

**Changes to legislation:** *Scottish Public Services Ombudsman Act 2002, Part 1 is up to date with all changes known to be in force on or before 27 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

## SCHEDULE 2 LISTED AUTHORITIES

### PART 1

#### ENTRIES NOT AMENDABLE BY ORDER IN COUNCIL

#### *Scottish Parliament and Scottish Administration*

- 1 The Parliamentary corporation.
- 2 Any member of the Scottish Executive.
- 3 Any other office-holder in the Scottish Administration.

#### *Health service*

- 4 Any health service body, that is to say—
  - (a) any Health Board,
  - (b) any Special Health Board,
  - (c) any National Health Service trust,
  - (d) the Common Services Agency for the Scottish Health Service,
  - (e) the Scottish Dental Practice Board,
  - (f) the Mental Welfare Commission for Scotland.
  - [<sup>F1</sup>(g) Healthcare Improvement Scotland]

#### Textual Amendments

**F1** Sch. 2 para. 4(g) added (1.10.2010 for specified purposes, 1.4.2011 in so far as not already in force) by [Public Services Reform \(Scotland\) Act 2010 \(asp 8\)](#), s. 134(7), [sch. 17 para. 25](#); S.S.I. 2010/321, art. 3, sch.; S.S.I. 2011/122, art. 2, sch.

- 5 Any person who is, or was at the time of the matter complained of, a family health service provider, that is to say—
  - [<sup>F2</sup>(a) a person (whether an individual or a body) providing primary medical services under a general medical services contract (within the meaning of the National Health Service (Scotland) Act 1978) or general dental services under Part II of that Act,]
  - (b) a person (whether an individual or a body) undertaking to provide in Scotland general ophthalmic services or pharmaceutical services under that Part of that Act, or
  - (c) an individual performing in Scotland [<sup>F3</sup>primary medical services] or personal dental services in accordance with—
    - (i) arrangements made under section 17C of that Act, or
    - (ii) a pilot scheme under Part I of the National Health Service (Primary Care) Act 1997 (c.46),(except as an employee of, or otherwise on behalf of, a health service body or an independent provider).

**Changes to legislation:** Scottish Public Services Ombudsman Act 2002, Part 1 is up to date with all changes known to be in force on or before 27 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

#### Textual Amendments

- F2** Sch. 2 para. 5(a) substituted (1.4.2004) by [Primary Medical Services \(Scotland\) Act 2004 \(asp 1\)](#), s. 9(1), [sch. para. 4\(2\)\(a\)](#); S.S.I. 2004/58, art. 2(3)
- F3** Words in sch. 2 para. 5(c) substituted (1.4.2004) by [Primary Medical Services \(Scotland\) Act 2004 \(asp 1\)](#), s. 9(1), [sch. para. 4\(2\)\(b\)](#); S.S.I. 2004/58, art. 2(3)

- 6 Any person who is, or was at the time of the matter complained of, an independent provider, that is to say a person (whether an individual or a body)—
- (a) providing services of any kind in Scotland under arrangements with a health service body or family health service provider, and
  - (b) not being a health service body or a family health service provider.

*Local government etc.*

- 7 Any local authority.
- 8 Any committee, joint committee or joint board the members of which, other than ex officio members, are appointed by one or more local authorities.
- 9 Any person who, by virtue of section 56(1) of the Local Government (Scotland) Act 1973 (c.65), discharges any of the functions of a local authority.
- 10 Any licensing board [<sup>F4</sup>continued in existence by or established under section 5 of the Licensing (Scotland) Act 2005 (asp 16)] .

#### Textual Amendments

- F4** Words in sch. 2 para. 10 substituted (1.5.2007) by [Licensing \(Scotland\) Act 2005 \(asp 16\)](#), s. 150(2), [sch. 6 para. 9](#) (with s. 143); S.S.I. 2007/129, art. 3, sch.

- 11 The Strathclyde Passenger Transport Authority.
- [<sup>F5</sup>11A Any Transport Partnership created under the Transport (Scotland) Act 2005 (asp 12)]

#### Textual Amendments

- F5** Sch. 2 para. 11A inserted (10.10.2005) by [Transport \(Scotland\) Act 2005 \(asp 12\)](#), s. 54(2), [sch. 1 para. 19](#); S.S.I. 2005/454, art. 2, Sch. 2

- 12 Any National Park authority.
- [<sup>F6</sup>13 The Scottish Fire and Rescue Service.]

#### Textual Amendments

- F6** Sch. 2 para. 13 substituted (1.10.2012) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#), s. 129(2), [sch. 7 para. 62](#); S.S.I. 2012/253, art. 2, sch.

- <sup>F7</sup>14 . . . . .

**Changes to legislation:** Scottish Public Services Ombudsman Act 2002, Part 1 is up to date with all changes known to be in force on or before 27 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

#### Textual Amendments

**F7** Sch. 2 para. 14 repealed (1.4.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#), s. 129(2), [sch. 8 Pt. 1](#); S.S.I. 2013/51, [art. 2](#) (with transitional provisions and savings in S.S.I. 2013/121)

15 Any Children’s Panel Advisory Committee formed under paragraph 3, or joint advisory committee formed under paragraph 8, of Schedule 1 to the Children (Scotland) Act 1995 (c.36).

16 Any joint committee, for the administration of superannuation schemes for persons employed in local government service or teachers, established by regulations under section 7 or 9 of the Superannuation Act 1972 (c.11) respectively.

[<sup>F8</sup>16A Scottish Water.]

#### Textual Amendments

**F8** Sch. 2 para. 16A inserted (15.8.2011) by [Public Services Reform \(Scotland\) Act 2010 \(asp 8\)](#), [ss. 3\(2\)](#), [134\(7\)\(8\)](#); S.S.I. 2011/278, [art. 2\(a\)](#)

#### Housing

17 Any person who is, or was at the time of the matter complained of, a registered social landlord.

#### Prisons

[<sup>F9</sup>17A Any person who is, or was at the time of the matter complained of—

- (a) the governor of a prison appointed under section 3 of the Prisons (Scotland) Act 1989 (c. 45),
- (b) a medical officer of a prison appointed under section 3A or (if appointed before 1 January 1998) section 3(1) of that Act, or
- (c) in relation to a contracted out prison (within the meaning of section 106(4) of the Criminal Justice and Public Order Act 1994 (c. 33)—
  - (i) the director appointed under section 107(1) of that Act, or
  - (ii) a registered medical practitioner or other person providing appropriate medical services under section 107(6) of that Act,
 (but only to the extent that the action taken by or on behalf of that person is not a matter liable to investigation under this Act by virtue of paragraph 2 of this schedule).]

#### Textual Amendments

**F9** Sch. 2 para. 17A inserted (1.10.2010) by [Scottish Parliamentary Commissions and Commissioners etc. Act 2010 \(asp 11\)](#), s. 31(4), [sch. 3 para. 20](#) (with s. 31(6), [sch. 7](#))

#### Crown Estate

[<sup>F10</sup>17B [<sup>F11</sup>Crown Estate Scotland].]

---

*Changes to legislation: Scottish Public Services Ombudsman Act 2002, Part 1 is up to date with all changes known to be in force on or before 27 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

#### Textual Amendments

- F10** Sch. 2 para. 17B and cross-heading inserted (16.2.2017) by [The Crown Estate Scotland \(Interim Management\) Order 2017 \(S.S.I. 2017/36\)](#), arts. 1(1), **21(3)**
- F11** Words in sch. 2 para. 17B substituted (1.4.2020) by [Scottish Crown Estate Act 2019 \(asp 1\)](#), s. 46(2), **sch. 1 para. 3**; S.S.I. 2020/77, reg. 2(1), sch. 1

**Changes to legislation:**

Scottish Public Services Ombudsman Act 2002, Part 1 is up to date with all changes known to be in force on or before 27 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 2 para. 37A inserted by [2007 asp 3 Sch. 5 para. 27](#) (This amendment not applied to legislation.gov.uk. Sch. 5 para. 27 repealed (31.1.2011) by 2010 asp 8, sch. 4 Pt. 2; S.S.I. 2011/30, art. 3(1), Sch. 1)
- sch. 2 para. 32ZA inserted by [2023 asp 6 sch. 2 para. 1\(2\)](#)