

Changes to legislation: *Scottish Public Services Ombudsman Act 2002, Paragraph 2 is up to date with all changes known to be in force on or before 27 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

SCHEDULE 1 THE SCOTTISH PUBLIC SERVICES OMBUDSMAN

Status

- 2 (1) The Ombudsman, deputy Ombudsmen and Ombudsman’s staff are not to be regarded as servants or agents of the Crown or as having any status, immunity or privilege of the Crown; and the Ombudsman’s property is not to be regarded as property of, or property held on behalf of, the Crown.
- (2) The Ombudsman, in the exercise of that officer’s functions, is not subject to the direction or control of—
- (a) any member of the Parliament,
 - (b) any member of the Scottish Executive,
 - (c) the Parliamentary corporation.
- [^{F1}(2A) The Ombudsman is, as such, to be regarded as a juristic person distinct from the natural person holding the office.]
- (3) Sub-paragraph (2) is subject to section 17(3) and [^{F2}paragraphs 9(4), 10(3), 12(3), 12A, 12B, 12D and] 15(1) of this schedule.

Textual Amendments

- F1** Sch. 1 para. 2(2A) inserted (1.4.2011) by [Scottish Parliamentary Commissions and Commissioners etc. Act 2010 \(asp 11\)](#), s. 31(5), [sch. 3 para. 12\(a\)](#) (with s. 31(6), sch. 7)
- F2** Words in sch. 1 para. 2(3) substituted (1.4.2011) by [Scottish Parliamentary Commissions and Commissioners etc. Act 2010 \(asp 11\)](#), s. 31(5), [sch. 3 para. 12\(b\)](#) (with s. 31(6), sch. 7)

Changes to legislation:

Scottish Public Services Ombudsman Act 2002, Paragraph 2 is up to date with all changes known to be in force on or before 27 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 2 para. 37A inserted by [2007 asp 3 Sch. 5 para. 27](#) (This amendment not applied to legislation.gov.uk. Sch. 5 para. 27 repealed (31.1.2011) by 2010 asp 8, sch. 4 Pt. 2; S.S.I. 2011/30, art. 3(1), Sch. 1)
- sch. 2 para. 32ZA inserted by [2023 asp 6 sch. 2 para. 1\(2\)](#)