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*Changes to legislation: Legal Profession and Legal Aid (Scotland) Act 2007, Cross Heading: Removal of members is up to date with all changes known to be in force on or before 26 May 2023. 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) View outstanding changes*

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## SCHEDULE 1 THE SCOTTISH LEGAL COMPLAINTS COMMISSION

### *Removal of members*

- 5 (1) Subject to sub-paragraph (2), the chairing member may, by written notice, remove a member from office if the chairing member is satisfied as regards any of the following matters—
- (a) that the member becomes insolvent;
  - (b) that the member—
    - (i) has been absent from meetings of the Commission for a period longer than 6 consecutive months without the permission of the Commission;
    - (ii) has been convicted of a criminal offence;
    - (iii) is otherwise unable or unfit to discharge the functions of a member or is unsuitable to continue as a member.
- (2) The chairing member may not remove a member from office without the agreement of the Lord President of the Court of Session.
- (3) The Lord President may, by written notice, remove the chairing member from office if the Lord President is satisfied as regards any of the matters mentioned in sub-paragraph (1)(a) or (b).
- (4) For the purpose of sub-paragraph (1)(a) a member becomes insolvent on—
- (a) the approval of a voluntary arrangement proposed by the member;
  - (b) being adjudged bankrupt;
  - (c) the member's estate being sequestrated;
  - (d) entering into a debt arrangement programme under Part 1 of the Debt Arrangement and Attachment (Scotland) Act 2002 (asp 17) as the debtor;
  - (e) granting a trust deed for creditors.

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 1 para. 2(6)(ba) inserted by [2010 asp 16 s. 118\(4\)](#)