

Changes to legislation: There are currently no known outstanding effects for the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021, Cross Heading: Persons who may not be members. (See end of Document for details)

SCHEDULE 1 ENVIRONMENTAL STANDARDS SCOTLAND

Persons who may not be members

- 3 (1) The Scottish Ministers may not appoint a person as a member if sub-paragraph (2) or (3) applies to the person.
- (2) This sub-paragraph applies to a person who is—
- (a) a member of—
 - (i) the Scottish Parliament,
 - (ii) the House of Commons,
 - (iii) the House of Lords,
 - (iv) Senedd Cymru, or
 - (v) the Northern Ireland Assembly,
 - (b) a member of the Scottish Government,
 - (c) a Minister of the Crown,
 - (d) an office-holder in the Scottish Administration,
 - (e) an office-holder of the Crown in right of Her Majesty's Government in the United Kingdom,
 - (f) a councillor of a local authority,
 - (g) the holder of any other relevant elective office as defined by paragraph 1(8) of schedule 7 of the Political Parties, Elections and Referendums Act 2000,
 - (h) a civil servant,
 - (i) an employee of a local authority.
- (3) This sub-paragraph applies to a person who is or has been—
- (a) insolvent,
 - (b) disqualified as a company director under the Company Directors Disqualification Act 1986,
 - (c) disqualified as a charity trustee under the Charities and Trustee Investment (Scotland) Act 2005,
 - (d) disqualified under a disqualification provision analogous to either of those mentioned in paragraphs (b) and (c) anywhere in the world.
- (4) For the purpose of sub-paragraph (3)(a), 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,
 - (c) the person is or has been the subject of any other kind of arrangement analogous to either of those mentioned in paragraphs (a) and (b) anywhere in the world.

Commencement Information

II Sch. 1 para. 3 in force at 1.10.2021 by S.S.I. 2021/304, reg. 2(b)

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