

Status: This version of this cross heading contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the Legal Complaints and Regulation Act (Northern Ireland) 2016, Cross Heading: Terms of office. (See end of Document for details)

PROSPECTIVE

SCHEDULES

SCHEDULE 2

THE BAR COMPLAINTS COMMITTEE

Terms of office

5.—(1) Subject to the provisions of this Schedule, a member of the Bar Complaints Committee shall hold and vacate office in accordance with the terms of that member's appointment.

(2) A person shall not be appointed as a member for more than 5 years at a time, and a person appointed to fill a casual vacancy shall hold office for the remainder of the term of the person in whose place that person is appointed.

(3) A person who ceases to be a member on the expiration of that person's first term as a member shall be eligible for re-appointment, but a person who has been re-appointed as a member by virtue of this sub-paragraph shall not be eligible for appointment or re-appointment as a member at any time after the end of that person's second term as a member.

(4) A member may at any time—

- (a) resign by giving notice to the Benchers;
- (b) be removed from office by the Benchers.

(5) The Benchers may not under sub-paragraph (4)(b) remove a member (including the chair) from office unless the Benchers are satisfied that the member has—

- (a) failed to handle complaints in accordance with a plan submitted to the Legal Services Oversight Commissioner under section 2(1)(g);
- (b) failed to comply with any recommendation made by the Legal Services Oversight Commissioner in relation to the handling of complaints;
- (c) been convicted of a criminal offence;
- (d) become bankrupt or a composition or scheme proposed by the member has been approved under Chapter 2 of Part 8 of the Insolvency (Northern Ireland) Order 1989;
- (e) without reasonable excuse failed to exercise that member's functions for a continuous period of 6 months;

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(f) become unfit or unable to exercise that member's functions.

(6) The chair may only be removed from office under sub-paragraph (4)(b) with the consent of the Legal Services Oversight Commissioner.

(7) The Benchers must consult the chair and the Legal Services Oversight Commissioner before removing a member (other than the chair) under sub-paragraph (4)(b).

(8) A member (including the chair) may only be removed from office under sub-paragraph (4)(b) for a reason mentioned in sub-paragraph (5)(a) or (b) with the consent of the Legal Services Oversight Commissioner.

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