

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

**Changes to legislation:** There are currently no known outstanding effects for the Tied Pubs (Scotland) Act 2021, Paragraph 21. (See end of Document for details)

PROSPECTIVE

## SCHEDULE 2 SCOTTISH PUBS CODE ADJUDICATOR

### PART 5

#### APPOINTMENT AND TERMS AND CONDITIONS

##### *Tenure*

- 21 (1) A person holds the office of Scottish Pubs Code Adjudicator until—
- (a) the end of the period of appointment,
  - (b) the person resigns by giving written notice to the Scottish Ministers,
  - (c) the Scottish Ministers remove the person from the office on any of the following grounds—
    - (i) the person is unable, unwilling or unfit to perform the functions of the office,
    - (ii) there was a defect in the person's appointment to the office,
    - (iii) the person was appointed to the office on the basis that the person held, and would continue to hold, another office or position and the person has ceased to hold that office or position.
- (2) In sub-paragraph (1)(a), “the period of appointment” means the period specified by the Scottish Ministers on appointing the person to the office.
- (3) When appointing a person to the office the Scottish Ministers—
- (a) must specify a period of appointment,
  - (b) may not specify a period of appointment that is longer than—
    - (i) 4 years beginning with the day that the appointment takes effect, if it is the first time the person has been appointed to the office, or
    - (ii) 3 years beginning with the day that the appointment takes effect, if the person has previously been appointed to the office.

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