



## 2013 CHAPTER 8

### **Special advisers: serious criminal convictions**

2.—(1) Subject to subsection (2) and section 3, a person is not eligible for appointment as a special adviser if the person has a serious criminal conviction.

(2) Where a Minister proposes to appoint as a special adviser a person who has a serious criminal conviction, that person may refer the proposed appointment to the Department of Finance and Personnel.

(3) Where a person who holds an appointment as a special adviser incurs a serious criminal conviction, that person's appointment terminates immediately by virtue of this Act.

(4) Where on the date of coming into operation of this subsection a person—

- (a) holds an appointment as a special adviser, and
- (b) has before that date incurred a serious criminal conviction,

that person's appointment terminates immediately by virtue of this Act.

(5) But a person to whom subsection (4) will apply may refer the appointment to the Department, within 21 days of this subsection coming into operation.

(6) A Minister must inform the Department in writing whether any special adviser appointed by the Minister has a serious criminal conviction.