

ISLANDS (SCOTLAND) ACT 2018

EXPLANATORY NOTES

OVERVIEW OF THE ACT

PART 2 – NATIONAL ISLANDS PLAN

Duty to prepare national islands plan

Section 3 – National islands plan

8. This section places a duty on the Scottish Ministers to prepare a national islands plan. This is to set out Ministers' main objectives for improving public sector-derived outcomes for island communities – and Ministers' strategy for how to do so.
9. Subsection (3) sets out a non-exhaustive list of the topics that the plan will contain in relation to improving outcomes for island communities. Subsection (4) requires the plan to list the public authorities that have duties under the Act. In accordance with subsection (5), in relation to the main objectives in the plan Ministers must consider and outline, in so far as possible, what would be appropriate to use for the purpose of measuring whether quantitatively or qualitatively the extent to which outcomes for island communities identified in the plan are improved.

Section 4 – Preparation and scrutiny of plan

10. This section sets out the various duties that the Scottish Ministers must adhere to for the purposes of the preparation, consultation and scrutiny of the plan.
11. Subsection (1) obliges the Scottish Ministers, when preparing the plan, to consult the local authorities listed in the schedule to the Act, persons representing the interests of island communities, and those likely to be affected by or have an interest in any proposals contained in the plan, including members of island communities and others. The distinctive characteristics of island communities must be taken into account when developing the plan (e.g. the Gaelic cultural traditions of the Hebrides and the Scandinavian heritage of Orkney and Shetland).
12. Subsection (2) requires Ministers to lay the first proposed plan before the Scottish Parliament within a year of this section coming into force, and thereafter whenever the plan is reviewed. After a period for parliamentary consideration the plan must then be finalised, as per subsection (3), and published, as per subsection (4).

Reporting on and review of plan

Section 5 – Report on plan

13. This section places a duty on the Scottish Ministers to prepare and publish an annual progress report providing information on the improvement of outcomes for island communities that has occurred over the previous year, the steps that the Scottish Ministers will take if an outcome identified in the plan has not improved over the previous year, and on how Ministers themselves have complied with the duties in

relation to island communities imposed by Part 3 of the Act. Such reports must be laid before the Parliament and published within 3 months after the end of the reporting year, as per subsection (3).

Section 6 – Review of plan

14. This section provides for the timescales and review of the plan once it has been prepared and published under section 4. Subsection (1) requires the Scottish Ministers to review the plan before the end of five years from when the plan was last published. Ministers may also review the plan at another time should they see fit.
15. Subsection (2) allows Ministers to revise the plan as they consider appropriate following a review. Subsection (3) applies the same duties set out in section 4 for the original plan – of consultation, of laying before the Scottish Parliament, and of publication – to any review of the plan.