

*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 26: Commission and Commissioners to be subject to investigations by Scottish Public Services Ombudsman***

101. The actings of the CIO are currently subject to investigation by the SPSO being a body listed in schedule 2 to the SPSO Act. An amendment is currently pending to add the OCPAS to schedule 2 – it has not come into force yet. Section 25 adds the CESPLS and the Public Appointments Commissioner for Scotland to that list. In addition the Public Standards Commissioner for Scotland is added in relation to the performance of functions under the Ethical Standards Act only. Functions performed by the Commissioner under the Parliamentary Standards Act continue to fall outwith the SPSO's jurisdiction.
102. The existing entry in the SPSO Act relating to the CIO is repealed in Schedule 1, Part 2.