

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

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Schedule 1

Consequential Amendments of Enactments Referred to in Section 2(5)

111. [Schedule 1](#) contains consequential amendments to the Ethical Standards Act, the Parliamentary Standards Act, the Public Appointments Act and the SPSO Act as a result of the provisions in the Act creating the CESPLS.

Part 1

The Ethical Standards Act

112. [Paragraphs 1 to 9](#) make the changes necessary to facilitate the transfer of functions from the CIO to the Public Standards Commissioner for Scotland to investigate breaches of codes. These amendments replace the references to the Chief Investigating Officer and the Officer etc. with references to the Public Standards Commissioner for Scotland.

Part 2

The Scottish Public Services Ombudsman Act 2002

113. [Paragraph 10](#) repeals the reference to the Chief Investigating Officer in paragraph 21 in Part 2 of Schedule 2 to the SPSO Act. The addition of the Public Standards Commissioner for Scotland to Schedule 2 in relation to the performance of functions under the Ethical Standards Act is provided for by section 26 of this Act.

Part 3

The Parliamentary Standards Act

114. [Paragraphs 11 to 14](#) amend the Parliamentary Standards Act to provide for the transfer of functions from the Scottish Parliamentary Standards Commissioner to the Public Standards Commissioner for Scotland as set out in section 1(5) of the Act. References to the Scottish Parliamentary Standards Commissioner are replaced with references to the Public Standards Commissioner for Scotland along with other consequential amendments.

Part 4

The Public Appointments Act

115. [Paragraphs 15 to 19](#) amend the Public Appointments Act to provide for the transfer of functions from the Commissioner for Public Appointments in Scotland (“OCPAS”) to

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the Public Appointments Commissioner for Scotland as set out in section 1(5) of the Act. References to the OCPAS are replaced with references to the Public Standards Commissioner for Scotland along with other consequential amendments.

Part 5

The Public Services (Reform) Scotland Act

Paragraphs 20-22 amend the Public Services (Reform) Scotland Act to reflect changes to the offices listed in Schedules to that Act. Reference to the Chief Investigating Officer, the Parliamentary Standards Commissioner and OCPAS are removed and replaced with references to CESPLS in Schedules 5, 6 and 8 of that Act. Reference to the Standards Commission for Scotland is added to Schedule 6.