

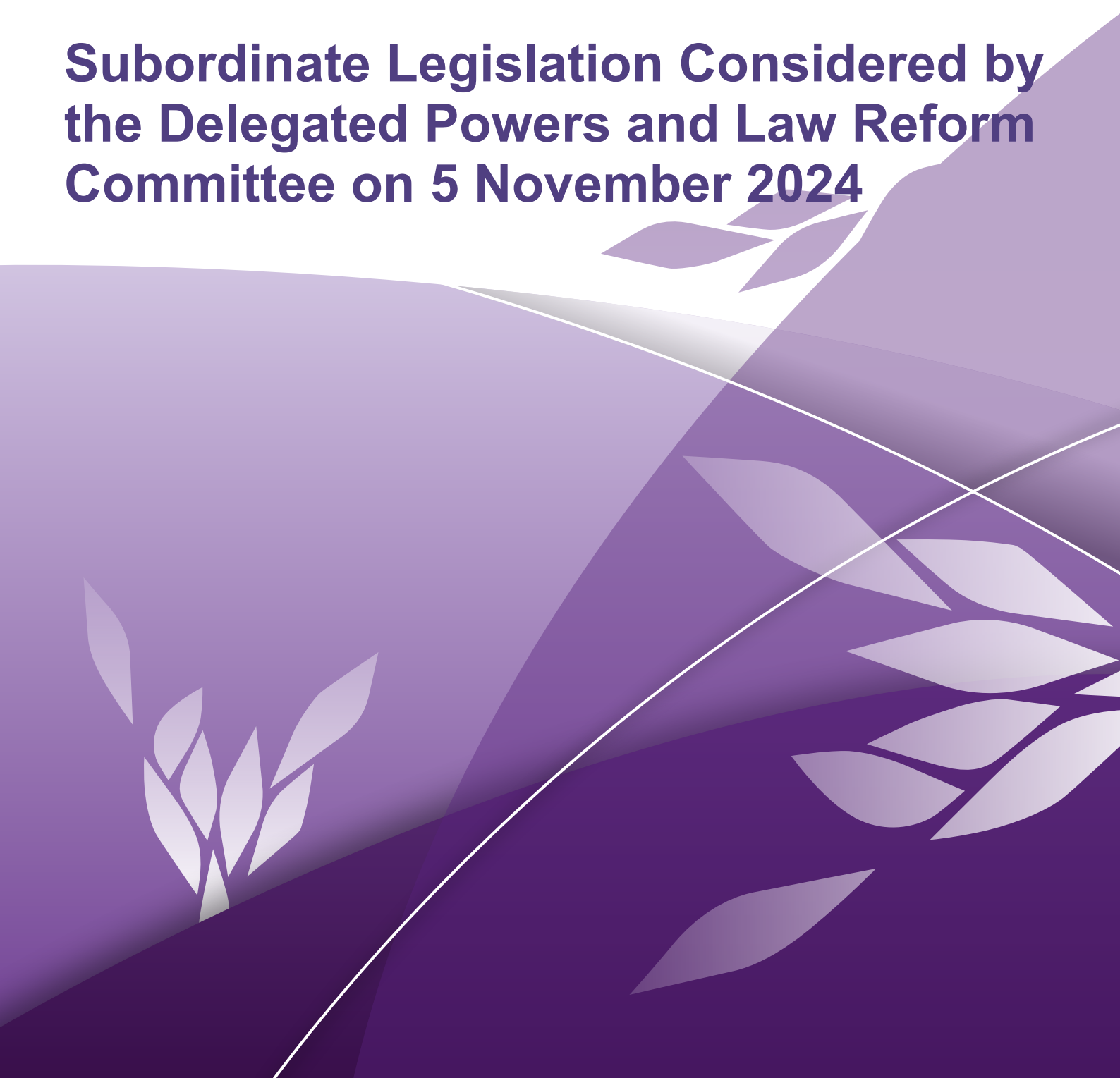


The Scottish Parliament
Pàrlamaid na h-Alba

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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 5 November 2024



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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



Stuart McMillan
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Bill Kidd
Scottish National Party



Jeremy Balfour
Scottish Conservative
and Unionist Party



Daniel Johnson
Scottish Labour



Roz McCall
Scottish Conservative
and Unionist Party

Introduction

1. At its meeting on 5 November 2024ⁱ, the Committee considered the following instrument under its remit and agreed to draw it to the attention of the Parliament:
 - Property Factors (Registration) (Scotland) Regulations 2024 (SSI 2024/274).
2. The Committee's recommendations in relation to this instrument are set out in the next section of this report.
3. The Committee also determined that, in terms of its remit, it did not need to draw the Parliament's attention to the instruments at the end of the report.

ⁱ Rona MacKay MSP substituted for Stuart McMillan MSP, and Jeremy Balfour MSP submitted his apologies.

Scrutiny of instruments under the Committee's remit: instruments drawn to the attention of the Parliament

Property Factors (Registration) (Scotland) Regulations 2024 (SSI 2024/274)

4. This instrument makes changes in relation to fees payable (to be increase each year by the Consumer Price Index) and prescribes additional information that must be provided in an application to register as a property factor.
5. In [correspondence with the Scottish Government](#), the Committee queried that regulation 5, paragraph (3) of the instrument, made reference to a paragraph (5) which does not exist.
6. In its [response](#), the Scottish Government indicated this was a formatting error and confirmed that it intends to correct this by way of a correction slip.
7. The lead committee for this instrument is the Local Government, Housing and Planning Committee.

8. **The Committee draws this instrument to the attention of the Parliament on the general reporting ground in respect of an error in the numbering of regulation 5(5).**

9. **The Committee notes that the Scottish Government intends to correct the error by way of a correction slip.**

No points raised

Health, Social Care and Sport Committee

National Health Service Superannuation and Pension Schemes (Miscellaneous Amendment) (Scotland) Regulations 2024 (SSI 2024/272)

- In relation to the above instrument, the Committee noted that an error in the Policy Note concerning the contribution rate was identified following a [question by the Committee](#) and that the Scottish Government intends to correct this.

Net Zero, Energy and Transport Committee

Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc.) Order 2025 (SI 2024/Draft)

