POLICY NOTE

THE SCOTTISH PUBLIC SERVICES OMBUDSMAN ACT 2002 AMENDMENT ORDER 2025

SSI 2025/142

The above instrument was made in exercise of the powers conferred by section 3 of the Scottish Public Services Ombudsman Act 2002 ("the Act"). The instrument is subject to *affirmative procedure*.

Summary Box

Purpose of the instrument.

The purpose of this instrument is to amend the Scottish Public Services Ombudsman Act 2002.

This will add two organisations to the list of bodies covered by the Act and will also remove five organisations from part 2 of schedule 2 of the Act as these organisations no longer exist.

Policy Objectives

Making this change will ensure that the list of public bodies which are liable to investigation under the Scottish Public Services Ombudsman Act 2002 includes Quality Meat Scotland, an existing body, and the Scottish Pubs Code Adjudicator, which is a new body.

UN Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024 Compatibility

This instrument is an Order in Council which, once approved by resolution of the Scottish Parliament, is signed by the Privy Council and not signed by the Scottish Ministers. As such, Ministers are not required to make a statement in terms of section 23(2) of the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024.

It is worth pointing out at this time that this change to the Act will not impact on the UN Convention on the Rights of the Child.

EU Alignment Consideration

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

Consultation

The proposed amendments do not engage the consultation requirements of the Scottish Public Services Ombudsman Act 2002.

Impact Assessments

As this change has no impact on the organisations including any financial impact and given that it is a general requirement that public bodies are included in Schedule 2 of the Act, we are not looking to carry out any impact assessments.

Financial Effects

There are no financial effects of this change.

Both the Minister for Agriculture and Connectivity and the Minister for Employment and Investment confirm that no BRIA is necessary as the instrument has no financial effects on the Scottish Government, local government or on business.

Scottish Government
Directorate – Agriculture and Rural Economy

3/2/2025