



# Public Appointments and Public Bodies etc. (Scotland) Act 2003

2003 asp 4

## PUBLIC APPOINTMENTS AND PUBLIC BODIES ETC. (SCOTLAND) ACT 2003

### PART 1

#### THE COMMISSIONER FOR PUBLIC APPOINTMENTS IN SCOTLAND

- 1 Commissioner for Public Appointments in Scotland
- 2 The Commissioner's functions
- 3 The Commissioner's functions: further provision

### PART 2

#### PROVISION AS TO CERTAIN PUBLIC BODIES ETC.

##### *Dissolution of certain bodies*

- 4 Dissolution of certain bodies

##### *Health Service bodies*

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- 6 Transfer of certain property between Health Boards and NHS trusts
- 7 Investment and borrowing
- 8 Endowment schemes
- 9 Directions in relation to endowments
- 10 Holding of certain property by NHS trusts and Health Boards

##### *Law Society functions etc. as to certain legal services*

- 11 Property etc. of the Scottish Conveyancing and Executory Services Board
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- 13 Scottish Solicitors' Discipline Tribunal and certain practitioners
- 14 Exercise by certain practitioners of notarial and other functions

*Changes to legislation:* There are outstanding changes not yet made by the legislation.gov.uk editorial team to Public Appointments and Public Bodies etc. (Scotland) Act 2003. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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*The Historic Environment Advisory Council for Scotland*

- 15 The Historic Environment Advisory Council for Scotland
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*Miscellaneous provision*

- 17 Miscellaneous provision

**PART 3**

GENERAL PROVISIONS

- 18 Orders and regulations
- 19 Ancillary provision
- 20 Interpretation
- 21 Short title and commencement

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SCHEDULE 1 — The Commissioner

- 1 (1) A person is disqualified from appointment, and from holding...
- 2 (1) The Commissioner, the Commissioner's staff and assessors appointed by...
- 3 The validity of any actings of the Commissioner is not...
- 4 (1) The Commissioner— (a) is appointed to and holds office...
- 5 (1) Where the office of Commissioner is vacant, the Parliamentary...
- 6 The Commissioner is entitled to a salary of such amount,...
- 7 (1) The Parliamentary corporation may make arrangements for the payment...
- 8 (1) The Commissioner may, with the approval of the Parliamentary...
- 9 (1) The Commissioner may appoint assessors to assist the Commissioner...
- 10 (1) Any function of the Commissioner may be exercised on...
- 11 The Parliamentary corporation is to pay— (a) the salary and...
- 12 (1) The Parliamentary corporation is to designate the Commissioner or...
- 13 (1) The Commissioner must— (a) keep proper accounts and accounting...
- 14 The Commissioner may do anything which appears necessary or expedient...

SCHEDULE 2 — The specified authorities

Offices  
Executive bodies  
Advisory bodies  
...  
Public corporations  
National Health Service bodies  
Other Public Bodies

SCHEDULE 3 — The Advisory Council

- 1 Status
- 2 The Advisory Council— (a) is not to be regarded as...
- 3 (1) The Advisory Council is to consist of such members...
- 4 (1) Members of the Advisory Council are entitled to such...

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- 5 (1) The Advisory Council may, subject to sub-paragraphs (2) and...
- 6 The Advisory Council must annually prepare a report on the...
- 7 (1) The Advisory Council may, subject to sub-paragraph (2), do...

#### SCHEDULE 4 — Miscellaneous provision

- 1 In section 2 (petition to Commissary to be substituted) of...
- 2 In the Historic Buildings and Ancient Monuments Act 1953—
- 3 In the House of Commons Disqualification Act 1975, in Part...
- 4 In the Race Relations Act 1976, in Part II of...
- 5 (1) The 1978 Act is amended in accordance with this...
- 6 In the Ancient Monuments and Archaeological Areas Act 1979—
- 7 In section 32 (offence for unqualified persons to prepare certain...
- 8 In section 54 (clarification of certain investment powers) of the...
- 9 In section 43A (application of Act to services provided under...
- 10 In the Electricity Act 1989, in paragraph 4(2) of Schedule...
- 11 In the National Health Service and Community Care Act 1990—...
- 12 (1) The 1990 Act is amended in accordance with this...
- 13 In the Planning (Listed Buildings and Conservation Areas) (Scotland) Act...
- 14 In the National Health Service (Primary Care) Act 1997—
- 15 In the Ethical Standards in Public Life etc. (Scotland) Act...
- 16 In the Scottish Public Services Ombudsman Act 2002, in Part...
- 17 In the Freedom of Information (Scotland) Act 2002, in schedule...

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**Changes and effects yet to be applied to :**

- s. 5(3) words repealed by [2004 asp 7 sch. 2](#)
- s. 5(5) words repealed by [2004 asp 7 sch. 2](#)
- s. 5(6) repealed by [2004 asp 7 sch. 2](#)
- s. 6 repealed by [2004 asp 7 sch. 2](#)
- s. 7(1)(a) words substituted by [2024 asp 2 Sch. 1 para. 21\(a\)](#)
- s. 7(1)(b) words inserted by [2024 asp 2 Sch. 1 para. 21\(b\)\(ii\)](#)
- s. 7(1)(b) words substituted by [2024 asp 2 Sch. 1 para. 21\(b\)\(i\)](#)
- s. 7(1)(b)(ii) words inserted by [2024 asp 2 Sch. 1 para. 21\(b\)\(iii\)](#)
- s. 7(3)(b) and word repealed by [2004 asp 7 sch. 2](#)
- s. 7(5) repealed by [2004 asp 7 sch. 2](#)
- s. 7(6) repealed by [2004 asp 7 sch. 2](#)
- s. 7(7) words substituted by [2004 asp 7 sch. 1 para. 4\(2\)](#)
- s. 8(1) words repealed by [2004 asp 7 sch. 2](#)
- s. 8(2) words repealed by [2004 asp 7 sch. 2](#)
- s. 8(3)(b) and word repealed by [2004 asp 7 sch. 2](#)
- s. 9 words repealed by [2004 asp 7 sch. 2](#)
- s. 9 words substituted by [2004 asp 7 sch. 1 para. 4\(3\)](#)
- s. 10(1) repealed by [2004 asp 7 sch. 2](#)
- s. 10(3) repealed by [2004 asp 7 sch. 2](#)
- sch. 2 entry repealed by [2004 asp 7 sch. 2](#)
- Sch. 2 words inserted by [2007 asp 3 Sch. 5 para. 31](#) (This amendment not applied to legislation.gov.uk. Sch. 5 para. 31 repealed (31.1.2011) by 2010 asp 8, sch. 4 Pt. 2; S.S.I. 2011/30, art. 3(1), Sch. 1)
- sch. 2 words inserted by [2009 asp 12 sch. 2 para. 6](#)
- sch. 2 words inserted by [2022 asp 5 Sch. para. 21\(3\)](#)
- Sch. 2 words omitted by [S.S.I. 2005/540 art. 2\(2\)](#)
- sch. 2 words substituted by [2009 asp 5 sch. para. 2](#)