



The Scottish Parliament
Pàrlamaid na h-Alba

Scottish Commission for Public Audit: appointment of members

By correspondence

Reference: SPCB (2024) Paper 32

Summary

1. The SPCB is invited to seek, by motion, the Parliament's approval to appoint a Member of the Scottish Parliament to be a member of the Scottish Commission for Public Audit.
2. The vacancy on the Commission has arisen as a consequence of the resignation of Sharon Dowey MSP. The Scottish Conservative and Unionist Party has nominated Jamie Greene MSP to replace Ms Dowey.

Background

3. The Scottish Commission for Public Audit ("the Commission") was established by the Public Finance and Accountability (Scotland) Act 2000 ("the Act"). The Commission consists of five Members of the Parliament. The Convener of the Public Audit Committee is an ex officio member in accordance with Section 12(2)(a) of the Act and the four other members are appointed by the SPCB in accordance with Standing Orders (Rule 3.13 - reproduced at Annexe A).
4. The Commission's principal functions are to examine the proposed budget of Audit Scotland and report to the Parliament as part of the annual budget process, to consider Audit Scotland's annual report and accounts and to appoint 3 non-executive members of Audit Scotland, including its Chair.

Vacancies on the Commission

5. In terms of Rule 3.13, members of the Commission are appointed by the SPCB with the agreement of the Parliament. The SPCB is required to seek the agreement of the Parliament by way of a motion to appoint members to serve on the Commission.

6. In accordance with Rule 3.13.4, in making a proposal (i.e., in putting forward a Member's name), the SPCB is obliged to have regard to the balance of political parties in the Parliament. While the SPCB must take account of this requirement, when deciding its proposals for appointment, it does have wide discretion in exercising judgement in circumstances.
7. Sharon Dowey MSP, having resigned as a member of the Commission on 21 March 2024, the current members are—
 - a. Daniel Johnson (Scottish Labour)
 - b. Richard Leonard (Scottish Labour)
 - c. Colin Beattie (Scottish National Party)
 - d. Mark Ruskell (Scottish Green Party)
8. The Scottish Conservative and Unionist Party has nominated Jamie Greene MSP to replace Sharon Dowey.

Timing

9. It is desirable that a motion should be agreed and lodged by the SPCB and then taken in the Chamber as soon as is practical.

Publication Scheme

10. This paper can be published after the Motion has been considered.

Resource Implications

11. There are no financial or other resource implications in appointing members to the Commission. Staff from the Committee Office provide clerking support to the Commission.

Decision

12. The SPCB is invited to seek the agreement of the Parliament to appoint Jamie Greene MSP to be a member of the Commission. A draft motion is attached at Annexe B.
13. Should the motion be agreed to by the Parliament, a letter of appointment will be issued by the Presiding Officer (as chair of the SPCB).

Sarah Robertson
Secretary to the SCPA

April 2024

Rule 3.13 Appointment of members of the Scottish Commission for Public Audit

1. The four members of the Scottish Commission for Public Audit (“the Commission”) referred to in section 12(2)(b) of the Public Finance and Accountability (Scotland) Act 2000 shall be appointed by the Parliamentary corporation.
2. The Parliamentary corporation shall not make any appointment under this Rule without the agreement of the Parliament.
3. A member of the Parliamentary corporation shall by motion seek the agreement of the Parliament to the Parliamentary corporation’s proposal to appoint either— (a) an individual member to be a member of the Commission; or (b) a group of 2 or more members to be members of the Commission.
4. In making a proposal under this Rule the Parliamentary corporation shall have regard to the balance of political parties in the Parliament.
5. Before the Presiding Officer puts to the Parliament the question on a motion relating to a group of members, the motion may be amended but only to delete that part of the motion relating to a particular member or members.

DRAFT SCOTTISH PARLIAMENTARY CORPORATE BODY MOTION

Date of Lodging: xx Month 2024

Short Title: Scottish Commission for Public Audit

S6M-XXX xxxxx xxxxx on behalf of the Scottish Parliamentary Corporate Body: Scottish Commission for Public Audit—That the Parliament agrees to the Scottish Parliamentary Corporate Body’s proposal to appoint Jamie Greene to be a member of the Scottish Commission for Public Audit.