

Draft Order laid before the Scottish Parliament under section 18(4) of the Public Appointments and Public Bodies etc. (Scotland) Act 2003, for approval by resolution of the Scottish Parliament.

DRAFT SCOTTISH STATUTORY INSTRUMENTS

2011 No.

PUBLIC BODIES

**The Public Appointments and Public Bodies etc. (Scotland)
Act 2003 (Amendment of Specified Authorities) Order 2011**

Made - - - -

Coming into force in accordance with article 1

The Scottish Ministers make the following Order in exercise of the powers conferred by section 3(2) (a) of the Public Appointments and Public Bodies etc. (Scotland) Act 2003⁽¹⁾ and all other powers enabling them to do so.

In accordance with section 18(4) of that Act, a draft of this instrument has been laid before and approved by resolution of the Scottish Parliament.

Citation and commencement

1. This Order may be cited as the Public Appointments and Public Bodies etc. (Scotland) Act 2003 (Amendment of Specified Authorities) Order 2011 and comes into force on the day after the day on which it is made.

Amendment of the list of specified authorities

2.—(1) Schedule 2 to the Public Appointments and Public Bodies etc. (Scotland) Act 2003 (the specified authorities)⁽²⁾ is amended in accordance with paragraph (2).

(2) In the list headed “Other Public Bodies”, after “Parole Board for Scotland” insert—
“, but Part 1 does not apply in relation to the appointment by the Scottish Ministers of a Lord Commissioner of Justiciary as a member of the Board under paragraph 1 of Schedule 2 to the Prisoners and Criminal Proceedings (Scotland) Act 1993 (c.9).”.

(1) 2003 asp 4.

(2) Schedule 2 was relevantly amended by S.S.I. 2005/540, 2008/348 and 2010/50.

Draft Legislation: This is a draft item of legislation. This draft has since been made as a Scottish Statutory Instrument: The Public Appointments and Public Bodies etc. (Scotland) Act 2003 (Amendment of Specified Authorities) Order 2011 No. 22

St Andrew's House,
Edinburgh
Date

A member of the Scottish Executive

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends schedule 2 to the Public Appointments and Public Bodies etc. (Scotland) Act 2003 (“the 2003 Act”), which lists the specified authorities to which the code of practice published by the Commissioner for Public Appointments in Scotland applies.

Under paragraph 2(a) of schedule 2 to the Prisoners and Criminal Proceedings (Scotland) Act 1993 (c.9), the Parole Board for Scotland is required to include a Lord Commissioner of Justiciary among its members appointed by the Scottish Ministers under paragraph 1 of that schedule.

Article 2(2) of the Order provides that the appointment by Scottish Ministers of a Lord Commissioner of Justiciary as a member of the Parole Board, is not subject to the code of practice.