

EXECUTIVE NOTE

THE ETHICAL STANDARDS IN PUBLIC LIFE ETC. (SCOTLAND) ACT 2000 (REGISTER OF INTERESTS) AMENDMENT REGULATIONS 2010

SSI 2010/392

The above instrument is made in exercise of the powers conferred by section 7 of the Ethical Standards in Public Life etc. (Scotland) Act 2000. The instrument is subject to negative resolution procedure.

Policy Objectives

The Councillors' Code of Conduct ("the code") plays a vital role in setting out, clearly and openly, the standards of conduct which must be applied to councillors. It is a key element of the ethical standards framework which was introduced by the Ethical Standards in Public Life etc. (Scotland) Act 2000 and it is necessary that it remains effective and up-to-date.

A review of the code was undertaken to assess the implications of major legislative reform to the Scottish Planning System in 2009. The review also provided the opportunity to look at those areas of the code in need of clarification or reconsideration, drawing on the experience gained in its application.

Consultation

Following the initial review of the code, a public consultation was carried out on a set of proposed amendments to the code. The proposed amendments were generally welcomed, with the majority of respondents being positive about the changes. Further changes were subsequently made to the code however, in light of the comments received.

Parliamentary approval for the revised code was given on 27 October 2010, however before the approved code can come into effect it is necessary to update the Ethical Standards in Public Life etc. (Scotland) Act 2000 (Register of Interests) Regulations 2003 ("the principal regulations") to bring them in line with the revised code. These regulations amend the references in Table A of the principal regulations to reflect the restructuring of the code.

Financial Effects

The Councillors' Code of Conduct will be re-issued by the Scottish Government and published on the Scottish Government website. There will therefore be minimal associated publication costs. The Standards Commission for Scotland plans to carry out a number of road shows across Scotland to introduce the revised code to local councillors and assist them in their understanding of the changes to the code. The cost of the road shows will be met from the Standards Commission's budget. These regulations themselves have no financial effects.

Local Government & Third Sector Directorate
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