

*These notes relate to the Scottish Parliamentary Commissions and Commissioners etc. Act 2010 (asp 11) which received Royal Assent on 19 July 2010*

# SCOTTISH PARLIAMENTARY COMMISSIONS AND COMMISSIONERS ETC. ACT 2010

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### Part 1

#### **The Commission for Ethical Standards in Public Life in Scotland: the Public Standards Commissioner for Scotland and the Public Appointments Commissioner for Scotland**

#### *Section 21: Funding*

88. [Section 21](#) sets out the financial arrangements to be adhered to by the Parliamentary corporation in relation to the CESPLS and the Commissioners.
89. Under subsection (1)(a) the Parliamentary corporation must pay the Commissioners' remuneration and allowances. Under subsection (1)(b), the Parliamentary corporation only needs to pay the CESPLS' expenses where properly incurred in undertaking its functions less any sums the CESPLS has received in payment for services provided under section 12(5), for example, in providing training. In practice this will mean that the costs of holding a conference, for example, will be offset by the income received in conference fees. The Parliamentary corporation is not compelled under subsection (2) to pay any expenses which exceed or were not included in the agreed budget (see section 20). It is anticipated however, in this situation that the Parliamentary corporation will take a decision in light of the relevant circumstances. Should the Parliamentary corporation wish to pay these expenses then power is provided in subsection (3) to do so.
90. Subsection (1)(c) provides that the Parliamentary corporation will indemnify the CESPLS and each Commissioner in respect of any liabilities incurred by it or by a Commissioner in the performance of their respective functions. An example of this would be where a Commissioner causes a traffic accident while driving to a meeting while on official business.