
Status: Point in time view as at 28/03/2009.

Changes to legislation: Serious Organised Crime and Police Act 2005, Cross Heading: Termination or suspension of appointment of Director General is up to date with all changes known to be in force on or before 14 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 1

THE SERIOUS ORGANISED CRIME AGENCY

PART 2

DIRECTOR GENERAL AND OTHER STAFF

Termination or suspension of appointment of Director General

- 10 (1) The Secretary of State may call on the Director General to retire or to resign from his office as Director General—
- (a) in the interests of efficiency or effectiveness, or
 - (b) by reason of any misconduct by the Director General.
- (2) But before doing so the Secretary of State must have complied with sub-paragraphs (3) to (6).
- (3) The Secretary of State must give the Director General—
- (a) an explanation in writing of the grounds on which the Secretary of State proposes to call upon the Director General to retire or resign as mentioned in sub-paragraph (1)(a) or (b), and
 - (b) an opportunity to make representations to the Secretary of State (including an opportunity to make them in person).
- (4) The Secretary of State must consider any representations made by or on behalf of the Director General.
- (5) The Secretary of State must send a copy of the explanation mentioned in sub-paragraph (3)(a) to the chairman of SOCA.
- (6) The Secretary of State must consult—
- (a) the chairman of SOCA, and
 - (b) the Scottish Ministers.
- (7) If the Director General is, under sub-paragraph (1), called upon to retire or resign, he must retire or resign with effect from—
- (a) such date as the Secretary of State may specify, or
 - (b) such earlier date as may be agreed between him and the Secretary of State.
- (8) If the Secretary of State considers that it is necessary to do so for the maintenance of public confidence in SOCA, he may suspend the Director General from duty.
- But before doing so the Secretary of State must have complied with sub-paragraph (6).

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- (9) Nothing in this paragraph affects any power of the Secretary of State to terminate or suspend the Director General's employment with SOCA in accordance with the terms and conditions of that employment.

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Commencement Information

- I1** Sch. 1 para. 10 in force at 1.3.2006 for specified purposes by [S.I. 2006/378](#), [art. 2\(1\)](#) (with [art. 2\(2\)-\(4\)](#))
I2 Sch. 1 para. 10 in force at 1.4.2006 in so far as not already in force by [S.I. 2006/378](#), [art. 4\(1\)](#), [Sch. para. 1](#) (with [art. 4\(2\)-\(7\)](#))

Status:

Point in time view as at 28/03/2009.

Changes to legislation:

Serious Organised Crime and Police Act 2005, Cross Heading: Termination or suspension of appointment of Director General is up to date with all changes known to be in force on or before 14 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.