



# Criminal Justice and Police Act 2001

## 2001 CHAPTER 16

### PART 5

#### POLICE ORGANISATION

##### *Director General and other members of NCIS*

#### **118 Removal of NCIS Director General, etc.**

(1) In section 29 of the 1997 Act (removal of Director General at direction of the Secretary of State) for subsections (1) to (3) there shall be substituted—

“(1) Without prejudice to section 21 or to any regulations under section 37 or under the Police Pensions Act 1976 (c. 35), the Secretary of State may—

- (a) call upon the Director General of NCIS to retire in the interests of efficiency or effectiveness, or
- (b) require the NCIS Service Authority to exercise its power under section 9A to call upon a member of NCIS (other than a member to which subsection (2) of that section applies) to retire in the interests of efficiency or effectiveness.

(2) Before exercising his powers under subsection (1)(a) in relation to the Director General, or under subsection (1)(b) in relation to any other member, the Secretary of State shall—

- (a) give the person concerned an opportunity to make representations,
- (b) consider any representations that he makes, and
- (c) consult the Scottish Ministers.

(3) Where representations are made under subsection (2), the Secretary of State may, and in a case where he proposes to exercise his power under subsection (1)(a) or (b) shall, appoint one or more persons to hold an inquiry and report to him.”

(2) After subsection (6) of that section there shall be inserted—

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*Status: This is the original version (as it was originally enacted).*

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“(7) A Director General who is called upon to retire under subsection (1)(a) shall retire on such date as the Secretary of State may specify or on such earlier date as may be agreed between the Director General and the Secretary of State.”