

SCHEDULE 2  
THE MENTAL HEALTH TRIBUNAL FOR SCOTLAND

PART 1

MEMBERS OF THE TRIBUNAL ETC.

*Terms of office etc.*

- 5 (1) A member of the Tribunal may be removed from office only by order of the disciplinary committee constituted under sub-paragraph (3) below.
- (2) The disciplinary committee may order the removal from office of a member of the Tribunal only if, after investigation carried out at the request of the Scottish Ministers, it finds that the member is unfit for office by reason of inability, neglect of duty or misbehaviour.
- (3) The disciplinary committee shall consist of—
- (a) a Senator of the College of Justice or a sheriff principal (who shall preside);
  - (b) a person who is a solicitor or an advocate of at least ten years' standing; and
  - (c) one other person,
- all appointed by the Lord President of the Court of Session.
- (4) Regulations—
- (a) may make provision—
    - (i) enabling the disciplinary committee, at any time during an investigation, to suspend a member of the Tribunal from office; and
    - (ii) as to the effect and duration of such suspension; and
  - (b) shall make such further provision as respects the disciplinary committee (including in particular provision for the procedure of the committee) as the Scottish Ministers consider necessary or expedient.