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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 29 September 2020



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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.



<http://www.parliament.scot/parliamentarybusiness/CurrentCommittees/delegated-powers-committee.aspx>



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Committee Membership



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Scottish Conservative
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Gil Paterson
Scottish National Party

Introduction

1. At its meeting on 29 September 2020, the Delegated Powers and Law Reform Committee considered 5 instruments. It determined that it did not need to draw the Parliament's attention to these instruments which are set out by the relevant lead committee in the next section of this report.
2. The Committee nevertheless noted that the consultation to inform the Scottish Government's drafting of the Human Tissue (Excepted Body Parts) (Scotland) Regulations 2020 (SSI 2020/draft) appeared to focus on clinical stakeholders and did not include the views of any public or religious groups. While not impacting on its consideration of the instrument, the Committee agreed to highlight this to the lead committee.

No points raised

COVID-19 Committee

Health Protection (Coronavirus) (Restrictions and Requirements) (Scotland) Regulations 2020 (SSI 2020/279)

Culture, Tourism, Europe and External Affairs Committee

Census (Scotland) Amendment Order 2020 (SSI 2020/draft)

Health and Sport Committee

Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 15) Regulations 2020 (SSI 2020/288)

Human Tissue (Excepted Body Parts) (Scotland) Regulations 2020 (SSI 2020/draft)

Justice Committee

Act of Sederunt (Simple Procedure Amendment) (Civil Online) 2020 (SSI 2020/293)

