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Pàrlamaid na h-Alba

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**Economy, Jobs and Fair Work Committee  
Comataidh Eaconomaidh, Dreuchdan is Obair  
Chothromach**

**Scotland Act 1998 (Insolvency  
Functions) Order 2017 [draft]**



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# Economy, Jobs and Fair Work Committee

To consider and report on matters falling within the responsibility of the Cabinet Secretary for Economy, Jobs and Fair Work.



<http://www.scottish.parliament.uk/parliamentarybusiness/CurrentCommittees/economy-committee.aspx>



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**Andy Wightman**  
Scottish Green Party

# Scotland Act 1998 (Insolvency Functions) Order 2017 [draft]

1. The Committee took evidence on the Scotland Act 1998 (Insolvency Functions) Order 2017 [draft] from Paul Wheelhouse, Minister for Business, Innovation and Energy at its meeting on 31 October 2017. The Official Report is available on the [Committee's website](#).
2. The Order was laid on 14 September and confers mutual functions on the Scottish Ministers and a Minister of the Crown, in or as regards Scotland, so that both have the power to bring forward as appropriate winding up rules or regulations for Scotland in relation to any of companies, incorporated friendly societies or limited liability partnerships, irrespective of whether these rules or regulations relate to reserved matters under schedule 5 of the 1998 Act or matters that are not reserved.
3. The Order also provides for the parliamentary procedure in the Scottish Parliament that will be applicable to any rules or regulations made by the Scottish Ministers under any functions which are conferred on them by virtue of the Order.
4. The Delegated Powers and Law Reform Committee considered the Regulations at its meeting on 3 October and had no issues to report.
5. The Minister for Business, Innovation and Energy wrote to the Committee on 20 October to provide additional background information. This letter is available [online](#).
6. The Convener replied to the Minister on 25 October, asking that the Committee be advised in advance to allow the Committee to examine the matter before the Order is made. This letter is available [online](#). The Minister replied on 30 October, this letter is available [online](#).
7. On 30 October, ICAS wrote to the Committee regarding the Order. This letter is available [online](#).
8. Following evidence the Minister moved motion S5M-08086—  
  
That the Economy, Jobs and Fair Work Committee recommends that the Scotland Act 1998 (Insolvency Functions) Order 2017 be approved.
9. The motion was agreed to.

The Economy, Jobs and Fair Work Committee recommends that the Scotland Act 1998 (Insolvency Functions) Order 2017 [draft] be approved.

