

Status: Point in time view as at 25/03/2010.

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SCHEDULES

SCHEDULE 1

Section 8

THE CHILD POVERTY COMMISSION

Membership, chair and deputy chair

- 1 (1) The members of the Commission are to be—
 - (a) a chair appointed by the Secretary of State,
 - (b) a member appointed by the Scottish Ministers,
 - (c) a member appointed by the Welsh Ministers,
 - (d) a member appointed by the relevant Northern Ireland department, and
 - (e) such number of other members appointed by the Secretary of State as the Secretary of State may determine.
- (2) Before appointing a member under sub-paragraph (1)(e), the Secretary of State must consult—
 - (a) the chair, and
 - (b) the Scottish Ministers, the Welsh Ministers and the relevant Northern Ireland department.
- (3) The Commission may appoint one of the members as the deputy chair.
- (4) The Secretary of State must have regard to the desirability of securing that the Commission (taken as a whole) has experience in or knowledge of—
 - (a) the formulation, implementation and evaluation of policy relating to child poverty;
 - (b) research in connection with child poverty;
 - (c) work with children and families experiencing poverty.

Term of office

- 2 Members are to hold and vacate office in accordance with the terms of their appointment, subject to the following provisions.
- 3 Members must be appointed for a term of not more than 5 years.
- 4 The consent of the Secretary of State is required for the terms of an appointment made under paragraph 1(1)(b) to (d).
- 5 A member may resign by giving notice in writing to the Secretary of State.
- 6 The Secretary of State may remove a member if—
 - (a) the person has been absent from 3 or more consecutive meetings of the Commission, without its permission,
 - (b) the person has become bankrupt or has made an arrangement with creditors,

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- (c) the person's estate has been sequestrated in Scotland or the person, under Scots law, has made a composition or arrangement with, or granted a trust deed for, creditors, or
- (d) the Secretary of State is satisfied that the person is otherwise unable or unfit to perform the duties of the office.

- 7 A person ceases to be the chair or the deputy chair if the person—
- (a) resigns that office by giving notice in writing to the Secretary of State, or
 - (b) ceases to be a member.
- 8 A person who holds or has held office as the chair, or as the deputy chair or other member, may be reappointed, whether or not to the same office.

Staff and facilities

- 9 The Secretary of State may provide the Commission with—
- (a) such staff,
 - (b) such accommodation, equipment and other facilities, and
 - (c) such sums,
- as the Secretary of State may determine are required by the Commission in the exercise of its functions.

Research

- 10 (1) The Commission may at any time request the Secretary of State to carry out, or commission others to carry out, such research on behalf of the Commission for the purpose of the carrying out of the Commission's functions as the Commission may specify in the request.
- (2) If the Secretary of State decides not to comply with the request, the Secretary of State must notify the Commission of the reasons for the decision.

Payments to members

- 11 The Secretary of State may pay to or in respect of the members of the Commission such remuneration, allowances and expenses as the Secretary of State may determine.

Status

- 12 The Commission is not to be regarded—
- (a) as the servant or agent of the Crown, or
 - (b) as enjoying any status, privilege or immunity of the Crown.

Sub-committees

- 13 The Commission may establish sub-committees.

Validity of proceedings

- 14 The Commission may regulate—
- (a) its own procedure (including quorum), and

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- (b) the procedure of any sub-committee (including quorum).
- 15 The validity of anything done by the Commission or any sub-committee is not affected by—
- (a) any vacancy in the membership of the Commission or sub-committee, or
 - (b) any defect in the appointment of any member of the Commission or sub-committee.

Discharge of functions

- 16 The Commission may authorise a sub-committee or member to exercise any of the Commission's functions.

Provision of advice by Commission

- 17 (1) The Commission must comply with any request made by the Secretary of State under section 10 or by the Scottish Ministers or the relevant Northern Ireland department under section 13.
- (2) Advice given by the Commission under either of those sections must contain the reasons for the advice.
- (3) As soon as reasonably practicable after giving advice under either of those sections, the Commission must publish the advice in such manner as it thinks fit.

Public records

- 18 In Schedule 1 to the Public Records Act 1958 (definition of public records) in Part 2 of the Table at the end of paragraph 3 at the appropriate place insert—

“The Child Poverty Commission.”

Parliamentary Commissioner

- 19 In Schedule 2 to the Parliamentary Commissioner Act 1967 (departments etc subject to investigation) at the appropriate place insert— “ The Child Poverty Commission. ”

Disqualification

- 20 (1) In Part 2 of Schedule 1 to the House of Commons Disqualification Act 1975 (bodies of which all members are disqualified) at the appropriate place insert— “ The Child Poverty Commission. ”
- (2) In Part 2 of Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975 (bodies of which all members are disqualified) at the appropriate place insert— “ The Child Poverty Commission. ”

Freedom of information

- 21 In Part 6 of Schedule 1 to the Freedom of Information Act 2000 (other public bodies and offices: general) at the appropriate place insert— “ The Child Poverty Commission. ”

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SCHEDULE 2

Section 17

CONTINUING EFFECT OF TARGETS AFTER TARGET YEAR

Interpretation of Schedule

- 1 In this Schedule—
- “renewed target year” means—
- (a) a financial year in relation to which the Secretary of State is required by paragraph 2 to ensure that the targets are met, or
 - (b) a financial year specified under paragraph 3(a);
- “the targets” means the targets in sections 3, 4 and 6 and, subject to paragraph 9, the target in section 5;
- “target statement”—
- (a) in relation to the target year, means the report required by section 14(3), and
 - (b) in relation to a renewed target year, means the statement required by paragraph 8.

Duty to maintain targets

- 2 If the target statement relating to the target year or a renewed target year indicates that the targets have been met in relation to that financial year, the Secretary of State must ensure that they are also met in relation to the financial year following that in which that target statement is laid before Parliament.

Duty to make regulations requiring targets to be met in specified financial year

- 3 If the target statement relating to the target year or a renewed target year indicates that any of the targets has not been met in relation to that financial year, the Secretary of State must make regulations under this paragraph—
- (a) requiring the Secretary of State to ensure that the targets are met in relation to a later financial year specified in the regulations,
 - (b) requiring the Secretary of State, the Scottish Ministers and the relevant Northern Ireland department to publish strategies,
 - (c) requiring consultation by the Secretary of State, in relation to any strategy prepared by the Secretary of State, with the persons mentioned in section 10(4)(a) to (d) and consultation by the Scottish Ministers and the relevant Northern Ireland department, in relation to strategies prepared by them, with the persons whom they are required to consult under section 13(3)(a) to (d), and
 - (d) requiring the Secretary of State to publish annual reports on the implementation of any strategy prepared by the Secretary of State.
- 4 Regulations under paragraph 3 must be made as soon as reasonably practicable after the time when the target statement referred to in that paragraph is laid before Parliament.
- 5 Regulations under paragraph 3 may confer or impose functions on the Commission.

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- 6 The provision that may be made by regulations under paragraph 3 includes provision corresponding to that made (in relation to financial years not later than the target year) by any of the following—
- (a) sections 9 and 10 (UK strategies);
 - (b) sections 11, 12 and 13 (Scottish and Northern Ireland strategies);
 - (c) section 14 (reports);
 - (d) paragraph 17 of Schedule 1 (provision of advice by Commission).

Economic and fiscal circumstances

- 7 (1) The matters mentioned in section 16(2) must be taken into account—
- (a) by the Secretary of State in preparing a strategy under regulations under paragraph 3;
 - (b) by the Commission in considering any advice to be given under any such regulations.
- (2) In preparing a strategy under regulations under paragraph 3, the Scottish Ministers or the relevant Northern Ireland department must have regard to the matters mentioned in section 16(3)(a) and (b).

Statement as to whether targets are met in relation to renewed target year

- 8 (1) The Secretary of State must, as soon as reasonably practicable after the end of each renewed target year, lay before Parliament a statement of—
- (a) the percentage of children living in qualifying households in the United Kingdom in the renewed target year who were living in households that fell within the relevant income group for the purposes of section 3 (the relative low income target);
 - (b) the percentage of children living in qualifying households in the United Kingdom in the renewed target year who were for the purposes of section 4 (the combined low income and material deprivation target) living in households that fell within the relevant income group and experiencing material deprivation;
 - (c) if the absolute low income target in section 5 applies in relation to the renewed target year, the percentage of children living in qualifying households in the United Kingdom in the renewed target year who were living in households that fell within the relevant income group for the purposes of that section;
 - (d) the percentage of children who have lived in qualifying households during the survey years (as defined by section 6(2)) which relate to the renewed target year who have lived in households that fell within the relevant income group for the purposes of section 6 (the persistent poverty target) in at least 3 of the survey years.
- (2) The statement must be based on statistics that the Statistics Board has designated under section 12 of the Statistics and Registration Service Act 2007 (assessment) as National Statistics.
- (3) Whether the targets have been met in relation to a renewed target year is to be determined by reference to the percentages given in the statement.

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- (4) If any of the targets has not been met, the statement must explain why it has not been met.

Power to exclude or modify absolute low income target

- 9 (1) Regulations may—
- (a) amend the percentage specified in subsection (1) of section 5 (the absolute low income target) or the base year specified in subsection (4) of that section in their application in relation to any financial year later than the target year, or
 - (b) repeal section 5, and the reference to that section in section 25(3)(a).
- (2) Regulations made by virtue of sub-paragraph (1)(b) do not affect the application of section 5 in relation to the target year or any other financial year before the regulations are made.

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