
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2017 No.

The Crown Estate Scotland (Interim Management) Order 2017

Early termination of membership

8.—(1) A member of Crown Estate Scotland (Interim Management) may resign by giving notice in writing to the Scottish Ministers.

(2) The Scottish Ministers may, by giving notice to the member in writing, remove a member of Crown Estate Scotland (Interim Management) if—

- (a) the member becomes insolvent;
- (b) the member has been absent, without the permission of Crown Estate Scotland (Interim Management), from meetings of Crown Estate Scotland (Interim Management) for a period of longer than 3 consecutive months;
- (c) the Scottish Ministers consider that the member is—
 - (i) unable to perform the functions of a member; or
 - (ii) unsuitable to continue as a member.

(3) For the purposes of paragraph (2)(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 order 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(1);
- (f) the person is subject to any other kind of order or arrangement that is analogous to any of those described in sub-paragraphs (a) to (e) anywhere in the world.

(4) A person's membership of Crown Estate Scotland (Interim Management) ends if the person becomes—

- (a) a member of the Scottish Parliament;
- (b) a member of the House of Commons;
- (c) a member of the House of Lords;
- (d) a member of the European Parliament.

(1) 2002 asp 17; section 2 was amended by the Bankruptcy and Diligence etc. (Scotland) Act 2007 (asp 3), Part 13, section 211(2) (a) and (b) and section 212(2).