

INTERESTS OF MEMBERS OF THE SCOTTISH PARLIAMENT ACT 2006

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 1: The register

13. Subsection (1) establishes a Register of Interests of Members of the Scottish Parliament (the register). This will replace the present Register under the Order. For the purpose of this Act, “member” is defined in section 19(1) and includes, subject to section 18, a Scottish Law Officer (the Lord Advocate and the Solicitor General for Scotland) where that person is not a member of the Parliament.
14. Subsection (2) requires the register to be kept at the office of the Clerk. The principal register will be kept at the Clerk’s office and copies will be made available for public inspection in accordance with section 11 of the Act.
15. Subsection (3) requires the register to contain an entry for each member and provides for the content of the entries. Paragraph (a) states that each entry must contain the information required by or under the provisions in this Act. Paragraph (b) provides for additional matters to be included in the entry as the Parliament may determine. This could, for example include information about amendments made to the register.
16. Subsection (4) gives the Clerk discretion in relation to the form of the register, which may include electronic form. However if kept other than in documentary form, the register must be able to show what it contains when printed or displayed. Allowing the Clerk to determine the form of the register gives greater flexibility to adapt to new technology.