
Changes to legislation: Police and Fire Reform (Scotland) Act 2012, Cross Heading: Removal from office is up to date with all changes known to be in force on or before 01 May 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) View outstanding changes

SCHEDULE 1 THE SCOTTISH POLICE AUTHORITY

PART 1

STATUS, STRUCTURE AND GOVERNANCE

Removal from office

- 5 (1) The Scottish Ministers may remove a member from office if—
- (a) the member is an undischarged bankrupt,
 - (b) the member has, without reasonable excuse, been absent from meetings of the Authority for a period longer than 4 consecutive months,
 - (c) the member has, without reasonable excuse, been absent from 3 consecutive meetings of the Authority,
 - (d) the member has been convicted (whether before or after the member's appointment) of a criminal offence,
 - (e) the member has failed to comply with the terms or conditions of the member's appointment, or
 - (f) the Scottish Ministers consider that the member is otherwise unfit to be a member or is unable for any reason to carry out the member's functions.
- (2) For the purposes of sub-paragraph (1)(a), “undischarged bankrupt” means a person—
- (a) whose estate has been sequestrated and who has not been discharged (or against whom a bankruptcy order has been made and is still in force),
 - (b) who has granted a trust deed for, or made a composition or arrangement with, creditors (and has not been discharged in respect of it),
 - (c) who is the subject of a bankruptcy restrictions order, or an interim bankruptcy restrictions order, made under the Bankruptcy (Scotland) Act 1985 (c.66) or the Insolvency Act 1986 (c.45),
 - (d) who is the subject of a bankruptcy restrictions undertaking entered into under either of those Acts,
 - (e) who has been adjudged bankrupt (and has not been discharged), or
 - (f) who is subject to any other kind of order, arrangement or undertaking analogous to those described in paragraphs (a) to (d), anywhere in the world.

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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):

- Ch. 12A inserted by [2017 asp 4 s. 1\(1\)](#)
- s. 17(2)(h) inserted by [2017 asp 4 s. 2\(a\)\(ii\)](#)
- s. 17(4)(b)(iv) inserted by [2017 asp 4 s. 2\(b\)\(ii\)](#)
- s. 20A inserted by [2017 asp 4 s. 3](#)