



# Scottish Parliamentary Standards Commissioner Act 2002

2002 asp 16

## *Investigation of complaints*

### **8 Stage 2: Investigation of an admissible complaint**

- (1) At Stage 2, the Commissioner shall investigate an admissible complaint with a view to—
  - (a) making findings of fact in relation to whether the member of the Parliament concerned (whether or not named in the complaint) has committed the conduct complained about; and
  - (b) reaching a conclusion as to whether that member has, as a result of that conduct, breached the relevant provision or provisions identified by the Commissioner for the purposes of the first test.
- (2) The Commissioner may make a finding of fact if satisfied on a balance of probabilities that the fact is established.
- (3) If the Commissioner has not completed the investigation under this section within the period of six months beginning with the date on which the Commissioner found that complaint to be admissible, the Commissioner shall, as soon as possible thereafter, make a report to the Parliament upon the progress of any such investigation.

**Changes to legislation:**

There are currently no known outstanding effects for the Scottish Parliamentary Standards Commissioner Act 2002, Section 8.