

*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 3: Status of Commission and Commissioners***

38. **Section 3(1)(a)** provides that the Commission, its staff and any assessors appointed by it, are not to be regarded as servants or agents of the Crown and that the Commission has no status, immunity or privilege of the Crown (section 3(1)(b)). Similarly, section 3(2)(a) provides that the Commissioners are not to be regarded as servants or agents of the Crown and that its members have no status, immunity or privilege of the Crown (section 3(2)(b)). This has legal implications in relation to immunities which servants or agents of the Crown benefit from and also in relation to particular statutory provisions which relate to Crown property.