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SCOTTISH STATUTORY INSTRUMENTS

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**2012 No. 43**

**SCOTTISH PUBLIC SERVICES OMBUDSMAN**

The Scottish Public Services Ombudsman  
Act 2002 Amendment Order 2012

*Made - - - - 15th February 2012  
Coming into force in accordance with article 1(2) and  
(3)*

At the Court at Buckingham Palace, the 15th day of February 2012

Present,

The Queen's Most Excellent Majesty in Council

This Order is made in exercise of the powers conferred by section 3(2)(c) of the Scottish Public Services Ombudsman Act 2002(1) and all other powers enabling Her Majesty to do so.

In accordance with section 24(2) of that Act(2) a draft of this instrument has been laid before and approved by resolution of the Scottish Parliament.

Accordingly, Her Majesty is pleased, by and with the advice of Her Privy Council, to order as follows.

**Citation and commencement**

1.—(1) This Order may be cited as the Scottish Public Services Ombudsman Act 2002 Amendment Order 2012.

(2) This Order, except article 2(c), comes into force on the day after the day on which the Order is made.

(3) Article 2(c) comes into force on the commencement (for all purposes) of section 14 (the Principal Reporter) of the Children's Hearings (Scotland) Act 2011(3).

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(1) [2002 asp 11](#). Section 3(2) provides for the power conferred therein to be exercised by Her Majesty by Order in Council. Section 24(2) provides that no recommendation to make an Order in Council under section 3(2) is to be made to Her Majesty in Council unless a draft of the Order has been laid before, and approved by resolution of, the Scottish Parliament.

(2) Section 24 has been modified by paragraph 5 of schedule 3 to the [Interpretation and Legislative Reform \(Scotland\) Act 2010](#) ([asp 10](#)).

(3) [2011 asp 1](#).

## **Amendment of the Scottish Public Services Ombudsman Act 2002**

2. In Part 2 of schedule 2 to the Scottish Public Services Ombudsman Act 2002 (Listed Authorities, Entries Amendable by Order in Council)—

(a) before paragraph 21ZA (relating to the Commission for Ethical Standards in Public Life in Scotland) insert—

“21ZZA Children’s Hearings Scotland.”;

(b) after paragraph 28 (relating to the Local Government Boundary Commission for Scotland) insert—

“28A The National Convener of Children’s Hearings Scotland.”;

(c) after paragraph 32A (relating to the Police Complaints Commissioner for Scotland) insert—

“32AA The Principal Reporter.”.

*Richard Tilbrook*  
Clerk of the Privy Council

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order amends Part 2 of schedule 2 to the Scottish Public Services Ombudsman Act 2002.

Schedule 2 to that Act specifies persons liable to investigation by the Scottish Public Services Ombudsman.

The Order adds into the schedule Children's Hearings Scotland, the National Convener of Children's Hearings Scotland and the Principal Reporter. This is in consequence of the Children's Hearings (Scotland) Act 2011 which establishes both Children's Hearings Scotland and the National Convener of Children's Hearings Scotland and removes the Principal Reporter from membership of the Scottish Children's Reporter Administration.