

2015 No. 432

PUBLIC HEALTH

SOCIAL CARE

**The Public Bodies (Joint Working) (Integration Joint Boards and
Integration Joint Monitoring Committees) (Scotland)
Amendment (No. 2) Order 2015**

Made - - - - - *15th December 2015*

Laid before the Scottish Parliament *17th December 2015*

Coming into force - - - *1st February 2016*

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 12, 17 and 69(1) of the Public Bodies (Joint Working) (Scotland) Act 2014(a), and all other powers enabling them to do so.

In accordance with section 12(3) of that Act, they have consulted with each local authority, each Health Board, and each Integration Joint Board established at the date of making this Order.

Citation and commencement

1. This Order may be cited as the Public Bodies (Joint Working) (Integration Joint Boards and Integration Joint Monitoring Committees) (Scotland) Amendment (No. 2) Order 2015 and comes into force on 1st February 2016.

Amendment of the Public Bodies (Joint Working) (Integration Joint Boards) (Scotland) Order 2014

2.—(1) Paragraph 5 of the Schedule to the Public Bodies (Joint Working) (Integration Joint Boards) (Scotland) Order 2014(b) (matters to be included in standing orders: conflict of interest) is amended as follows.

(2) In sub-paragraph (1), after “interest” insert “which the member considers should be disclosed”.

(3) In sub-paragraph (2), for the words from “the other” to “taking” substitute “the member disclosing the interest is to decide whether, in the circumstances, it is appropriate for that member to take”.

(a) 2014 asp 9.

(b) S.S.I. 2014/285, to which there are amendments not relevant to this Order.

Amendment of the Public Bodies (Joint Working) (Integration Joint Monitoring Committees) (Scotland) Order 2014

3.—(1) Paragraph 5 of the Schedule to the Public Bodies (Joint Working) (Integration Joint Monitoring Committees) (Scotland) Order 2014(a) (matters to be included in standing orders: conflict of interest) is amended as follows.

(2) In sub-paragraph (1), after “interest” insert “which the member considers should be disclosed”.

(3) In sub-paragraph (2), for the words from “the other” to “taking” substitute “the member disclosing the interest is to decide whether, in the circumstances, it is appropriate for that member to take”.

Transitional provision

4.—(1) Paragraph (2) applies where, before 1st February 2016, an integration joint board or integration joint monitoring committee has made standing orders for the regulation of its procedure and business.

(2) The integration joint board or integration joint monitoring committee must, as soon as reasonably practicable, amend its standing orders to take account of the amendments made by article 2 or, as the case may be, article 3.

SHONA ROBISON

A member of the Scottish Government

St Andrew’s House,
Edinburgh
15th December 2015

(a) S.S.I. 2014/281, to which there are amendments not relevant to this Order.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends two instruments relating to the operation, membership and proceedings of integration joint boards and integration joint monitoring committees, which are established under the Public Bodies (Joint Working) (Scotland) Act 2014.

Matters which must be included in the standing orders of an integration joint board or integration joint monitoring committee are set out in the instruments being amended. This includes specifying the procedure to be used where a board or committee member has a conflict of interest in relation to an item of business.

Article 2 amends the Public Bodies (Joint Working) (Integration Joint Boards) (Scotland) Order 2014 to provide that an integration joint board member is to determine whether to declare a conflict of interest and participate in discussion or consideration of the matter in question at a board meeting. Article 3 amends the Public Bodies (Joint Working) (Integration Joint Monitoring Committees) (Scotland) Order 2014 for the same purpose.

Article 4 makes transitional provision to require integration joint boards and integration joint monitoring committees which already have standing orders in place to update their standing orders to take account of these changes as soon as reasonably practicable.

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