
Changes to legislation: There are currently no known outstanding effects for the Justice Act (Northern Ireland) 2011, Cross Heading: Independent members. (See end of Document for details)

SCHEDULES

SCHEDULE 1

POLICING AND COMMUNITY SAFETY PARTNERSHIPS

Independent members

- 4.—(1) The number of independent members shall be one less than the number of political members.
- (2) Appointments of independent members shall be made by the Policing Board from among persons nominated by the council in accordance with paragraph 5.
- (3) In appointing independent members the Policing Board shall so far as practicable secure that the members of the PCSP (taken together) are representative of the community in the district.
- (4) Where following a local general election the Policing Board has completed the arrangements for the appointment of the independent members of the PCSP for a district, it shall publish notice of the date which is to be the reconstitution date in relation to the PCSP for that district.
- (5) Notice under sub-paragraph (4) shall be published in such manner as appears to the Policing Board appropriate for bringing it to the attention of interested persons.
- (6) Subject to the following provisions of this paragraph, a person shall hold and vacate office as an independent member in accordance with the terms of that person's appointment.
- (7) An independent member shall hold office until the day before the reconstitution date next following the member's appointment.
- (8) A person appointed to fill a casual vacancy shall hold office for the remainder of the term of the independent member in whose place that person is appointed.
- (9) An independent member shall cease to hold office if that member—
- (a) resigns by notice in writing to the council; or
 - (b) becomes disqualified for membership of the PCSP.
- (10) A person whose term of office as an independent member expires or who has resigned shall be eligible for re-appointment.

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(11) Where an independent member ceases to hold office at any time during the transitional period, no appointment shall be made to fill the casual vacancy; and sub-paragraphs (1) and (3) shall have effect subject to this sub-paragraph.

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Commencement Information

I1 Sch. 1 para. 4 in operation at 1.4.2012 by S.R. 2012/142, art. 2(a)

5.—(1) Where appointments are to be made of independent members, the council shall nominate persons willing to be candidates for appointment.

(2) Unless otherwise agreed with the Policing Board, the number of persons to be nominated under sub-paragraph (1) on any occasion shall be twice the number of appointments to be made of independent members.

(3) The council shall notify the Policing Board of—

- (a) the name of each person nominated by it under sub-paragraph (1); and
- (b) such other information regarding those persons as it considers appropriate.

(4) A person shall not be nominated under sub-paragraph (1) if that person—

- (a) is disqualified for membership of the PCSP; or
- (b) has not made a declaration against terrorism.

(5) Where the number of persons nominated by the council is less than twice the number of appointments to be made, the Policing Board may itself nominate such number of candidates as, when added to the number nominated by the council, equals twice the number of appointments to be made.

(6) If the Policing Board does so, paragraph 4(2) shall have effect as if those persons had been nominated by the council.

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Commencement Information

I2 Sch. 1 para. 5 in operation at 1.4.2012 by S.R. 2012/142, art. 2(a)

6.—(1) In exercising functions under paragraphs 4 and 5, a council and the Policing Board shall have regard to any code of practice under this paragraph.

(2) The Department may issue, and from time to time revise, a code of practice containing guidance as to the exercise by councils and the Policing Board of their functions under paragraphs 4 and 5.

(3) Before issuing, or revising, a code of practice under this paragraph, the Department shall consult—

- (a) the Policing Board;
- (b) district councils; and

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(c) the Equality Commission for Northern Ireland.

(4) The Department shall arrange for any code of practice issued or revised under this paragraph to be published in such manner as appears to the Department to be appropriate.

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Commencement Information

I3 Sch. 1 para. 6 in operation at 1.4.2012 by S.R. 2012/142, art. 2(a)

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