

ANNEXE 4

THE SCOTTISH PARLIAMENT

The Interests of Members of the Scottish Parliament Act 2006 (Form and Content of Written Statement) Determination 2007

The Scottish Parliament, in exercise of the powers conferred by sections 4(1) and 4(2) of the Interests of Members of the Scottish Parliament Act 2006, on the 25th day of January 2007 made the following Determination:

Citation and commencement

1. This Determination may be cited as the Interests of Members of the Scottish Parliament Act 2006 (Form and Content of Written Statement) Determination 2007 and shall have effect from 3 April 2007.

Interpretation

2. In this Determination—

“the Act” means the Interests of Members of the Scottish Parliament Act 2006⁴³; and
“written statement” means the written statement which members are required to lodge under sections 3(3), 5(2) or 6(2) of the Act or may lodge under section 7 of the Act.

Form of written statement

3. A written statement shall be in the form set out in the Annexe.

Content of written statement

4. A written statement shall contain the information required in the form set out in the Annexe and for the purposes of registration includes only those parts of the statement completed by a member.

⁴³ 2006 asp 12

ANNEXE



The Scottish
Parliament

REGISTER OF INTERESTS OF MEMBERS

STATEMENT OF INTERESTS

PLEASE NOTE: Statements (including nil returns) must be returned to the Standards Clerks by [insert date], (no later than 30 days after you take the oath of allegiance or make the solemn affirmation in the case of a member or in accordance with section 18 in the case of a Law Officer).

NAME (Block capitals please): _____

CONSTITUENCY / REGION: _____

1. Introduction

The Interests of Members of the Scottish Parliament Act 2006⁴⁴ ('the Act') requires a Member to register any registrable interests or to declare that the Member has no such interest. You must register any interest by lodging a statement with the Clerk. Statements lodged by you form the basis of your entry in the **Register of Interests of Members of the Scottish Parliament ('the Register')**.

Under section 11(3) of the Act, the Register must be made available for public inspection. It will be available at the office of the Standards Clerks (Tower 4, Room TG.01). A copy will be available in the public reception to the Parliament and an electronic version will also appear on the Scottish Parliament's website.

For details of the information required for each registrable interest, please refer to the explanatory notes in each section of the form, the relevant provisions of the Act and the *Code of Conduct for MSPs*.

⁴⁴ Asp 12

Please take the time to familiarise yourself with the requirements of the Act and the Code of Conduct, since any Member who takes part in any proceedings of the Parliament without having complied with, or in contravention of, sections 3, 5, 6, 13, 14, 15 and 16 of the Act is guilty of a criminal offence. The maximum penalty for an offence under this Act, as specified in section 39(7) of the Scotland Act, is a fine not exceeding level 5 on the standard scale. Level 5 is currently set at £5,000.

Failure to comply with the requirements of the Act may also (in terms of sections 15 and 16) result in a Member being prevented, restricted or excluded from participation in proceedings of the Parliament.

Further advice and assistance on any matter relating to this form can be obtained from the Standards Clerks (ext. 85239 and 85177).

If you are in any doubt about whether or not to register an interest, the guiding principle is to err on the side of caution and seek the guidance of the Standards Clerks. Members may choose to consult their own legal or other advisers.

2. Registration requirements under the Act

Initial registration requirements (section 3 - Members; and section 18 - Law Officers who are not Members)

Interests to be registered

The interests that require to be registered are those set out in the Schedule to the Act which you—

- (1) had at the date you were returned; or
- (2) had before you were returned but no longer have, where the interest meets the prejudice test (section 3(2)); or
- (3) have acquired since the date you were returned.

The Parliament has determined what information you **must** provide but you may provide additional details for your entry if you wish.

Declaration that no registrable interests are held (section 3)

If you have no registrable interests you are still required to make a written declaration to that effect. You can do so by completing and lodging this form.

Late registration (section 6)

If, after submitting your statement, you become aware of a registrable interest which was not included, you should immediately contact the Standards

Clerks. The Act requires you to lodge a further written statement registering that interest within 7 days of becoming aware of it. If you have in the meantime taken part in proceedings of the Parliament, you should be aware that you may already have committed a criminal offence.

Further, if you lodge a statement 7 days or more after becoming aware of the unregistered interest you may become subject to further Parliamentary sanctions.

Voluntary registration (section 7)

You can choose to give details of any other interest which you consider may be relevant to the proceedings of the Parliament or to your acting as a Member. For example, this might include positions in campaigns or charities, or membership of professional organisations or trade unions. Members are under no obligation to declare such interests when participating in proceedings on related issues. Members may also wish to register interests which they have not yet acquired, but are in the process of doing so.

Registration of new interests /updating the Register (section 5)

If you acquire a new interest after the date of return which is registrable or where the character of an existing unregistered interest changes so that it meets the prejudice test, you must complete and lodge a further written statement providing information in relation to that new or altered interest. The completed form must be lodged with the Clerks no later than 30 days after acquisition of the interest.

Deletion of registered interests

If an interest that is registered ceases to be a registrable interest or if you wish to delete an interest registered on a voluntary basis you must notify the clerks in writing. You may do so via your Parliamentary email account.

Amendments

You may also amend your entry in the Register by notifying the Standards Clerks in writing (this includes via your Parliamentary email account).

3. Submission of Statements

Please complete each part of this Statement, then sign and date the last page (the page entitled 'Miscellaneous and Voluntary'). If there is not enough space in any section of this Statement additional sheets may be attached, but each sheet should be clearly marked with your name and also signed and dated.

4. Declaration of interests

In addition to registering your registrable interests, section 13 of the Act requires Members to declare any registrable interest prior to participating in any Parliamentary procedure relating to that interest. This involves making—

- (1) an oral declaration in the Chamber or in Committee before participating orally in any proceedings of the Parliament; and**
- (2) a written declaration in respect of Parliamentary Questions, motions, amendments to motions, the introduction of a Bill or the lodging of a proposal for a Member’s Bill and amendments to Bills.**

Where your only participation in proceedings is to attend proceedings or to vote (or both), you will be treated as having made a written declaration solely by virtue of a relevant registrable interest appearing in your entry in the Register. There is no need therefore for any other action to be taken before voting even where you have a registrable interest relevant to the proceedings under discussion, which in other circumstance would require a separate oral or written declaration. However, where an interest has been newly acquired and does not appear in the register, a written declaration is required.

Section 5 of the Code of Conduct provides further guidance on these matters.

5. Paid advocacy

Your attention is drawn to the provisions on paid advocacy in section 14 of the Act and section 6 of the Code of Conduct. Members are prohibited from engaging in paid advocacy. Contravention of the provisions on paid advocacy constitutes a criminal offence and may lead to exclusion from proceedings of the Parliament. The prohibition on paid advocacy is intended to prevent a Member from advocating any cause in return for any payment or benefit.

REMUNERATION

Do you receive remuneration by virtue of:

- | | | |
|---|------------------------------|-----------------------------|
| a. being employed | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| b. being self-employed | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| c. being the holder of any office | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| d. being the director of an undertaking | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| e. being a partner in a firm | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| f. undertaking a trade, profession or vocation or any other work? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |

Explanatory notes

1. *The interests that require to be registered are those which you—*

(1) had at the date you were returned; or

(2) had before you were returned but no longer have, where the interest meets the prejudice test (section 3(2)); or

(3) have acquired since the date you were returned.

*Members should note that these requirements apply to **all** categories of registrable interests.*

2. *You do not require to register remuneration or allowances that you receive or have received as a Member of the Scottish Parliament, a member of the Scottish Executive, a junior Scottish Minister, or by holding the office of Presiding Officer, deputy Presiding Officer or member of the SPCB.*

Key definitions/terms

1. *“Remuneration” includes any salary, wage, share of profits, fee, expenses, and other monetary benefit or benefit in kind, including reimbursement of costs incurred. This would include, for example, the provision of a company car or travelling expenses by an employer.*
2. *“Undertaking” essentially means a) a body corporate or partnership; or b) an unincorporated association carrying on a trade or business, with or without a view to a profit.*
3. *“Prejudice test”, an interest meets the prejudice test if, after taking into account all the circumstances, that interest is reasonably considered to prejudice, or give the appearance of prejudicing the ability of the member to participate in a disinterested manner in any proceedings of the Parliament.*

If you do not know the level of expected remuneration, an estimate should be made and, if necessary, amended once the remuneration has been received.

If you answered yes, then please provide the following information for each interest from which you received, receive or expect to receive remuneration:

(i) Category into which the interest falls (a)-(f)

(ii) Name of employer/business/body/undertaking/firm/name under which trade, etc is carried out

(iii) Principal business address of (ii)

(iv) Nature of business/activities/work carried out by (ii)

(v) Position you hold

(vi) Level of remuneration received or expected to be received per annum within the following bands:

up to £500

between £501– £1,000

between £1,001 – £2,000

between £2,001 – £3,000

between £3,001 – £5,000

and thereafter in intervals of £5,000

(vii) Regularity of work (for example, the number of hours or days worked per week or month)

(viii) Any relevant additional information

RELATED UNDERTAKING

Are you:

- a. a director of a related undertaking but do not receive remuneration as such a director?
- b. a partner in a firm but do not receive remuneration as such a partner?

Yes No

Explanatory notes and details required

1. *You are required to register any directorships you hold which are themselves unremunerated but where the undertaking in question is a subsidiary of or a parent of, an undertaking in which you hold a remunerated directorship. Any other unremunerated directorships do not require to be registered. You may wish to add these to the Miscellaneous and Voluntary category.*
2. *If you are a partner in a firm but do not directly receive remuneration from the firm (e.g. if you are a sleeping partner or if the operating profits are reinvested in the business) you are required to register that interest.*

Key definitions/terms

1. *“Related undertaking” means a parent or subsidiary undertaking of an undertaking of which you are a director under the Remuneration category.*
2. *“Undertaking” means, in broad terms, a) a body corporate or partnership; or b) an unincorporated association carrying on a trade or business, with or without a view to a profit. Please refer to section 259 of the 1985 Companies Act for a full definition.*
3. *“Parent undertaking” is defined in section 258 of the 1985 Companies Act. Members who hold the position of a director are expected to be aware of what constitutes a related undertaking and a parent and subsidiary undertaking.*

If you answered yes, then please provide the following information for each interest:

- (i) Category into which the interest falls (a) or (b)
- (ii) Name(s) of related undertakings or firm
- (iii) Principal business address
- (iv) Nature of business
- (v) Nature of relationship between related undertakings
- (vi) Any relevant additional information

ELECTION EXPENSES

Did any contributions towards your election expenses at the election at which you were returned as a Member include a donation or donations by a person, the aggregate of which exceeded 25% of those election expenses?

Yes No

Explanatory notes and details required

1. *This information is required in addition to Members' obligations under the Political Parties, Elections and Referendums Act 2000 and by the Electoral Administration Act 2006.*

Key definitions/terms

1. *"a person" includes a single individual or a body of persons, corporate or unincorporated, but does not include a registered political party with which the Member is connected;*
2. *The election expenses of a Member are the election expenses within the meaning of the relevant Elections Order in relation to the election at which the Member was returned.*

If you answered yes, then please provide the following information for each interest:

- (i) Value of donation(s) in £
- (ii) Name of donor
- (iii) Any relevant additional information

SPONSORSHIP

Does any person sponsor you as a Member?

Yes No

Explanatory notes and details required

1. *For this purpose, you are sponsored if you receive any financial or material support from the same person on more than one occasion, which over a Parliamentary session amounts, in aggregate, to more than the specified limit. A one-off donation or provision of assistance does not fall to be registered as sponsorship as this is not support on a continuing basis (although it may need to be considered under the category of Gifts – see next section).*
2. *For example, the provision of the services of a research assistant or secretary whose salary, in whole or in part, is met by an external organisation, and the provision of free or subsidised accommodation for your use, other than accommodation provided solely by the constituency party, should be registered.*
3. *The provision of a service by a volunteer does not require to be registered. A volunteer is someone who receives no remuneration for their services i.e. no wage or salary.*
4. *There is no requirement to register constituency plan agreements or other forms of sponsorship of a Member's constituency party, unless the Member receives the sponsorship himself or herself.*

Key definitions/terms

1. *"Specified limit" means 1 per cent of a Member's gross annual salary (rounded down to the nearest £10) at the beginning of the parliamentary session in question, currently £520.*

If you answered yes, then please provide the following information for each interest:

(i) Sponsor's name

(ii) Monetary value of sponsorship, within the following bands:

between £501– £1,000

between £1,001 – £2,000

between £2,001 - £3,000

between £3,001 - £5,000

and thereafter in intervals of £5,000

(iii) Duration of sponsorship

(iv) Is support paid or provided directly to you? Or, is support paid or provided to another person on your behalf and if so who is the recipient?

(v) Any relevant additional information

GIFTS

Have you or a company in which you have a controlling interest or a partnership of which you are a partner, received:

- a. a gift of heritable or moveable property; or
- b. a gift of a benefit in kind,

the value of which, at the date on which it was received by you or the company or partnership, as the case may be, exceeded 1% of a Member's gross salary on that date (currently £520)?

AND

Does the gift meet the prejudice test (as set out in section 3(2) of the Act)?

Yes No

Explanatory notes and details required

1. *This does not apply to the costs of travel and subsistence in connection with your attendance at a conference or meeting where those costs are borne in whole or in part by the organiser of the conference or one of the other parties attending the meeting as the case may be. If the meeting or conference took place overseas, however, costs may be registrable as an overseas visit (see below).*
2. *This rule means that any gift (tangible gifts such as money, glassware, jewellery etc) or other benefit (such as hospitality, tickets to sporting and cultural events, relief from indebtedness, loan concessions, provision of services etc), which is given gratis, or at a cost below that generally available, should be registered, whenever the value of the gift or benefit is greater than £520.*
3. *Any such gift or benefit that is received by any company in which you have a controlling interest, or by a partnership of which you are a partner, must also be registered.*
4. *It is generally expected that gifts from family members will not meet the prejudice test and are unlikely to be required to be registered.*

Key definitions/terms

1. *“Controlling interest” means, in relation to a company, shares carrying in the aggregate more than half of the voting rights exercisable at general meetings of the company.*
2. *“Company” means a company within the meaning of the Companies Act 1985.*
3. *“Heritable property” means any right or interest in heritable property in Scotland or elsewhere, it includes residential or other similar property, land etc.*
4. *“Moveable property” means any property which is not heritable property and includes anything from money to jewellery to the copyright in a book for example.*
5. *“Prejudice test” - an interest meets the prejudice test if, after taking into account all the circumstances, that interest is reasonably considered to prejudice, or give the appearance of prejudicing the ability of the Member to participate in a disinterested manner in any proceedings of the Parliament.*

If you answered yes, then please provide the following information for each interest:

(i) Nature of gift (category (a) or (b))

(ii) Monetary value, within the following bands:

between £501– £1,000

between £1,001 – £2,000

between £2,001 - £3,000

between £3,001 - £5,000

and thereafter in intervals of £5,000

(iii) Date of gift

(iv) Donor's name

(v) Was it a gift to you as an individual or to a company or partnership?

(vi) Any relevant additional information

OVERSEAS VISITS

Have you made a visit outside the United Kingdom?

AND

Does the visit meet the prejudice test?

Please refer to the Explanatory notes below for exemptions.

Yes No

Explanatory notes and details required

1. *This does not apply to a visit, the travel and other costs of which—*
 - a) *are wholly met—*
 - (i) *by the Member;*
 - (ii) *by the Member's spouse, civil partner or cohabitant;*
 - (iii) *by the Member's mother, father, son or daughter;*
 - (iv) *by the Parliamentary corporation; or*
 - (v) *out of the Scottish Consolidated Fund; or*
 - b) *were approved prior to the visit by the Parliamentary Corporation.*
2. *Where known, you should give details of the monetary values involved or provide an estimate.*

Key definitions/terms

1. *"Spouse" does not include a former spouse or a spouse who is living separately and apart from the Member where the separation is likely to be permanent.*
2. *"Civil partner" does not include a former civil partner or a civil partner who is living separately and apart from the Member where the separation is likely to be permanent.*
3. *"Cohabitant" means either member of a couple consisting of a man and a woman who are living together as if they were husband and wife or two persons of the same sex who are living together as if they were civil partners.*
4. *"Prejudice test", an interest meets the prejudice test if, after taking into account all the circumstances, that interest is reasonably considered to prejudice, or give the appearance of prejudicing the ability of the member to participate in a disinterested manner in any proceedings of the Parliament.*

If you answered yes, then please provide the following information for each interest:

(i) Date of visit

(ii) Destination

(iii) Purpose of visit

(iv) Name of person or organisation who met any of the costs of the visit

(v) Costs of visit

(vi) Any relevant additional information

HERITABLE PROPERTY

Do you own or hold heritable property—

- a. the market value of which, at the relevant date (see paragraph 4 below), exceeds 50% of a Member's gross salary (currently £26,370); or
- b. the gross income from which (for the period of twelve months prior to the relevant date) is greater than £0.00?

Yes No

Explanatory notes and details required

1. *This does **not** apply to heritable property used as a residential home by you or your spouse, civil partner or cohabitant. This does not apply to heritable property which was used as a residential home by you or, your spouse, civil partner or cohabitant, but has been unoccupied and for sale for not more than 12 months. This does not apply to heritable property which forms part of the assets of a partnership and any income from that partnership is registered under the Remuneration category.*
2. *This applies to property which you own or hold solely in your own name, jointly with another person or body or as a trustee, whether or not jointly with other trustees, where you have an interest as a beneficiary of the trust.*
3. *If you, as a tenant, rent property (excluding residential i.e. commercial) the value of which, at the relevant date, is greater than £26,370, then this must be registered.*
4. *Where you own or have any other right or interest in heritable property at the date on which you were returned as a Member, the relevant date is—*
 - a) *that date; and*
 - b) *the 5th April immediately following that date and in each succeeding year, where the heritable property continues to be owned or held on that 5th April.*
5. *Where you become the owner of or acquire any heritable property after the date on which you were returned as a Member, the relevant date is—*
 - a) *the date on which you became the owner of or acquired that heritable property; and*
 - b) *the 5th April immediately following that date and in each succeeding year, where the heritable property continues to be owned or held on that 5th April.*

i.e. the relevant date is the date of your return as an MSP (or the 5th April following that date) or, for new interests, the date you obtained the interest (or the 5th April following that date) if different from the date of your election return.
6. *Where you have ceased to own or hold any heritable property before the date on which you were returned as a Member, the relevant date is the date when the heritable property ceased to be owned or the right ceased to be held.*
7. *Members should provide sufficient information about any interest in heritable property which they own or hold to allow a third party looking at the register to immediately identify any potential influence.*

Key definitions/terms

1. *“Heritable property” means any right or interest in heritable property in Scotland or elsewhere. It includes residential or other similar property, land, or any right or interest in or over land.*

2. *“Spouse” does not include a former spouse or a spouse who is living separately and apart from the Member where the separation is likely to be permanent.*
3. *“Civil partner” does not include a former civil partner or a civil partner who is living separately and apart from the Member where the separation is likely to be permanent.*
4. *“Cohabitant” means either member of a couple consisting of a man and a woman who are living together as if they were husband and wife or two persons of the same sex who are living together as if they were civil partners.*

If you answered yes, then please provide the following information for each interest:

(i) Category into which the interest falls ((a) or (b) or both)

(ii) Location of property (by area, for example by local authority area if in Scotland)

(iii) Type of property (for example, flat, house, commercial, industrial, domestic, commercial, agricultural land)

(iv) Market value at the relevant date within the following bands:

between £25,001 – £100,000

between £100,001 – £150,000

between £150,001 – £200,000

between £200,001 – £250,000

between £250,001 – £300,000

between £300,001 – £350,000

and over £350,000.

(v) Gross income at the relevant date within the following bands:

between £0.00 – £5,000

between £5,001 – £10,000

between £10,001 – £15,000

between £15,001 – £20,000

between £25,001 – £30,000

between £30,001 – £35,000

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between £35,001 – £40,000

between £40,001 – £45,000

between £45,001 – £50,000

and over £50,000

(vi) Date of acquisition or disposal if during parliamentary session

(vii) Any relevant additional information

INTEREST IN SHARES

Do you or a relevant person (see below) have an interest in shares and:

- a. the nominal value of the shares at the relevant date (see below) is greater than 1% of the issued share capital of the company or other body;

OR

- b. the market value of the shares at the relevant date exceeds or exceeded 50% of a Members' gross salary (currently £26,370)?

Yes No

Explanatory notes and details required

- You are required to register an interest in shares whether it is held by you or a relevant person solely in your/their own name, jointly with any other person or body or as a trustee, whether or not jointly with other trustees where you have an interest as a beneficiary of the trust.*
- You are not required to register an interest in shares which forms part of the assets of a partnership and any income from that partnership is registered under the Remuneration category.*
- Where you had, an interest in shares at the date on which you were returned as a Member, the relevant date is—*
 - that date; and*
 - the 5th April immediately following that date and in each succeeding year, where you retain that interest on that 5th April.*
- Where you acquire an interest in shares after the date on which you were returned as a Member, the relevant date is—*
 - the date on which you acquired the interest in shares; and*
 - the 5th April immediately following that date and in each succeeding year, where you retain the interest on that 5th April.*
- Where you have ceased to have an interest in shares before you were returned as a Member, the relevant date is the date when the interest in shares ceased to be held.*

Key definitions/terms

- “Interest in shares” means an interest in shares (including stock) comprised in the share capital of a company or other body,*
- “Company” means a company within the meaning of the Companies Act 1985.*
- “Relevant person” is a person who is subject to the control or direction of a Member in respect of an interest in shares.*

If you answered yes, then please provide the following information for each interest:

- (i) Category into which the interest falls (a) or (b) or both

- (ii) Name of company (as described when the Member acquired the interest)
- (iii) Type of shares
- (iv) Nature of business
- (v) Market value and/or percentage of the issued share capital of the company (category (a) and/or (b))
- (vi) Date of disposal or acquisition if during Session
- (vii) Any relevant additional information

VOLUNTARY

The Interests of Members of the Scottish Parliament Act states that “A Member may at any time register an interest which a Member is not required to register by lodging a written statement with the Clerk.” (section 7: voluntary registration).

Accordingly, you may choose to provide details in this section of any interest, not falling within any of the previous sections, which nonetheless you wish to register, perhaps because you consider that the interest might be thought by others to influence your actions.

Do you have any such interests?

Yes No

If you answered yes, please insert details below:

Date:

Signature:

ANNEXE 4

THE SCOTTISH PARLIAMENT

The Interests of Members of the Scottish Parliament Act 2006 (Publication of Register of Interests) Determination 2007

The Scottish Parliament, in exercise of the powers conferred by section 11(1) of the Interests of Members of the Scottish Parliament Act 2006, on the 25th day of January 2007 made the following Determination:

Citation and commencement

1. This Determination may be cited as the Interests of Members of the Scottish Parliament Act 2006 (Publication of Register of Interests) Determination 2007 and shall have effect from 3 April 2007.

Interpretation

2. In this Determination—

“the Act” means the Interests of Members of the Scottish Parliament Act 2006⁽⁴⁵⁾;
“Clerk” means the Clerk of the Parliament; and
“register” means the Register of Interests of Members of the Scottish Parliament, established under section 1(1) of the Act.

Manner and interval of publication of the Register

3. The Clerk shall publish the register by—

(a) reproducing the information which appears in it in respect of each member’s entry on that member’s page on the Scottish Parliament website; and

(b) updating that information in respect of any amendment to the register by the operation of sections 4(5), 8(3), 8(4), 9(2), 9(3) and 9(5) of the Act⁽⁴⁶⁾ at intervals which correspond with the relevant time limits specified under sections 4(5), 8(3), 8(4) and 9(2) of the Act and, in relation to an amendment by the Clerk under sections 9(3) and 9(5), within 30 days of such an amendment.

⁽⁴⁵⁾ 2006 asp 12.

⁽⁴⁶⁾ Sections 4(5), 8(3) and 9(2) of the Act require the Clerk to register an interest or amend an entry in the register within 30 days of the statement or notice, as the case may be, being lodged. Section 8(4) requires the Clerk to amend an entry in the register by deletion not less than twelve months after a notice has been lodged under section 8(3). Sections 9(3) and (5) provide for the amendment of entries in the Register by the Clerk to correct clerical or typographical errors and to remove the entry when a member ceases to be a member.

ANNEXE 4

THE SCOTTISH PARLIAMENT

The Interests of Members of the Scottish Parliament Act 2006 (Declaration of Interests) Determination 2007

The Scottish Parliament, in exercise of the powers conferred by section 13(2) of the Interests of Members of the Scottish Parliament Act 2006, on the 25th day of January 2007 made the following Determination:

Citation and commencement

1. This Determination may be cited as the Interests of Members of the Scottish Parliament Act 2006 (Declaration of Interests) Determination 2007 and shall have effect from 3 April 2007.

Interpretation

2. In this Determination—

“Clerk” means the Clerk of the Parliament; and
“Parliament” includes a committee, sub-committee or joint committee of the Scottish Parliament.

Oral declaration of interest

3. Where a member has a declarable interest in any matter, the member must make an oral declaration of that interest before speaking in any meeting of the Parliament relating to that matter.

Written declaration of interest

4. Where a member has a declarable interest in any matter and takes part in a meeting of the Parliament relating to that matter only by attending and voting at that meeting, that member must, prior to voting, have made a written declaration of that interest either by virtue of that interest being registered in the entry relating to that member in the Register of Interests of Members of the Scottish Parliament or in any other case by lodging a written declaration of that interest with the Clerk.
5. Where a member has a declarable interest in any matter, and takes part in any proceedings of the Parliament relating to that matter otherwise than as provided in paragraphs 3 and 4, the member must lodge with the Clerk a written declaration of that interest before taking part in those proceedings.
6. For the purposes of paragraph 5, taking part in proceedings of the Parliament includes any of the following—

- a. lodging questions for oral or written answer,
- b. lodging motions or amendments to motions,
- c. introducing a Bill, or lodging a proposal for a Member's Bill,
- d. lodging amendments to Bills, or
- (e) adding the member's name in support of any of the proceedings referred to in sub-paragraphs (a) – (d).

ANNEXE 4

THE SCOTTISH PARLIAMENT

The Interests of Members of the Scottish Parliament Act 2006 (Gross Income from Heritable Property) Determination 2007

The Scottish Parliament, in exercise of the powers conferred by the schedule, paragraph 8(2)(b) of the Interests of Members of the Scottish Parliament Act 2006, on the 25th day of January 2007 made the following Determination:

Citation and commencement

1. This Determination may be cited as the Interests of Members of the Scottish Parliament Act 2006 (Gross Income from Heritable Property) Determination 2007 and shall have effect from 3 April 2007.

Gross income from heritable property

2. The amount determined for the purpose of paragraph 8(2)(b) of the schedule to the Interests of Members of the Scottish Parliament Act 2006⁽⁴⁷⁾ is £0.00.

⁽⁴⁷⁾ 2006 asp 12