

*Status: Point in time view as at 23/06/2014.*

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## SCHEDULES

### SCHEDULE 13

Section 145

#### SOCIAL MOBILITY AND CHILD POVERTY COMMISSION

#### PART 1

##### ESTABLISHMENT OF SOCIAL MOBILITY AND CHILD POVERTY COMMISSION

- 1 The Child Poverty Act 2010 is amended as follows.  
2 For section 8 (and the preceding italic heading) there is substituted—

*“Social Mobility and Child Poverty Commission*

#### **8 Social Mobility and Child Poverty Commission**

- (1) There is to be a body called the Social Mobility and Child Poverty Commission (in this Act referred to as “the Commission”).
- (2) The Commission's functions are those conferred on it by or under this Act.
- (3) Schedule 1 contains further provision about the Commission.
- (4) A Minister of the Crown may by order provide for the Commission to cease to exist on a day—
  - (a) specified in or determined in accordance with the order, and
  - (b) falling after the target year.
- (5) An order under subsection (4) may contain such transitional or consequential provision as the Minister of the Crown considers necessary or expedient in connection with the abolition of the Commission.
- (6) That provision may include provision amending, repealing or revoking—
  - (a) the provisions of this Act so far as relating to the Commission;
  - (b) any provision of any other Act (whenever passed);
  - (c) any provision of any instrument made under an Act (whenever made).

#### **8A Advice**

- (1) The Commission must on request give advice to a Minister of the Crown about how to measure socio-economic disadvantage, social mobility and child poverty.
- (2) Advice given under this section must be published.

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### **8B Annual reports**

- (1) Before each anniversary of the coming into force of this section the Commission must publish a report setting out its views on the progress made towards the goals in subsection (2).
- (2) Those goals are—
  - (a) improving social mobility in the United Kingdom, and
  - (b) reducing child poverty in the United Kingdom, and in particular—
    - (i) meeting the targets in sections 3 to 6 in relation to the target year, and
    - (ii) implementing the most recent UK strategy.
- (3) A report under subsection (1) must also describe—
  - (a) the measures taken by the Scottish Ministers in accordance with a Scottish strategy,
  - (b) the measures taken by the Welsh Ministers in accordance with a Welsh strategy, and
  - (c) in the case of a report made after the appointed day for Northern Ireland, the measures taken by the Northern Ireland departments in accordance with a Northern Ireland strategy.
- (4) A report under subsection (1) may be published as one or more documents as a Minister of the Crown may direct.
- (5) If the Commission so requests, a Minister of the Crown may by order extend the publication deadline for any particular report by not more than nine months.
- (6) A Minister of the Crown must lay a report under this section before Parliament.

### **8C Other functions**

A Minister of the Crown may direct the Commission to carry out any other activity relating to the goals in section 8B(2).”

3 For Schedule 1 (Child Poverty Commission) there is substituted—

#### “SCHEDULE 1

#### SOCIAL MOBILITY AND CHILD POVERTY COMMISSION

##### *Membership, chair and deputy chair*

- 1 (1) The members of the Commission are to be—
  - (a) a chair appointed by a Minister of the Crown,
  - (b) a member appointed by the Scottish Ministers,
  - (c) a member appointed by the Welsh Ministers,
  - (d) after the appointed day for Northern Ireland, a member appointed by the relevant Northern Ireland department, and
  - (e) any other members appointed by a Minister of the Crown.

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(2) A Minister of the Crown may appoint one of the members as the deputy chair.

*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 five years.
- 4 A member may resign by giving notice in writing to a Minister of the Crown.
- 5 A Minister of the Crown may remove a member if—
- (a) the person has been absent from three or more consecutive meetings of the Commission without its permission,
  - (b) the person has become bankrupt or has made an arrangement with creditors,
  - (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 Minister is satisfied that the person is otherwise unable or unfit to perform the duties of the office.
- 6 A person ceases to be the chair or the deputy chair if the person—
- (a) resigns that office by giving notice in writing to a Minister of the Crown, or
  - (b) ceases to be a member.
- 7 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.

*Provision of staff and facilities etc*

- 8 (1) A Minister of the Crown may provide the Commission with—
- (a) such staff,
  - (b) such accommodation, equipment and other facilities, and
  - (c) such sums,
- as the Minister may determine are required by the Commission in the exercise of its functions.
- (2) A Minister of the Crown may, if the Commission so requests, carry out or commission research for the purpose of the carrying out of the Commission's functions.

*Payments*

- 9 A Minister of the Crown may pay to or in respect of the members of the Commission such remuneration, allowances and expenses as the Minister may determine.

*Supplementary powers*

- 10 The Commission may do anything that appears to it necessary or appropriate for the purpose of, or in connection with, the carrying out of its functions.

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### *Status*

- 11 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*

- 12 The Commission may establish sub-committees.

### *Validity of proceedings*

- 13 The Commission may regulate—
- (a) its own procedure (including quorum);
  - (b) the procedure of any sub-committee (including quorum).
- 14 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 a sub-committee.

### *Discharge of functions*

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

## **PART 2**

### SUPPLEMENTARY AMENDMENTS TO CHILD POVERTY ACT 2010

- 4 The Child Poverty Act 2010 is amended as follows.
- 5 In section 6 (persistent poverty target), subsection (6)(b) and the preceding “and” are repealed.
- 6 In section 10 (provision of advice and consultation)—
- (a) for the heading, there is substituted “ Consultation ”;
  - (b) subsections (1) to (3) are repealed.
- 7 In section 13 (advice and consultation: Scotland and Northern Ireland)—
- (a) for the heading there is substituted “ Consultation: Scotland and Northern Ireland ”;
  - (b) subsections (1) and (2) are repealed.
- 8 (1) In the italic heading preceding section 14, for “Reports” there is substituted “ Statement ”.
- (2) Section 14 is repealed.
- 9 (1) Section 15 (statement in relation to target year) is amended as follows.

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- (2) In subsection (1), for “The report under section 14(3) must include” there is substituted “ The Secretary of State must, as soon as reasonably practicable after the end of the target year, lay before Parliament ”.
- (3) In subsection (4), for “the report under section 14(3)” there is substituted “ the statement ”.
- (4) At the end there is inserted—
- “(5) The Secretary of State must consult the Scottish Ministers, the Welsh Ministers and the relevant Northern Ireland department before preparing the statement.”
- 10 In section 16 (economic and fiscal circumstances), in subsection (1)(b), for the words from “to the Secretary of State” to the end there is substituted “ under section 8A ”.
- 11 (1) Section 18 (interpretation) is amended as follows.
- (2) In the definition of “the Commission” in subsection (1), for “Child Poverty Commission” there is substituted “ Social Mobility and Child Poverty Commission ”.
- (3) After the definition of “financial year” in that subsection there is inserted—
- ““Minister of the Crown” has the same meaning as in the Ministers of the Crown Act 1975;”.
- (4) After subsection (2) there is inserted—
- “(3) In this Part “appointed day for Northern Ireland” means such day as a Minister of the Crown may by order with the consent of the Northern Ireland Assembly appoint (and different days may be appointed for the purposes of different provisions of this Part).”
- 12 In section 28 (regulations and orders), in subsection (5)(b), after “section” there is inserted “ 8B(5) or ”.
- 13 (1) Schedule 2 (continuing effect of targets) is amended as follows.
- (2) In paragraph 1, in paragraph (a) of the definition of “target statement”, for “the report required by section 14(3)” there is substituted “ the statement required by section 15 ”.
- (3) In paragraph 3(d), for “the Secretary of State”, in the first place, there is substituted “ the Commission ”.
- (4) Paragraphs 6(c) and (d) and 7(1)(b) are repealed.

### PART 3

#### SUPPLEMENTARY AMENDMENTS TO OTHER ACTS

- 14 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—
- (a) the entry relating to the Child Poverty Commission is repealed;
- (b) at the appropriate place there is inserted— “ Social Mobility and Child Poverty Commission ”.

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- 15 In Schedule 2 to the Parliamentary Commissioner Act 1967 (departments etc subject to investigation)—
- (a) the entry relating to the Child Poverty Commission is repealed;
  - (b) at the appropriate place there is inserted— “ Social Mobility and Child Poverty Commission ”.
- 16 (1) In Part 2 of Schedule 1 to the House of Commons Disqualification Act 1975 (bodies of which all members are disqualified)—
- (a) the entry relating to the Child Poverty Commission is repealed;
  - (b) at the appropriate place there is inserted— “ The Social Mobility and 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)—
- (a) the entry relating to the Child Poverty Commission is repealed;
  - (b) at the appropriate place there is inserted— “ The Social Mobility and Child Poverty Commission ”.
- 17 In Part 6 of Schedule 1 to the Freedom of Information Act 2000 (other public bodies and offices: general)—
- (a) the entry relating to the Child Poverty Commission is repealed;
  - (b) at the appropriate place there is inserted— “ The Social Mobility and Child Poverty Commission ”.

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