



Commissioner for Children and Young People (Scotland) Act 2003

2003 asp 17

COMMISSIONER FOR CHILDREN AND YOUNG PEOPLE (SCOTLAND) ACT 2003

The Commissioner

- 1 Establishment
- 2 Appointment
- 3 Removal

Functions

- 4 Promoting and safeguarding rights
- 5 United Nations Convention and equal opportunities
- 6 Involving children and young people
- 7 Carrying out investigations
- 8 Initiation and conduct of investigation
- 9 Investigations: witnesses and documents

Reports

- 10 Annual report
- 11 Reports on investigations
- 12 Other reports to Parliament
- 13 Anonymity for children and young people
- 14 Publication
- 14AA Publication of responses to recommendations of investigations
- 14A Strategic plans

Defamation

- 15 Protection from actions of defamation

Changes to legislation: Commissioner for Children and Young People (Scotland) Act 2003 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Interpretation, commencement and short title

- 16 Interpretation
- 17 Commencement and short title

SCHEDULE 1 — The Commissioner for Children and Young People in Scotland

Status

- 1 (1) Neither the Commissioner nor any member of the Commissioner’s...

Independence

- 2 (1) The Commissioner is not, except as provided in the...

Validity of actings

- 3 The validity of any actings of the Commissioner is not...

Remuneration and terms of appointment

- 4 (1) The Commissioner is entitled to— (a) a salary of...

Pensions etc

- 5 (1) The Parliamentary corporation may make arrangements for the payment...

Subsequent appointments etc.

- 5A (1) A person who has ceased being the Commissioner (“the...

General powers

- 6 (1) The Commissioner has a general power to do anything...

Location of office

- 6A The Commissioner must comply with any direction given by the...

Staff

- 7 (1) The Commissioner may, with the consent of the Parliamentary...

Sharing of premises, staff, services and other resources

- 7A The Commissioner must comply with any direction given by the...

Advisers and other services

- 7B (1) The Commissioner may obtain advice, assistance or any other...

Delegation of authority

- 8 The Commissioner may authorise any person to exercise functions on...

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Financial provision

9 (1) The Parliamentary corporation is to pay—

Budget

9A (1) The Commissioner must, before the start of each financial...

Accountable officer

10 (1) The Parliamentary corporation is to designate the Commissioner or...

Accounts and audit

11 (1) The Commissioner must keep proper accounts at all times...

Appointment of acting Commissioner

12 (1) Where there is no Commissioner for the time being,...

SCHEDULE 2 — Investigations: supplementary provisions on witnesses and documents

Requirement to give evidence or produce documents

1 (1) A requirement under section 9 is imposed by the...

Privileges

2 (1) A person is not obliged under this Act to...

Evidence on oath

3 (1) The Commissioner may— (a) administer an oath to any...

Admissibility of statements in subsequent criminal proceedings

4 Any statement made by a person in answer to any...

Offences

5 (1) Any person to whom a notice under paragraph 1...

Offences by bodies corporate and partnerships

6 (1) Where an offence under paragraph 5 which has been...

Producing copies or extracts

7 For the purposes of section 9 and this schedule a...

Allowances and expenses

8 The Commissioner may pay such allowances and expenses to persons...

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 4(2A) inserted by [2024 asp 1 s. 11\(2\)](#)