
EXPLANATORY NOTE

(This note is not part of the Order)

Sections 103, 109, 132, 133 and 134 of the Public Services Reform (Scotland) Act 2010 ('the Act') came into force on Royal Assent. This Order brings into force certain other provisions.

The provisions of the Act in Part 4 (sections 36 to 43) and schedules 9 and 10 come into force on 1st July 2010. These provisions establish Creative Scotland – also known as Alba Cruthachail – a statutory non-departmental public body and successor to the Scottish Arts Council and Scottish Screen. Creative Scotland has wider functions than its predecessors relating to the support and development of the arts and culture and creative industries in Scotland.

The following provisions of the Act come into force on 1st August 2010:

- section 1 and schedule 1 dissolve the Deer Commission for Scotland and transfers its functions to Scottish Natural Heritage and makes consequential amendments;
- section 2 dissolves the Advisory Committee on sites of special scientific interest, requires Scottish Natural Heritage to consider certain representations in relation to these sites and makes consequential amendments;
- sections 4 to 8 respectively dissolve the Scottish Records Advisory Council, the Scottish Industrial Development Advisory Board, the Building Standards Advisory Committee, the Historic Environment Advisory Council for Scotland and the Regional Boards of the Scottish Environment Protection Agency and make consequential amendments;
- section 9 amends section 7 of the Industrial Development Act 1982 to enable the Scottish Ministers to delegate their functions relating to provision of financial assistance;
- section 10 amends section 5 of the Science and Technology Act 1965 to enable the Scottish Ministers to delegate their powers to undertake certain activities in relation to scientific research and enable the delegate to undertake these in the same way and to the same extent;
- sections 11 and 12 enable the Forestry Commissioners to delegate certain functions relating to the management of the forest estate in Scotland, to form, participate or invest in bodies corporate and to provide loans or establish trusts in relation to their functions in Scotland;
- sections 14 to 30 and schedules 5 to 7 enable provision to be made for the purpose of improving the exercise of public functions and for removing and reducing certain burdens;
- section 44 and paragraphs 1 to 14 of schedule 11 are commenced for the purpose of making appointments to Social Care and Social Work Improvement Scotland;
- section 107 and schedule 15 make changes in relation to the Scottish Social Services Council;
- sections 108 (section 10A only) and 110(1) and schedule 16 are commenced for the purpose of making appointments in relation to Healthcare Improvement Scotland;
- section 111 and schedule 18 are commenced for the purpose of making appointments in relation to the Mental Health Welfare Commission for Scotland;
- section 119 confers powers and duties on the Scottish Public Services Ombudsman in relation to complaints handling procedures;
- sections 120 to 128 (except section 125) make provision in relation to the regulation of charities and charity trustees;
- section 129 makes a minor correction to the Local Government (Scotland) Act 1973.