



Ethical Standards in Public Life etc. (Scotland) Act 2000

2000 asp 7

PART 1

CODES OF CONDUCT ETC.

3 Codes of conduct for members of devolved public bodies

- (1) Each devolved public body shall, within the stipulated time limit, submit to Ministers a draft of a code of conduct for its members (a “draft members’ code”).
- (2) In subsection (1) above, the “stipulated time limit” is such time limit, being not earlier than three months after the making of the order under this subsection, as is stipulated in relation to each devolved public body by order made by Ministers.
- (3) Such an order shall be made by statutory instrument.
- (4) A statutory instrument made under this section shall be subject to annulment in pursuance of a resolution of the Scottish Parliament.
- (5) A draft members’ code—
 - (a) shall incorporate such mandatory provisions of the members’ model code as apply to the body submitting it;
 - (b) may incorporate any optional provisions of the members’ model code;
 - (c) may include such other provisions as are consistent with that code.
- (6) Ministers—
 - (a) may, with or without modifications made by them, approve a draft members’ code submitted to them;
 - (b) may substitute for a draft members’ code submitted to them a code of their own devising;
 - (c) shall, if a body fails to submit a draft members’ code in accordance with subsection (1) above, devise a code for that body.
- (7) Ministers shall, when approving, substituting or devising a code under subsection (6) above, have regard to the members’ model code.

Changes to legislation: *There are currently no known outstanding effects for the Ethical Standards in Public Life etc. (Scotland) Act 2000, Section 3. (See end of Document for details)*

- (8) Once a code has been approved, substituted or devised under subsection (6) above, it shall be called a “members’ code”.
- (9) Any reference in the following provisions of this Act to the members’ code is, in relation to a devolved public body, a reference to the members’ code applicable to members of that body.
- (10) A members’ code shall have effect as from such date as Ministers fix.
- (11) Ministers shall, prior to the date fixed for the coming into effect of a members’ code, intimate that date to the devolved public body.

Changes to legislation:

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