

# **SCOTTISH PARLIAMENTARY COMMISSIONS AND COMMISSIONERS ETC. ACT 2010**

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## **EXPLANATORY NOTES**

### **OVERVIEW OF THE STRUCTURE OF THE ACT**

26. The Act is structured into 3 parts and 7 schedules, with schedule 1 split into a further four parts.
27. [Part 1](#) establishes the new standards body to be known as the “Commission for Ethical Standards in Public Life in Scotland” (“CESPLS”) and provides for its administration and functions. Created within this body are two Commissioner posts, the Public Standards Commissioner for Scotland and the Public Appointments Commissioner for Scotland, and their respective functions are detailed in this part. Section 2 of Part 1 introduces schedule 1.
28. This schedule makes consequential amendments to the Ethical Standards Act (Part 1), the SPSO Act (Part 2), the Parliamentary Standards Act (Part 3) and the Public Appointments Act (Part 4). These amendments all stem from the creation of the CESPLS and its members. Part 1 also includes an interpretation section.
29. [Part 2](#) introduces a number of schedules which make amendments to other commissions and officeholders’ statutes. Section 29(2) introduces schedule 2 of the Act which amends the Ethical Standards Act to provide governance arrangements for the Standards Commission for Scotland. It harmonises the terms and conditions of the members of the Standards Commission with the other officeholders and members of bodies supported by the Parliamentary corporation.
30. [Section 29\(3\)](#) introduces schedule 3 of the Act which provides for the standardisation of the governance arrangements and the terms and conditions of appointment of officeholders and members of bodies supported by the Parliamentary corporation. Other amendments make minor changes to improve the operation of the SPSO Act and transfer the functions of the Scottish Prison Complaints Commission to the SPSO.
31. [Section 29](#) also introduces schedules 4, 5 and 6 of the Act which provide for the harmonisation of the governance arrangements and the terms and conditions of the SIC, SCCYP and SHRC respectively with the other officeholders and members of bodies supported by the Parliamentary corporation.
32. [Part 3](#) contains interpretation and commencement provisions.