

SCHEDULE 1
THE OFFICE OF PATIENT SAFETY COMMISSIONER FOR SCOTLAND

PART 1

STATUS AND INDEPENDENCE

Legal personality

- 1 The Commissioner is, as such, to be regarded as a juristic person distinct from the individual holding the office.

Exclusion of Crown Status

- 2 (1) The Commissioner—
- (a) is not a servant or agent of the Crown, and
 - (b) does not enjoy any status, immunity or privilege of the Crown.
- (2) The Commissioner's property is not to be regarded as property of, or property held on behalf of, the Crown.
- (3) Individuals working as the Commissioner's staff are not, on that account, to be regarded as civil servants.

Independence

- 3 (1) The Commissioner is not, except as provided in the provisions listed in [sub-paragraph \(2\)](#), subject to the direction or control of—
- (a) any member of the Scottish Parliament,
 - (b) the Scottish Ministers, or
 - (c) the Parliamentary corporation.
- (2) The provisions referred to in [sub-paragraph \(1\)](#) are—
- (a) sections [16\(4\)](#) and [\(5\)](#) and [19\(1\)](#), and
 - (b) [paragraphs 6, 7\(3\), 9, 10\(1\), 11\(1\), 14\(1\), 16\(2\), 17\(1\), 19\(1\) and \(2\), 21\(2\) and 22\(3\)](#) of this schedule.