
EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes provision consequential on the Scottish Fiscal Commission Act 2016 which establishes the Scottish Fiscal Commission (“the Commission”) and makes provision about its functions. The Commission is known as Coimisean Fiosgail na h-Alba in Gaelic.

Articles 2 and 3 make the Commission part of the Scottish Administration. Accordingly, the Commission will be a non-ministerial department accountable to the Scottish Parliament. Article 3 also provides that the Crown Suits (Scotland) Act 1857 does not apply to the Commission with the effect that the Lord Advocate cannot be sued in place of the Commission.

Article 4 places an obligation on the Office for Budget Responsibility to co-operate with the Commission.

Article 5 inserts a reference to the Commission into the House of Commons Disqualification Act 1975 to disqualify members of the Commission from being members of the House of Commons.

A full regulatory impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.