

SCHEDULES

SCHEDULE 2

NATIONAL AUDIT OFFICE

PART 4

EMPLOYEE MEMBERS

Appointment

- 12 (1) The employee members are to be appointed by the non-executive members as follows.
- (2) If there is a vacancy, the Comptroller and Auditor General must recommend a person to the non-executive members for appointment.
- (3) The non-executive members may—
- (a) appoint that person, or
 - (b) require the Comptroller and Auditor General to recommend another person (in which event this sub-paragraph applies again and so on until someone is appointed).

Terms of appointment

- 13 (1) The terms of an employee member's appointment are to be determined by the non-executive members.
- (2) The terms may include remuneration arrangements which—
- (a) may make provision for a salary, allowances and other benefits but, subject to sub-paragraph (4), not a pension, and
 - (b) may include a formula or other mechanism for adjusting one or more of those elements from time to time.
- (3) Amounts payable by virtue of sub-paragraph (2) are to be paid by NAO (subject to sub-paragraph (4)).
- (4) If the employee is a participant in a pension scheme under the terms of the person's employment with NAO, the remuneration arrangements may make provision for the person's service as an employee member to be treated, for the purposes of the scheme, as if it were service as an employee of NAO.

Termination of appointments

- 14 The appointment of an employee member terminates—
- (a) if the terms of the member's appointment provide for it to expire at the end of a period, at the end of that period, and

Status: This is the original version (as it was originally enacted).

- (b) in any event, when the member ceases to be an employee of NAO.
- 15 An employee member may resign by giving written notice to the non-executive members.
- 16 The non-executive members may terminate the appointment of an employee member by giving the member written notice if—
- (a) the member has been absent from meetings of NAO without NAO's permission for a period of more than 3 months,
 - (b) the member has become bankrupt or has made an arrangement with creditors,
 - (c) the member's estate has been sequestrated in Scotland or the member has entered into a debt arrangement programme under Part 1 of the Debt Arrangement and Attachment (Scotland) Act 2002 ([asp 17](#)) as the debtor or has, under Scots law, made a composition or arrangement with, or granted a trust deed for, the member's creditors,
 - (d) the member is unfit to continue the appointment because of misconduct,
 - (e) the member has failed to comply with the terms of the appointment, or
 - (f) the member is otherwise unable, unfit or unwilling to carry out the member's functions.