

## SCHEDULE 2

### CONSTITUTION AND MEMBERSHIP OF PARTNERSHIPS

#### **Duration and termination of membership**

2.—(1) Subject to sub paragraphs (2) to (6) below, any person appointed by a constituent council as a councillor member of a Partnership shall hold office until the first meeting of that council held after the next ordinary election following the date of that member's appointment.

(2) If, prior to the next ordinary election following the date of the member's appointment, a councillor member of a Partnership ceases to be a councillor for the area of the constituent council which appointed the member, the member shall immediately cease to be a member of the Partnership.

(3) A councillor member of a Partnership may resign their membership at any time by written intimation to that effect to—

- (a) the secretary of the Partnership; and
- (b) the constituent council which appointed the councillor member.

(4) A constituent council may at any time terminate the membership of any person appointed by them as a councillor member of a Partnership if, immediately prior to this, the constituent council provides an explanation for the termination by written intimation to the secretary of the Partnership, the Chairperson of the Partnership and that councillor member.

(5) The Chairperson of a Partnership, following a vote to that effect by the Partnership, may write to a constituent council and request that the council terminates the membership of a councillor member.

(6) Where the Chairperson of a Partnership writes to a constituent council in terms of sub paragraph (5) above, such a request shall not be refused unreasonably by the constituent council.

(7) Subject to sub paragraphs (8) to (9) below, other members and observers appointed by a Partnership, or the Scottish Ministers as the case may be, shall hold office for a period of 4 years following the date of their appointment unless otherwise specified at the time of their appointment.

(8) Other members of a Partnership and observers may resign their membership at any time by written intimation to that effect to the secretary of the Partnership.

(9) A Partnership may remove other members from office or observers if it is satisfied that—

- (a) the other member's or observer's estate has been sequestrated or the other member or observer has been adjudged bankrupt, has made an arrangement with creditors or has granted a trust deed for creditors or a composition contract; or
- (b) the other member or observer—
  - (i) is incapacitated by physical or mental illness;
  - (ii) has been absent from meetings of the Partnership for a period longer than three consecutive months without the permission of the Partnership; or
  - (iii) is otherwise unable or unfit to discharge the member's functions as a member or is unsuitable to continue as an other member or observer.