

Status: This version of this cross heading contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Climate Change (Scotland) Act 2009, Cross Heading: Removal of members of Committee. (See end of Document for details)

PROSPECTIVE

SCHEDULE 1
THE SCOTTISH COMMITTEE ON CLIMATE CHANGE

Removal of members of Committee

- 5 (1) Subject to sub-paragraph (3), the Chair may, by giving written notice, remove a member from office if the Chair is satisfied that one of the situations set out in sub-paragraph (2) exists.
- (2) Those situations are—
- (a) that the member is insolvent;
 - (b) that the member has been convicted of a criminal offence;
 - (c) that the member has been absent from meetings of the Committee for a period longer than 6 months without the permission of the Chair;
 - (d) that the member is otherwise unable or unfit to discharge the functions of a member or is unsuitable to continue as a member.
- (3) The Chair may only remove a member from office with the agreement of the Scottish Ministers.
- (4) The Scottish Ministers may, by giving written notice, remove the Chair from office if the Scottish Ministers are satisfied that one of the situations set out in sub-paragraph (2) exists.
- (5) For the purposes of sub-paragraph (2)(a), a member is insolvent when—
- (a) a voluntary arrangement proposed by the member is approved;
 - (b) the member is adjudged bankrupt;
 - (c) the member's estate is sequestrated;
 - (d) the member enters into a debt arrangement programme under Part 1 of the Debt Arrangement and Attachment (Scotland) Act 2002 (asp 17) as the debtor;
 - (e) the member grants a trust deed for creditors.

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