
Status: This is the original version (as it was originally enacted).

SCHEDULE 7
TRANSFER OF STAFF, PROPERTY AND LIABILITIES
AND TRANSITIONAL AND SAVING PROVISIONS

PART 2

TRANSITIONAL AND SAVING PROVISIONS

Commissioner for Public Appointments in Scotland

- 9 (1) The person who, immediately before this schedule comes into force, holds office as the Commissioner for Public Appointments in Scotland is, by operation of this sub-paragraph (and not section 1), appointed as the Public Appointments Commissioner for Scotland on the coming into force of this schedule.
- (2) An appointment under sub-paragraph (1) is for a period equal to that for which the person was appointed or (in the case of an appointment for a second or third period) last appointed, as the Commissioner reduced by the time for which the person held that office or (in the case of a second or third appointment) the time for which that person held that office under that second or, as the case may be, third appointment.
- (3) But—
- (a) sub-paragraph (1) does not operate so as to appoint a person as Public Appointments Commissioner for Scotland if that person’s previous term of office exceeds eight years, and
 - (b) where an appointment under that sub-paragraph would, but for this provision, be for a period which, combined with that person’s previous term of office, would exceed eight years, that appointment is to be for a period which, when so combined, is eight years.
- (4) In sub-paragraph (3), a person’s “previous term of office” is the period for which the person held office as Commissioner for Public Appointments in Scotland or, where the person was appointed for a second or third period, the aggregate of the periods for which the person held that office.
- (5) Despite section 2 and the repeal of paragraph 4 of schedule 1 to the Public Appointments Act, a person may, after the coming into force of this schedule, be appointed under that paragraph as the Public Appointments Commissioner for Scotland for a further period.
- (6) An appointment by virtue of sub-paragraph (5) has effect as if made before the coming into force of this schedule; and the period for which the person is appointed, so far as extending beyond then, has effect only for the purposes of sub-paragraph (2).
- (7) Where the person referred to in sub-paragraph (1) also held office as Commissioner for Public Appointments in Scotland on 30 April 2010, the appointment of that person under that sub-paragraph is for the period ending with 31 May 2012.