



# Constitutional Reform and Governance Act 2010

## 2010 CHAPTER 25

### PART 1

#### THE CIVIL SERVICE

#### CHAPTER 1

##### STATUTORY BASIS FOR MANAGEMENT OF THE CIVIL SERVICE

##### *Codes of conduct*

### **8 Special advisers code**

- (1) The Minister for the Civil Service must publish a code of conduct for special advisers (see section 15).
- (2) For this purpose, the Minister may publish separate codes of conduct covering special advisers who serve the Scottish Executive or the Welsh Assembly Government.
- (3) Before publishing a code (or any revision of a code) under subsection (2), the Minister must consult the First Minister for Scotland or the First Minister for Wales (as the case may be).
- (4) In this Chapter “special advisers code” means a code of conduct published under this section as it is in force for the time being.
- (5) Subject to subsection (6), a special advisers code must provide that a special adviser may not—
  - (a) authorise the expenditure of public funds;
  - (b) exercise any power in relation to the management of any part of the civil service of the State;

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*Status: Point in time view as at 11/11/2010.*

*Changes to legislation: There are currently no known outstanding effects for the Constitutional Reform and Governance Act 2010, Section 8. (See end of Document for details)*

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- (c) otherwise exercise any power conferred by or under this or any other Act or any power under Her Majesty's prerogative.
- (6) A special advisers code may permit a special adviser to exercise any power within subsection (5)(b) in relation to another special adviser.
- (7) In subsection (5)(c) “Act” includes—
  - (a) an Act of the Scottish Parliament;
  - (b) an Act or Measure of the National Assembly for Wales;
  - (c) Northern Ireland legislation.
- (8) The Minister for the Civil Service must lay any special advisers code before Parliament.
- (9) The First Minister for Scotland must lay before the Scottish Parliament any special advisers code under subsection (2) that covers special advisers who serve the Scottish Executive.
- (10) The First Minister for Wales must lay before the National Assembly for Wales any special advisers code under subsection (2) that covers special advisers who serve the Welsh Assembly Government.
- (11) A special advisers code forms part of the terms and conditions of service of any special adviser covered by the code.

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**Commencement Information**

**II** S. 8 in force at 11.11.2010 by [S.I. 2010/2703](#), [art. 2\(a\)](#)

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