

*These notes relate to the Ethical Standards in Public Life etc. (Scotland)
Act 2000 (asp 7) which received Royal Assent on 24 July 2000*

ETHICAL STANDARDS IN PUBLIC LIFE ETC. (SCOTLAND) ACT 2000

EXPLANATORY NOTES

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The Act

Part 2

Enforcement

Section 25 Special provision for the Water Industry Commissioner

57. This section provides for Scottish Ministers to issue a code of conduct for the Water Industry Commissioner for Scotland, to be known as the “Water Commissioner’s Code”, and in doing so to have regard to the members’ model code. In particular, the Water Commissioner’s Code must contain any applicable, mandatory provisions of the members’ model code. Scottish Ministers may also revise and re-issue the Water Commissioner’s Code.
58. The Water Industry Commissioner is subject to the enforcement provisions of Part 2 of the Act, with the exception of sections 19 and 21, in the same way as they apply in respect of a members’ code and the conduct of a member of a devolved public body.
59. If the members of the Commission conducting a hearing conclude that the Water Industry Commissioner has contravened the Water Commissioner’s Code, they may impose one of the following sanctions:
- censure ; or
 - remove the Water Industry Commissioner from office and disqualify that person from that office for up to five years. Where the Commission imposes removal and disqualification from office, they may also remove that person from membership of any devolved public body (to which the Act then applies) of which he or she is a member, and disqualify that person from being (or being nominated for election or being elected) a councillor, for up to five years.