



# Police (Northern Ireland) Act 2000

## 2000 CHAPTER 32

### PART VI

#### THE POLICE

##### *General functions*

#### **35 Appointment and removal of senior officers.**

- (1) The Board shall, subject to the approval of the [<sup>F1</sup>Minister of Justice], appoint the Chief Constable.
- (2) The Board shall, subject to the approval of the [<sup>F2</sup>Minister of Justice] and after consultation with the Chief Constable, appoint the other senior officers.
- (3) The Board—
  - (a) may, with the approval of the [<sup>F3</sup>Minister of Justice], call upon any senior officer to retire in the interests of efficiency or effectiveness; and
  - (b) shall, if required by the [<sup>F3</sup>Minister of Justice], call upon the Chief Constable so to retire.
- (4) Before granting his approval under subsection (3)(a) or making any requirement under subsection (3)(b), the [<sup>F4</sup>Minister of Justice] shall—
  - (a) give the officer concerned an opportunity to make, either personally or otherwise, representations to him; and
  - (b) where any such representations are made—
    - (i) appoint a person or persons to hold an inquiry and to report to him; and
    - (ii) consider any report so made.
- (5) A copy of any report made under subsection (4) shall be made available to the officer concerned.

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*Changes to legislation: There are currently no known outstanding effects for the Police (Northern Ireland) Act 2000, Section 35. (See end of Document for details)*

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- (6) The person appointed under subsection (4)(b) (or where two or more persons are so appointed, at least one of those persons) shall be a person who is not a police officer or a person employed in the civil service.
- (7) The costs incurred in respect of an inquiry under this section shall be defrayed by the [<sup>F5</sup>Department of Justice].
- (8) A senior officer who is called upon to retire under this section shall retire—
- (a) in the case of the Chief Constable, on such date as the [<sup>F6</sup>Minister of Justice] may specify; and
  - (b) in the case of any other senior officer, on such date as the Board may specify, or (in either case) on such earlier date as may be agreed between the officer and the Board.
- (9) This section has effect subject to any regulations made under section 25 of the 1998 Act.

#### Textual Amendments

- F1** Words in s. 35(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. 61(a)** (with arts. 28-31)
- F2** Words in s. 35(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. 61(b)** (with arts. 28-31)
- F3** Words in s. 35(3)(a)(b) 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. 61(c)** (with arts. 28-31)
- F4** Words in s. 35(4) 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. 61(d)** (with arts. 28-31)
- F5** Words in s. 35(7) 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. 61(e)** (with arts. 28-31)
- F6** Words in s. 35(8)(a) 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. 61(f)** (with arts. 28-31)

**Changes to legislation:**

There are currently no known outstanding effects for the Police (Northern Ireland) Act 2000, Section 35.