

INTERESTS OF MEMBERS OF THE SCOTTISH PARLIAMENT ACT 2006

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 13: Declaration of interests

56. This section sets out when and how members must make declarations of their interests in proceedings of the Parliament. Subsection (1) places a duty on any member, who has a declarable financial interest in a matter, to declare that interest before taking part in proceedings of the Parliament relating to that matter. Members do not have to declare their interests in a matter every time they participate in proceedings of the Parliament, but they must do so if those proceedings are related in any way to their registrable interests.
57. Subsection (2) provides for a declarable interest to be declared either orally or in writing. This subsection provides for the Parliament to determine the method by which the interest should be declared. It is likely that in many circumstances an oral declaration will be required, for example at the beginning of a debate. However there are some situations where oral declarations of an interest may not be appropriate, for example when voting, in which case the Parliament may determine that declaration in such instances should be in writing.