a vacancy in the membership of the Board arises as a result of—
- (a) a person holding office as a member of the Board immediately before the making of the restoration order mentioned in paragraph 2A(1) being unavailable to take up office under sub-paragraph (4A), or

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- (b) an independent member of the Board appointed in accordance with sub-paragraph (4A) ceasing to hold office before the end of the transitional period,  
no appointment shall be made to fill the vacancy, and paragraph 6(1)(b) shall have effect subject to this sub-paragraph.]
- (5) Subject to the following provisions of this paragraph, a person shall hold and vacate office as an independent member in accordance with the terms of his appointment.
- (6) An independent member may not be appointed for a term of more than 4 years at a time.
- (7) A person appointed to fill a casual vacancy shall hold office for the remainder of the term of the independent member in whose place he is appointed.
- (8) An independent member shall cease to hold office if—
- (a) he resigns by notice in writing to the [<sup>F5</sup>Minister of Justice]; or
  - (b) he becomes disqualified for membership of the Board.
- (9) A person whose term of office as an independent member expires or who has resigned shall be eligible for re-appointment.

#### **Textual Amendments**

- F1** Words in Sch. 1 para. 8(1) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 3 para. 86(2)** (with arts. 28-31)
- F2** Words in Sch. 1 para. 8(2) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 3 para. 86(2)** (with arts. 28-31)
- F3** Words in Sch. 1 para. 8(3) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 3 para. 86(2)** (with arts. 28-31)
- F4** Sch. 1 para. 8(4A)(4B) inserted (26.3.2007) by [The Northern Ireland Policing Board \(Northern Ireland\) Order 2007 \(S.I. 2007/911 \(N.I. 5\)\)](#), arts. 1(2), **3(2)**
- F5** Words in Sch. 1 para. 8(8) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 3 para. 86(2)** (with arts. 28-31)

#### **Marginal Citations**

- M1** 2000 c. 1

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