



# Scottish Parliamentary Commissions and Commissioners etc. Act 2010

2010 asp 11

## PART 1

### [<sup>F1</sup>THE COMMISSIONER FOR ETHICAL STANDARDS IN PUBLIC LIFE IN SCOTLAND]

#### [<sup>F1</sup>The Commissioner]

#### 7 Appointment of acting Commissioner

(1) If the office of [<sup>F1</sup>the] Commissioner is vacant or [<sup>F1</sup>the] Commissioner is, for any reason and to any extent, unable to act, the Parliamentary corporation may appoint a person (an “acting Commissioner”) to perform the functions of the Commissioner, either generally or in relation to such matters or class of matter as is specified in the terms and conditions of the appointment.

(2) An appointment of an acting Commissioner is for, or until, such time as is specified in the terms and conditions of appointment.

<sup>F2</sup>(3) .....

(4) Subject to subsection (5), a person who is not eligible for appointment as [<sup>F3</sup>the] Commissioner is not eligible for appointment as an acting Commissioner.

(5) Members of the [<sup>F4</sup>Commissioner’s] staff are eligible for appointment as an acting Commissioner.

<sup>F5</sup>(6) .....

(7) An acting Commissioner—

- (a) may at any time resign by notice given to the Parliamentary corporation,
- (b) may at any time be removed from office by the Parliamentary corporation,
- (c) subject to this section, holds office on such terms and conditions as the Parliamentary corporation determines, and

---

*Changes to legislation: There are currently no known outstanding effects for the Scottish Parliamentary Commissions and Commissioners etc. Act 2010, Section 7. (See end of Document for details)*

---

- (d) is to be regarded for all purposes, except those of sections 9(1) to (4) and 10, as having the same status, functions and rights and being subject to the same restrictions as the Commissioner <sup>F6</sup>....
- (8) The Parliamentary corporation may, in the terms and conditions of appointment of an acting Commissioner, specify the minimum period of notice for the purposes of subsection (7)(a).

#### Textual Amendments

- F1** Word in s. 7(1) substituted (1.7.2013) by [The Public Services Reform \(Commissioner for Ethical Standards in Public Life in Scotland etc.\) Order 2013 \(S.S.I. 2013/197\)](#), art. 1, **Sch. 1 para. 7(a)**
- F2** S. 7(3) omitted (1.7.2013) by virtue of [The Public Services Reform \(Commissioner for Ethical Standards in Public Life in Scotland etc.\) Order 2013 \(S.S.I. 2013/197\)](#), art. 1, **Sch. 1 para. 7(b)**
- F3** Word in s. 7(4) substituted (1.7.2013) by [The Public Services Reform \(Commissioner for Ethical Standards in Public Life in Scotland etc.\) Order 2013 \(S.S.I. 2013/197\)](#), art. 1, **Sch. 1 para. 7(c)**
- F4** Word in s. 7(5) substituted (1.7.2013) by [The Public Services Reform \(Commissioner for Ethical Standards in Public Life in Scotland etc.\) Order 2013 \(S.S.I. 2013/197\)](#), art. 1, **Sch. 1 para. 7(d)**
- F5** S. 7(6) omitted (1.7.2013) by virtue of [The Public Services Reform \(Commissioner for Ethical Standards in Public Life in Scotland etc.\) Order 2013 \(S.S.I. 2013/197\)](#), art. 1, **Sch. 1 para. 7(e)**
- F6** Words in s. 7(7)(d) omitted (1.7.2013) by virtue of [The Public Services Reform \(Commissioner for Ethical Standards in Public Life in Scotland etc.\) Order 2013 \(S.S.I. 2013/197\)](#), art. 1, **Sch. 1 para. 7(f)**

**Changes to legislation:**

There are currently no known outstanding effects for the Scottish Parliamentary Commissions and Commissioners etc. Act 2010, Section 7.