

**NORTHERN IRELAND POLICING BOARD  
(NORTHERN IRELAND) ORDER 2007**

**S.I. 2007 No. 911 (N.I. 5)**

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**EXPLANATORY MEMORANDUM**

**COMMENTARY ON PROVISIONS**

14. A commentary on the provisions follows below:

***Article 2 – Modification of the Police (Northern Ireland) Act 2000***

Article 2 inserts a new paragraph 2A into Schedule 1 to the Police (Northern Ireland) Act 2000. If an order restoring devolved government in Northern Ireland takes effect in accordance with the timetable set out in the Northern Ireland (St Andrews Agreement) Act 2006, the effect of new paragraph 2A would be that the current members of the Northern Ireland Policing Board would cease to hold office on 28 March 2007 instead of 26 March 2007.

The effect of this would become significant if the restoration order were revoked in accordance with the timetable set out in section 2(4) of the Northern Ireland (St Andrews Agreement) Act 2006. In that case, the current members of the Board would continue in office without their term of office being interrupted by the restoration or revocation.

***Article 3 – independent members of the Policing Board***

On restoration of devolved government in Northern Ireland in accordance with the timetable set out in the Northern Ireland (St Andrews Agreement) Act 2006, the Secretary of State will be required to appoint nine independent members to the Northern Ireland Policing Board, and to secure that as far as practicable the membership of the Board is representative of the community in Northern Ireland.

Article 3 creates a transitional period, lasting for a maximum of four months. During the transitional period, current members of the Board may be re-appointed as independent members, even if those appointments do not comply fully with paragraphs 6(1)(b) and 8(1) of Schedule 1 to the Police (Northern Ireland) Act 2000.

At the end of the transitional period, those members will cease to hold office, and the Secretary of State must exercise his powers of appointment under paragraph 6(1)(b) of Schedule 1 to that Act again, appointing nine independent members in full compliance with the Act.

***Article 4 – chairman and vice-chairman of the Policing Board***

Article 4 provides for the chairman and vice-chairman appointed during the transitional period to cease to hold office at the end of that period.