



# Commissioner for Children and Young People (Scotland) Act 2003

## 2003 asp 17

### *The Commissioner*

#### **1 Establishment**

- (1) There is to be a Commissioner for Children and Young People in Scotland.
- (2) Schedule 1 makes further provision about the Commissioner.

#### **2 Appointment**

- (1) The Commissioner is to be an individual appointed by Her Majesty on the nomination of the Parliament.
- (2) A person is disqualified from appointment as the Commissioner if that person is, at the date when the appointment is to take effect, or in the year prior to that date has been—
  - (a) a member of the Parliament;
  - (b) a member of the House of Commons; or
  - (c) a member of the European Parliament.
- (3) The Commissioner is to be appointed for such period, not exceeding five years, as the Parliamentary corporation may determine.
- (4) A person who has been appointed for one period as the Commissioner may be appointed for a second period (whether or not consecutive) but not for any additional period.

#### **3 Removal**

- (1) The Commissioner may be removed from office by Her Majesty if—
  - (a) the Commissioner so requests; or
  - (b) the Parliament has passed a resolution for removal on the ground—
    - (i) that the Commissioner has breached the terms of appointment; or

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**Status:** Point in time view as at 01/05/2003.

**Changes to legislation:** Commissioner for Children and Young People (Scotland) Act 2003, Cross  
Heading: The Commissioner is up to date with all changes known to be in force on or before 24 April  
2024. There are changes that may be brought into force at a future date. Changes that have been  
made appear in the content and are referenced with annotations. (See end of Document for details)

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- (ii) that the Parliament has lost confidence in the Commissioner's willingness, ability or suitability to carry out the functions of the office.
- (2) A resolution for removal of the Commissioner, if passed on a division, must be voted for by not less than two thirds of those voting.

**Status:**

Point in time view as at 01/05/2003.

**Changes to legislation:**

Commissioner for Children and Young People (Scotland) Act 2003, Cross Heading: The Commissioner is up to date with all changes known to be in force on or before 24 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.