
Changes to legislation: There are currently no known outstanding effects for the Northern Ireland Troubles (Legacy and Reconciliation) Act 2023, Paragraph 8. (See end of Document for details)

SCHEDULES

SCHEDULE 1

THE ICRR, THE COMMISSIONERS AND ICRR OFFICERS

PART 2

THE COMMISSIONERS

Appointment

- 8 (1) The Commissioners are to be appointed by the Secretary of State.
- (2) In exercising the power to appoint Commissioners, the Secretary of State must ensure that (as far as it is practicable) the Commissioners include one or more persons who have experience gained outside the United Kingdom that is relevant to the work of the ICRR.
- (3) A person may not be appointed as a Commissioner if—
- (a) the person has been sentenced to a term of imprisonment, or given a sentence of detention, of three months or more;
 - (b) the person is insolvent; or
 - (c) the person is disqualified from being a company director.
- (4) A person may not be appointed as the Chief Commissioner unless—
- (a) the person holds or has held high judicial office, and
 - (b) the Secretary of State has consulted—
 - (i) the relevant senior judge, and
 - (ii) such other persons as the Secretary of State considers appropriate.
- (5) A person's current or previous appointment as a Commissioner does not prevent the person from being appointed again as a Commissioner.
- (6) But a person who has been removed from office in accordance with paragraph 12(2) and (3) may not be appointed as a Commissioner.
- (7) A reference in this paragraph to a person being insolvent, or to being disqualified from being a company director, has the same meaning as in paragraph 12 (see paragraph 12(4) or (5)).
- (8) The following Orders apply to the Commissioners as they apply to constables—
- (a) the Rehabilitation of Offenders (Exceptions) Order (Northern Ireland) 1979 (S.R. 1979/195);
 - (b) the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (S.I. 1975/1023);

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- (c) the Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Order 2013 (S.S.I. 2013/50).

(9) For the purposes of this paragraph—

“high judicial office” means office as a judge of a kind listed in an entry in the first column of this table;

“relevant senior judge”, in relation to a person who holds or has held an office listed in such an entry, means the person listed in the corresponding entry in the second column of this table; and, in the case of a person who has previously held two or more different kinds of high judicial office (but no longer holds any kind of high judicial office), the relevant senior judge is to be identified by reference to the kind of high judicial office which the person ceased to hold most recently—

<i>high judicial office</i>	<i>relevant senior judge</i>
Judge of the Supreme Court of the United Kingdom or Lord of Appeal in Ordinary	President of the Supreme Court of the United Kingdom
Judge of the Court of Appeal in Northern Ireland	The Lord Chief Justice of Northern Ireland
Judge of the High Court in Northern Ireland	The Lord Chief Justice of Northern Ireland
Judge of the Court of Appeal in England and Wales	The Lord Chief Justice of England and Wales
Judge of the High Court in England and Wales	The Lord Chief Justice of England and Wales
Judge of the Court of Session	The Lord President of the Court of Session

Commencement Information

11 Sch. 1 para. 8 not in force at Royal Assent, see s. 63(4)

12 Sch. 1 para. 8 in force at 1.12.2023 by S.I. 2023/1293, reg. 2(a)

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