



# Police (Northern Ireland) Act 2003

## 2003 CHAPTER 6

### PART 1

#### POLICING

##### *District policing partnerships*

#### **14 Independent members: appointment**

In paragraph 4 of Schedule 3 to the Police (Northern Ireland) Act 2000 (c. 32) (appointment of independent members of district policing partnerships) after sub-paragraph (1) insert—

“(1A) In appointing independent members of a DPP the Board shall so far as practicable secure that the members of the DPP (taken together) are representative of the community in the district.”

#### **15 Independent members: declaration against terrorism**

(1) Schedule 3 to the Police (Northern Ireland) Act 2000 (district policing partnerships) is amended as follows.

(2) In paragraph 1 (interpretation) after sub-paragraph (3) insert—

“(3A) In this Schedule a “declaration against terrorism” means a declaration in the form set out in Part 1 of Schedule 2 to the Elected Authorities (Northern Ireland) Act 1989, with the substitution of the words “if appointed” for the words “if elected”.”

(3) In paragraph 5 (council’s nominations of independent members) in sub-paragraph (4) after “if” insert “(a)” and after “the DPP” insert—

“, or

(b) he has not made a declaration against terrorism”.

- (4) In paragraph 7 (removal of members from office) in sub-paragraph (1) after paragraph (a) insert—
- “(aa) in the case of an independent member, he has acted in breach of the terms of a declaration against terrorism;”.
- (5) In paragraph 7 after sub-paragraph (2) insert—
- “(3) Section 6 of the Elected Authorities (Northern Ireland) Act 1989 applies to determine whether an independent member has acted in breach of the terms of a declaration against terrorism as it applies to determine whether a person who has made a declaration required for the purpose of section 3, 4 or 5 of that Act has acted in breach of the terms of the declaration.
- (4) As applied by sub-paragraph (3), section 6 of the Elected Authorities (Northern Ireland) Act 1989 applies with the following modifications—
- (a) in subsection (1), for the words from “after” to “the Assembly” substitute “when he is an independent member of a district policing partnership”;
- (b) omit subsection (4);
- (c) in subsection (5), in the definition of “public meeting” after paragraph (c) insert—
- “(d) any meeting of a district policing partnership or a committee of a district policing partnership (whether or not a meeting which the public is permitted to attend), and
- (e) any meeting of a sub-group established under section 21 of the Police (Northern Ireland) Act 2000 or a committee of such a sub-group (whether or not a meeting which the public is permitted to attend), and”.
- (6) Subsections (1) to (5) come into force in accordance with provision made by the Secretary of State by order.

## 16 Independent members: disqualification

- (1) In paragraph 8 of Schedule 3 to the Police (Northern Ireland) Act 2000 (c. 32) (disqualification for membership of district policing partnership) for sub-paragraph (2) substitute—
- “(2) A person is disqualified for being an independent member of a DPP if—
- (a) he has been convicted in Northern Ireland or elsewhere of any offence and has had passed on him a sentence of imprisonment or detention, and
- (b) the relevant period has not ended.
- (3) The relevant period is the period of five years beginning with the person’s discharge in respect of the offence.
- (4) For the purposes of sub-paragraph (3) the following are to be treated as the discharge of a person (whether or not his release is subject to conditions)—
- (a) his release on licence;
- (b) his release in pursuance of a grant of remission.

- (5) Sub-paragraph (4) does not apply in relation to the release of a person in respect of an offence if he is required to return to prison or detention for a further period in respect of the offence.
  - (6) Subject to sub-paragraph (7), the reference in sub-paragraph (2) to a sentence of imprisonment or detention does not include a suspended sentence.
  - (7) Sub-paragraph (6) does not apply in relation to a suspended sentence that has been ordered to take effect.
  - (8) In this paragraph “suspended sentence” means a sentence of imprisonment or detention that is ordered not to take effect unless the conditions specified in the order are met.”
- (2) Subsection (1) comes into force in accordance with provision made by the Secretary of State by order.

## **17 Disqualification following removal from office**

In paragraph 8 of Schedule 3 to the Police (Northern Ireland) Act 2000 (c. 32) (disqualification for membership of a district policing partnership), after sub-paragraph (1) insert—

“(1A) A person removed from office under paragraph 7(1) is disqualified for membership of a DPP until the date of the next local general election following his removal.”

## **18 Council’s powers**

Schedule 3 to the Police (Northern Ireland) Act 2000 (district policing partnerships) shall be deemed to have been enacted with the following paragraphs inserted after paragraph 10—

### *“Indemnities*

10A The council may indemnify a member of a DPP in respect of liability incurred by him in connection with the business of the DPP.

### *Insurance against accidents*

- 10B
- (1) The council may insure against risks of a member of the DPP meeting with a personal accident, whether fatal or not, while he is engaged on the business of the DPP.
  - (2) Sub-paragraph (3) applies if the council receives a sum under any such insurance in respect of an accident to a member of the DPP.
  - (3) The council shall pay the sum to the member or his personal representatives, after deducting any expenses incurred in its recovery.
  - (4) The provisions of the Life Assurance Act 1774 as extended by the Life Insurance (Ireland) Act 1866 do not apply to any insurance under this paragraph.”

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

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## **19 Belfast**

- (1) Schedule 1 makes provision in relation to Belfast.
- (2) Subsection (1) comes into force in accordance with provision made by the Secretary of State by order.