



# 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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*Status: This is the original version (as it was originally enacted).*

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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.