Scottish Public Services Ombudsman Act 2002

2002 asp 11

Supplementary

23 Interpretation

(1) In this Act, unless the context otherwise requires—

[[F1]"the 2014 Act" means the Children and Young People (Scotland) Act 2014,**]**

[[F2]"the 2015 Act" means the Welfare Funds (Scotland) Act 2015,**]**

"action" includes failure to act and related expressions are to be construed accordingly,

"complaint" means a complaint to the Ombudsman,

"deputy Ombudsman" has the meaning given in section 1(2),

"family health service provider" has the meaning given in paragraph 5 of schedule 2 and references to family health services are to any of the services mentioned in that paragraph,

"health service body" has the meaning given in paragraph 4 of schedule 2,

"independent provider" has the meaning given in paragraph 6 of schedule 2,

"listed authority" has the meaning given in section 3(1),

"local authority" means a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 (c.39),

"the Ombudsman" has the meaning given in section 1(1),

[[F3]"the Ombudsman's functions" includes the Ombudsman's functions under the 2015 Act,**]**

"the Parliament" means the Scottish Parliament,

"the Parliamentary corporation" means the Scottish Parliamentary Corporate Body,

[F4]…

"person aggrieved" has the meaning given in section 5(4) **[**[F5]or (as the case may be) section 6A(5)**]**,

"registered social landlord" has the meaning given in section 111 of the Housing (Scotland) Act 2001 (asp 10),

"request" means a request for investigation under section 2(2).

[[F6]"welfare fund review" means a review in pursuance of an application under section 7(2) of the 2015 Act.**]**

(2) For the purposes of this Act, action taken by or on behalf of a listed authority includes action taken by—

(a) where the authority is a body, a member or committee of the body,

(b) an officer or member of staff of the authority,

(c) any person acting on behalf of the authority, and

(d) any person to whom the authority has delegated functions.

(3) Action taken by or on behalf of a member of the Scottish Executive does not, however, include action taken on behalf of the Scottish Ministers by a Minister of the Crown or government department by virtue of section 93 (agency arrangements) of the Scotland Act 1998 (c.46).

(4) Where a listed authority is an office-holder in the Scottish Administration, the persons referred to in subsection (2)(b) include, in particular, any member of the staff of the Scottish Administration assigned to assist the office-holder in question in the exercise of the office-holder's functions.

Textual Amendments

F1 Words in s. 23(1) inserted (31.8.2016) by The Children and Young People (Scotland) Act 2014 (Part 4 and Part 5 Complaints) Order 2016 (S.S.I. 2016/152), arts. 1(1), **9(3)**

F2 Words in s. 23(1) inserted (1.4.2016) by Welfare Funds (Scotland) Act 2015 (asp 5), **ss. 13(7)(a)**, 14(2); S.S.I. 2015/428, art. 2(2)

F3 Words in s. 23(1) inserted (1.4.2016) by Welfare Funds (Scotland) Act 2015 (asp 5), **ss. 13(7)(b)**, 14(2); S.S.I. 2015/428, art. 2(2)

F4 Words in s. 23(1) repealed (1.4.2011) by Scottish Parliamentary Commissions and Commissioners etc. Act 2010 (asp 11), s. 31(5), **sch. 3 para. 9** (with s. 31(6), sch. 7)

F5 Words in s. 23(1) inserted (8.1.2020) by The Public Services Reform (The Scottish Public Services Ombudsman) (Healthcare Whistleblowing) Order 2020 (S.S.I. 2020/5), arts. 2, **3(6)**

F6 Words in s. 23(1) inserted (1.4.2016) by Welfare Funds (Scotland) Act 2015 (asp 5), **ss. 13(7)(c)**, 14(2); S.S.I. 2015/428, art. 2(2)

Changes to legislation:
There are currently no known outstanding effects for the Scottish Public Services Ombudsman Act 2002, Section 23.