

*Status: Point in time view as at 01/07/1999.*

*Changes to legislation: Police Act 1997, Cross Heading: Members is up to date with all changes known to be in force on or before 04 October 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 8 U.K.

#### THE POLICE INFORMATION TECHNOLOGY ORGANISATION

##### *Members*

- 2 (1) Subject to the provisions of this Schedule, a member of the Organisation shall hold office in accordance with the terms of his appointment.
- (2) A member shall not be appointed for more than five years at a time.
- (3) A person may at any time resign as a member or as chairman by notice in writing to the Secretary of State.
- (4) [<sup>F1</sup>Subject to sub-paragraphs (4A) and (4B),]the Secretary of State may remove a person from office as a member or as chairman if satisfied that—
- (a) he has without reasonable excuse failed to discharge his functions for a continuous period of three months;
  - (b) he has without reasonable excuse been absent from three consecutive meetings of the Organisation;
  - (c) he has been convicted of a criminal offence;
  - (d) he has become bankrupt, his estate has been sequestrated or he has made an arrangement with or granted a trust deed for his creditors;
  - (e) he has failed to comply with the terms of his appointment; or
  - (f) he is otherwise unable or unfit to discharge his functions.
- [<sup>F2</sup>(4A) Before removing a person from office as chairman, the Secretary of State shall consult the Scottish Ministers.
- [<sup>F2</sup>(4B) The Scottish Ministers shall, instead of the Secretary of State, exercise the power of removal from office as a member under sub-paragraph (4) in respect of any person who was appointed by them.]
- (5) The Secretary of State shall not remove from office a member nominated by persons representing certain interests in accordance with paragraph [<sup>F3</sup>1(3)(a) and (b)]unless he has first consulted persons whom he considers to represent those interests.
- [<sup>F4</sup>(5) The Scottish Ministers shall not remove from office a member nominated by persons representing certain interests in accordance with paragraph 1(3)(c) and (d) unless they have first consulted persons whom they consider to represent those interests.]
- (6) The Secretary of State shall not remove from office a member nominated in accordance with paragraph 1(3)(e) or (f) unless he has first consulted the Police Authority for Northern Ireland or, as the case may be, the Chief Constable of the Royal Ulster Constabulary.

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#### Textual Amendments

- F1** Words in Sch. 8 para. 2(4) inserted (1.7.1999) by S.I. 1999/1747, arts. 1, 3, **Sch. 20 Pt. II para. 2(5)(a)**; S.I. 1998/3178, **art. 3**
- F2** Sch. 8 para. 2(4A)(4B) inserted (1.7.1999) by S.I. 1999/1747, arts. 1, 3, **Sch. 20 Pt. II para. 2(5)(b)**; S.I. 1998/3178, **art. 3**
- F3** Words in Sch. 8 para. 2(5)(c) substituted (1.7.1999) by S.I. 1999/1747, arts. 1, 3, **Sch. 20 Pt. II para. 2(5)(c)**; S.I. 1998/3178, **art. 3**
- F4** By S.I. 1999/1747, arts. 1, 3, **Sch. 20 Pt. II para. 2(5)(d)** (1.7.1999) it is provided that after Sch. 8 para. (5) there is inserted sub-paragraph (5); S.I. 1998/3178, **art. 3**

#### Commencement Information

- I1** Sch. 8 partly in force; Sch. 8 not in force at Royal Assent, see s. 135; Sch. 8 para. 2(1)-(5) in force at 1.9.1997 by S.I. 1997/1930, **art. 2**

- 3 (1) The Organisation shall pay to its members such remuneration and allowances as the Secretary of State may determine.
- (2) The Organisation shall, as regards any member or former member in whose case the Secretary of State may so determine, pay or make payments in respect of such pension or gratuity as the Secretary of State may determine.
- (3) If a person ceases to be a member, or ceases to be chairman, and it appears to the Secretary of State that there are special circumstances which make it right that he should receive compensation, the Secretary of State may direct the Organisation to make a payment of such amount as he may determine.

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