

POLICE (NORTHERN IRELAND) ACT 2000

EXPLANATORY NOTES

COMMENTARY

Part III: Membership During Devolved Government

96. [Paragraph 6](#) provides that during devolved government the Board will have 19 members, 10 of whom will be appointed from the Assembly and the other 9 appointed by the Secretary of State.
97. *Sub-paragraph (2)* sets out that the 10 members nominated from the Assembly will be known as ‘political members’ and that the 9 members appointed by Secretary of State will be known as ‘independent members’.
98. [Paragraph 7](#) outlines the process (d’Hondt) for selecting the 10 political members of the Board. The provisions are based on those in the Northern Ireland Act 1998.
99. [Paragraph 8](#) provides for the appointment of independent members after consultation with the First Minister and Deputy First Minister, councils and such other bodies as the Secretary of State considers appropriate. Under *sub-paragraph (4)* the Secretary of State is required to consult only the First Minister and Deputy First Minister where the Board is first appointed after the restoration of devolution. This is to enable the swift replacement of members who will automatically cease to hold office immediately on restoration of devolution. The Secretary of State must exercise his powers of appointment to secure, as far as practicable, that the Board is representative of the community in Northern Ireland (*sub-paragraph (1)*).
100. [Paragraphs 9-10](#) cover the grounds for removal of Board members from office and disqualification from membership. Grounds for removal include, criminal conviction, not being committed to non-violence and exclusively peaceful and democratic means and being unfit. An independent member may additionally be removed if he failed, before his appointment, to disclose a criminal conviction.
101. [Paragraph 11](#) specifies that the first chairman and vice chairman shall be appointed by the Secretary of State after consultation with First Minister and Deputy First Minister. Thereafter, appointments will be made by the Board from among its members. The quorum for a meeting making such an appointment is specified under [paragraph 17\(2\)](#) as 12.