

SCHEDULE 1 THE SCOTTISH PUBLIC SERVICES OMBUDSMAN

Disqualification

- 1 (1) A person is disqualified from appointment, and from holding office, as Ombudsman or deputy Ombudsman if that person is—
 - (a) a member of the House of Commons,
 - (b) a member of the Scottish Parliament,
 - (c) a listed authority (within the meaning of section 3(1)),
 - (d) a member, officer or member of staff of a listed authority,
 - (e) disqualified from election as a member of the Scottish Parliament or as a member of a local authority.
- (2) A person holding office as Ombudsman or deputy Ombudsman—
 - (a) is disqualified from appointment or, as the case may be, election as—
 - (i) the holder of any office which is a listed authority, or
 - (ii) a member, officer or member of staff of a listed authority,
 - (b) is not entitled to become a family health service provider or an independent provider (within the meaning of paragraph 5 or, as the case may be, 6 of schedule 2), and
 - (c) is disqualified from appointment to any paid office by a listed authority.
- (3) A person who has ceased to hold office as Ombudsman or deputy Ombudsman is, during the period of 3 years beginning with the date on which that person ceased to hold that office, disqualified—
 - (a) from appointment or, as the case may be, election as—
 - (i) the holder of any office which is a listed authority,
 - (ii) a member, officer or member of staff of a listed authority, and
 - (b) from appointment to any paid office by a listed authority.
- (4) Sub-paragraph (3)(a)(ii) does not disqualify any person who has ceased to hold office as Ombudsman or deputy Ombudsman from election as a member of any local authority.
- (5) In this paragraph, references to a member of a listed authority include any member by co-option of any committee of a listed authority.
- (6) For the purposes of sub-paragraphs (2)(c) and (3)(b) an office is a paid office where the holder of the office is entitled to remuneration or expenses.