

Status: Point in time view as at 01/04/2011.

Changes to legislation: There are currently no known outstanding effects for the Scottish Parliamentary Commissions and Commissioners etc. Act 2010, Part 1. (See end of Document for details)

SCHEDULE 1 CONSEQUENTIAL AMENDMENTS OF ENACTMENTS REFERRED TO IN SECTION 2(5)

PART 1

THE ETHICAL STANDARDS ACT

- 1 For section 9 (appointment and functions of Chief Investigating Officer) there is substituted—

“9 Public Standards Commissioner for Scotland to investigate breaches of codes

It is the duty of the Public Standards Commissioner for Scotland (the “Commissioner”) to investigate and report to the Commission on cases in which a councillor or member of a devolved public body has, might have or is alleged to have contravened the councillors' or, as the case may be, the members' code.”

- 2 In sections 10(1) and (2), 11, 12(1), (4) and (5), 13(1) and (3), 14(1) and (3), 16, 21(1), 23(5) and 27(1) and paragraphs 2(1) and 7(1) of schedule 1 for “Chief Investigating Officer”, in each place where those words occur, there is substituted “Commissioner”.
- 3 In section 10(1) for “functions of that office” there is substituted “Commissioner's functions under this Act”.
- 4 In sections 10(2), 12(4) and (5), 13(1), 14(3), 16(a) and 21(1) for “that Officer”, in each place where those words occur, there is substituted “the Commissioner”.
- 5 In section 11 after “functions” there is inserted “under this Act”.
- 6 In sections 11 and 13(3) for “that Officer's” there is substituted “the Commissioner's”.
- 7 In section 28(1)—
(a) for the definition of “Chief Investigating Officer” there is substituted—
““Commissioner” means the Public Standards Commissioner for Scotland;”, and
(b) after the definition of “devolved public body” there is inserted—
““investigation” means an investigation under this Act;”.
- 8 In paragraph 2(1)(b) of schedule 1 after “functions” there is inserted “under this Act”.
- 9 In the titles to sections 10 to 14 “**Chief Investigating Officer**” and “**Chief Investigating Officer's**”, wherever these expressions occur, become, respectively, “**Public Standards Commissioner**” and “**Public Standards Commissioner's**”.

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