

SCHEDULES

SCHEDULE 1

THE SERIOUS ORGANISED CRIME AGENCY

PART 2

DIRECTOR GENERAL AND OTHER STAFF

SOCA's staff

- 8 (1) SOCA shall have—
- (a) a Director General (see paragraph 9), and
 - (b) such other employees as SOCA may appoint.
- (2) SOCA may make arrangements for persons to be seconded to SOCA to serve as members of its staff.
- (3) A member of a police force on temporary service with SOCA shall be under the direction and control of SOCA.
- (4) References in any enactment to members of staff of SOCA are (unless the context otherwise requires) references to persons who either are employees of SOCA or have been seconded to SOCA to serve as members of its staff.

The Director General

- 9 (1) The Director General shall be—
- (a) appointed by the Secretary of State, and
 - (b) employed by SOCA on such terms and conditions as the Secretary of State may determine.
- (2) But a person may not be so appointed for a term exceeding five years.
- (3) Before appointing a person as Director General the Secretary of State must consult—
- (a) the chairman of SOCA, and
 - (b) the Scottish Ministers.
- (4) SOCA shall pay to its Director General such remuneration and allowances as the Secretary of State may determine.

Termination or suspension of appointment of Director General

- 10 (1) The Secretary of State may call on the Director General to retire or to resign from his office as Director General—
- (a) in the interests of efficiency or effectiveness, or

Status: This is the original version (as it was originally enacted).

- (b) by reason of any misconduct by the Director General.
- (2) But before doing so the Secretary of State must have complied with sub-paragraphs (3) to (6).
- (3) The Secretary of State must give the Director General—
 - (a) an explanation in writing of the grounds on which the Secretary of State proposes to call upon the Director General to retire or resign as mentioned in sub-paragraph (1)(a) or (b), and
 - (b) an opportunity to make representations to the Secretary of State (including an opportunity to make them in person).
- (4) The Secretary of State must consider any representations made by or on behalf of the Director General.
- (5) The Secretary of State must send a copy of the explanation mentioned in sub-paragraph (3)(a) to the chairman of SOCA.
- (6) The Secretary of State must consult—
 - (a) the chairman of SOCA, and
 - (b) the Scottish Ministers.
- (7) If the Director General is, under sub-paragraph (1), called upon to retire or resign, he must retire or resign with effect from—
 - (a) such date as the Secretary of State may specify, or
 - (b) such earlier date as may be agreed between him and the Secretary of State.
- (8) If the Secretary of State considers that it is necessary to do so for the maintenance of public confidence in SOCA, he may suspend the Director General from duty.
 But before doing so the Secretary of State must have complied with sub-paragraph (6).
- (9) Nothing in this paragraph affects any power of the Secretary of State to terminate or suspend the Director General's employment with SOCA in accordance with the terms and conditions of that employment.

Delegation of functions of Director General

- 11 (1) Anything authorised or required to be done by the Director General may be done by any other member of SOCA's staff who is authorised for the purpose by the Director General (whether generally or specially).
- (2) This paragraph does not apply in any case in relation to which specific provision for the delegation of any function of the Director General is made by this Act or any other enactment.

Remuneration and pensions of staff

- 12 (1) SOCA shall pay to its employees such remuneration and allowances as it may determine.
- (2) Sub-paragraph (1) does not apply to the Director General (to whom paragraph 9(4) applies instead).

- 13 (1) SOCA may pay, or make payments in respect of, such pensions, allowances or gratuities to or in respect of its employees or former employees as it may determine.
- (2) Employment with SOCA shall be included among the kinds of employment to which a scheme under section 1 of the Superannuation Act 1972 (c. 11) can apply, and accordingly in Schedule 1 to that Act (in which those kinds of employment are listed) insert at the appropriate place—
- “Employment by the Serious Organised Crime Agency.”
- (3) If any person—
- (a) on ceasing to be employed by SOCA becomes or continues to be one of its members, and
- (b) was, by reference to his employment, a participant in a scheme under section 1 of that Act,
- the Minister for the Civil Service may determine that his service as a member of SOCA is to be treated for the purposes of the scheme as if his service as a member were service as an employee of SOCA (whether or not any benefits are payable to or in respect of him by virtue of paragraph 6).
- (4) SOCA shall pay to the Minister for the Civil Service, at such times as he may direct, such sums as he may determine in respect of any increase attributable to this paragraph in the sums payable out of money provided by Parliament under that Act.

Insurance

- 14 The Employers' Liability (Compulsory Insurance) Act 1969 (c. 57) does not require insurance to be effected by SOCA.