

*Status: Point in time view as at 01/09/2015.*

*Changes to legislation: Criminal Procedure (Scotland) Act 1995, Cross Heading: Members and employees is up to date with all changes known to be in force on or before 04 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)*

## SCHEDULES

### [<sup>F1</sup>SCHEDULE 9A

#### THE COMMISSION: FURTHER PROVISIONS

##### Textual Amendments

**F1** Sch. 9A inserted (1.1.1998) by 1997 c. 48, s. 25(2); S.I. 1997/3004, art. 2, Sch. (subject to arts. 4, 5)

##### *Members and employees*

- 3 (1) The Commission shall—
- (a) pay to members of the Commission such remuneration;
  - (b) pay to or in respect of members of the Commission any such allowances, fees, expenses and gratuities; and
  - (c) pay towards the provisions of pensions to or in respect of members of the Commission any such sums,
- as the Commission are required to pay by or in accordance with directions given by the Secretary of State.
- (2) Where a member of the Commission was, immediately before becoming a member, a participant in a scheme under section 1 of the <sup>M1</sup>Superannuation Act 1972, the Minister for the Civil Service may determine that his term of office as a member shall be treated for the purposes of the scheme as if it were service in the employment or office by reference to which he was a participant in the scheme; and his rights under the scheme shall not be affected by sub-paragraph (1)(c) above.
- (3) Where—
- (a) a person ceases to hold office as a member of the Commission otherwise than on the expiry of his term of appointment; and
  - (b) it appears to the Secretary of State that there are special circumstances which make it right for him to receive compensation,
- the Secretary of State may direct the Commission to make to him a payment of such amount as the Secretary of State may determine.

##### Marginal Citations

**M1** 1972 c. 11.

- 4 (1) The Commission may appoint a chief executive and such other employees as the Commission think fit, subject to the consent of the Secretary of State as to their number and terms and conditions of service.
- (2) The Commission shall—
- (a) pay to employees of the Commission such remuneration; and

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- (b) pay to or in respect of employees of the Commission any such allowances, fees, expenses and gratuities,  
as the Commission may, with the consent of the Secretary of State, determine.
- (3) Employment by the Commission shall be included among the kinds of employment to which a scheme under section 1 of the Superannuation Act 1972 may apply.
- 5 The Commission 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 paragraph 3(2) or 4(3) above in the sums payable out of money provided by Parliament under the <sup>M2</sup>Superannuation Act 1972.]

**Marginal Citations**

**M2** [1972 c. 11.](#)

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