

## SCHEDULE 4

Article 6

### Transitional and savings provisions

#### **First appointment to the office of Commissioner**

1.—(1) The person who, immediately before this Order comes into force, holds office as the Public Standards Commissioner for Scotland is, by operation of this sub-paragraph (and not section 1(2) of the Act) appointed as the Commissioner for Ethical Standards in Public Life in Scotland on the coming into force of this Order.

(2) An appointment under sub-paragraph (1) is for a period equal to that for which the person was appointed as the Public Standards Commissioner for Scotland reduced by the time for which the person held that office.

#### **Persons appointed by the Commissioner to provide advice, assistance or any other service**

2. An appointment made, or regarded as having been made, by the Commission for Ethical Standards in Public Life in Scotland under section 18 (advisers, assessors and other services) of the Act that is current immediately before this Order comes into force is to be regarded as having been made under that section by the Commissioner for Ethical Standards in Public Life in Scotland on the same terms and conditions and with the approval referred to in subsection (3) of that section.

#### **Undetermined processes**

3.—(1) When this Order comes into force, anything done or being done by or in relation to—

(a) the Public Standards Commissioner for Scotland under—

(i) the Ethical Standards in Public Life etc. (Scotland) Act 2000(1); or

(ii) the Scottish Parliamentary Standards Commissioner Act 2002(2);

(b) the Public Appointments Commissioner for Scotland under the Public Appointments and Public Bodies etc. (Scotland) Act 2003(3); or

(c) the Commission for Ethical Standards in Public Life in Scotland under the Act,

is to be regarded, for the purposes set out in sub-paragraph (2), as done or being done by or in relation to the Commissioner for Ethical Standards in Public Life in Scotland.

(2) Those purposes are the continuation of any process under one of those Acts begun but not determined or completed when this Order comes into force.

#### **New Commissioner's first budget**

4.—(1) Section 20(1) (budget) of the Act applies in respect of the financial year ending with 31st March 2014 with the modification set out in sub-paragraph (2).

(2) For “before the start of each financial year” there is substituted “as soon as possible after the start of the financial year ending with 31st March 2014 and, in any event, before 30th September 2013”.

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(1) 2000 asp 7.

(2) 2002 asp 16.

(3) 2003 asp 4.

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

### **Laying of Commission's last annual report**

5. If, when this Order comes into force, a report for the year beginning 1st April 2012 has not yet been laid before Parliament by the Commission for Ethical Standards in Public Life in Scotland in accordance with section 25 (annual reports) of the Act, the report must instead be laid by the Commissioner for Ethical Standards in Public Life in Scotland before 1st November 2013.

### **New Commissioner's first annual report**

6.—(1) Section 25 (annual reports) of the Act applies in respect of the report for the year beginning 1st April 2013 as if the amendments in paragraph 27(a)(ii), (b), (c) and (d) of Schedule 1 did not apply in relation to the period beginning 1st April 2013 and ending with 30th June 2013.

(2) Accordingly, the report to be laid by the Commissioner for Ethical Standards in Public Life in Scotland for the year beginning 1st April 2013 must also report on the performance by the Commission for Ethical Standards in Public Life in Scotland and each of its Commissioners of their respective functions during the period beginning 1st April 2013 and ending with 30th June 2013.