

SCHEDULE 2
MEMBERSHIP OF THE SCOTTISH CRIME AND DRUG ENFORCEMENT AGENCY

Termination or suspension of appointment of Director General and Deputy Director General

- 3 (1) Where the Authority has complied with sub-paragraphs (2) to (4) in relation to the Director General, it may call on the Director General to retire or to resign from office as Director General—
- (a) in the interests of efficiency or effectiveness; or
 - (b) by reason of any misconduct by the Director General.
- (2) The Authority must give the Director General—
- (a) an explanation in writing of the grounds on which the Authority proposes to call upon the Director General to retire or resign as mentioned in sub-paragraph (1)(a) or (b); and
 - (b) an opportunity to make representations to the Authority (including an opportunity to make them in person).
- (3) The Authority must consider any representations made by or on behalf of the Director General.
- (4) The Authority must consult the Scottish Ministers.
- (5) If the Director General is, under sub-paragraph (1), called upon to retire or resign, the Director General must retire or resign with effect from—
- (a) such date as the Authority may specify; or
 - (b) such earlier date as may be agreed between the Director General and the Authority.
- (6) If the Authority considers that it is necessary for the maintenance of public confidence in the Agency to do so, the Authority may, after consulting the Scottish Ministers, suspend the Director General from duty.
- (7) Nothing in this paragraph affects any power of the Authority to terminate or suspend the Director General's appointment in accordance with the terms and conditions of that appointment.
- (8) Sub-paragraphs (1) to (7) apply in relation to the Deputy Director General as they apply in relation to the Director General.