



# Scottish Fiscal Commission Act 2016

## 2016 asp 17

### *Membership*

#### **16 Disqualification for appointment**

- (1) The Scottish Ministers may not appoint a person as a member if the person—
- (a) is—
    - (i) a member of the Scottish Parliament,
    - (ii) a member of the House of Commons,
    - (iii) a member of the National Assembly for Wales,
    - (iv) a member of the Northern Ireland Assembly,
    - (v) a member of the European Parliament,
    - (vi) a councillor of any local authority,
    - (vii) the holder of any other relevant elective office within the meaning of paragraph 1(8) of schedule 7 to the Political Parties, Elections and Referendums Act 2000,
    - (viii) a member of the Scottish Government,
    - (ix) a Minister of the Crown,
    - (x) an office-holder of the Crown in right of Her Majesty's Government in the United Kingdom,
    - (xi) an office-holder in the Scottish Administration,
    - (xii) a civil servant,
  - (b) is or has been insolvent,
  - (c) is or has been disqualified as a company director under the Company Directors Disqualification Act 1986,
  - (d) is or has been disqualified as a charity trustee under the Charities and Trustee Investment (Scotland) Act 2005, or
  - (e) is or has been disqualified under any disqualification provision analogous to either of those mentioned in paragraphs (c) and (d), anywhere in the world.
- (2) For the purposes of subsection (1)(b), a person is or has been insolvent if—
- (a) the person's estate is or has been sequestrated,
  - (b) the person has granted a trust deed for creditors or has made a composition or arrangement with creditors,

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*Changes to legislation: There are currently no known outstanding effects for the Scottish Fiscal Commission Act 2016, Section 16. (See end of Document for details)*

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- (c) the person is or has been the subject of any other kind of arrangement analogous to either of those described in paragraphs (a) and (b), anywhere in the world.

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**Commencement Information**

**II** [S. 16](#) in force at 1.4.2017 by [S.S.I. 2016/326](#), [reg. 2\(2\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Scottish Fiscal Commission Act 2016, Section 16.