

Changes to legislation: There are currently no known outstanding effects for the Good Food Nation (Scotland) Act 2022, PART 5. (See end of Document for details)

SCHEDULE SCOTTISH FOOD COMMISSION: CONSTITUTION AND OPERATION

PART 5

MEMBERS

Commission composition

- 12 (1) The Commission is to consist of—
- (a) a member to chair it, and
 - (b) at least 2 but no more than 4 other members.
- (2) The Scottish Ministers may by regulations amend sub-paragraph (1)(b) so as to alter the maximum number of members.

Commencement Information

- 11** Sch. para. 12 not in force at Royal Assent, see [s. 28\(2\)](#)
12 Sch. para. 12 in force at 15.2.2024 by [S.S.I. 2024/29](#), [reg. 2\(1\)\(2\)](#), [sch. 1](#)

Appointment of members

- 13 (1) The Scottish Ministers are to appoint—
- (a) the chairing member, and
 - (b) the ordinary members.
- (2) Appointments are to be made in accordance with regulations made by the Scottish Ministers.
- (3) A person may be appointed more than once.
- (4) A person who is disqualified from being a member may not be appointed (see paragraph 17).
- (5) Regulations under sub-paragraph (2) may in particular—
- (a) specify qualifications and experience that a person must have in order to be appointed,
 - (b) require appointments to be made so that a board includes a member who fulfils criteria specified in the regulations,
 - (c) require that regard is had when making appointments to the desirability of a board including a member who fulfils criteria specified in the regulations.
- (6) Criteria, for the purpose of sub-paragraph (5)(b) and (c), may include criteria about a person's—
- (a) having certain qualifications or experiences,
 - (b) holding a certain office,
 - (c) being representative of certain interests.

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Commencement Information

- I3** Sch. para. 13 not in force at Royal Assent, see **s. 28(2)**
I4 Sch. para. 13 in force at 15.2.2024 by S.S.I. 2024/29, reg. 2(1)(2), **sch. 1**

Members' tenure and other terms and conditions

- 14 (1) A person's membership of the Commission continues until the end of the period of appointment (subject to paragraph 16).
- (2) In sub-paragraph (1), "the period of appointment" means the period specified by the Scottish Ministers on appointing the person as a member.
- (3) The Scottish Ministers may determine other terms and conditions of membership, in relation to matters not covered by this schedule.

Commencement Information

- I5** Sch. para. 14 not in force at Royal Assent, see **s. 28(2)**
I6 Sch. para. 14 in force at 15.2.2024 by S.S.I. 2024/29, reg. 2(1)(2), **sch. 1**

Members' remuneration, allowances and pensions

- 15 (1) The Scottish Ministers may—
- (a) pay members of the Commission remuneration and allowances (including expenses),
- (b) pay, or make arrangements for the payment of, pensions, allowances and gratuities to, or in respect of, any person who is or has been a member of the Commission.
- (2) The arrangements referred to in sub-paragraph (1)(b) may include—
- (a) making payments towards the provision of those pensions, allowances and gratuities,
- (b) providing and maintaining schemes for the payment of those pensions, allowances and gratuities.
- (3) The reference in sub-paragraph (1)(b) to pensions, allowances and gratuities includes pensions, allowances and gratuities by way of compensation for loss of office.

Commencement Information

- I7** Sch. para. 15 not in force at Royal Assent, see **s. 28(2)**
I8 Sch. para. 15 in force at 15.2.2024 by S.S.I. 2024/29, reg. 2(1)(2), **sch. 1**

Early termination of membership

- 16 (1) A person's membership of the Commission ends if—
- (a) the person resigns by written notice given to the Scottish Ministers,
- (b) the person becomes disqualified from being a member (see paragraph 17), or

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- (c) the Scottish Ministers give the person written notice that the person is removed from the Commission.
- (2) The Scottish Ministers may remove a member of the Commission by virtue of sub-paragraph (1)(c) only if they consider that the member is—
- (a) unfit to continue to be a member, or
 - (b) unable to exercise the member’s functions.

Commencement Information

I9 Sch. para. 16 not in force at Royal Assent, see [s. 28\(2\)](#)

I10 Sch. para. 16 in force at 15.2.2024 by [S.S.I. 2024/29](#), [reg. 2\(1\)\(2\)](#), [sch. 1](#)

Disqualification from membership

- 17 (1) A person is disqualified from being a member of the Commission if the person is—
- (a) disqualified from being a member by virtue of section 19 of the Ethical Standards in Public Life etc. (Scotland) Act 2000,
 - (b) disqualified from being the director of a company registered under the Companies Act 2006 in Great Britain.
- (2) The Scottish Ministers may by regulations modify this paragraph to add or remove descriptions of persons disqualified from being a member of the Commission.
- (3) Regulations under sub-paragraph (2) may not repeal sub-paragraph (1)(a).

Commencement Information

I11 Sch. para. 17 not in force at Royal Assent, see [s. 28\(2\)](#)

I12 Sch. para. 17 in force at 15.2.2024 by [S.S.I. 2024/29](#), [reg. 2\(1\)\(2\)](#), [sch. 1](#)

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