
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made under section 7 of the Ethical Standards in Public Life etc. (Scotland) Act 2000 (“the 2000 Act”), which provides that every council and devolved public body shall have a register of interests for councillors or members.

The interests that must be registered are set out in the councillors' code, or in the members' code for the body in question. A councillor or member of that body must enter in that register details of such interests that impact on, or may be thought to impact on, their role as councillor or member.

These Regulations make provision for the way in which such councils and devolved public bodies shall carry out their duties under that section.

Regulations 1 and 2 provides for commencement, and for interpretation of expressions used in these Regulations. Expressions used in the 2000 Act are not defined.

Regulation 3 provides that each council and devolved public body shall appoint a proper officer or standards officer to be responsible for that register of interests.

Regulation 4 provides that any councillor or member to whom these Regulations apply shall give a first notice to the appropriate officer after each election or appointment, and that the first notice will contain either information as specified in that regulation and in the Schedule to these Regulations, or an entry to the effect that there is no relevant interest.

These Regulations will apply at first only to those bodies listed in schedule 3 of the 2000 Act which have adopted a members' code. New bodies may be added in the future, and some bodies listed have not yet adopted a members' code. A first notice will also be required from the members of such a devolved public body when that body adopts a members' code for the first time.

The Schedule provides for disclosure under the 2000 Act of registerable interests as detailed in the councillors' code and the members' code for each devolved public body. The councillors' code and a members' model code (on which all members' codes are based) were approved by the Scottish Parliament on 19th December 2001.

Regulation 5 provides that any such councillor or member shall give a further notice of interests on a change of circumstances. This may either be a change to the details of an interest that has been registered, or the recording of a new interest where previously there was no entry.

Regulation 6 provides for the nature of the record of information to be kept by the proper officer or standards officer.

Regulation 7 makes provision for public inspection of that register of interests.