

SCHEDULES

SCHEDULE 1

Sections 1(7) and 47(7).

APPOINTMENT OF MEMBERS OF THE SERVICE AUTHORITIES

PART I

CORE MEMBERS

- 1 (1) The NCS Service Authority and the NCIS Service Authority shall have a common core membership consisting of ten members (“the core members”) appointed in accordance with this Part.
- 2 (1) Three of the core members shall be persons appointed by the Secretary of State under this paragraph.
(2) A person shall not be appointed under this paragraph if he is—
 - (a) a member of a police force in Great Britain or of the Royal Ulster Constabulary,
 - (b) a Crown servant, or
 - (c) a local authority member of a police authority for an area in England and Wales, a member of a police authority for an area in Scotland or a member of the Police Authority for Northern Ireland.
- 3 (3) One of the core members appointed under this paragraph shall be appointed by the Secretary of State to be the chairman of both the NCS Service Authority and the NCIS Service Authority.
- 3 (1) Two of the core members shall be appointed by the chief officers of police of forces in England and Wales and the Assistant Commissioners of Police of the Metropolis (“the relevant police officers”), from among their number.
(2) The relevant police officers shall exercise their powers under sub-paragraph (1) so as to ensure that—
 - (a) one of the members appointed by them is the chief constable of a police force maintained under section 2 of the Police Act 1996 (forces in England and Wales outside London), and
 - (b) the other is the Commissioner or an Assistant Commissioner of Police of the Metropolis or the Commissioner of Police for the City of London.
- 4 Three of the core members shall be appointed by the local authority members of police authorities for areas in England and Wales, from among their number.
- 5 One of the core members shall be a person (other than a member of a police force) appointed by the Secretary of State under this paragraph to represent the Secretary of State in his capacity as police authority for the metropolitan police district.
- 6 One of the core members shall be a Crown servant appointed by the Secretary of State under this paragraph.

Status: This is the original version (as it was originally enacted).

PART II

ADDITIONAL MEMBERS OF NCIS SERVICE AUTHORITY

- 7 Where the NCIS Service Authority is to consist of nineteen members by virtue of section 1, then in addition to the ten core members—
- (a) one of the members shall be appointed by the chief constables of police forces in Scotland, from among their number;
 - (b) one shall be a person holding at least the rank of deputy chief constable in the Royal Ulster Constabulary, appointed by the Chief Constable of that Constabulary;
 - (c) two shall be appointed by the local authority members of police authorities for areas in England and Wales, from among their number;
 - (d) one shall be appointed by the members of police authorities for areas in Scotland, from among their number;
 - (e) one shall be appointed by the members of the Police Authority for Northern Ireland, from among their number;
 - (f) two shall be Crown servants appointed by the Secretary of State under this paragraph; and
 - (g) one shall be a customs officer appointed by the Commissioners of Customs and Excise.
- 8 (1) Where the Authority is to consist of more than nineteen members by virtue of an order under section 1(3), then in addition to the ten core members—
- (a) a prescribed number of members shall be appointed by the Secretary of State under this paragraph;
 - (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) one shall be a person holding at least the rank of deputy chief constable in the Royal Ulster Constabulary, appointed by the Chief Constable of that Constabulary;
 - (e) a prescribed number (being not less than two) shall be appointed by the local authority 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 Police Authority for Northern Ireland, from among their number;
 - (h) two shall be Crown servants appointed by the Secretary of State under this paragraph; and
 - (i) one shall be a customs officer appointed by the Commissioners of Customs and Excise.
- (2) An order under section 1(3) shall ensure—
- (a) that a majority of the members of the Authority are members appointed—
 - (i) by the Secretary of State (other than under sub-paragraph (1)(h) or paragraph 6),
 - (ii) by local authority members of police authorities for areas in England and Wales,

Status: This is the original version (as it was originally enacted).

- (iii) by members of police authorities for areas in Scotland, or
 - (iv) by members of the Police Authority for Northern Ireland, and
 - (b) that the number of members appointed by local authority members of police authorities in England and Wales is—
 - (i) greater than the total number appointed under sub-paragraph (1)(a) or paragraph 2,
 - (ii) greater than the total number appointed under sub-paragraph (1)(b), (c) or (d) or paragraph 3, and
 - (iii) greater than the number appointed under each of paragraphs (f) and (g) of sub-paragraph (1).
- (3) Paragraph 2(2) applies in relation to appointments under sub-paragraph (1)(a), as it applies to appointments under paragraph 2.
- (4) A person appointed under sub-paragraph (1)(a) shall not be so appointed to represent the Secretary of State in his capacity as police authority for the metropolitan police district.
- (5) The power to make an order under section 1(3) includes power to prescribe anything which is required to be prescribed for the purposes of this paragraph.

PART III

ADDITIONAL MEMBERS OF NCS SERVICE AUTHORITY

- 9 Where the NCS Service Authority is to consist of seventeen members by virtue of section 47, then in addition to the ten core members—
 - (a) one member shall be appointed by the relevant police officers, from among their number; and
 - (b) six shall be appointed by the local authority members of police authorities for areas in England and Wales, from among their number.
- 10 (1) Where the Authority is to consist of more than seventeen members by virtue of an order under section 47(3), then in addition to the ten core members—
 - (a) a prescribed number of members shall be appointed by the Secretary of State;
 - (b) a prescribed number shall be appointed by the relevant police officers, from among their number; and
 - (c) a prescribed number (being not less than six) shall be appointed by the local authority members of police authorities for areas in England and Wales, from among their number.
- (2) An order under section 47(3) shall ensure—
 - (a) that a majority of the members of the Authority are members appointed—
 - (i) by the Secretary of State (other than under paragraph 6), or
 - (ii) by local authority members of police authorities for areas in England and Wales, and
 - (b) that the number of members appointed by such local authority members of police authorities is—
 - (i) greater than the total number appointed under sub-paragraph (1)(a) or paragraph 2, and

Status: This is the original version (as it was originally enacted).

- (ii) greater than the total number appointed under sub-paragraph (1)(b) or paragraph 3.
- (3) Paragraph 2(2) applies in relation to appointments under sub-paragraph (1)(a), as it applies to appointments under paragraph 2.
- (4) A person appointed under sub-paragraph (1)(a) shall not be so appointed to represent the Secretary of State in his capacity as the police authority for the metropolitan police district.
- (5) The power to make an order under section 47(3) includes power to prescribe anything which is required to be prescribed for the purposes of this paragraph.

PART IV

GENERAL

Membership of more than one Service Authority by non-core members

- 11 (1) Nothing in this Schedule shall prevent a member of the NCS Service Authority appointed under Part III from being appointed as a member of the NCIS Service Authority under Part II.
- (2) Nothing in this Schedule shall prevent a member of the NCIS Service Authority appointed under Part II from being appointed as a member of the NCS Service Authority under Part III.

Local authority members

- 12 Local authority members of police authorities for areas in England and Wales shall exercise—
 - (a) their powers to appoint members of the NCIS Service Authority under paragraphs 4, 7(c) and 8(1)(e), and
 - (b) their powers to appoint members of the NCS Service Authority under paragraphs 4, 9(b) and 10(1)(c),
 so as to ensure that, so far as practicable, the members of the Authority appointed by them reflect the balance of parties for the time being prevailing among the local authority members of such police authorities taken as a whole.
- 13 The clerk to a Service Authority shall make such arrangements as he considers necessary to facilitate the appointment to the Authority, in accordance with this Schedule, of—
 - (a) local authority members of police authorities for areas in England and Wales, and
 - (b) in the case of the clerk to the NCIS Service Authority, members of police authorities for areas in Scotland and members of the Police Authority for Northern Ireland.

Interpretation

- 14 In this Schedule “local authority members of police authorities”, in relation to areas in England and Wales, means—

Status: This is the original version (as it was originally enacted).

- (a) the members of police authorities appointed under paragraph 2 of Schedule 2 to the Police Act 1996 (local authority members), and
 - (b) the members of the Common Council of the City of London who are members of any committee appointed under section 26 of the City of London Police Act 1839.
- 15 In this Schedule—
- (a) “the relevant police officers” shall be construed in accordance with paragraph 3(1), and
 - (b) “customs officer” means an officer commissioned by the Commissioners of Customs and Excise under section 6(3) of the Customs and Excise Management Act 1979.
- 16 For the purposes of this Schedule, the Commissioner and Assistant Commissioners of Police of the Metropolis and the Commissioner of Police for the City of London shall be treated as if they were members of the metropolitan police force and the City of London police force respectively.