

# SCOTTISH FISCAL COMMISSION ACT 2016

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## EXPLANATORY NOTES

### OVERVIEW OF THE ACT

#### *Membership*

#### *Section 15 - Members of the Commission*

29. [Section 15](#) sets rules around the composition of the Commission.
30. The Commission must have a member who acts as chair and at least two, and no more than four, additional members. The number of members allowed to form the Commission can be changed through regulations made by the Scottish Ministers under the negative procedure.
31. Members are to be appointed by the Scottish Ministers, but only with the approval of the Scottish Parliament. This helps to protect the independence of the Commission and mirrors the process used to appoint the first chair and members in 2014. In addition, appointments to the Commission will be public appointments and therefore subject to the Public Appointments and Public Bodies etc. (Scotland) Act 2003. That means that appointments will be made after fair and open competition and that the appointments process will be regulated by the Commissioner for Ethical Standards in Public Life in Scotland.