



Community Empowerment (Scotland) Act 2015

2015 asp 6

PART 1

NATIONAL OUTCOMES

1 National outcomes

- (1) The Scottish Ministers must determine outcomes for Scotland (referred to in this Part as “the national outcomes”) that result from, or are contributed to by, the carrying out, by the persons mentioned in subsection (2), of the functions mentioned in subsection (3).
- (2) The persons are—
 - (a) a cross-border public authority,
 - (b) any other Scottish public authority,
 - (c) any other person carrying out functions of a public nature.
- (3) The functions are—
 - (a) in the case of a cross-border public authority, any function that is exercisable in or as regards Scotland and does not relate to reserved matters,
 - (b) in the case of any other Scottish public authority, any function that does not relate to reserved matters,
 - (c) in the case of any other person carrying out functions of a public nature, any such function that is exercisable in or as regards Scotland and does not relate to reserved matters.
- (4) In determining the national outcomes, the Scottish Ministers must have regard to the reduction of inequalities of outcome which result from socio-economic disadvantage.
- (5) Before determining the national outcomes, the Scottish Ministers must—
 - (a) consult—
 - (i) such persons who appear to them to represent the interests of communities in Scotland, and
 - (ii) such other persons as they consider appropriate,

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- (b) having consulted the persons mentioned in paragraph (a), prepare draft national outcomes, and
 - (c) consult the Scottish Parliament on the draft national outcomes during the consultation period.
- (6) In consulting the Scottish Parliament under paragraph (c) of subsection (5), the Scottish Ministers must also lay before the Parliament a document describing—
- (a) the consultation carried out under paragraph (a) of that subsection,
 - (b) any representations received in response to that consultation, and
 - (c) whether and if so how those representations have been taken account of in preparing the draft national outcomes.
- (7) The Scottish Ministers must, no earlier than the expiry of the consultation period, publish the national outcomes.
- (8) In subsections (5) and (7), “consultation period” means the period of 40 days beginning with the day on which the consultation mentioned in subsection (5)(c) commences; and in calculating the period of 40 days, no account is to be taken of any time during which the Scottish Parliament is dissolved or in recess for more than 4 days.
- (9) The persons mentioned in subsection (2) must have regard to the national outcomes in carrying out the functions mentioned in subsection (3).
- (10) Nothing in subsection (9) requires the Scottish Parliament or the Scottish Parliamentary Corporate Body to have regard to the national outcomes in carrying out any of their functions.
- (11) In this section—
- “community” includes any community based on common interest, identity or geography,
 - “cross-border public authority” has the meaning given by section 88(5) of the Scotland Act 1998,
 - “reserved matters” is to be construed in accordance with that Act.

2 Review of national outcomes

- (1) The Scottish Ministers may review the national outcomes at any time (but subject to subsections (2) and (3)).
- (2) The Scottish Ministers must begin a review of the national outcomes before the expiry of the period of 5 years beginning with the date on which the national outcomes were published under section 1(7).
- (3) The Scottish Ministers must begin further reviews of the national outcomes before the expiry of each 5 year period.
- (4) In carrying out a review of the national outcomes under subsection (1), (2) or (3), the Scottish Ministers must consult—
 - (a) such persons who appear to them to represent the interests of communities in Scotland, and
 - (b) such other persons as they consider appropriate.
- (5) Following a review, the Scottish Ministers—

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- (a) may propose revisions to the national outcomes,
 - (b) must—
 - (i) where they propose to make revisions to the national outcomes, consult the Scottish Parliament on the proposed revisions during the consultation period,
 - (ii) where they do not propose to make revisions to the national outcomes, consult the Scottish Parliament during the consultation period on the national outcomes as most recently published under section 1(7) or paragraph (d)(i) or republished under paragraph (d)(ii),
 - (c) may revise the national outcomes after the expiry of the consultation period, and
 - (d) must—
 - (i) where the national outcomes are revised, publish the outcomes as revised,
 - (ii) where the national outcomes are not revised, republish the outcomes after the expiry of the consultation period.
- (6) In consulting the Scottish Parliament under subsection (5)(b), the Scottish Ministers must also lay before the Parliament a document describing—
- (a) the consultation carried out under subsection (4),
 - (b) any representations received in response to that consultation, and
 - (c) where they propose to make revisions to the national outcomes, whether and if so how those representations have been taken account of in preparing the proposed revisions.
- (7) References to the national outcomes in section 1(9) and in section 3 include references to the national outcomes revised under subsection (5)(c) of this section.
- (8) In subsection (3), “5 year period” means the period of 5 years beginning with the date on which the national outcomes were published under sub-paragraph (i) of paragraph (d) of subsection (5) or, as the case may be, republished under sub-paragraph (ii) of that paragraph.
- (9) In subsection (4), “community” includes any community based on common interest, identity or geography.
- (10) In subsection (5), “consultation period” means the period of 40 days beginning with the day on which the consultation mentioned in subsection (5)(b)(i) or (ii) commences; and in calculating the period of 40 days, no account is to be taken of any time during which the Scottish Parliament is dissolved or in recess for more than 4 days.

3 Reports

- (1) The Scottish Ministers must prepare and publish reports about the extent to which the national outcomes have been achieved.
- (2) The Scottish Ministers must include in reports published under subsection (1) information about any change in the extent to which the national outcomes have been achieved since the publication of the previous report under that subsection.
- (3) Reports must be prepared and published at such times as the Scottish Ministers consider appropriate.