
Changes to legislation: There are currently no known outstanding effects for the European Union (Withdrawal Agreement) Act 2020, Cross Heading: Procedure for appointing members with knowledge of conditions in devolved areas etc.. (See end of Document for details)

SCHEDULES

SCHEDULE 2

INDEPENDENT MONITORING AUTHORITY FOR THE CITIZENS' RIGHTS AGREEMENTS

PART 1

CONSTITUTION, PROCEEDINGS ETC.

Procedure for appointing members with knowledge of conditions in devolved areas etc.

- 5 (1) This paragraph applies in relation to the appointment of non-executive members for the purposes of paragraph 4(2) and (3).
- (2) Before making an appointment, the Secretary of State must tell the relevant authority who the Secretary of State proposes to appoint and why.
- (3) If the relevant authority approves the proposed appointment within the period of one month beginning with the day on which the Secretary of State complies with sub-paragraph (2), the Secretary of State must appoint that person (subject to sub-paragraph (4)).
- (4) If that person is no longer available or the Secretary of State and the relevant authority agree, after the relevant authority has given its approval as mentioned in sub-paragraph (3), that it is no longer appropriate to appoint that person—
- (a) the Secretary of State must propose to appoint a different person, and
 - (b) sub-paragraphs (2) and (3) apply again.
- (5) If the relevant authority does not approve the proposed appointment as mentioned in sub-paragraph (3), the Secretary of State may—
- (a) make the proposed appointment without the approval of the relevant authority, or
 - (b) propose to appoint a different person.
- (6) If the Secretary of State proposes to appoint a different person, sub-paragraphs (2) to (5) apply again.
- (7) If the Secretary of State makes a proposed appointment without the approval of the relevant authority as mentioned in sub-paragraph (3), the Secretary of State must publish a statement explaining why the Secretary of State has proceeded with the appointment.
- (8) In this paragraph, the “relevant authority” means—
- (a) in relation to an appointment for the purposes of paragraph 4(2)(a), the Scottish Ministers,
 - (b) in relation to an appointment for the purposes of paragraph 4(2)(b), the Welsh Ministers,

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- (c) in relation to an appointment for the purposes of paragraph 4(2)(c), the Executive Office in Northern Ireland, and
- (d) in relation to an appointment for the purposes of paragraph 4(3), the Gibraltar Ministers.

Commencement Information

II Sch. 2 para. 5 in force at 31.1.2020 by S.I. 2020/75, reg. 4(m)

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