

Changes to legislation: Police Reform Act 2002, Paragraph 2 is up to date with all changes known to be in force on or before 20 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

^{F1} SCHEDULE 2

[^{F1}THE INDEPENDENT OFFICE FOR POLICE CONDUCT]

Textual Amendments

F1 Sch. 2 title substituted (31.1.2017 for specified purposes, 8.1.2018 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), **Sch. 9 para. 55(2)**; S.I. 2017/1249, reg. 2 (with reg. 3)

Modifications etc. (not altering text)

C1 Sch. 2 applied (with modifications) (28.12.2005) by The Revenue and Customs (Complaints and Misconduct) Regulations 2005 (S.I. 2005/3311), **reg. 3(3)(6)**, Sch. 2

C1 Sch. 2 applied (with modifications) (7.10.2013) by The National Crime Agency (Complaints and Misconduct) Regulations 2013 (S.I. 2013/2325), regs. 1(1), **5**

[^{F1}Terms of appointment etc: non-executive members]

2 (1) Subject to the provisions of this Schedule, a person shall hold office as [^{F2}a non-executive] member in accordance with the terms of his appointment.

^{F3}(2)

(3) 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 is sentenced, be appointed as [^{F4}a non-executive] member; and an appointment made in contravention of this sub-paragraph shall have no effect.

(4) A person shall not be appointed to be [^{F5}a non-executive] member for a term of more than [^{F6}three] years; but [^{F5}a non-executive] member shall be eligible for re-appointment at the end of his term of office.

(5) [^{F7}A non-executive] member may at any time resign [^{F8}from being a non-executive member of the Office] by notice in writing to the Secretary of State.

(6) The Secretary of State may at any time remove a person from office as [^{F9}a non-executive] member if he is satisfied that that person—

(a) has failed without reasonable excuse to carry out the functions of his office for a continuous period of three months beginning not earlier than six months before that time;

^{F10}(b)

(c) has, since his appointment, been sentenced to imprisonment for a term of three months or more;

(d) is a person who—

(i) has had a bankruptcy order made against him;

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- (ii) has had his estate sequestrated; or
 - (iii) has made a composition or arrangement with, or granted a trust deed for, his creditors;
 - (e) is subject to—
 - (i) a disqualification order under the Company Directors Disqualification Act 1986 (c. 46) or under [F11]the Company Directors Disqualification (Northern Ireland) Order 2002[(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) has acted improperly in relation to his duties; or
 - (g) is otherwise unable or unfit to perform his duties.
- (7) 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.

F12(8)

Textual Amendments

- F1** Sch. 2 para. 2 cross-heading substituted (31.1.2017 for specified purposes, 8.1.2018 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), Sch. 9 para. 55(4); S.I. 2017/1249, reg. 2 (with reg. 3)
- F2** Words in Sch. 2 para. 2(1) substituted (31.1.2017 for specified purposes, 3.4.2017 for specified purposes, 8.1.2018 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), Sch. 9 para. 4(2); S.I. 2017/399, reg. 2, Sch. para. 39(d); S.I. 2017/1249, reg. 2 (with reg. 3)
- F3** Sch. 2 para. 2(2) omitted (31.1.2017 for specified purposes, 3.4.2017 for specified purposes, 8.1.2018 in so far as not already in force) by virtue of Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), Sch. 9 para. 4(3); S.I. 2017/399, reg. 2, Sch. para. 39(d); S.I. 2017/1249, reg. 2 (with reg. 3)
- F4** Words in Sch. 2 para. 2(3) substituted (31.1.2017 for specified purposes, 3.4.2017 for specified purposes, 8.1.2018 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), Sch. 9 para. 4(4); S.I. 2017/399, reg. 2, Sch. para. 39(d); S.I. 2017/1249, reg. 2 (with reg. 3)
- F5** Words in Sch. 2 para. 2(4) substituted (31.1.2017 for specified purposes, 3.4.2017 for specified purposes, 8.1.2018 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), Sch. 9 para. 4(5)(a); S.I. 2017/399, reg. 2, Sch. para. 39(d); S.I. 2017/1249, reg. 2 (with reg. 3)
- F6** Word in Sch. 2 para. 2(4) substituted (31.1.2017 for specified purposes, 3.4.2017 for specified purposes, 8.1.2018 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), Sch. 9 para. 4(5)(b); S.I. 2017/399, reg. 2, Sch. para. 39(d); S.I. 2017/1249, reg. 2 (with reg. 3)
- F7** Words in Sch. 2 para. 2(5) substituted (31.1.2017 for specified purposes, 3.4.2017 for specified purposes, 8.1.2018 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), Sch. 9 para. 4(6)(a); S.I. 2017/399, reg. 2, Sch. para. 39(d); S.I. 2017/1249, reg. 2 (with reg. 3)
- F8** Words in Sch. 2 para. 2(5) substituted (31.1.2017 for specified purposes, 3.4.2017 for specified purposes, 8.1.2018 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), Sch. 9 para. 4(6)(b); S.I. 2017/399, reg. 2, Sch. para. 39(d); S.I. 2017/1249, reg. 2 (with reg. 3)
- F9** Words in Sch. 2 para. 2(6) substituted (31.1.2017 for specified purposes, 3.4.2017 for specified purposes, 8.1.2018 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), Sch. 9 para. 4(7)(a); S.I. 2017/399, reg. 2, Sch. para. 39(d); S.I. 2017/1249, reg. 2 (with reg. 3)
- F10** Sch. 2 para. 2(6)(b) omitted (31.1.2017 for specified purposes, 3.4.2017 for specified purposes, 8.1.2018 in so far as not already in force) by virtue of Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), Sch. 9 para. 4(7)(b); S.I. 2017/399, reg. 2, Sch. para. 39(d); S.I. 2017/1249, reg. 2 (with reg. 3)

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- F11** Words in Sch. 2 para. 2(6)(e)(i) substituted (1.10.2009) by [The Companies Act 2006 \(Consequential Amendments, Transitional Provisions and Savings\) Order 2009 \(S.I. 2009/1941\)](#), art. 2(1), [Sch. 1 para. 197\(b\)](#) (with art. 10)
- F12** Sch. 2 para. 2(8) omitted (31.1.2017 for specified purposes, 3.4.2017 for specified purposes, 8.1.2018 in so far as not already in force) by virtue of [Policing and Crime Act 2017 \(c. 3\)](#), s. 183(1)(5)(e), [Sch. 9 para. 4\(8\)](#); S.I. 2017/399, reg. 2, [Sch. para. 39\(d\)](#); S.I. 2017/1249, reg. 2 (with reg. 3)

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Changes and effects yet to be applied to :

- Sch. 2 para. 2(6)(e)(ii) words substituted by [2007 c. 15 Sch. 16 para. 13\(3\)](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 26F inserted by [2023 c. 41 Sch. 13 para. 6](#)
- s. 28A(6A)(6B) inserted by [2023 c. 41 s. 45\(2\)](#)