

Draft Regulations laid before the Scottish Parliament under section 44(8) of the Digital Economy Act 2017, for approval by resolution of the Scottish Parliament.

DRAFT SCOTTISH STATUTORY INSTRUMENTS

2018 No.

DISCLOSURE OF INFORMATION

The Digital Government (Scottish Bodies) Regulations 2018

Made - - - - 2018
Coming into force - - 13th September 2018

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 35(3) of the Digital Economy Act 2017(1) and all other powers enabling them to do so.

They have consulted the Information Commissioner, the Commissioners for Her Majesty's Revenue and Customs, the Secretary of State, the Welsh Ministers, the Department of Finance in Northern Ireland, the Minister for the Cabinet Office and such other persons as the Scottish Ministers consider appropriate, as required by section 44(4) of the Digital Economy Act 2017.

In accordance with section 44(8) of the Digital Economy Act 2017, a draft of these Regulations has been laid before, and approved by a resolution of, the Scottish Parliament.

Citation and commencement

1. These Regulations may be cited as the Digital Government (Scottish Bodies) Regulations 2018 and come into force on 13th September 2018.

Scottish bodies for the disclosure of information in relation to public service delivery

2. In schedule 4 of the Digital Economy Act 2017 (public service delivery: specified persons for the purposes of section 35 of that Act)(2), at the end insert—

“PART 3
SCOTTISH BODIES

49 The Scottish Ministers.

(1) [2017 c.30](#) (“the 2017 Act”). The Scottish Ministers are the appropriate national authority in respect of the bodies to which these Regulations relate by virtue of section 45(2) of the 2017 Act.
(2) Part 3 is to be inserted after Part 2 (Welsh bodies) to be inserted by the Digital Government (Welsh Bodies) (Wales) Regulations 2018 (S.I. 2018/XXX (W. XXX)).

50 A council constituted under section 2 of the Local Government etc. (Scotland) Act 1994⁽³⁾.

51 The Skills Development Scotland Co. Limited (company registration number SC202659).

52 A person providing services in connection with a specified objective (within the meaning of section 35) to a specified person who—

- (a) falls within this Part of this Schedule; and
- (b) is a public authority.”.

St Andrew’s House,
Edinburgh
Date

Name
Authorised to sign by the Scottish Ministers

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations relate to the disclosure of information in relation to public service delivery, pursuant to section 35 of the Digital Economy Act 2017 (c.30) (“the Act”).

They specify the Scottish bodies listed in regulation 2 as specified persons to be added to those set out in schedule 4 of the Act for the purposes of improving public service delivery.

The specified persons may share information for the purposes of objectives specified in relation to that body in regulations made under section 35(7). Under that power, Digital Government (Disclosure of Information) Regulations 2018 (S.I. 2018/XXX) will set out:—

- a multiple disadvantages objective to enable the disclosure of information to enable the identification of individuals or households who face multiple disadvantages;
- a television retuning objective to enable the disclosure of information in order to identify individuals and households and offer support under a television retuning scheme to individuals affected by changes to radio frequencies currently used by terrestrial television broadcasts at 470-790 MHz;
- a fuel poverty objective to enable the disclosure of information for the purposes of fuel poverty as defined in section 36(10) of the Act.

The Scottish Government and local authorities in Scotland are to be specified in those Regulations in relation to the multiple disadvantages and fuel poverty objectives. Local authorities in Scotland are also to be specified for the television retuning objective. Skills Development Scotland is to be specified in relation to the multiple disadvantages objective. Persons providing services to Scottish bodies are also to be specified in connection with the specified objectives.

A full impact assessment has not been produced for this instrument as no significant impact on the private, voluntary or public sectors is foreseen.