Status: *Point in time view as at 01/04/2011.*
Changes to legislation: *There are currently no known outstanding effects for the Scottish Parliamentary Commissions and Commissioners etc. Act 2010, Cross Heading: Members of the Commission: period of office, removal, and other and subsequent appointments. (See end of Document for details)*

SCHEDULE 6
AMENDMENTS OF THE SCOTTISH COMMISSION FOR HUMAN RIGHTS ACT 2006 (ASP 16)

Members of the Commission: period of office, removal, and other and subsequent appointments

5 In paragraph 5 (terms of office etc. of Commission members)—

(a) in sub-paragraph (1)(a) (period of office) for "five" there is substituted " eight ",

(b) for sub-paragraph (1)(b) and "and" immediately preceding it there is substituted "but

(b) is ineligible for reappointment at any time.",

(c) in sub-paragraph (5) (Parliamentary resolution for removal of members) for "member" there is substituted " member's willingness, suitability or ability to perform that member's functions ",

(d) in sub-paragraph (6) (voting on a resolution) for the passage from "if" onward there is substituted " 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 ",

(e) after sub-paragraph (8) there is inserted—

"(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.

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

6 After paragraph 6 there is inserted—

"Subsequent appointments etc.

6A (1) A person who has ceased to be a member of the Commission may not, without the approval of the Parliamentary corporation—

(a) be employed or appointed in any other capacity by the Commission,

(b) hold office in or be an employee or appointee of any Scottish public authority in relation to which the Commission conducted an inquiry under section 8(1)(a) while that person was a member of the Commission, or

(c) hold any other office, employment or appointment or engage in any other occupation, being an office, employment, appointment or occupation which, by virtue of paragraph 5(9)(a), that person could not have held or, as the case may be, engaged in when a member of the Commission.

Status: *Point in time view as at 01/04/2011.*
Changes to legislation: *There are currently no known outstanding effects for the Scottish Parliamentary Commissions and Commissioners etc. Act 2010, Cross Heading: Members of the Commission: period of office, removal, and other and subsequent appointments. (See end of Document for details)*

(2) The restriction in sub-paragraph (1)—

(a) starts when the person ceases to be a member of the Commission, and

(b) ends on the expiry of the financial year next following the one in which it started."

Status:
Point in time view as at 01/04/2011.

Changes to legislation:
There are currently no known outstanding effects for the Scottish Parliamentary Commissions and Commissioners etc. Act 2010, Cross Heading: Members of the Commission: period of office, removal, and other and subsequent appointments.