
Status: Point in time view as at 01/01/2007.

Changes to legislation: Police, Public Order and Criminal Justice (Scotland) Act 2006, Cross Heading:
*Tenure and removal from office is up to date with all changes known to be in force on or before 27
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)*

SCHEDULE 4 THE POLICE COMPLAINTS COMMISSIONER FOR SCOTLAND

Tenure and removal from office

- 3 (1) Subject to this paragraph and paragraph 4, a person holds office as Commissioner on such terms and conditions as the Scottish Ministers may determine.
- (2) The period of a person's appointment as Commissioner is—
- (a) in the case of a first appointment, 3 years; and
 - (b) in the case of a reappointment, 2 years.
- (3) A person holding office as Commissioner may, by written notice to the Scottish Ministers, resign at any time.
- (4) The Scottish Ministers may remove a person from the office of Commissioner if satisfied that any of the grounds mentioned in sub-paragraph (5) is the case.
- (5) Those grounds are—
- (a) the person has failed without reasonable excuse to carry out the functions of the office for a continuous period of 3 months;
 - (b) the person falls within one or more of the sub-sub-paragraphs of paragraph 2(1);
 - (c) the person has, since appointment, been convicted of a criminal offence;
 - (d) the person's estate has been sequestrated or the person has been adjudged bankrupt, has made an arrangement with creditors or has granted a trust deed for creditors or a composition contract;
 - (e) the person is subject to a disqualification order under the Company Directors Disqualification Act 1986 (c. 46) or under Part 2 of the Companies (Northern Ireland) Order 1989 (S.I. 1989/2404 (N.I. 18));
 - (f) the person has acted improperly in relation to the person's duties;
 - (g) the person is otherwise unable or unfit to perform the person's duties.

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