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## SCHEDULES

### SCHEDULE 1

#### APPOINTMENT OF MEMBERS OF THE SERVICE AUTHORITIES

##### Commencement Information

- II** Sch. 1 wholly in force at 23.7.1997; Sch. 1 not in force at Royal Assent see s. 135; Sch. 1 in force for certain purposes at 25.6.1997 (and subject to modifications in S.I. 1887/1377, art. 3(3)(4)) by s. 135 and S.I. 1997/1377, art. 3(2)(c); Sch. 1 wholly in force at 23.7.1997 by S.I. 1997/1377, art. 4(2)(a)

#### PART II

##### ADDITIONAL MEMBERS OF NCIS SERVICE AUTHORITY

- [<sup>F1</sup>7 Where the NCIS Service Authority is to consist of eleven members by virtue of section 1, then in addition to the eight core members—
- (a) one of the members shall be a person appointed under this paragraph in accordance with paragraph 7A,
  - (b) one shall be a person appointed under this paragraph in accordance with paragraph 7B, and
  - (c) one shall be a member of the Security Service appointed by the Secretary of State under this paragraph.]

##### Textual Amendments

- F1** Sch. 1 Pt. II paras. 7-7B substituted (1.4.2002) for Sch. 1 Pt. II para. 7 by 2001 c. 16, s. 108(3), Sch. 5 Pt. 2 para. 8; S.I. 2002/344, art. 3(e) (with transitional provisions in art. 4)

- [<sup>F2</sup>7A (1) Where an appointment falls to be made in accordance with this paragraph the Secretary of State shall, after consultation with the Scottish Ministers, decide whether the person appointed must be—
- (a) a chief constable of a police force in Scotland,
  - (b) a member of a police authority for an area in Scotland, or
  - (c) a Crown servant.
- (2) Where such a decision is made—
- (a) if the member must be within sub-paragraph (1)(a), he shall be appointed by the chief constables of police forces in Scotland, from among their number;
  - (b) if the member must be within sub-paragraph (1)(b), he shall be appointed by the members of police authorities for areas in Scotland, from among their number; and
  - (c) if the member must be within sub-paragraph (1)(c), he shall be appointed by the Scottish Ministers.]

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### Textual Amendments

**F2** Sch. 1 Pt. II paras. 7-7B substituted (1.4.2002) for Sch. 1 Pt. II para. 7 by 2001 c. 16, s. 108(3), Sch. 5 Pt. 2 para. 8; S.I. 2002/344, art. 3(e) (with transitional provisions in art. 4)

- [<sup>F3</sup>7B** (1) Where an appointment falls to be made in accordance with this paragraph the Secretary of State shall decide whether the person appointed must be—
- (a) a person holding at least the rank of deputy chief constable in the Police Service of Northern Ireland,
  - (b) a member of the Northern Ireland Policing Board, or
  - (c) a Crown servant.
- (2) Where such a determination is made—
- (a) if the member must be within sub-paragraph (1)(a), he shall be appointed by the Chief Constable of the Police Service of Northern Ireland;
  - (b) if the member must be within sub-paragraph (1)(b), he shall be appointed by the members of the Northern Ireland Policing Board, from among their number; and
  - (c) if the member must be within sub-paragraph (1)(c), he shall be appointed by the Secretary of State.]

### Textual Amendments

**F3** Sch. 1 Pt. II paras. 7-7B substituted (1.4.2002) for Sch. 1 Pt. II para. 7 by 2001 c. 16, s. 108(3), Sch. 5 Pt. 2 para. 8; S.I. 2002/344, art. 3(e) (with transitional provisions in art. 4)

### Modifications etc. (not altering text)

**C1** Sch. 1 Pt. II para. 7B modified (11.5.2001) by 2001 c. 16, s. 109(4)

- 8** (1) Where the Authority is to consist of more than [<sup>F4</sup>eleven] members by virtue of an order under section 1(3), then in addition to the [<sup>F5</sup>eight] core members—
- (a) a prescribed number of members shall be appointed by the Secretary of State under this paragraph [<sup>F6</sup>after consultation with the Scottish Ministers]
  - (b) a prescribed number shall be appointed by the relevant police officers, from among their number;
  - (c) a prescribed number of members shall be appointed by the chief constables of police forces in Scotland, from among their number;
  - (d) [<sup>F7</sup>a prescribed number shall be persons] holding at least the rank of deputy chief constable in the [<sup>F8</sup>Police Service of Northern Ireland], appointed by the Chief Constable of [<sup>F9</sup>that Police Service];
  - (e) a prescribed number <sup>F10</sup> . . . shall be appointed by the <sup>F11</sup> . . . members of police authorities for areas in England and Wales, from among their number;
  - (f) a prescribed number shall be appointed by the members of police authorities for areas in Scotland, from among their number;
  - (g) a prescribed number shall be appointed by the members of the [<sup>F12</sup>Northern Ireland Policing Board], from among their number;
  - [<sup>F13</sup>(h) a prescribed number shall be Crown servants appointed by the Secretary of State under this paragraph;

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- (ha) a prescribed number shall be Crown servants appointed by the Scottish Ministers under this paragraph; and]
- (i) [<sup>F14</sup>a prescribed number shall be customs officers] appointed by the Commissioners of Customs and Excise.
- (2) <sup>F15</sup> .....
- (3) Paragraph 2(2) applies in relation to appointments under sub-paragraph (1)(a), as it applies to appointments under paragraph 2.
- <sup>F16</sup>(4) .....
- (5) The power to make an order under section 1(3) includes power to prescribe anything which is require to be prescribed for the purposes of this paragraph [<sup>F17</sup>; but nothing in this paragraph shall require such an order to prescribe a number in respect of each of the paragraphs of sub-paragraph (1)].

#### Textual Amendments

- F4** Word in Sch. 1 Pt. II para. 8(1) substituted (1.4.2002) by 2001 c. 16, s. 108(3), Sch. 5 Pt. 2 para. 9(2)(a); S.I. 2002/344, art. 3(e) (with transitional provisions in art. 4)
- F5** Word in Sch. 1 Pt. II para. 8(1) substituted (1.4.2002) by 2001 c. 16, s. 108(3), Sch. 5 Pt. 2 para. 9(2)(b); S.I. 2002/344, art. 3(e) (with transitional provisions in art. 4)
- F6** Words in Sch. 1 para. 8(1)(a) inserted (1.7.1999) by S.I. 1999/1747, arts. 1, 3, Sch. 18 Pt. II para. 2(28)(a); S.I. 1998/3178, art. 3
- F7** Words in Sch. 1 Pt. II para. 8(1)(d) substituted (1.4.2002) by 2001 c. 16, s. 108(3), Sch. 5 Pt. 2 para. 9(2)(c); S.I. 2002/344, art. 3(e) (with transitional provisions in art. 4)
- F8** Words in Sch. 1 para. 8(1)(d) substituted (4.11.2001) by 2000 c. 32, s. 78(1), Sch. 6 para. 20(2)(b); S.R. 2001/396, art. 2, Sch.
- F9** Words in Sch. 1 para. 8(1)(d) substituted (4.11.2001) by 2000 c. 32, s. 78(1), Sch. 6 para. 20(7); S.R. 2001/396, art. 2, Sch.
- F10** Words in Sch. 1 Pt. II para. 8(1)(e) repealed (1.4.2002) by 2001 c. 16, ss. 108(3), 137, Sch. 5 Pt. 2 para. 9(2)(d), Sch. 7 Pt. 5(1); S.I. 2002/344, art. 3(e)(j)(m) (with transitional provisions in art. 4)
- F11** Words in Sch. 1 Pt. II para. 8(1)(e) repealed (1.4.2002) by 2001 c. 16, ss. 108(3), 137, Sch. 5 Pt. 2 para. 9(2)(d), Sch. 7 Pt. 5(1); S.I. 2002/344, art. 3(e)(j)(m) (with transitional provisions in art. 4)
- F12** Words in Sch. 1 para. 8(1)(g)(2)(a)(iv) substituted (4.11.2001) by 2000 c. 32, s. 78(1), Sch. 6 para. 20(3); S.R. 2001/396, art. 2, Sch.
- F13** Sch. 1 Pt. II para. 8(1)(h)(ha) substituted (1.4.2002) for Sch. 1 Pt. II para. 8(1)(h) by 2001 c. 16, s. 108(3), Sch. 5 Pt. 2 para. 9(2)(e); S.I. 2002/344, art. 3(e) (with transitional provisions in art. 4)
- F14** Words in Sch. 1 Pt. II para. 8(1)(i) substituted (1.4.2002) by 2001 c. 16, s. 108(3), Sch. 5 Pt. 2 para. 9(2)(f); S.I. 2002/344, art. 3(e) (with transitional provisions in art. 4)
- F15** Sch. 1 Pt. II para. 8(2) repealed (1.4.2002) by 2001 c. 16, ss. 108(3), 137, Sch. 5 Pt. 2 para. 9(3), Sch. 7 Pt. 5(1); S.I. 2002/344, art. 3(e)(j)(m) (with transitional provisions in art. 4)
- F16** Sch. 1 para. 8(4) repealed (3.7.2000) by 1999 c. 29, s. 325, 423, Sch. 27 para. 113(4)(b), Sch. 34 Pt. VII (with Sch. 12 para. 9(1)); S.I. 2000/1648, art. 2, Sch.
- F17** Words in Sch. 1 Pt. II para. 8(5) inserted (1.4.2002) by 2001 c. 16, s. 108(3), Sch. 5 Pt. 2 para. 9(4); S.I. 2002/344, art. 3(e) (with transitional provisions in art. 4)

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