



Scottish Commission for Human Rights Act 2006

2006 asp 16

General functions

2 General duty to promote human rights

- (1) The Commission's general duty is, through the exercise of its functions under this Act, to promote human rights and, in particular, to encourage best practice in relation to human rights.
- (2) In this Act, “human rights” means—
 - (a) the Convention rights within the meaning of section 1 of the Human Rights Act 1998 (c. 42), and
 - (b) other human rights contained in any international convention, treaty or other international instrument ratified by the United Kingdom.
- (3) In this section, “promote”, in relation to human rights, means promote awareness and understanding of, and respect for, those rights.
- (4) In deciding what action to take under this Act in pursuance of its general duty, the Commission must have regard, in particular, to the importance of exercising its functions under this Act in relation to—
 - (a) the Convention rights, and
 - (b) human rights of those groups in society whose human rights are not, in the Commission's opinion, otherwise being sufficiently promoted.

3 Information, guidance, education etc.

- (1) For the purposes of its general duty, the Commission may—
 - (a) publish or otherwise disseminate information or ideas,
 - (b) provide advice or guidance,
 - (c) conduct research,
 - (d) provide education or training.
- (2) The Commission may charge reasonable fees in connection with anything done by it or on its behalf under subsection (1).

Changes to legislation: There are currently no known outstanding effects for the Scottish Commission for Human Rights Act 2006, Cross Heading: General functions. (See end of Document for details)

- (3) Sums paid to the Commission in respect of fees charged under subsection (2) are to be retained by it and applied to meet expenses incurred by it in doing anything under subsection (1).

4 Monitoring of law, policies and practices

- (1) For the purposes of its general duty, the Commission may review and recommend changes to—
- (a) any area of the law of Scotland, or
 - (b) any policies or practices of any Scottish public authorities.
- (2) The Commission must consult the Scottish Law Commission before undertaking a review of any area of the law under subsection (1)(a).

5 Power to co-operate etc. with others

- (1) The Commission may, in the exercise of any of its functions—
- (a) consult,
 - (b) act jointly with,
 - (c) co-operate with, or
 - (d) assist,
- any other person.
- (2) The Commission must seek to ensure, so far as practicable, that any activity undertaken by it under this Act does not duplicate unnecessarily any activity undertaken by any other person under any other enactment.

6 No power to assist in claims or legal proceedings

- (1) The Commission may not provide assistance to or in respect of any person in connection with any claim or legal proceedings to which that person is or may become a party.
- (2) In subsection (1), “assistance” includes advice, guidance and grants.

[^{F1}6A Subsequent appointments

- (1) A person who has ceased to be a member of the Commission may not, without the approval of the Parliamentary corporation—
- (a) be employed or appointed in any other capacity by the Commission,
 - (b) hold office in or be an employee or appointee of any Scottish public authority in relation to which the Commission conducted an inquiry under section 8(1)
 - (a) while that person was a member of the Commission, or
 - (c) hold any other office, employment or appointment or engage in any other occupation, being an office, employment, appointment or occupation which, by virtue of paragraph 5(9)(a), that person could not have held or, as the case may be, engaged in when a member of the Commission.
- (2) The restriction in sub-paragraph (1)—
- (a) starts when the person ceases to be a member of the Commission, and

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- (b) ends on the expiry of the financial year next following the one in which it started.]

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Textual Amendments

- F1** Sch. 1 para. 6A inserted (1.4.2011) by [Scottish Parliamentary Commissions and Commissioners etc. Act 2010 \(asp 11\)](#), s. 31(5), [sch. 6 para. 6](#) (with s. 31(6), Sch. 7)

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