

# SCOTTISH FISCAL COMMISSION ACT 2016

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## EXPLANATORY NOTES

### OVERVIEW OF THE ACT

#### *General*

#### *Section 23 - Regulation of procedure*

41. [Section 23](#) provides that the Commission may regulate its own procedures including the minimum number of members that need to agree decisions.

#### *Section 24 - Validity of things done*

42. [Section 24](#) stipulates that a vacancy in the membership of the Commission, or a flaw in an appointment or disqualification of a member after appointment, does not make any work carried out by the Commission invalid.

#### *Section 25 - Committees*

43. [Section 25](#) enables the Commission to create committees and co-opt members on to them. A committee members may be an individual who is not a member of the Commission. However, there must be at least one Commission member on any committee. The Commission, with the approval of Ministers, can remunerate and provide allowances for members of such a committee.

#### *Section 26 - Authority to perform functions*

44. [Section 26](#) provides that the Commission may authorise any of its members, any member of its staff or any other person to perform its functions to whatever extent the Commission decides. This enables the Commission to delegate functions to individual members, committees, members of staff, or to third parties (for example in order to provide specialist statistical or other professional expertise). However, the Commission itself remains ultimately responsible for the performance of its statutory functions.

#### *Section 27 - General powers*

45. [Section 27](#) provides a wide general power for the Commission to do anything necessary to enable it to perform its duties and fulfil its remit. In addition to the usual activities necessary to function as a public body, this could include, for example, the Commission preparing and publishing technical working papers related to its statutory functions.