



The Scottish Parliament
Pàrlamaid na h-Alba

Published 25 January 2023
SP Paper 306
9th Report, 2023 (Session 6)

Delegated Powers and Law Reform Committee Comataidh Cumhachdan Tiomnaichte is Ath-leasachadh Lagh

Subordinate Legislation Considered by the Delegated Powers and Law Reform Committee on 24 January 2023



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Delegated Powers and Law Reform Committee

The remit of the Delegated Powers and Law Reform Committee is to consider and report on the following (and any additional matter added under Rule 6.1.5A)—

(a) any—

(i) subordinate legislation laid before the Parliament or requiring the consent of the Parliament under section 9 of the Public Bodies Act 2011;

(ii) [deleted]

(iii) pension or grants motion as described in Rule 8.11A.1; and, in particular, to determine whether the attention of the Parliament should be drawn to any of the matters mentioned in Rule 10.3.1;

(b) proposed powers to make subordinate legislation in particular Bills or other proposed legislation;

(c) general questions relating to powers to make subordinate legislation;

(d) whether any proposed delegated powers in particular Bills or other legislation should be expressed as a power to make subordinate legislation;

(e) any failure to lay an instrument in accordance with section 28(2), 30(2) or 31 of the 2010 Act;

(f) proposed changes to the procedure to which subordinate legislation laid before the Parliament is subject;

(g) any Scottish Law Commission Bill as defined in Rule 9.17A.1; and

(h) any draft proposal for a Scottish Law Commission Bill as defined in that Rule.

(i) any Consolidation Bill as defined in Rule 9.18.1 referred to it in accordance with Rule 9.18.3.



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Committee Membership



Convener
Stuart McMillan
Scottish National Party



Deputy Convener
Bill Kidd
Scottish National Party



Jeremy Balfour
Scottish Conservative
and Unionist Party



Carol Mochan
Scottish Labour



Oliver Mundell
Scottish Conservative
and Unionist Party

Introduction

1. At its meeting on 24 January, the Committee considered the following instruments under its remit and agreed not to draw them to the attention of the relevant lead committeeⁱ.

Equalities, Human Rights and Civil Justice Committee

Coronavirus (Recovery and Reform) (Scotland) Act 2022 (Commencement No. 2) Regulations 2023 (SSI 2023/3 (C.1))

Registration of Births, Still-births, Deaths and Marriages (Prescription of Forms) (Scotland) Amendment Regulations 2023 (SSI 2023/4)

Health, Social Care and Sport Committee

Community Care (Personal Care and Nursing Care) (Scotland) Amendment Regulations 2023 (SSI 2023/Draft)

Local Government, Housing and Planning Committee

Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) (Amendment) Order 2023 (SSI 2023/Draft)

- While the Committee was content with the above instrument, Oliver Mundell MSP highlighted his concerns in relation to the need for this order.

The full transcript of the discussion can be read in the [Official Report](#) for the meeting.

ⁱ Jenni Minto MSP substituted for Stuart McMillan MSP

