



The Scottish Parliament  
Pàrlamaid na h-Alba

## **Subordinate Legislation Committee**

**45th Report, 2012 (Session 4)**

**Local Government Finance  
(Unoccupied Properties etc.)  
(Scotland) Bill as amended at  
Stage 2**

**Published by the Scottish Parliament on 24 October 2012**

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## Subordinate Legislation Committee

### Remit and membership

#### Remit:

The remit of the Subordinate Legislation Committee is to consider and report on—

(a) any—

(i) subordinate legislation laid before the Parliament;

(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; and

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

*(Standing Orders of the Scottish Parliament, Rule 6.11)*

#### Membership:

Nigel Don (Convener)  
Mike MacKenzie

Hanzala Malik  
Stuart McMillan  
John Pentland  
John Scott  
Stewart Stevenson (Deputy Convener)

**Committee Clerking Team:**

**Clerk to the Committee**  
Irene Fleming

**Support Manager**  
Daren Pratt



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## Subordinate Legislation Committee

45th Report, 2012 (Session 4)

### Local Government Finance (Unoccupied Properties etc.) (Scotland) Bill as amended at Stage 2

The Committee reports to the Parliament as follows—

1. At its meeting on 23 October 2012, the Subordinate Legislation Committee considered the delegated powers provisions in the Local Government Finance (Unoccupied Properties) (Scotland) Bill, as amended at Stage 2. The Committee submits this report to the Parliament under Rule 9.7.9 of Standing Orders.
2. The Scottish Government provided the Parliament with a revised delegated powers memorandum<sup>1</sup> in relation to the Bill as amended at Stage 2.

#### Delegated Powers Provisions

3. At Stage 1 of the Bill, the Committee reported that it did not need to draw the attention of the Parliament to the powers in sections 1(2) and (3), and section 3(3).
4. **After Stage 2, the Committee reports that it does not need to draw the attention of the Parliament to the new or substantially amended powers in sections 1(4), 2(2A) and (3), and 2(2B).**
5. **The Committee welcomes that the amendments to the delegated powers made by section 2(2A) and (3) implement the Committee's recommendation in its Report at Stage 1, that the Bill should state a maximum level of permitted council tax increase in relation to unoccupied dwellings, beyond which any levels specified in the regulations could not go.**

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<sup>1</sup> Local Government Finance (Unoccupied Properties) (Scotland) Bill, Revised Delegated Powers Memorandum. Available at:  
[http://www.scottish.parliament.uk/S4\\_Bills/Local%20Government%20Finance%20Unoccupied%20Properties/b12s4\\_reviseddelegatedpowersmemorandum\\_Stage2\\_FINAL.pdf](http://www.scottish.parliament.uk/S4_Bills/Local%20Government%20Finance%20Unoccupied%20Properties/b12s4_reviseddelegatedpowersmemorandum_Stage2_FINAL.pdf)

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Published in Edinburgh by APS Group Scotland

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Printed in Scotland by APS Group Scotland

ISBN 978-1-4061-9801-0

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