
Status: This is the original version (as it was originally enacted).

SCHEDULE 1

(introduced by section 8)

THE STANDARDS COMMISSION FOR SCOTLAND

Status

- 1 (1) The Commission shall be a body corporate.
- (2) It shall not be regarded as the servant or agent of the Crown or have any status, immunity or privilege of the Crown, nor shall its members and employees be regarded as civil servants nor its property as property of or held on behalf of the Crown.

General powers

- 2 (1) The Commission may do such things and enter into such transactions as are calculated to facilitate, or are incidental or conducive to, the exercise of —
 - (a) its functions; or
 - (b) the functions of the Chief Investigating Officer.
- (2) The power under sub-paragraph (1)(a) above includes in particular power to acquire and dispose of land.

Disqualification

- 3 A person is disqualified from being appointed as, or from being, a member of the Commission if the person is disqualified under any enactment, including this Act, from being elected, or being, a councillor or under this Act from being a member of any devolved public body or the Water Industry Commissioner for Scotland.

Convener

- 4 Ministers shall appoint one member of the Commission as its convener.

Tenure of office

- 5 (1) The appointment of the convener and members of the Commission shall be on such terms and conditions as Ministers determine.
- (2) Subject to the provisions of this paragraph, a person holds and vacates office as the convener or a member of the Commission in accordance with the terms of appointment of that person.
- (3) The convener or a member may at any time resign his office by notice in writing addressed to the Ministers.
- (4) Ministers may remove the convener or a member from office if they consider—
 - (a) that the convener or member is unable or unfit to discharge the functions of office; or
 - (b) that the convener or member has not complied with the terms of appointment of that person.
- (5) The convener, if ceasing to be a member of the Commission, also ceases to be convener.

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- (6) A person who ceases, otherwise than by virtue of sub-paragraph (3) above, to be the convener or a member of the Commission is eligible for reappointment.

Remuneration and allowances

- 6 The Commission may pay the convener and other members of the Commission such remuneration or allowances (if any) as Ministers may determine.

Employees

- 7 (1) The Commission shall appoint such staff as it considers necessary for the purpose of enabling it and the Chief Investigating Officer and other persons appointed under section 9 of this Act to exercise their respective functions.
- (2) It shall pay to the members of its staff so appointed (referred to in this paragraph as “employees”) such remuneration and allowances as Ministers may determine.
- (3) Its employees shall be appointed on such other terms and conditions of service as it thinks fit.
- (4) It shall—
- (a) pay such pensions, allowances or gratuities to or in respect of any persons who have been or are employees as Ministers may determine; and
 - (b) make such payments as Ministers may determine towards the provision of pensions, allowances or gratuities to or in respect of any such persons.
- (5) References in sub-paragraph (4) above to pensions, allowances or gratuities to or in respect of any such persons as are mentioned in that sub-paragraph include pensions, allowances or gratuities by way of compensation to or in respect of any employees of the Commission who suffer loss of office or employment.

Chief Investigating Officer

- 8 (1) The Commission shall pay to the Chief Investigating Officer and such persons appointed by him under section 9 such remuneration and allowances as Ministers may determine.
- (2) It shall—
- (a) pay such pensions, allowances or gratuities to or in respect of such persons who are or have held the office of Chief Investigating Officer or are or have been employees of the Chief Investigating Officer as Ministers may determine; and
 - (b) make such payments as Ministers may determine toward the provision of pensions, allowances or gratuities to or in respect of any such persons.
- (3) References in sub-paragraph (2) above to pensions, allowances or gratuities to or in respect of any such persons as are mentioned in that sub-paragraph include pensions, allowances or gratuities by way of compensation to or in respect of any Chief Investigating Officer or employees of that Officer who suffer loss of office or employment.

Proceedings

- 9 (1) The Commission may regulate its own procedure (and in particular may specify a quorum for meetings).
- (2) The validity of its proceedings is not affected—
- (a) by any vacancy among its members or in the office of its convener;
 - (b) by any defect in the appointment of any person as convener or member; or
 - (c) by a contravention of paragraph 4 above or 10 below.

Members' interests

- 10 Any member of the Commission who is directly or indirectly interested in any matter being considered at a meeting of the Commission—
- (a) must disclose the nature of that interest to the meeting; and
 - (b) must not take part in any deliberation or decision of the Commission with respect to that matter.

Expenses

- 11 The expenditure of the Commission shall be paid by Ministers.

SCHEDULE 2

(introduced by section 9)

CHIEF INVESTIGATING OFFICER

Appointment

- 1 (1) The Chief Investigating Officer's appointment shall be on such terms and conditions as Ministers determine.
- (2) Those terms and conditions may include arrangements for the payment of pensions, allowances or gratuities to, or in respect of, persons who have ceased to hold office as Chief Investigating Officer.

Staff

- 2 (1) The Chief Investigating Officer may, with the consent of Ministers as to numbers, terms and conditions, appoint staff.
- (2) The Chief Investigating Officer may make arrangements for the payment of pensions, gratuities or allowances to, or in respect of, any person who has ceased to be a member of staff of the Chief Investigating Officer and may, in particular—
- (a) make contributions or payments towards provision for such pensions, gratuities or allowances; and
 - (b) establish and administer one or more pension schemes.
- (3) Arrangements under sub-paragraph (2) are subject to the approval of Ministers.

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

Status

- 3 The Chief Investigating Officer and that Officer's staff shall not to be regarded as servants or agents of the Crown or have any status, immunity or privilege of the Crown.

SCHEDULE 3

(introduced by section 28)

DEVOLVED PUBLIC BODIES

The Accounts Commission for Scotland
 The Royal Commission on the Ancient and Historical Monuments of Scotland
 The controlling body of an area tourist board established under section 172 of the [Local Government etc. \(Scotland\) Act 1994 \(c. 39\)](#)
 The Clinical Standards Board for Scotland
 The Common Services Agency for the Scottish Health Service, constituted under section 10 of the [National Health Service \(Scotland\) Act 1978 \(c. 29\)](#)
 The Crofters Commission
 The Deer Commission for Scotland
 The East of Scotland Water Authority
 The board of management within the meaning of subsection (1) of section 36 of the [Further and Higher Education \(Scotland\) Act 1992 \(c. 37\)](#) of a college of further education within the meaning of that subsection
 A health board, constituted under section 2 of the [National Health Service \(Scotland\) Act 1978 \(c. 29\)](#)
 Health Education Board for Scotland
 The Health Technology Board for Scotland
 Highlands and Islands Enterprise
 The Mental Welfare Commission for Scotland
 The Board of Trustees for the National Galleries of Scotland, established under section 3 of the [National Galleries of Scotland Act 1906 \(c. 50\)](#)
 A National Health Service trust
 The Trustees of the National Library of Scotland, constituted under section 1 of the [National Library of Scotland Act 1925 \(c. 73\)](#)
 The Board of Trustees of the National Museums of Scotland
 The North of Scotland Water Authority
 The Parole Board for Scotland
 The Board of Trustees of the Royal Botanic Garden, Edinburgh
 Scottish Agricultural Wages Board
 Scottish Ambulance Service Board
 The Scottish Arts Council
 Scottish Children's Reporter Administration
 The Scottish Conveyancing and Executry Services Board
 The Scottish Council for Post Graduate Medical and Dental Education
 The Scottish Criminal Cases Review Commission
 Scottish Enterprise
 The Scottish Environment Protection Agency

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

The Scottish Further Education Funding Council
The Scottish Higher Education Funding Council
Scottish Homes
Scottish Hospital Endowments Research Trust, constituted under section 12 of the [National Health Service \(Scotland\) Act 1978 \(c. 29\)](#)
The Scottish Legal Aid Board
The Scottish Medical Practices Committee, constituted under section 3 of the [National Health Service \(Scotland\) Act 1979 \(c. 29\)](#)
Scottish Natural Heritage
The Scottish Qualifications Authority
The Scottish Sports Council
The Scottish Tourist Board
The State Hospitals Board for Scotland
The West of Scotland Water Authority

SCHEDULE 4
(introduced by section 36)

REPEALS

<i>Enactment</i>	<i>Extent of repeal</i>
Local Government (Scotland) Act 1973 (c. 65)	Sections 38 to 42. Section 60.
Local Government (Scotland) Act 1975 (c. 30)	In section 28, subsection (3), the words “except where subsection (3A) below applies”; and subsection (3A).
Local Government and Planning (Scotland) Act 1982 (c. 43)	In Schedule 3, paragraph 14.
Financial Services Act 1986 (c. 60)	In Schedule 16, paragraph 9.
Local Government Act 1988 (c. 9)	Section 28.
Local Government and Housing Act 1989 (c. 42)	Section 19. Section 32(2). In Schedule 6, paragraph 23. In Schedule 11, paragraph 33.
Local Government Finance Act 1992 (c. 14)	In Schedule 13, paragraph 35.
Local Government etc. (Scotland) Act 1994 (c. 39)	In Schedule 13, paragraphs 92(9) and 161(9).
