

SCHEDULES

SCHEDULE 2

THE INDEPENDENT POLICE COMPLAINTS COMMISSION

Chairman

- 1 (1) The chairman of the Commission shall hold office as chairman of the Commission in accordance with the terms of his appointment.
- (2) A person who has been sentenced to a term of imprisonment of three months or more shall not, at any time in the five years following the day on which he was sentenced, be appointed as chairman of the Commission; and an appointment made in contravention of this sub-paragraph shall have no effect.
- (3) The appointment of the chairman of the Commission shall be for a term not exceeding five years; but the chairman shall be eligible for re-appointment at the end of his term of office.
- (4) The chairman of the Commission may be removed from office by Her Majesty either—
 - (a) at his own request; or
 - (b) on being advised by the Secretary of State that there are grounds falling with sub-paragraph (5) for the removal of the chairman.
- (5) The following are grounds for removing the chairman from office—
 - (a) that he has failed without reasonable excuse to carry out the functions of his office for a continuous period of three months;
 - (b) that he has become a person falling within one or more paragraphs of section 9(3);
 - (c) that he has, since his appointment, been sentenced to imprisonment for a term of three months or more;
 - (d) that he is a person who—
 - (i) has had a bankruptcy order made against him;
 - (ii) has had his estate sequestrated; or
 - (iii) has made a composition or arrangement with, or granted a trust deed for, his creditors;
 - (e) that he is subject to—
 - (i) a disqualification order under the Company Directors Disqualification Act 1986 (c. 46) or under Part 2 of the Companies (Northern Ireland) Order 1989 (S.I. 1989/2404 (N.I. 18)); or
 - (ii) an order made under section 429(2)(b) of the Insolvency Act 1986 (c. 45) (failure to pay under county court administration order);
 - (f) that he has acted improperly in relation to his duties; or
 - (g) that he is otherwise unable or unfit to perform his duties.

Status: This is the original version (as it was originally enacted).

- (6) For the purposes of this paragraph a sentence of imprisonment for any term the whole or part of which is suspended shall be taken to be a sentence of imprisonment for the whole term.