

COMMUNITY EMPOWERMENT (SCOTLAND) ACT 2015

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 1: National outcomes

Review of national outcomes

12. Subsection (1) of section 2 provides that the Scottish Ministers may review the national outcomes at any time. This is subject to subsection (2) which requires that, once the Scottish Ministers have published national outcomes, they must begin to review them no later than the expiry of 5 years from the day of publication. It will be for the Scottish Ministers to decide how frequently within that 5 year period they wish to review the national outcomes.
13. Subsection (1) is also subject to subsection (3) which provides that the Scottish Ministers must begin further reviews of the national outcomes at least every 5 years from the date of publication of revised national outcomes or the republication of the existing national outcomes. It is also subject to subsection (4) which provides that in any review of the national outcomes the Scottish Ministers must consult persons who appear to them to represent the interests of communities in Scotland and any other persons they consider appropriate. Subsection (9) defines “community” for the purposes of this provision as including communities based on common interest, identity or geography.
14. Subsection (5) provides that the Scottish Ministers may revise the national outcomes following a review. Subsection (5)(b) provides that if after a review revisions are made to the national outcomes, the Scottish Ministers must then consult the Scottish Parliament for a period of 40 days on these proposed revisions. It also provides that if after a review has taken place no revisions are proposed, the Scottish Parliament will still be consulted for the 40 day period on the existing national outcomes. Subsection (10) provides detail on how the 40 day period is to be calculated.
15. For the purposes of the consultation with the Scottish Parliament under subsection (5) (b), subsection (6) requires the Scottish Ministers to lay before the Parliament a document describing the consultation carried out under subsection (4), any representations received and whether any account was taken of those representations in preparing the proposed revisions to the national outcomes.
16. After the consultation with the Scottish Parliament, the national outcomes must either be published as revised or, where no changes are made, they must be republished (subsection (5)(d)).