Management of Offenders
etc. (Scotland) Act 2005
2005 asp 14

Accreditation etc.

13   Scheme of accreditation and procedure etc. of the Risk Management Authority

(1) The Criminal Justice (Scotland) Act 2003 (asp 7) is amended as follows.

(2) In section 11 (accreditation, education and training), after subsection (1) insert—

"(1A) The order may authorise—

    (a)   decisions as to cases arising in relation to a scheme of accreditation to be taken by a committee; and

    (b)   any appeal as to such a decision to be determined by a committee,

in accordance with such procedure as may be prescribed; and without prejudice to the generality of this subsection the order may make provision as to the membership of the committees and as to any quorum.".

(3) In paragraph 4 of schedule 2 (constitution etc. of the Risk Management Authority)—

    (a)   for sub-paragraph (1) substitute—

        "(1) Subject to any order under subsection (1) of section 11 of this Act, the Authority may—

            (a)   make provision for the appointment and constitution of committees and sub-committees;

            (b)   make provision for the exercise of any of its functions by any of its committees, sub-committees, members or employees; and

            (c)   regulate its own procedure and the procedure of—

                (i) any of its committees or sub-committees (including any such committee as is mentioned in paragraph (a) or (b) of subsection (1A) of that section); or

                (ii) any member or employee to whom a function has been delegated under head (b) above.

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(1A) Delegation under sub-paragraph (1)(b) is to be without prejudice to the power of the Authority itself to exercise the function in question.

(1B) Without prejudice to the generality of head (c) of sub-paragraph (1), regulation under that head may include provision as to any quorum."; and

(b) in sub-paragraph (2), after "Authority" insert " or of any of its committees or sub-committees or of any of its members by whom functions are exercised by virtue of sub-paragraph (1)(b)".