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**Changes to legislation:** There are currently no known outstanding effects for the Redress for Survivors (Historical Child Abuse in Care) (Scotland) Act 2021, Paragraph 5. (See end of Document for details)

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## SCHEDULE 1 REDRESS SCOTLAND

### *Early termination of membership*

- 5 (1) A member of Redress Scotland, including the chairing member, may resign by giving notice in writing to the Scottish Ministers.
- (2) A person's appointment as a member of Redress Scotland ceases if, during the person's period of appointment, either paragraph (a) or paragraph (b) of paragraph 4 applies to the person.
- (3) The Scottish Ministers may, by giving notice in writing, remove a member of Redress Scotland if the member—
- (a) becomes insolvent,
  - (b) has been absent from 3 consecutive meetings of Redress Scotland without—
    - (i) the permission of the Scottish Ministers, or
    - (ii) reasonable excuse,
  - (c) is, in the opinion of the Scottish Ministers—
    - (i) unable or unfit to perform any of the functions of a member,
    - (ii) unsuitable to continue as a member.
- (4) For the purpose of sub-paragraph (3)(a), a person becomes insolvent if—
- (a) the person's estate is sequestrated,
  - (b) the person grants a trust deed for creditors or makes a composition or arrangement with creditors,
  - (c) the person is adjudged bankrupt,
  - (d) a voluntary arrangement proposed by the person is approved,
  - (e) the person's application for a debt payment programme is approved under section 2 of the Debt Arrangement and Attachment (Scotland) Act 2002,
  - (f) the person becomes subject to any other order or arrangement analogous to any of those mentioned in paragraphs (a) to (e) anywhere in the world.
- (5) The Scottish Ministers may suspend a member of Redress Scotland if they consider that there is a need to investigate whether there are grounds for a member to be removed under sub-paragraph (3).
- (6) The suspension of a member under sub-paragraph (5) continues until the Scottish Ministers—
- (a) remove the member under sub-paragraph (3), or
  - (b) notify the member and Redress Scotland that their decision is not to remove the member under sub-paragraph (3).

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#### **Commencement Information**

**II** Sch. 1 para. 5 in force at 28.6.2021 by S.S.I. 2021/234, reg. 2, sch.

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