

Draft Order laid before the Scottish Parliament under section 25(2)(b) of the Public Services Reform (Scotland) Act 2010 for approval by resolution of the Scottish Parliament.

DRAFT SCOTTISH STATUTORY INSTRUMENTS

2018 No.

**PUBLIC SERVICES REFORM
EQUALITY**

**The Public Services Reform (Poverty and
Inequality Commission) (Scotland) Order 2018**

Made - - - - 2018
Coming into force - - 1st July 2019

The Scottish Ministers make the following Order in exercise of the powers conferred by section 14(1), (3)(a) and (b) and (7) of the Public Services Reform (Scotland) Act 2010⁽¹⁾ (“the Act”) and all other powers enabling them to do so.

The Scottish Ministers consider that the relevant conditions in section 16(2) of the Act are satisfied.

The Scottish Ministers have consulted in accordance with section 26 of the Act.

The Scottish Ministers have laid a draft of this Order and an explanatory document before the Scottish Parliament in accordance with section 25(2)(b)⁽²⁾ of the Act.

In accordance with section 25(2)(c) of the Act, the draft of this Order has been approved by resolution of the Scottish Parliament.

Citation and commencement

1. This Order may be cited as the Public Services Reform (Poverty and Inequality Commission) (Scotland) Order 2018 and comes into force on 1st July 2019.

Amendment of the Child Poverty (Scotland) Act 2017

2.—(1) The Child Poverty (Scotland) Act 2017⁽³⁾ is amended as follows.

(2) In section 8 (Poverty and Inequality Commission), for subsection (2) substitute—

(1) 2010 asp 8. The effect of sections 14 to 30 and schedules 5 to 7 of the Act has been extended by virtue of section 134(4) and S.S.I. 2015/234.
(2) Section 25 was modified by paragraph 5 of schedule 3 of the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10).
(3) 2017 asp 6.

“(2) In addition to the functions conferred on it by this Act, the functions of the Commission are—

- (a) to advise the Scottish Ministers on any matter relating to poverty or inequality in Scotland, including the impact of their policies and use of resources in reducing such poverty and inequality,
- (b) to monitor progress in reducing poverty and inequality in Scotland,
- (c) to promote the reduction of poverty and inequality in Scotland.

(2A) The Commission may do such things as it considers appropriate for the performance of its functions, including in particular—

- (a) gathering evidence,
- (b) carrying out research,
- (c) preparing and publishing such reports as it considers appropriate.

(2B) The Commission must publish any advice it provides to the Scottish Ministers.”.

(3) In the schedule, in paragraph 1 (membership)—

- (a) in sub-paragraph (1)(b) (number of members additional to chairing member), for “2 but no more than 4” substitute “4 but no more than 8”;
- (b) in sub-paragraph (4) (experience and knowledge of proposed members), for the words from “securing” to the end of that sub-paragraph substitute—

“(a) securing that the Commission (taken as a whole) has experience in and knowledge of—

- (i) the formulation, implementation and evaluation of policy relating to poverty and inequality,
- (ii) research in connection with poverty and inequality,
- (iii) working with persons experiencing poverty or inequality (or both), and

(b) the Commission’s membership including persons who have experienced poverty or inequality (or both).”.

St Andrew’s House,Edinburgh
Date

Name
A member of the Scottish Government

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Child Poverty (Scotland) Act 2017 (“the 2017 Act”) to allow the Poverty and Inequality Commission established by section 8 and the schedule of that Act to consider a wider range of poverty and inequality issues than those that are contained in the 2017 Act.

In summer 2017 the Scottish Ministers tasked a body of persons with providing advice on reduction of poverty and inequality in Scotland. Subsequently the Scottish Parliament enacted the Child Poverty (Scotland) Bill to establish a Poverty and Inequality Commission (“the Commission”), with functions relating to child poverty targets described in that Bill. It would promote efficiency, effectiveness and economy in the exercise of public functions for the two functions to be combined and delivered by a single body. Article 2(2) of this Order expands the functions of the Commission accordingly.

Article 2(3) expands the membership of the Commission and broadens the experience and knowledge that is to be considered when the Scottish Ministers propose persons to the Scottish Parliament for approval for appointment to the Commission.