August 2018

Dear KM,

The Common Financial Tool (Scotland) Regulations 2018 ("the Regulations") were laid in draft before the Scottish Parliament on 15 June 2018 under section 225(4)(a) of the Bankruptcy (Scotland) Act 2016, section 62(4) of the Debt Arrangement and Attachment (Scotland) Act 2002, and section 72(2) and (3)(a)(ii),(ii) and (b) of the Bankruptcy (Scotland) Act 1985. The Regulations are subject to the affirmative procedure and are due to come into force on 29 October 2018, if successfully passed.

Since laying the Regulations, the Accountant in Bankruptcy has received representations from some advice sector organisations seeking a longer lead in time before commencement of the revised regulations. In particular, they have highlighted delays in the development of IT systems incorporating the revised common financial tool and suitable provisions for staff training. Other than timing issues, there have been no other fundamental concerns raised by these organisations about the regulations.

In recognition of the issues that have been raised, in terms of Rule 10.8 of the Standing Orders of the Parliament, the Scottish Government wishes to withdraw the Regulations in order that they can be re-laid, immediately following the summer recess, with a later commencement date.

I would be grateful if you would make any necessary changes to the Business Bulletin and notify the relevant Committee as appropriate. I trust that this request is in order.

Yours sincerely,

JAMIE HEPBURN

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot

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