

*Status: Point in time view as at 05/07/2003.*

*Changes to legislation: There are currently no known outstanding effects for the Public Appointments and Public Bodies etc. (Scotland) Act 2003, SCHEDULE 3. (See end of Document for details)*

## SCHEDULE 3

(introduced by section 15)

### THE ADVISORY COUNCIL

#### Status

- 1 The Advisory Council is a body corporate.

#### Commencement Information

- I1** Sch. 3 para. 1 in force at 5.7.2003 by S.S.I. 2003/348, art. 2

- 2 The Advisory Council—
- (a) is not to be regarded as a servant or agent of the Crown;
  - (b) does not have any status, immunity or privilege of the Crown,
- and its property is not to be regarded as property of, or property held on behalf of, the Crown.

#### Commencement Information

- I2** Sch. 3 para. 2 in force at 5.7.2003 by S.S.I. 2003/348, art. 2

- 3
- (1) The Advisory Council is to consist of such members as the Scottish Ministers may appoint.
  - (2) The Scottish Ministers are to appoint one of the members to chair meetings of the Advisory Council.
  - (3) Each member—
    - (a) is to be appointed for such period as is specified in the terms of appointment; and
    - (b) holds and vacates office in accordance with those terms.

#### Commencement Information

- I3** Sch. 3 para. 3 in force at 5.7.2003 by S.S.I. 2003/348, art. 2

- 4
- (1) Members of the Advisory Council are entitled to such allowances as the Scottish Ministers may approve.
  - (2) The member appointed to chair meetings of the Advisory Council is entitled to such remuneration as the Scottish Ministers may approve.

#### Commencement Information

- I4** Sch. 3 para. 4 in force at 5.7.2003 by S.S.I. 2003/348, art. 2

- 5
- (1) The Advisory Council may, subject to sub-paragraphs (2) and (3), regulate its own procedure.

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- (2) The Scottish Ministers may give directions to the Advisory Council as to its procedure; and the Advisory Council must comply with any such directions.
- (3) A member who is in any way directly or indirectly interested in any matter which is brought up for consideration at a meeting of the Advisory Council must disclose the nature of the interest to the meeting and, where such a disclosure is made—
- (a) the disclosure must be recorded in the minutes of the meeting; and
  - (b) the member must not take any part in any deliberation or decision of the Advisory Council with respect to the matter.
- (4) The validity of any proceedings of the Advisory Council is not affected by any vacancy in membership nor any defect in the appointment of a member.

**Commencement Information**

**I5** Sch. 3 para. 5 in force at 5.7.2003 by S.S.I. 2003/348, art. 2

- 6 The Advisory Council must annually prepare a report on the exercise of its functions and send a copy of the report to the Scottish Ministers; and the Scottish Ministers must lay a copy of the report before the Parliament.

**Commencement Information**

**I6** Sch. 3 para. 6 in force at 5.7.2003 by S.S.I. 2003/348, art. 2

- 7 (1) The Advisory Council may, subject to sub-paragraph (2), do anything which appears necessary or expedient for the purpose of or in connection with the exercise of its functions and, in particular, it may—
- (a) acquire and dispose of property; and
  - (b) enter into contracts.
- (2) The Advisory Council may not—
- (a) acquire heritable property; or
  - (b) appoint staff.

**Commencement Information**

**I7** Sch. 3 para. 7 in force at 5.7.2003 by S.S.I. 2003/348, art. 2

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