



OFFICIAL REPORT
AITHISG OIFIGEIL

Delegated Powers and Law Reform Committee

Tuesday 11 November 2025

Session 6



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Pàrlamaid na h-Alba

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DELEGATED POWERS AND LAW REFORM COMMITTEE

31st Meeting 2025, Session 6

CONVENER

Stuart McMillan (Greenock and Inverclyde) (SNP)

DEPUTY CONVENER

*Bill Kidd (Glasgow Anniesland) (SNP)

COMMITTEE MEMBERS

Jeremy Balfour (Lothian) (Ind)

*Katy Clark (West Scotland) (Lab)

*Roz McCall (Mid Scotland and Fife) (Con)

*attended

CLERK TO THE COMMITTEE

Greg Black

LOCATION

The Adam Smith Room (CR5)

Scottish Parliament

Delegated Powers and Law Reform Committee

Tuesday 11 November 2025

[The Deputy Convener opened the meeting at 10:00]

Decision on Taking Business in Private

The Deputy Convener (Bill Kidd): Good morning and welcome to the 31st meeting in 2025 of the Delegated Powers and Law Reform Committee. I remind everyone to switch off, or put to silent, mobile phones and other electronic devices. We have received apologies from Stuart McMillan MSP and Jeremy Balfour MSP.

The first item of business is a decision on taking business in private. Is the committee content to take in private item 5?

Members indicated agreement.

Instruments subject to Affirmative Procedure

10:00

The Deputy Convener: Under agenda item 2, we are considering three instruments.

Rural Support (Improvement) (Miscellaneous Amendment) (Scotland) (No 2) Regulations 2025 [Draft]

Good Food Nation (Specified Functions and Descriptions) (Scottish Ministers) Regulations 2025 [Draft]

Sheep Carcase (Classification and Price Reporting) (Scotland) Regulations 2025 [Draft]

The Deputy Convener: Is the committee content that no reporting grounds are engaged?

Members indicated agreement.

The Deputy Convener: In relation to the draft Rural Support (Improvement) (Miscellaneous Amendment) (Scotland) (No 2) Regulations 2025, does the committee wish to welcome that the draft policy note has been reissued, with the statement

“remove requirement to submit an EFA map”

corrected?

Members indicated agreement.

The Deputy Convener: Also in relation to the draft Rural Support (Improvement) (Miscellaneous Amendment) (Scotland) (No 2) Regulations 2025, does the committee wish to note that it would have been helpful if the accompanying documents had confirmed the intended date for laying the finalised national good food plan before Parliament, given that the instrument depends on the plan being in force to operate as intended?

Members indicated agreement.

Instruments subject to Negative Procedure

10:01

The Deputy Convener: Under agenda item 3, we are considering four instruments, on which no issues have been raised.

Title Conditions (Scotland) Act 2003 (Rural Housing Bodies) Amendment Order 2025 (SSI 2025/298)

Motor Vehicles (Competitions and Trials) (Scotland) Amendment Regulations 2025 (SSI 2025/300)

Food (Promotion and Placement) (Scotland) Regulations 2025 (SSI 2025/303)

Building (Scotland) Amendment Regulations 2025 (SSI 2025/312)

The Deputy Convener: Is the committee content with the instruments?

Members *indicated agreement.*

The Deputy Convener: In relation to Scottish statutory instrument 2025/300, does the committee wish to welcome that this instrument fulfils a commitment by the Scottish Government to correct at the earliest possible opportunity an error made by SSI 2025/245?

Members *indicated agreement.*

The Deputy Convener: Does the committee wish to welcome that the policy note sets out clearly that the instrument corrects an error, and what that error was, which should assist the users of this legislation?

Members *indicated agreement.*

Instruments not subject to Parliamentary Procedure

10:02

The Deputy Convener: Under agenda item 4, we are considering five instruments. An issue has been raised on the following instrument.

Political Parties, Elections and Referendums Act 2000 (Non-Party Campaigner Code of Practice) (Appointed Date) (Scotland) Order 2025 (SSI 2025/288)

The Deputy Convener: The purpose of this instrument is to bring into force the “Non-Party Campaigner Campaign Expenditure (Scottish Parliament Elections) Code of Practice 2025”, a draft of which was laid before the Parliament on 16 September 2025.

However, concerns have been raised about the statutory consultation that the Electoral Commission was required to undertake with the Scottish Parliament on a draft of the code. Consequently, the Scottish Government withdrew that draft code on 5 November and laid a new version on 10 November. The Scottish Government has advised that, this week, it will make and lay a further instrument, which will revoke and replace this SSI.

Correspondence related to this instrument, which contains additional information, has been published alongside the papers for today’s meeting.

Notwithstanding that context, the committee is required, under standing orders, to consider the present instrument against the reporting grounds and to report on it within the usual timescales.

Does the committee wish to draw the instrument to the attention of the Parliament on reporting ground (e), in that there appears to be a doubt about whether the instrument is *intra vires*, due to concerns about the preparation of the draft code that the instrument brings into force, because the draft code laid on 16 September appears not to have been prepared in accordance with a statutory precondition and, as a result, has been withdrawn?

Members *indicated agreement.*

The Deputy Convener: Does the committee wish to welcome the Scottish Government’s intention to revoke this instrument?

Members *indicated agreement.*

The Deputy Convener: Does the committee wish to note that this report on ground (e) arises not from a defect in the drafting of the instrument,

but from doubts about the consultation process that the Electoral Commission was required to undertake before it submitted the draft code to the Scottish Government for its consideration?

Members *indicated agreement.*

The Deputy Convener: Also under this agenda item, no issues have been raised on the following instruments.

**Good Food Nation (Scotland) Act 2022
(Commencement No 4) Regulations 2025
(SSI 2025/291)**

**Act of Sederunt (Intimation and Service)
2025 (SSI 2025/301)**

**Act of Sederunt (Electronic Signature and
Electronic Transmission of Documents)
2025 (SSI 2025/302)**

**Economic Crime and Corporate
Transparency Act 2023 (Commencement)
(Scotland) Regulations 2025 (SSI 2025/304)**

The Deputy Convener: Is the committee content with the instruments?

Members *indicated agreement.*

The Deputy Convener: That concludes the public part of the meeting.

10:05

Meeting continued in private until 10:06.

This is the final edition of the *Official Report* of this meeting. It is part of the Scottish Parliament *Official Report* archive and has been sent for legal deposit.

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