

SCHEDULES

SCHEDULE 3

Section 4.

POLICE AUTHORITIES: SELECTION OF INDEPENDENT MEMBERS

Selection panels

- 1 (1) There shall be a selection panel for each police area for the time being listed in Schedule 1.
- (2) Each selection panel shall consist of three members, one of whom shall be appointed by each of the following—
- (a) the designated members of the police authority for the area;
 - (b) the Secretary of State;
 - (c) the two members of the panel appointed by virtue of paragraphs (a) and (b).
- (3) A designated member may be appointed as a member of a selection panel by virtue of paragraph (a) (but not paragraph (b) or (c)) of sub-paragraph (2).
- (4) In this Schedule “designated member” means a member appointed under paragraph 2 or 8 of Schedule 2.
- 2 A person shall be disqualified for being appointed as or being a member of a selection panel if, by virtue of paragraph 10, 11, 13 or 14(1)(d) to (f) of Schedule 2, he is disqualified—
- (a) for being appointed under paragraph 5 of that Schedule as a member of the police authority for the panel’s area, or
 - (b) for being a member so appointed.
- 3 (1) A person shall be appointed to hold office as a member of a selection panel for a term of two years, or for a term expiring on his attaining seventy years of age, whichever is the shorter.
- (2) A person may at any time resign his office as a member by notice in writing to the persons who under paragraph 1 would be required to appoint his successor.
- (3) A person shall not cease to be a member by reason only that any of the persons appointing him cease to hold the positions by virtue of which they appointed him.
- 4 A member of a selection panel may be removed from office by notice in writing by the persons who, under paragraph 1, would be required to appoint his successor (“the appointer”) if—
- (a) the member has been absent from two consecutive meetings of the selection panel without the consent of the panel,
 - (b) the member has been convicted of a criminal offence (but is not disqualified for being a member under paragraph 2),
 - (c) the appointer is satisfied that the member is incapacitated by physical or mental illness, or

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- (d) the appointer is satisfied that the member is otherwise unable or unfit to discharge his functions as a member.
- 5 A person who ceases to be a member of a selection panel, otherwise than by virtue of paragraph 4, may (if otherwise eligible) be re-appointed.
- 6 (1) The acts and proceedings of any person appointed to be a member of a selection panel and acting in that office shall, notwithstanding his disqualification or want of qualification, be as valid and effectual as if he had been qualified.
- (2) Subject to the provisions of any regulations made under paragraph 11, the proceedings of a selection panel shall not be invalidated by—
- (a) a vacancy in the membership of the panel, or
- (b) a defect in the appointment of a person as a member.
- 7 (1) A police authority shall make to members of the selection panel for the authority's area such payments by way of reimbursement of expenses and allowances as it may determine.
- (2) A police authority shall—
- (a) provide the selection panel for the authority's area with such accommodation, and such secretarial and other assistance, as they may reasonably require, and
- (b) meet any expenses incurred by the panel in the exercise of their functions.

Functions of selection panel

- 8 (1) Where appointments to a police authority are to be made under paragraph 5 of Schedule 2, the selection panel for the authority's area shall nominate persons willing to be candidates for appointment.
- (2) Unless the selection panel are able to identify only a smaller number, the number of persons to be nominated by a selection panel under this paragraph on any occasion shall be a number four times greater than the number of appointments to be made under paragraph 5 of Schedule 2.
- (3) A selection panel shall notify the Secretary of State of—
- (a) the name of each person nominated by it under this paragraph, and
- (b) such other information regarding those persons as it considers appropriate.
- 9 A person shall not be nominated under paragraph 8 in relation to an authority if, by virtue of paragraph 10, 11, 13 or 14 of Schedule 2, he is disqualified for being appointed as a member of the authority under paragraph 5 of that Schedule.
- 10 In exercising their functions a selection panel shall have regard to the desirability of ensuring that, so far as reasonably practicable, the persons nominated by them under paragraph 8—
- (a) represent the interests of a wide range of people within the community in the police area, and
- (b) include persons with skills, knowledge or experience in such fields as may be specified for the purposes of this paragraph in regulations made under paragraph 11.
- 11 (1) The Secretary of State may make regulations as to—

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- (a) the procedures to be followed in relation to the selection of persons for nomination under paragraph 8, and
 - (b) the conduct of the proceedings of selection panels.
- (2) Without prejudice to the generality of sub-paragraph (1), regulations under this paragraph may—
- (a) make provision (including provision imposing time limits) as to the procedures to be adopted when inviting applications or suggestions for nomination under paragraph 8, and for dealing with applications and suggestions received;
 - (b) make provision specifying the fields referred to in paragraph 10;
 - (c) prescribe matters, in addition to those mentioned in paragraph 10, to which a selection panel is to have regard in carrying out any of its functions;
 - (d) provide for decisions of a selection panel to be taken by a majority of the members.
- (3) Regulations under this paragraph may make different provision for different cases and circumstances.
- (4) A statutory instrument containing regulations under this paragraph shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Secretary of State's short-list

- 12 (1) Where the Secretary of State receives a notice under paragraph 8(3), he shall as soon as practicable prepare a short-list of candidates and send it to the police authority concerned.
- (2) Subject to paragraph 13, the candidates on the short-list prepared by the Secretary of State shall be persons nominated by the selection panel, and their number shall be one half of the number of those persons.
- (3) Where the number of persons nominated by the panel is an odd number, the number to be short-listed by the Secretary of State shall be one half of the number nominated reduced by one.
- 13 (1) This paragraph has effect where the number of persons nominated by the selection panel is less than twice the number of vacancies to be filled by appointments under paragraph 5 of Schedule 2.
- (2) The Secretary of State may himself nominate such number of candidates as, when added to the number nominated by the selection panel, equals twice the number of vacancies; and if he does so, paragraph 12 shall have effect as if the selection panel had nominated the Secretary of State's nominees as well as their own.
- 14 The Secretary of State shall give to the designated members any information regarding the persons on his short-list which they request and which he has received under paragraph 8.