

These notes relate to the Interests of Members of the Scottish Parliament Act 2006 (asp 12) which received Royal Assent on 13 July 2006

INTERESTS OF MEMBERS OF THE SCOTTISH PARLIAMENT ACT 2006

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 16: Exclusion from proceedings of the Parliament

66. Section 39(5) of the 1998 Act requires provision to be made in this Act for the Parliament to exclude any member who fails to comply with, or contravenes certain provisions. This section allows the Parliament to exclude any member who fails to comply with, or contravenes, sections:
- 3 (initial registration of registrable interests);
 - 5 (registration of registrable interests acquired after date of return);
 - 6 (late registrations);
 - 13 (declaration of interests);
 - 14 (prohibition of paid advocacy etc.); and
 - 15 (preventing or restricting participation in proceedings of the Parliament).
67. The exclusion can be for such a period as the Parliament considers appropriate and differs from that under section 15. This section allows exclusion from all proceedings of the Parliament and not just those proceedings to which the interest in question related. It is envisaged allegations would be investigated by the Standards Commissioner who would report to the Standards and Public Appointments Committee who in turn will report to Parliament with a recommendation.