

PUBLIC SERVICES REFORM (SCOTLAND) ACT 2010

EXPLANATORY NOTES

THE ACT

Schedule 9 - Creative Scotland: Establishment Etc.

Paragraph 7 – Chief executive and other employees

407. Creative Scotland is to employ a chief executive and sub-paragraph (2) provides that the chief executive of Creative Scotland may not be a member of Creative Scotland. The first chief executive of Creative Scotland is to be the individual employed as the chief executive designate of Creative Scotland 2009 Limited immediately before the coming into force of paragraph 7. If for whatever reason there is no such person, the first chief executive of Creative Scotland is to be appointed by the Scottish Ministers (see sub-paragraphs (3) and (4)). Each subsequent chief executive of Creative Scotland is to be appointed, with the approval of the Scottish Ministers, by Creative Scotland. Creative Scotland will determine, with the approval of the Scottish Ministers, the chief executive's terms and conditions (see sub-paragraph (5)).
408. Creative Scotland may appoint employees other than the chief executive and may determine their terms and conditions of employment (see sub-paragraph (6)). The Scottish Ministers may give directions to Creative Scotland in relation to the appointment of employees and their terms and conditions of employment (see sub-paragraph (7)).
409. Sub-paragraph (8) gives Creative Scotland power to arrange, with the approval of the Scottish Ministers, for pensions, allowances or gratuities in relation to employees of Creative Scotland. The reference in sub-paragraph (8) to pensions, allowances and gratuities includes a reference to pensions, allowances and gratuities by way of compensation for loss of employment (see sub-paragraph (9)).