

EXPLANATORY NOTE

(This note is not part of the Order)

This Order modifies existing primary and subordinate legislation relating to local authorities and public bodies that are subject to the jurisdiction of the Standards Commission in terms of the Ethical Standards in Public Life etc. (Scotland) Act 2000 (“the 2000 Act”).

The 2000 Act establishes the Standards Commission and introduces codes of conduct for councillors, and for members of a “devolved public body” as defined in section 28(1) of that Act. The Standards Commission is responsible for investigating any allegations of a failure by a councillor or member of a devolved public body to comply with the applicable code.

This Order removes existing powers that those local authorities and other bodies have to conduct similar investigations, and makes consequential amendments. This avoids any overlap of powers and functions by making the enactments and instruments modified consistent with the 2000 Act.