

## **EXECUTIVE NOTE**

### **THE ETHICAL STANDARDS IN PUBLIC LIFE ETC. (SCOTLAND) ACT 2000 (CODES OF CONDUCT FOR MEMBERS OF CERTAIN SCOTTISH PUBLIC AUTHORITIES) AMENDMENT ORDER 2009 S.S.I. 2009/287**

The above instrument is made in exercise of the powers conferred by section 32 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 public authorities which are subject to the provision of section 32 of the Ethical Standards in Public Life etc. (Scotland) Act 2000. In terms of section 32, the Scottish Ministers are required to issue codes of conduct for members of Scottish public authorities specified by this order. Members of those bodies will be under a duty to have regard to the relevant code. The Scottish Ministers must have regard to the members' model code when issuing codes.

Unlike those public bodies which are included in Schedule 3 of the Ethical Standards in Public Life etc. (Scotland) Act 2000, the members of the body to be included in the list will not be subject to investigation by the Chief Investigating Officer or to sanction by the Standards Commission for Scotland. This is keeping in line with the principle of proportionality. This instrument, and the code 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.

#### **Consultation**

The following body has been consulted during the preparation of a draft of the instrument:

Public Transport Users' Committee for Scotland

#### **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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