

SCHEDULES

SCHEDULE 2

Section 3

COMMISSIONER FOR PARLIAMENTARY INVESTIGATIONS

Appointment of Commissioner

- 1 (1) The Commissioner is to be appointed by Her Majesty on an address of the House of Commons.
- (2) A motion for an address under sub-paragraph (1) may be made only with the agreement of the Speaker.
- (3) The person the subject of the motion must have been selected by the Speaker on merit on the basis of fair and open competition.
- (4) The Speaker must not select a candidate without the agreement of the Speaker's Committee for the Independent Parliamentary Standards Authority.

Terms and conditions: general

- 2 (1) Subject to the provisions of this Schedule, the Commissioner holds office in accordance with the terms and conditions of the Commissioner's appointment.
- (2) Those terms and conditions are to be determined by the Speaker.

Term of office

- 3 (1) The Commissioner is to be appointed for a fixed term not exceeding five years.
- (2) A person appointed as the Commissioner may not be appointed again.

Resignation and removal from office

- 4 (1) The Commissioner may resign from office by giving written notice to the Speaker.
- (2) Her Majesty may remove the Commissioner from office on an address of both Houses of Parliament.

Remuneration

- 5 (1) The terms and conditions on which a person is appointed as the Commissioner may provide for the IPSA—
 - (a) to pay remuneration and allowances to the person;
 - (b) to make provision for a pension in relation to that person.
- (2) The IPSA must make the payment or provision accordingly.

Status: This is the original version (as it was originally enacted).

Status

- 6 (1) The Commissioner is not to be regarded—
- (a) as the servant or agent of the Crown, or
 - (b) as enjoying any status, immunity or privilege of the Crown.
- (2) The Commissioner’s property is not to be regarded as property of, or property held on behalf of, the Crown.

Funding

- 7 (1) The IPSA must provide the Commissioner with adequate resources for the Commissioner’s functions.
- (2) In particular, the IPSA is responsible for providing staff to assist in the carrying out of those functions.

Annual report

- 8 (1) As soon as practicable after the end of each financial year, the Commissioner must prepare and the Speaker must lay before each House of Parliament a report about the performance of the Commissioner’s functions during that financial year.
- (2) When the Speaker lays such a report, the Commissioner must publish it in such manner as the Commissioner considers appropriate.
- (3) “Financial year” means—
- (a) the period beginning with the day on which a Commissioner is first appointed and ending with the next following 31 March, and
 - (b) each successive period of 12 months.

Disqualification

- 9 (1) In Part 3 of Schedule 1 to the House of Commons Disqualification Act 1975 (c. 24) (other disqualifying offices), at the appropriate place insert—
- “Commissioner for Parliamentary Investigations.”
- (2) In Part 3 of Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975 (c. 25) (other disqualifying offices), at the appropriate place insert—
- “Commissioner for Parliamentary Investigations.”

Freedom of information

- 10 In Part 6 of Schedule 1 to the Freedom of Information Act 2000 (c. 36) (other public bodies and offices which are public authorities) at the appropriate place insert—
- “Commissioner for Parliamentary Investigations.”

Public records

- 11 In Schedule 1 to the Public Records Act 1958 (c. 51) (definition of public records) at the appropriate place in Part 2 of the Table at the end of paragraph 3 insert—
- “Commissioner for Parliamentary Investigations.”

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

Interpretation

12 In this Schedule “the Speaker” means the Speaker of the House of Commons.