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*Changes to legislation: There are currently no known outstanding effects for the Water Industry (Scotland) Act 2002, Paragraph 3. (See end of Document for details)*

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[<sup>F1</sup>SCHEDULE A1  
WATER INDUSTRY COMMISSION FOR SCOTLAND

**Textual Amendments**

- F1** [Sch. A1](#) inserted (20.6.2005 for the insertion of Sch. A1 paras. 1-7, 1.7.2005 in so far as not already in force) by [Water Services etc. \(Scotland\) Act 2005 \(asp 3\)](#), s. 37(2), [sch. 1](#) (with s. 36); S.S.I. 2005/351, art. 2, [sch. 1](#), [sch. 2](#)

*Tenure and removal from office*

- 3 (1) Each ordinary member—
- (a) is to be appointed by the Scottish Ministers for such period as is specified in the appointment,
  - (b) may, by written notice to the Scottish Ministers, resign as a member,
  - (c) in other respects, holds and vacates office on such terms and conditions as the Scottish Ministers may determine, and
  - (d) after ceasing to hold office is eligible for reappointment as a member.
- (2) The Scottish Ministers may remove an ordinary member from office and the Commission may, with the approval of the Scottish Ministers, remove the member who is the chief executive from office if satisfied that—
- (a) the member's estate has been sequestrated or the member has been adjudged bankrupt, has made an arrangement with creditors or has granted a trust deed for creditors or a composition contract, or
  - (b) the member—
    - (i) is incapacitated by physical or mental illness,
    - (ii) has been absent from meetings of the Commission for a period longer than 3 consecutive months without the permission of the Commission, or
    - (iii) is otherwise unable or unfit to discharge the functions of a member or is unsuitable to continue as a member.]

**Changes to legislation:**

There are currently no known outstanding effects for the Water Industry (Scotland) Act 2002, Paragraph 3.