

SCHEDULE 3

(introduced by section 15)

THE ADVISORY COUNCIL

Status

- 1 The Advisory Council is a body corporate.
- 2 The Advisory Council—
 - (a) is not to be regarded as a servant or agent of the Crown;
 - (b) does not have any status, immunity or privilege of the Crown,and its property is not to be regarded as property of, or property held on behalf of, the Crown.

Membership

- 3 (1) The Advisory Council is to consist of such members as the Scottish Ministers may appoint.
 - (2) The Scottish Ministers are to appoint one of the members to chair meetings of the Advisory Council.
 - (3) Each member—
 - (a) is to be appointed for such period as is specified in the terms of appointment; and
 - (b) holds and vacates office in accordance with those terms.

Allowances etc.

- 4 (1) Members of the Advisory Council are entitled to such allowances as the Scottish Ministers may approve.
 - (2) The member appointed to chair meetings of the Advisory Council is entitled to such remuneration as the Scottish Ministers may approve.

Proceedings

- 5 (1) The Advisory Council may, subject to sub-paragraphs (2) and (3), regulate its own procedure.
 - (2) The Scottish Ministers may give directions to the Advisory Council as to its procedure; and the Advisory Council must comply with any such directions.
 - (3) A member who is in any way directly or indirectly interested in any matter which is brought up for consideration at a meeting of the Advisory Council must disclose the nature of the interest to the meeting and, where such a disclosure is made—
 - (a) the disclosure must be recorded in the minutes of the meeting; and
 - (b) the member must not take any part in any deliberation or decision of the Advisory Council with respect to the matter.
 - (4) The validity of any proceedings of the Advisory Council is not affected by any vacancy in membership nor any defect in the appointment of a member.

Status: This is the original version (as it was originally enacted).

Reports

- 6 The Advisory Council must annually prepare a report on the exercise of its functions and send a copy of the report to the Scottish Ministers; and the Scottish Ministers must lay a copy of the report before the Parliament.

Functions: supplementary provision

- 7 (1) The Advisory Council may, subject to sub-paragraph (2), do anything which appears necessary or expedient for the purpose of or in connection with the exercise of its functions and, in particular, it may—
- (a) acquire and dispose of property; and
 - (b) enter into contracts.
- (2) The Advisory Council may not—
- (a) acquire heritable property; or
 - (b) appoint staff.