

Status: Point in time view as at 25/06/1997.

Changes to legislation: Police Act 1997, Cross Heading: Tenure of office is up to date with all changes known to be in force on or before 23 June 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 2 **U.K.**

OTHER PROVISIONS ABOUT MEMBERS OF SERVICE AUTHORITIES

Extent Information

- E1** [Sch. 2](#) extends to E.W. only so far as it relates to the Service Authority for the National Crime Squad, see [s. 137\(2\)\(c\)](#)

Commencement Information

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

Tenure of office

- 4 Subject to the following paragraphs (and to the provisions of any order under section 1(3) or 47(3)) a person shall hold and vacate office as a member of a Service Authority in accordance with the terms of his appointment.
- 5 A person shall be appointed to hold office as a member for—
- a term of four years or a term expiring on his attaining the age of seventy years, whichever is the shorter, or
 - such shorter term as the person or persons appointing him may determine in any particular case.
- 6 (1) A person may at any time—
- resign his office as chairman or as a core member by notice in writing to both of the Service Authorities, or
 - resign his office as a member of a Service Authority appointed under Part II or III of Schedule 1 by notice in writing to that Service Authority.
- (2) Where a member resigns his office as a member or as chairman under subparagraph (1), he shall send a copy of the notice—
- to the Secretary of State, and
 - if he was appointed under paragraph 7(g) or 8(1)(i) of Schedule 1, to the Commissioners of Customs and Excise.
- 7 (1) A member of a police authority appointed to be a member of a Service Authority under paragraph 4, 7(c), (d) or (e), 8(1)(e), (f) or (g), 9(b) or 10(1)(c), of Schedule 1 shall cease to be a member of the Service Authority if he ceases to be a member of

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- the police authority eligible for appointment under the paragraph concerned (unless re-elected or re-appointed on the same day).
- (2) A member of a Service Authority appointed other than as mentioned in sub-paragraph (1) shall cease to be a member if he becomes a member of a police authority for an area in Great Britain, or of the Police Authority for Northern Ireland, eligible for appointment under one of the paragraphs mentioned in sub-paragraph (1).
 - (3) A Crown servant appointed to be a member of a Service Authority under paragraph 6, 7(f) or 8(1)(h) of Schedule 1 shall cease to be a member of the Service Authority if he ceases to be a Crown servant.
 - (4) A person appointed to be a member of a Service Authority in accordance with paragraph 3, 7(a) or (b), 8(1)(b), (c) or (d), 9(a) or 10(1)(b) of Schedule 1 (appointment of senior police officers) shall cease to be a member of the Service Authority if he ceases to be a person eligible for appointment under the paragraph concerned.
 - (5) A person appointed to be a member of the NCIS Service Authority under paragraph 7(g) or 8(1)(i) of Schedule 1 shall cease to be a member if he ceases to be a customs officer within the meaning of paragraph 15 of that Schedule.
- 8
- (1) Subject to sub-paragraph (3), a member of a Service Authority may be removed from office as such a member or as chairman by the authorised person, by notice in writing, if—
 - (a) he has been absent from meetings of the Service Authority for a period longer than four consecutive months without the consent of the Authority,
 - (b) he has been convicted of a criminal offence (but is not disqualified for being a member under paragraph 3),
 - (c) the authorised person is satisfied that the member is incapacitated by physical or mental illness, or
 - (d) the authorised person is satisfied that the member is otherwise unable or unfit to discharge his functions as a member.
 - (2) For the purposes of sub-paragraph (1) “the authorised person”, in relation to a member of a Service Authority, means—
 - (a) the Service Authority, or
 - (b) the person or persons who would be required to appoint his successor.
 - (3) A Service Authority shall not, under sub-paragraph (1), remove its chairman from office as chairman or as a member of the Service Authority.
 - (4) Where a Service Authority removes a member under sub-paragraph (1), it shall give notice of that fact—
 - (a) to the person or persons who are required to appoint his successor, and
 - (b) if the member was appointed under Part I of Schedule 1, to the other Service Authority.
 - (5) Where a member of a Service Authority is removed under sub-paragraph (1) by the person mentioned in sub-paragraph (2)(b), that person shall give notice of that fact—
 - (a) to the Service Authority, and
 - (b) if he is a member appointed under Part I of Schedule 1 and is not also removed from the other Service Authority, to that other Authority.

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- 9 (1) A member of a Service Authority appointed under paragraph 4, 7(c), 8(1)(e), 9(b) or 10(1)(c) of Schedule 1 may be removed from office by the persons responsible for appointing his successor if those persons consider that his removal, and the appointment of another person in his place, would further the object provided for by paragraph 12 of that Schedule.
- (2) Persons who remove a member under this paragraph shall—
- (a) if the member was a core member, give notice to both Service Authorities, and
 - (b) in any other case, give notice to the Service Authority of which he was a member.
- 10 Where a core member appointed under Part I of Schedule 1 is removed from a Service Authority under paragraph 8 or 9, he shall cease to be a member of the other Service Authority.

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