

EXECUTIVE NOTE

THE ETHICAL STANDARDS IN PUBLIC LIFE ETC. (SCOTLAND) ACT 2000 (DEVOLVED PUBLIC BODIES) ORDER 2009 S.S.I. 2009/286

The above instrument is made in exercise of the powers conferred by section 28 of the Ethical Standards in Public Life etc. (Scotland) Act 2000. The instrument is subject to negative resolution procedure.

Policy Objectives

The purpose of this instrument is to amend the list of Scottish devolved public bodies, listed in Schedule 3, which are subject to the provision of section 28 of the Ethical Standards in Public Life etc. (Scotland) Act 2000. In terms of section 28, the Scottish Ministers are required to issue codes of conduct for members of Scottish devolved public bodies specified by this order. Members of those bodies will be under a duty to observe the relevant code. The Scottish Ministers must observe the members' model code when issuing codes.

The members of the bodies to be included in the list will be subject to investigation by the Chief Investigating Officer or to sanction by the Standards Commission for Scotland. This instrument, and the codes of conduct which will be issued in consequence of this instrument, will provide for: increased openness and transparency (through a registration of interests); a clear understanding of what is expected of members in their conduct in the performance of their duties; and a cohesive set of standards for those subject to the code of conduct.

Those bodies that are no longer obliged to subscribe to an approved code of conduct will be specified for deletion from the list, by this order.

Consultation

The following bodies have been consulted during the preparation of a draft of the instrument:

The Parole Board for Scotland
National Waiting Times Centre Board
NHS 24
Quality Meat Scotland

The Parole Board for Scotland is specified for deletion from the list as their legislation contains disciplinary powers vested in a Tribunal appointed by the Lord President and therefore it is inappropriate for the Parole Board to adopt a Code under the 2000 Act.

Financial Effects

The instrument has no financial effects on the Scottish Government, local government or on business.

Scottish Government Public Service Reform Directorate
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