

Draft Order laid before the Scottish Parliament under section 18(4)(a) of the Public Appointments and Public Bodies etc. (Scotland) Act 2003, for approval by resolution of the Scottish Parliament.

DRAFT SCOTTISH STATUTORY INSTRUMENTS

2020 No.

PUBLIC BODIES

**The Public Appointments and Public Bodies etc. (Scotland)
Act 2003 (Amendment of Specified Authorities) Order 2020**

Made - - - - 2020
Coming into force - - 1st April 2020

The Scottish Ministers make the following Order in exercise of the powers conferred by section 3(2)(a) of the Public Appointments and Public Bodies etc. (Scotland) Act 2003(1) and all other powers enabling them to do so.

In accordance with section 18(4)(a)(2) of that Act, a draft of this instrument has been laid before and approved by resolution of the Scottish Parliament.

Citation and commencement

1. This Order may be cited as the Public Appointments and Public Bodies etc. (Scotland) Act 2003 (Amendment of Specified Authorities) Order 2020 and comes into force on 1 April 2020.

Amendment of the list of specified authorities

2.—(1) Schedule 2 (the specified authorities) of the Public Appointments and Public Bodies etc. (Scotland) Act 2003(3) is amended in accordance with paragraph (2).

(2) In the listing of the specified authorities, under the heading “National Health Service bodies”, at the end of the entry for “any Special Health Board”, after “Special Health Board employees;” insert—

“or

(1) 2003 asp 4. Section 3 was amended by the Scottish Parliamentary Commissions and Commissioners etc. Act 2010 (asp 11), section 29(9).
(2) Section 18(4)(a) has been modified by paragraph 5 of schedule 3 of the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10).
(3) Schedule 2 is relevantly amended by S.S.I. 2010/50, S.S.I. 2018/299 and S.S.I. 2019/336.

(v) a councillor appointed as a member of the board of Public Health Scotland following nomination by the Convention of Scottish Local Authorities.”(4).

St Andrew’s House,
Edinburgh
Date

Name
Authorised to sign by the Scottish Ministers

(4) The Public Health Scotland Order [2019/336](#) amends schedule 2 of the Public Appointments and Public Bodies etc. (Scotland) Act 2003 under the heading “National Health Service bodies” to omit paragraph (iv).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends schedule 2 of the Public Appointments and Public Bodies etc. (Scotland) Act 2003 (“the 2003 Act”) which lists the specified authorities that are subject to section 2 of that Act and so must comply with the code of practice published by the Commissioner for Ethical Standards in Public Life in Scotland.

Article 2 of the Order amends schedule 2 of the 2003 Act by adding, as an exception, an entry for a councillor appointed as a member of the board of Public Health Scotland following nomination by the Convention of Scottish Local Authorities (COSLA). The effect of this is that these appointments made by the Scottish Ministers do not require to comply with the code of practice prepared under section 2 of the 2003 Act.