

SCHEDULES

SCHEDULE 5

CHILDREN’S COMMISSIONER: MINOR AND CONSEQUENTIAL AMENDMENTS

Appointment and tenure of Children’s Commissioner

8 In Schedule 1 to the Children Act 2004, after paragraph 3 insert—

“Interim appointments

- 3A (1) Where there is a vacancy in the office of Children’s Commissioner, the Secretary of State may appoint a person as interim Children’s Commissioner.
- (2) Subject to the provisions of this paragraph, a person holds and vacates office as interim Children’s Commissioner in accordance with the terms and conditions of the appointment as determined by the Secretary of State.
- (3) An appointment as interim Children’s Commissioner is for a term ending—
- (a) with the appointment of a person as the Children’s Commissioner under paragraph 3, or
 - (b) if sooner, at the end of the period of six months beginning with the date on which the appointment as interim Children’s Commissioner was made.
- (4) A person who has held office as interim Children’s Commissioner—
- (a) is eligible for reappointment, and
 - (b) is eligible for appointment as the Children’s Commissioner.
- (5) An interim Children’s Commissioner may at any time resign by notice in writing to the Secretary of State.
- (6) The Secretary of State may remove an interim Children’s Commissioner from office if satisfied that the interim Commissioner has—
- (a) become unfit or unable properly to discharge his or her functions; or
 - (b) behaved in a way that is not compatible with continuing in office.”