



# Scottish Parliamentary Standards (Sexual Harassment and Complaints Process) Act 2021

2021 asp 12

**The Bill for this Act of the Scottish Parliament was passed by the Parliament on 4th March 2021 and received Royal Assent on 21st April 2021**

An Act of the Scottish Parliament to allow the Commissioner for Ethical Standards in Public Life in Scotland to investigate complaints of past sexual harassment made about members of the Parliament in respect of behaviour towards members of their own staff; to remove the default time limit for making complaints to the Commissioner; and to remove any requirement for the complainant's signature.

## **1 Complaints about past sexual harassment**

(1) The Scottish Parliamentary Standards Commissioner Act 2002 is amended as follows.

(2) In section 3 (functions of the Commissioner)—

- (a) in subsection (3), after “force” insert “, or treated as having been in force under subsection (4A),”,
- (b) after subsection (4), insert—

“(4A) For the purpose of subsection (3), paragraphs 5 and 6 of section 7 of the Code of Conduct of 7 January 2020 are, to the extent that they relate to sexual harassment by a member of the Parliament of that member's own staff, to be treated as having come into force on 24 February 2000 with the first edition of the Code of Conduct.”.

(3) In section 20 (interpretation), after the entry for “Code of Conduct” insert—

““Code of Conduct of 7 January 2020” means the second version of the seventh edition of the Code of Conduct, incorporating the revisions approved by resolution of the Parliament on 10 December 2019, which was brought into force with effect from 7 January 2020;”.

## **2 Removal of default time limit**

(1) The Scottish Parliamentary Standards Commissioner Act 2002 is amended as follows.