EXPLANATORY NOTES

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

INTRODUCTION

THE ACT - AN OVERVIEW

COMMENTARY ON SECTIONS

The Commissioner for Public Appointments in Scotland

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

Dissolution of certain bodies

Section 4 – Dissolution of certain bodies

Health Service Bodies

- Section 5 Property of the Scottish Hospital Trust
- Section 6 Transfer of certain property between Health Boards and NHS trusts
- Section 7 Investment and borrowing
- Section 8 Endowment schemes
- Section 9 Directions in relation to endowments
- Section 10 Holding of certain property by NHS trusts and Health Boards

Law Society functions etc. as to certain legal services

- Section 11 Property etc. of the Scottish Conveyancing and Executry Services Board
- Section 12 Regulation by the Law Society of conveyancing and executry services
- Section 13 Scottish Solicitors' Discipline Tribunal and certain practitioners
- Section 14 Exercise by certain practitioners of notarial and other functions

These notes relate to the Public Appointments and Public Bodies etc. (Scotland) Act 2003 (asp 4)

Section 15 – The Historic Environment Advisory Council for Scotland

Section 16 - The Advisory Council's Functions

Miscellaneous provision

Section 17 - Miscellaneous provision

General provisions

Sections 18 and 19 – Orders and regulations, Ancillary provision

Schedule 1 - The Commissioner

Paragraph 1 – Disqualification

Paragraph 2 – Status

Paragraph 3 – Validity of actings

Paragraph 4 – Term of office and tenure

Paragraph 5 – Vacancy in the office of the Commissioner

Paragraph 6 – Remuneration

Paragraph 7 – Pensions etc

Paragraph 8 – Staff

Paragraph 9 – Assessors

Paragraph 10 – Delegation

Paragraph 11 – Financial provision

Paragraph 12 – Accountable officer

Paragraph 13 – Accounts and reports

Paragraph 14 – Functions: supplementary provision

Schedule 2 – The Specified Authorities

Schedule 3 - The Advisory Council

Paragraphs 1 and 2 - Status

Paragraph 3 – Membership

Paragraph 4 – Allowances etc.

Paragraph 5 – Proceedings

Paragraph 6 – Reports

Paragraph 7 – Functions: supplementary provision

These notes relate to the Public Appointments and Public Bodies etc. (Scotland) Act 2003 (asp 4)

Schedule 4 – Miscellaneous provision

Paragraph 1 – Confirmation of Executors (Scotland) Act 1858 (c.56)

Paragraph 2 – Historic Buildings and Ancient Monuments Act 1953 (c.49)

Paragraph 3 – House of Commons Disqualification Act 1975 (c.24)

Paragraph 4 – Race Relations Act 1976 (c.74)

Paragraph 5 – National Health Service (Scotland) Act 1978 (c.29)

Paragraph 6 – Ancient Monuments and Archaeological Areas Act 1979 (c.46)

Paragraph 7 – Solicitors (Scotland) Act 1980 (c.46)

Paragraph 8 – Law Reform (Miscellaneous Provisions)(Scotland) Act 1985 (c.73)

Paragraph 9 – Legal Aid (Scotland) Act 1986 (c.47)

Paragraph 10 – Electricity Act 1989 (c.29)

Paragraph 11 – National Health Service and Community Care Act 1990 (c.19)

Paragraph 12 – Law Reform (Miscellaneous Provisions)(Scotland) Act 1990 (c.40)

Paragraph 13 – Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (c.9)

Paragraph 14 – National Health Service (Primary Care) Act 1997 (c.46)

Paragraph 15 – Ethical Standards in Public Life (Scotland) Act 2000 (asp 7)

Paragraph 17 - Freedom of Information (Scotland) Act 2002 (asp 13)

PARLIAMENTARY HISTORY OF PUBLIC APPOINTMENTS AND PUBLIC BODIES ETC (SCOTLAND) ACT 2003