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

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## SCHEDULES

### SCHEDULE 1

#### POLICING AND COMMUNITY SAFETY PARTNERSHIPS

##### *Disqualification*

9.—(1) A person is disqualified for being a political or independent member if that person is—

- (a) a police officer;
- (b) a member of the police support staff;
- (c) a member of the Policing Board; or
- (d) an employee of the council.

(2) A person removed from office under paragraph 8(1) is disqualified for membership of a PCSP until the date of the next local general election following that person's removal.

[<sup>F1</sup>(2A) A person is disqualified for being an independent member of a PCSP if that person is a councillor.]

(3) A person is disqualified for being an independent member of a PCSP if—

- (a) that person has been convicted in Northern Ireland or elsewhere of any offence and a sentence of imprisonment or detention has been passed on that person, and
- (b) the relevant period has not ended.

(4) The relevant period is the period of 5 years beginning with the person's discharge in respect of the offence.

(5) For the purposes of sub-paragraph (4) the following are to be treated as the discharge of a person (whether or not the release of that person is subject to conditions)—

- (a) release on licence;
- (b) release in pursuance of a grant of remission.

(6) Sub-paragraph (5) does not apply in relation to the release of a person in respect of an offence if that person is required to return to prison or detention for a further period in respect of the offence.

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(7) Subject to sub-paragraph (8), the reference in sub-paragraph (3) to a sentence of imprisonment or detention does not include a suspended sentence.

(8) Sub-paragraph (7) does not apply in relation to a suspended sentence that has been ordered to take effect.

(9) 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.

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**Textual Amendments**

- F1** Sch. 1 para. 9(2A) inserted (1.4.2015) by Local Government Act (Northern Ireland) 2014 (c. 8), ss. 4(2), 129 (with s. 124(4)); S.R. 2015/209, art. 2, Sch. 1
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**Commencement Information**

- II** Sch. 1 para. 9 in operation at 1.4.2012 by S.R. 2012/142, art. 2(a)

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