POLICY NOTE

THE LOCAL GOVERNMENT INVESTMENTS (SCOTLAND) AMENDMENT REGULATIONS 2023

SSI 2023/255

The above instrument was made in exercise of the powers conferred by section 40(2)(b) of the Local Government in Scotland Act 2003. The instrument is subject to negative procedure.

Summary Box

The purpose of this instrument is to update the Local Government Investments (Scotland) Regulations 2010 to refer to the latest versions of the codes of practice for borrowing and treasury management to which local authorities must have regard.

Policy Objectives

This is a routine amendment to the Local Government Investments (Scotland) Regulations 2010 ("the 2010 Regulations") to require local authorities to have regard to the latest versions of the CIPFA codes of practice for borrowing and treasury management when making investments. Regulation 3 of the 2010 Regulations as amended will refer to Treasury Management in the Public Services: Code of Practice and Cross-Sectoral Guidance Notes (2021 edition) and The Prudential Code for Capital Finance in Local Authorities (2021 edition). Currently, the 2010 Regulations refer to the 2009 versions of these codes of practice. There have been significant important updates to the requirements of these Codes since the 2009 edition. The amendments are necessary to ensure that local authorities have regard to the latest versions of the Codes.

EU Alignment Consideration

This instrument is not relevant to the Scottish Government's policy to maintain alignment with the EU.

Consultation

To comply with the requirements of section 40(7) of the Local Government in Scotland Act 2003 all local authorities have been consulted and all those who responded confirmed their agreement that this a routine and necessary amendment to legislation. Consultation has also taken place with the Convention of Scottish Local Authorities, who have confirmed they are content.

Impact Assessments

As this is a routine amendment to legislation to update the versions of the codes of practice referred to, no impact assessments are required.

Financial Effects

The Minister for Community Wealth and Public Finance confirms that no BRIA is necessary as the instrument has no financial effects on the Scottish Government, local government or on business.

Scottish Government
Local Government Finance and Analytical Services Directorate
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