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**Changes to legislation:** There are currently no known outstanding effects for the Children and Families Act 2014, Cross Heading: Appointment and tenure of Children's Commissioner. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 5

#### CHILDREN'S COMMISSIONER: MINOR AND CONSEQUENTIAL AMENDMENTS

##### *Appointment and tenure of Children's Commissioner*

- 7 In Schedule 1 to the Children Act 2004, in paragraph 3 (appointment and tenure of office)—
- (a) in sub-paragraph (2) for “, to such extent and in such manner as he thinks fit,” substitute “ take reasonable steps to ”,
  - (b) in sub-paragraph (4) for “five years” substitute “ six years ”, and
  - (c) in sub-paragraph (5) for “is eligible for reappointment once only” substitute “ is not eligible for reappointment ”.
- 8 In Schedule 1 to the Children Act 2004, after paragraph 3 insert—

##### *“Interim appointments*

- 3A (1) Where there is a vacancy in the office of Children's Commissioner, the Secretary of State may appoint a person as interim Children's Commissioner.
- (2) Subject to the provisions of this paragraph, a person holds and vacates office as interim Children's Commissioner in accordance with the terms and conditions of the appointment as determined by the Secretary of State.
- (3) An appointment as interim Children's Commissioner is for a term ending—
- (a) with the appointment of a person as the Children's Commissioner under paragraph 3, or
  - (b) if sooner, at the end of the period of six months beginning with the date on which the appointment as interim Children's Commissioner was made.
- (4) A person who has held office as interim Children's Commissioner—
- (a) is eligible for reappointment, and
  - (b) is eligible for appointment as the Children's Commissioner.
- (5) An interim Children's Commissioner may at any time resign by notice in writing to the Secretary of State.
- (6) The Secretary of State may remove an interim Children's Commissioner from office if satisfied that the interim Commissioner has—
- (a) become unfit or unable properly to discharge his or her functions; or

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- (b) behaved in a way that is not compatible with continuing in office.”

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