

SCHEDULES

SCHEDULE 6

Section 108.

THE CRIMINAL INJURIES COMPENSATION BOARD

Status

- 1 The Board shall not be regarded as the servant or agent of the Crown or as enjoying any status, immunity or privilege of the Crown; and the Board's property shall not be regarded as property of, or held on behalf of, the Crown.

Membership

- 2 (1) The Board shall consist of such number of members as the Secretary of State thinks fit to appoint, and he may appoint one of them as chairman.
- (2) A person may only be appointed to be a member of the Board if he is a barrister practising in England and Wales, an advocate practising in Scotland, a solicitor practising in England and Wales or Scotland or a person who holds or has held judicial office in England and Wales or Scotland.
- (3) Subject to the following provisions of this Schedule, a person shall hold and vacate office as a member or chairman of the Board in accordance with the terms of his appointment.
- (4) A person shall not hold office as a member of the Board for more than five years under any one appointment, but a person who ceases to be a member shall be eligible for reappointment.
- (5) A person shall vacate office as a member of the Board—
- (a) if he ceases to be qualified for appointment to that office; or
 - (b) on attaining the age of 72;
- unless the Secretary of State considers that it is in the interests of the efficient operation of the compensation scheme that he should continue to hold office.
- (6) A person may at any time resign his office as a member or as chairman of the Board by giving the Secretary of State notice in writing to that effect.
- (7) Subject to sub-paragraph (8) below, the Secretary of State may at any time remove a person from office as a member of the Board if satisfied that—
- (a) he has been convicted of a criminal offence;
 - (b) he has become bankrupt or has had his estate sequestrated or has made an arrangement with, or granted a trust deed for, his creditors;
 - (c) he is incapacitated by physical or mental illness; or
 - (d) he is otherwise unable or unfit to perform his duties.
- (8) The power conferred by sub-paragraph (7) above shall only be exercisable—

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- (a) in the case of a member who practises or has practised as a barrister or solicitor in England and Wales, or who holds or has held judicial office there, with the consent of the Lord Chancellor; and
 - (b) in the case of a member who practises or has practised as an advocate or solicitor in Scotland, or who holds or has held judicial office there, with the consent of the Lord President of the Court of Session.
- 3 (1) The Board shall pay to its members such remuneration and allowances as the Secretary of State may, with the approval of the Treasury, determine.
- (2) In the case of any such member or former member of the Board as the Secretary of State may, with the approval of the Treasury, determine, the Board shall pay, or make arrangements for the payment of, such pension, allowance or gratuity to, or in respect of, him as may be so determined.
- 4 Where a person ceases to hold office as a member of or as chairman of the Board otherwise than on the expiry of his term of office and it appears to the Secretary of State that there are special circumstances which make it right for that person to receive compensation, the Secretary of State may, with the consent of the Treasury, direct the Board to make to that person a payment of such amount as, with the consent of the Treasury, the Secretary of State may determine.

Staff

- 5 The Board may, after consultation with the Secretary of State, appoint such officers and servants as the Board think fit, subject to the approval of the Treasury as to numbers and as to remuneration and other terms and conditions of service.
- 6 Employment by the Board shall be included among the kinds of employment to which a superannuation scheme under section 1 of the Superannuation Act 1972 can apply, and accordingly in Schedule 1 to that Act, at the beginning of the list of “Other Bodies” there shall be inserted—
- “Criminal Injuries Compensation Board”.

Expenses

- 7 Any expenses incurred by the Board in discharging their functions shall be defrayed by the Secretary of State.

Proceedings

- 8 The validity of any proceedings of the Board shall not be affected by any defect in the appointment of a member.

Accounts and information etc.

- 9 (1) The Board shall—
- (a) keep proper accounts and proper records in relation to the accounts; and
 - (b) prepare in respect of each financial year a statement of accounts in such form as the Secretary of State may, with the approval of the Treasury, direct.
- (2) The statement of accounts prepared by the Board for each financial year shall be submitted to the Secretary of State at such time as he shall, with the approval of the Treasury, direct.

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- (3) The Secretary of State shall, on or before 30th November in any year, send to the Comptroller and Auditor General the statement of accounts prepared by the Board under sub-paragraph (1) above for the financial year last ended.
- (4) The Comptroller and Auditor General shall examine, certify and report on the statement of accounts sent to him under sub-paragraph (3) above and shall lay copies of the statement and of his report before each House of Parliament.
- (5) In this Schedule “financial year” means the period beginning with the day on which this Schedule comes into force and ending with 31st March following that day and each successive period of 12 months.
- 10 (1) As soon as possible after the end of each financial year the Board shall make a report to the Secretary of State on the operation of the scheme and the discharge of their functions during that year.
- (2) The Secretary of State shall lay before each House of Parliament a copy of every report made by the Board under this paragraph.
- 11 The Board shall provide the Secretary of State with such information relating to their administration of the scheme as he may from time to time require and for that purpose shall permit any person authorised in that behalf by the Secretary of State to inspect and make copies of their accounts, books, documents or papers and shall afford to that person such explanation thereof as he may reasonably require.
- 12 The Secretary of State may give to the Board such directions as he thinks fit as to the financial and management systems and procedures to be adopted by the Board; and the Board shall give effect to any such directions.