



# Scottish National Investment Bank Act 2020

2020 asp 3

## PART 1

### ESTABLISHMENT OF THE BANK

#### CHAPTER 2

##### THE BANK'S ARTICLES OF ASSOCIATION ON ESTABLISHMENT

#### **10 Directors: tenure**

- (1) The articles of association must provide that—
- (a) the period of a non-executive director's appointment is to be a period, not exceeding 5 years, specified by the Scottish Ministers when making the appointment,
  - (b) a person may be appointed to the office of non-executive director more than once,
  - (c) no person may hold the office of non-executive director for a cumulative period exceeding 8 years.
- (2) The articles of association must provide that a person ceases to hold the office of director as soon as—
- (a) the person ceases to be a director by virtue of any provision of the Companies Act 2006 or is prohibited from being a director by law,
  - (b) the person becomes insolvent, meaning—
    - (i) the person's estate has been sequestered,
    - (ii) the person has granted a trust deed for, or entered into a composition contract with, creditors,
    - (iii) the person has been adjudged bankrupt,
    - (iv) a voluntary arrangement proposed by the person has been approved,

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**Changes to legislation:** There are currently no known outstanding effects for the Scottish National Investment Bank Act 2020, Section 10. (See end of Document for details)

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- (v) the person's application for a debt payment programme has been approved under section 2 of the Debt Arrangement and Attachment (Scotland) Act 2002,
- (vi) the person has become subject to any order or arrangement analogous to any of those described in sub-paragraphs (i) to (v) anywhere in the world,
- (c) a registered medical practitioner who is treating the person gives a written opinion to the Bank stating that the person has become physically or mentally incapable of acting as a director and may remain so for more than 3 months,
- (d) notification is received by the Bank from the person that the person is resigning from office, and such resignation has taken effect in accordance with its terms.

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**Commencement Information**

**II** [S. 10](#) in force at 16.9.2020 by [S.S.I. 2020/272](#), [reg. 2](#)

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