

## SCHEDULES

### SCHEDULE 1

#### THE NORTHERN IRELAND PUBLIC SERVICES OMBUDSMAN

##### *Eligibility*

2.—(1) A person is disqualified from being appointed as the Ombudsman if the person is a member of—

- (a) a district council,
- (b) the Assembly,
- (c) the House of Commons,
- (d) the House of Lords, or
- (e) the European Parliament.

(2) Where a person who is the Ombudsman—

- (a) is nominated as a candidate for election to a body listed in sub-paragraph (1), or
- (b) becomes a member of a body listed in sub-paragraph (1),

that person ceases immediately to be the Ombudsman.

3.—(1) A person is disqualified from being appointed as the Ombudsman if the person is disqualified from being a member of the Assembly.

(2) Where a person who is the Ombudsman—

- (a) is appointed to an office which would disqualify the person from being a member of the Assembly,
- (b) takes employment which would disqualify the person from being a member of the Assembly, or
- (c) becomes a member of a body which would disqualify the person from being a member of the Assembly,

that person ceases immediately to be the Ombudsman.

(3) In this paragraph “disqualified from being a member of the Assembly” means disqualified from being a member of the Assembly under the Northern Ireland Assembly Disqualification Act 1975 as applied by section 36(1) of the Northern Ireland Act 1998.

(4) But references to disqualification from being a member of the Assembly do not include disqualification by virtue of being—

- (a) the Ombudsman, under Part 3 of Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975, or
- (b) the Northern Ireland Judicial Appointments Ombudsman, under Part 3 of Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975.

4.—(1) A person is disqualified from being appointed as the Ombudsman if the person is—

- (a) a listed authority,
  - (b) a member, officer or member of staff of a listed authority.
- (2) A person who is the Ombudsman is disqualified from being—
- (a) a listed authority,
  - (b) a member, officer or member of staff of a listed authority.

5.—(1) A person is disqualified from being appointed as the Ombudsman if the person—

- (a) holds any other office,
- (b) holds employment, or
- (c) is a member of a body,

in respect of which remuneration or expenses are payable.

(2) A person who is the Ombudsman must not—

- (a) be appointed to any other office,
- (b) take employment, or
- (c) become a member of a body,

in respect of which remuneration or expenses are payable.

(3) This paragraph has no effect in relation to a particular office, employment or membership if—

- (a) the person gives notice of it to the Assembly Commission—
  - (i) before becoming Ombudsman, or
  - (ii) before being appointed to the office, taking the employment, or becoming the member, as the case may be, and
- (b) the Assembly Commission is of the opinion that the office, employment or membership would not compromise—
  - (i) the ability of the Ombudsman to discharge functions under this Act, and
  - (ii) the independence of the Ombudsman.

(4) But—

- (a) a person is not disqualified from being appointed as Ombudsman by virtue of being the Northern Ireland Judicial Appointments Ombudsman,
- (b) the Ombudsman is not prevented from being the Northern Ireland Judicial Appointments Ombudsman.