

Changes to legislation: There are currently no known outstanding effects for the Police, Public Order and Criminal Justice (Scotland) Act 2006, Cross Heading: Vacancy in office of Commissioner. (See end of Document for details)

SCHEDULE 4

[^{F1}THE POLICE INVESTIGATIONS AND REVIEW COMMISSIONER]

Textual Amendments

- F1** Sch. 4 heading substituted (1.4.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#), s. 129(2), [Sch. 7 para. 33\(16\)](#); S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121)

Vacancy in office of Commissioner

- 6 (1) The Scottish Ministers may appoint a person (who may be a member of the Commissioner's staff) to carry out the functions of the Commissioner during a period in which the office is vacant (an “acting Commissioner”).
- (2) A person who is disqualified for appointment to the office of Commissioner is also disqualified for appointment as an acting Commissioner.
- (3) A person appointed to be acting Commissioner—
- (a) may, by written notice to the Scottish Ministers, resign at any time;
 - (b) may be dismissed by the Scottish Ministers at any time;
 - (c) in other respects, holds appointment on such terms and conditions as the Scottish Ministers may determine.
- (4) While holding appointment as acting Commissioner, a person is to be treated as the Commissioner for all purposes other than those of paragraphs 3, 4 and 5.

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