

*Status: This version of this part contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for
the Tied Pubs (Scotland) Act 2021, Part 4. (See end of Document for details)*

PROSPECTIVE

SCHEDULE 2 SCOTTISH PUBS CODE ADJUDICATOR

PART 4

ACCOUNTABILITY

Accounts and audit

- 17 (1) The adjudicator must—
- (a) keep proper accounts and accounting records,
 - (b) prepare in respect of each financial year a statement of accounts,
 - (c) send a copy of the statement to the Auditor General for Scotland for auditing.
- (2) The adjudicator must comply with any direction which the Scottish Ministers give it in relation to the matters mentioned in sub-paragraph (1)(a) and (b).

Annual report

- 18 (1) The adjudicator must, after each financial year—
- (a) prepare and make publicly available a report of its activities during the year, and
 - (b) send a copy of the report to the Scottish Ministers.
- (2) The Scottish Ministers are to lay before the Scottish Parliament a copy of each report received by them under sub-paragraph (1).
- (3) A report under sub-paragraph (1) must include—
- (a) a summary of—
 - (i) arbitrations conducted by the adjudicator,
 - (ii) investigations carried out by the adjudicator,
 - (iii) cases in which, at the end of an investigation, the adjudicator has taken enforcement action,
 - (iv) cases in which the adjudicator has exercised functions in relation to the offer of a market rent only lease,
 - (b) if the adjudicator has been monitoring whether the requirement to comply with a direction given under paragraph (a) or (b) of section 9(2) has been fulfilled, an assessment about whether or not it has been.

Information to Scottish Ministers

- 19 The adjudicator must provide the Scottish Ministers with any information they require for the purpose of carrying out their functions under this Act.

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