

## **Executive Note**

### **The Ethical Standards in Public Life etc. (Scotland) Act 2000 (Codes of Conduct for Members of certain Scottish Public Authorities) Order 2006 SSI/2006/26**

The above instrument was made in exercise of the powers conferred by section 32 of the Ethical Standards in Public Life etc. (Scotland) Act 2000. The instrument is subject to negative resolution procedure.

## **Policy Objectives**

This purpose of this instrument is to specify which Scottish public authorities will be subject to the provision of Part 4 of the Ethical Standards in Public Life etc. (Scotland) Act 2000. In terms of Part 4, the Scottish Ministers will be required to issue codes of conduct for members of Scottish public bodies specified by this order. Members of those bodies will be under a duty to have regard to the relevant code. The Scottish Ministers must have regard to the members' model code when issuing codes.

Unlike those public bodies which are included in schedule 3 of the Ethical Standards in Public Life etc. (Scotland) Act 2000, the members of these bodies will not be subject to investigation by the Chief Investigating Officer or to sanction by the Standards Commission for Scotland. This is keeping in line with the principle of proportionality. This instrument, and the codes of conduct which will be issued in consequence of this instrument, will provide for: increased openness and transparency (through a registration of interests); a clear understanding of what is expected of members in their conduct in the performance of their duties; and a cohesive set of standards for those subject to the codes of conduct.

## **Consultation**

The following bodies have been consulted during the preparation of a draft of the instrument:

Advisory Committee on Sites of Special Scientific Interest  
Architecture and Design Scotland  
Fisheries (Electricity) Committee  
Local Government Boundary Commission for Scotland  
Mobility and Access Committee for Scotland  
Scottish Advisory Committee on Distinction Awards  
Scottish Industrial Development Advisory Board  
Scottish Law Commission  
Scottish Local Authorities Remuneration Committee  
Scottish Records Advisory Council

## **Financial Effects**

The instrument has no financial effects on the Scottish Executive, local government or on business.

Scottish Executive Finance and Central Services Department  
January 2006