

ISLANDS (SCOTLAND) ACT 2018

EXPLANATORY NOTES

OVERVIEW OF THE ACT

PART 3 – DUTIES IN RELATION TO ISLAND COMMUNITIES

Duty of the Scottish Ministers to consult island communities

Section 16 – Duty to consult island communities

37. This section requires Scottish Ministers, before making a material change to any policy, strategy or service, to consult with island communities. Subsection (2) sets out that the persons consulted under subsection (1) must include the local authorities listed in the schedule and any other bodies or persons as Ministers determine. Subsection (3) provides that the Scottish Ministers must publish the results of the consultation and any steps to be taken as a result of the consultation 3 months after the conclusion of the consultation. Subsections (4) and (5) provide that in cases where the Scottish Ministers consider that a material change has no significantly differential impact on island communities then a local authority listed in the schedule can request that Ministers consult island authorities (in accordance with subsection (1)) before making the change. Once a request is made, Ministers must consult or, if they do not do so, publish the reasons for that decision not to consult.