



# Ethical Standards in Public Life etc. (Scotland) Act 2000

2000 asp 7

## PART 2

### ENFORCEMENT

#### 13 <sup>F1</sup>[<sup>F2</sup>... Commissioner's] powers

- (1) For the purposes of an investigation, the [<sup>F3</sup>Commissioner]—
  - (a) may require any person who, in the opinion of [<sup>F4</sup>the Commissioner], is able to give relevant information or produce relevant documents to do so; and
  - (b) shall have the same powers as the Court of Session to enforce the attendance and examination of witnesses and the production of documents.
- (2) No person, however, shall be compelled to give any evidence or produce any documents which that person could not be compelled to give or produce in civil proceedings in the Court of Session.
- (3) If, without reasonable excuse, any person obstructs the [<sup>F3</sup>Commissioner] in the performance of [<sup>F5</sup>the Commissioner's] functions or does anything in relation to an investigation which, had that investigation been proceedings in the Court of Session, would be contempt of court, the Chief Investigating Officer may certify that conduct to the Court of Session.
- (4) Where a person's conduct is so certified, the Court of Session may deal with the person as if any such conduct as occurred had taken place in relation to that Court.
- (5) In this section “documents” includes information held by means of a computer or in any other electronic form.

#### Textual Amendments

- F1** Words in s. 13 heading omitted (1.7.2013) by virtue of [The Public Services Reform \(Commissioner for Ethical Standards in Public Life in Scotland etc.\) Order 2013 \(S.S.I. 2013/197\)](#), art. 1, [sch. 2 para. 5](#) (with [sch. 4 para. 3](#))

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*Status: Point in time view as at 01/07/2013.*

*Changes to legislation: There are currently no known outstanding effects for the Ethical Standards in Public Life etc. (Scotland) Act 2000, Section 13. (See end of Document for details)*

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- F2** Words in s. 13 title substituted (1.4.2011) by [Scottish Parliamentary Commissions and Commissioners etc. Act 2010 \(asp 11\)](#), ss. 2(5), 31(5), **sch. 1 para. 9** (with s. 31(6), sch. 7)
- F3** Words in s. 13(1)(4) substituted (1.4.2011) by [Scottish Parliamentary Commissions and Commissioners etc. Act 2010 \(asp 11\)](#), ss. 2(5), 31(5), **sch. 1 para. 2** (with s. 31(6), sch. 7)
- F4** Words in s. 13(1) substituted (1.4.2011) by [Scottish Parliamentary Commissions and Commissioners etc. Act 2010 \(asp 11\)](#), ss. 2(5), 31(5), **sch. 1 para. 4** (with s. 31(6), sch. 7)
- F5** Words in s. 13(3) substituted (1.4.2011) by [Scottish Parliamentary Commissions and Commissioners etc. Act 2010 \(asp 11\)](#), ss. 2(5), 31(5), **sch. 1 para. 6** (with s. 31(6), sch. 7)

**Status:**

Point in time view as at 01/07/2013.

**Changes to legislation:**

There are currently no known outstanding effects for the Ethical Standards in Public Life etc. (Scotland) Act 2000, Section 13.