

SCHEDULE 1 THE SCOTTISH POLICE SERVICES AUTHORITY

Membership

- 3 (1) The Scottish Ministers must appoint the members of the Authority.
- (2) Each member must fall within one of the categories mentioned in sub-paragraph (3).
- (3) Those categories are—
- (a) police force members;
 - (b) police authority members;
 - (c) lay members.
- (4) The Authority is to consist of not more than 10 members and, subject to sub-paragraph (5), must include—
- (a) a convener (who must be a lay member); and
 - (b) at least two members (not including the convener) falling within each of the categories mentioned in sub-paragraph (3).
- (5) Sub-paragraph (4)(b) does not apply if, in the opinion of the Scottish Ministers, its application would—
- (a) prevent the Authority from operating; or
 - (b) prevent or impede the effective or efficient operation of the Authority.
- (6) A person may be appointed as a police force member of the Authority only if nominated for such appointment by persons whom the Scottish Ministers consider represent the interests of chief constables of police forces.
- (7) A person may be appointed as a police authority member of the Authority only if nominated for such appointment by persons whom the Scottish Ministers consider represent the interests of police bodies.
- (8) Sub-paragraph (4)(b) does not apply if—
- (a) the Scottish Ministers request the persons referred to in sub-paragraph (6) or (7) to nominate persons for appointment as a police force member or a police authority member of the Authority; and
 - (b) the persons requested fail, within such reasonable time as the Scottish Ministers may specify, to comply with the request.
- (9) A person is disqualified from appointment, and from holding office, as a police authority member or a lay member of the Authority if that person is—
- (a) a member of—
 - (i) the House of Lords;
 - (ii) the House of Commons;
 - (iii) the Scottish Parliament;
 - (iv) the European Parliament; or
 - (b) disqualified from standing for election as a member of—
 - (i) the House of Commons;
 - (ii) the Scottish Parliament; or
 - (iii) a local authority.

Status: This is the original version (as it was originally enacted).

- (10) A person is disqualified from appointment, and from holding office, as a lay member of the Authority if that person is—
- (a) a constable of a police force;
 - (b) a member of—
 - (i) a police force maintained under section 2 of the Police Act 1996 (c. 16);
 - (ii) the metropolitan police force or of the City of London police force;
 - (iii) the Police Service of Northern Ireland;
 - (iv) the Ministry of Defence Police appointed on the nomination of the Secretary of State under section 1 of the Ministry of Defence Police Act 1987 (c. 4);
 - (v) the British Transport Police Force;
 - (vi) the Civil Nuclear Constabulary;
 - (vii) the States of Jersey Police Force;
 - (viii) the salaried police force of the Island of Guernsey; or
 - (ix) the Isle of Man Constabulary;
 - (c) a member of the Serious Organised Crime Agency;
 - (d) a member of a local authority; or
 - (e) a member of staff of the Authority.
- (11) The Scottish Ministers may by order amend sub-paragraph (4) by substituting for the maximum number of members for the time being specified there such other number as they think fit.
- (12) Before making an order under sub-paragraph (11) the Scottish Ministers must consult—
- (a) the Authority;
 - (b) persons whom the Scottish Ministers consider represent the interests of chief constables of police forces; and
 - (c) persons whom the Scottish Ministers consider represent the interests of police bodies.