
Status: Point in time view as at 01/04/2005.

Changes to legislation: There are currently no known outstanding effects for the Criminal Justice (Scotland) Act 2003, SCHEDULE 2. (See end of Document for details)

SCHEDULE 2

(introduced by section 3(3))

CONSTITUTION ETC. OF THE RISK MANAGEMENT AUTHORITY

Status

- 1 The Risk Management Authority (“the Authority”) is a body corporate.
- 2 The Authority—
 - (a) is not a servant or agent of the Crown; and
 - (b) has no status, immunity or privilege of the Crown,and its property is not to be regarded as property of, or held on behalf of, the Crown.
- 3 (1) The Authority consists of such members (including a convener) as the Scottish Ministers may appoint.
 - (2) Each member—
 - (a) is appointed for such period, not exceeding 5 years, as is specified in the terms of the appointment;
 - (b) holds and vacates office in accordance with those terms;
 - (c) is eligible for reappointment but may not hold office for a period exceeding 10 years in aggregate;
 - (d) may, by written notice to the Scottish Ministers, resign membership.
 - (3) The Scottish Ministers may remove a member from office if they are satisfied that the member—
 - (a) without reasonable excuse, has not complied with the terms of the appointment;
 - (b) is otherwise unable or unfit to discharge the functions of member or is unsuitable to continue as a member.
- 4 (1) The Authority may regulate its own procedure (including any quorum).
 - (2) The validity of any proceedings of the Authority is not affected by any vacancy in membership nor any defect in the appointment of a member.
- 5 (1) The Authority may, with the approval of the Scottish Ministers, pay—
 - (a) such remuneration and allowances to its members; and
 - (b) in respect of any office held by a person as member—
 - (i) such pension, allowance or gratuity to or in respect of the person; and
 - (ii) such contribution or other payment towards provision of such pension, allowance or gratuity,as it may with such approval determine.
 - (2) Where a person ceases to be a member otherwise than on expiry of term of office, the Authority may, exceptionally and with the approval of the Scottish Ministers, pay to the person such amount by way of compensation for loss of office as it may with such approval determine.

Status: Point in time view as at 01/04/2005.

*Changes to legislation: There are currently no known outstanding effects for the
Criminal Justice (Scotland) Act 2003, SCHEDULE 2. (See end of Document for details)*

- 6 (1) The Authority may, with the approval of the Scottish Ministers, appoint such employees as it considers are required on such terms and conditions as it may with such approval determine.
- (2) The authority is to—
- (a) pay such pensions, allowances and gratuities to or in respect of its employees or former employees;
 - (b) make such payment towards provision of such pensions, allowances or gratuities; and
 - (c) provide and maintain such schemes (whether contributory or not) for the payment of such pensions, allowances and gratuities,
- as it may with the approval of the Scottish Ministers determine.
- (3) References in sub-paragraph (2) to pensions, allowances or gratuities include their provision by way of compensation for loss of office or employment.

Status:

Point in time view as at 01/04/2005.

Changes to legislation:

There are currently no known outstanding effects for the Criminal Justice (Scotland) Act 2003, SCHEDULE 2.