

2003 No. 2278 (S. 11)

CONSTITUTIONAL LAW
DEVOLUTION
SCOTTISH PARLIAMENTARY STANDARDS
COMMISSIONER

The Scottish Parliamentary Standards Commissioner Act
2002 (Power to Call for Witnesses and Documents) (England,
Wales and Northern Ireland) Order 2003

<i>Made</i>	<i>3rd September 2003</i>
<i>Laid before Parliament</i>	<i>10th September 2003</i>
<i>Coming into force</i>	<i>1st October 2003</i>

The Secretary of State, in exercise of the powers conferred upon him by sections 104, 112(1) and 113 of the Scotland Act 1998(a) and of all other powers enabling him in that behalf, hereby makes the following Order:

Citation, commencement, and extent

1.—(1) This Order may be cited as the Scottish Parliamentary Standards Commissioner Act 2002 (Power to Call for Witnesses and Documents) (England, Wales and Northern Ireland) Order 2003 and shall come into force on 1st October 2003.

(2) This Order extends to England and Wales and Northern Ireland only.

Power of the Scottish Parliamentary Standards Commissioner to call for witnesses and documents

2. The following sections of the Scottish Parliamentary Standards Commissioner Act 2002(b) shall extend to England and Wales and Northern Ireland as well as to Scotland:—

(a) section 13 (power to call for witnesses and documents);

- (b) section 14 (witnesses and documents: notice); and
- (c) section 20 (interpretation) in so far as relating to those sections.

Scotland Office,
Dover House,
London
3rd September 2003

ALISTAIR DARLING
Secretary of State for Scotland

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes provision consequential on the Scottish Parliamentary Standards Commissioner Act 2002 (asp 16) (“the Act”). The Act makes provision for the appointment of an individual as the Scottish Parliamentary Standards Commissioner (“the Commissioner”). The Commissioner’s functions include investigating into and reporting to the Scottish Parliament on complaints that members of the Scottish Parliament have breached the standing orders of the Scottish Parliament, the Code of Conduct for members of the Scottish Parliament, or the provisions of the Scotland Act 1998 (Transitory and Transitional Provisions) (Members’ Interests) Order 1999 (S.I. 1999/1350).

Sections 13 and 14 of the Act confer, as part of the law of Scotland, power upon the Commissioner to call for witnesses and documents by giving notice. Section 20 contains interpretation provisions.

This Order extends the application of sections 13 and 14, and, in so far as relating to those sections, section 20 of the Act so that the Commissioner has the power to call for witnesses and documents in England and Wales and Northern Ireland.

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