
SCOTTISH STATUTORY INSTRUMENTS

2011 No. 113

CHILDREN AND YOUNG PERSONS

The Ethical Standards in Public Life etc. (Scotland) Act
2000 (Devolved Public Bodies and Stipulated Time Limit)
and the Freedom of Information (Scotland) Act 2002
(Scottish Public Authorities) Amendment Order 2011

Made - - - - 16th February 2011
*Laid before the Scottish
Parliament* - - - - 18th February 2011
Coming into force - - 18th April 2011

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 3(2) and 28(2) of the Ethical Standards in Public Life etc. (Scotland) Act 2000⁽¹⁾, section 4(1) of the Freedom of Information (Scotland) Act 2002⁽²⁾ and all other powers enabling them to do so.

Citation and commencement

1. This Order may be cited as the Ethical Standards in Public Life etc. (Scotland) Act 2000 (Devolved Public Bodies and Stipulated Time Limit) and the Freedom of Information (Scotland) Act 2002 (Scottish Public Authorities) Amendment Order 2011 and comes into force on 18th April 2011.

Amendment of the Ethical Standards in Public Life etc. (Scotland) Act 2000

2. In schedule 3 to the Ethical Standards in Public Life etc. (Scotland) Act 2000 (devolved public bodies)⁽³⁾, after the entry relating to The Cairngorms National Park Authority insert—

“Children’s Hearings Scotland”.

Stipulated time limit

3. The stipulated time limit for the purposes of section 3(1) of the Ethical Standards in Public Life etc. (Scotland) Act 2000 is, in relation to Children’s Hearings Scotland, the period ending on 1st October 2011.

⁽¹⁾ 2000 asp 7.

⁽²⁾ 2002 asp 13.

⁽³⁾ Schedule 3 has been amended but none of the amendments are relevant to this Order.

Amendment of the Freedom of Information (Scotland) Act 2002

4. In schedule 1 to the Freedom of Information (Scotland) Act 2002 (Scottish public authorities), after paragraph 62(4) insert—

“**6ZZZA**

Children’s Hearings Scotland.”.

St Andrew’s House, Edinburgh
16th February 2011

ADAM INGRAM
Authorised to sign by the Scottish Ministers

(4) Schedule 1 has been amended but the amendments, other than those made by the Freedom of Information (Scotland) Act 2002 (Scottish Public Authorities) Amendment Order 2008 (S.S.I. 2008/297), article 2 and Schedule 1, inserting paragraph 62ZA, and the Scottish Parliamentary Commissions and Commissioners etc. Act 2010 asp 11, section 27(1) inserting paragraph 6ZZA, are not relevant to this Order.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order modifies schedule 3 to the Ethical Standards in Public Life etc. (Scotland) Act 2000 (“the 2000 Act”), which lists those bodies that are a “devolved public body” for the purpose of that Act, stipulates the time limit for the purposes of section 3(1) of that Act and modifies schedule 1 to the Freedom of Information (Scotland) Act 2002 (“the 2002 Act”), which lists Scottish public authorities for the purposes of that Act.

Article 2 adds Children’s Hearings Scotland to schedule 3 to the 2000 Act.

Article 3 stipulates the time limit within which Children’s Hearings Scotland is required to submit a draft code of conduct for its members for consideration by the Scottish Ministers. Children’s Hearings Scotland must submit the draft code within the period ending 1st October 2011.

The obligations under the 2002 Act apply to Scottish public authorities. For the purposes of the 2002 Act, a “Scottish public authority” means a body or office which is listed in schedule 1 to the 2002 Act or designated by Order under section 5, or a publicly owned company as defined by section 6 of that Act. The list in schedule 1 to the 2002 Act may be amended, by adding or removing references to bodies or offices, by Order under section 4(1) of the 2002 Act.

Article 4 adds Children’s Hearings Scotland to schedule 1 to the 2002 Act.