
Changes to legislation: Scottish Commission for Human Rights Act 2006, Cross Heading: Terms of office and remuneration is up to date with all changes known to be in force on or before 21 May 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) View outstanding changes

SCHEDULE 1 SCOTTISH COMMISSION FOR HUMAN RIGHTS

Terms of office and remuneration

- 5 (1) Each member of the Commission—
- (a) holds office for such period not exceeding [^{F1}eight] years as the Parliamentary corporation, at the time of appointment, may determine,
[^{F2}but]
[^{F2}(b) is ineligible for reappointment at any time.]
- (2) The member appointed to chair the Commission may be—
- (a) relieved of office by Her Majesty at the member's request, or
 - (b) removed from office by Her Majesty if condition A or B is satisfied.
- (3) Any other member of the Commission may be—
- (a) relieved of office by the Parliamentary corporation at the member's request, or
 - (b) removed from office by the Parliamentary corporation if condition A or B is satisfied.
- (4) Condition A is that—
- (a) the Parliamentary corporation is satisfied that the member has breached the member's terms of appointment, and
 - (b) the Parliament resolves that the member should be removed from office for that reason
- (5) Condition B is that the Parliament resolves that it has lost confidence in the [^{F3}member's willingness, suitability or ability to perform that member's functions]
- (6) A resolution under sub-paragraph (4)(b) or (5), [^{F4}must be voted for by a number of members not fewer than two thirds of the total number of seats for members of the Parliament].
- (7) Each member of the Commission is entitled to—
- (a) such remuneration, and
 - (b) such allowances,
- as the Parliamentary corporation may determine.
- (8) In other respects, each member of the Commission holds office on such terms and conditions as the Parliamentary corporation may determine.
- [^{F5}(9) Those terms and conditions may, without prejudice to paragraph 4—
- (a) prohibit the member from holding any other specified office, employment or appointment or engaging in any other specified occupation,
 - (b) provide that a member's holding of any such office, employment or appointment or engagement in any such occupation is subject to the approval of the Parliamentary corporation,
 - (c) for the purposes of this sub-paragraph, provide differently for the member appointed to chair the Commission and the other members.

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(10) In sub-paragraph (9), “ specified ” means specified in the terms and conditions or within a description so specified.]

Textual Amendments

- F1** Word in Sch. 1 para. 5(1)(a) substituted (1.4.2011) by [Scottish Parliamentary Commissions and Commissioners etc. Act 2010 \(asp 11\)](#), s. 31(5), [sch. 6 para. 5\(a\)](#) (with s. 31(6), Sch. 7)
- F2** Sch. 1 para. 5(1)(b) and word substituted (1.4.2011) by [Scottish Parliamentary Commissions and Commissioners etc. Act 2010 \(asp 11\)](#), s. 31(5), [sch. 6 para. 5\(b\)](#) (with s. 31(6), Sch. 7)
- F3** Words in Sch. 1 para. 5(5) substituted (1.4.2011) by [Scottish Parliamentary Commissions and Commissioners etc. Act 2010 \(asp 11\)](#), s. 31(5), [sch. 6 para. 5\(c\)](#) (with s. 31(6), Sch. 7)
- F4** Words in Sch. 1 para. 5(6) substituted (1.4.2011) by [Scottish Parliamentary Commissions and Commissioners etc. Act 2010 \(asp 11\)](#), s. 31(5), [sch. 6 para. 5\(d\)](#) (with s. 31(6), Sch. 7)
- F5** Sch. 1 para. 5(9)(10) inserted (1.4.2011) by [Scottish Parliamentary Commissions and Commissioners etc. Act 2010 \(asp 11\)](#), s. 31(5), [sch. 6 para. 5\(e\)](#) (with s. 31(6), Sch. 7)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 4A inserted by [2024 asp 1 s. 12\(2\)](#)
- s. 6(2A) inserted by [2024 asp 1 s. 12\(3\)](#)