OFFICIAL REPORT
AITHISG OIFIGEIL

Delegated Powers and Law Reform Committee

Tuesday 20 January 2026

Session 6

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Pàrlamaid na h-Alba

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DELEGATED POWERS AND LAW REFORM COMMITTEE
3rd Meeting 2026, 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 20 January 2026

[The Convener opened the meeting at 10:00]

Decision on Taking Business in Private

The Convener (Stuart McMillan): Good morning, and welcome to the third meeting in 2026 of the Delegated Powers and Law Reform Committee. I remind everyone to switch off, or put to silent, mobile phones and other electronic devices.

Under agenda item 1, does the committee agree to take in private items 5, 6, 7, 8 and 9?

Members *indicated agreement.*

Instruments subject to Affirmative Procedure

10:00

The Convener: Under agenda item 2, we are considering six instruments, on which no points have been raised.

Food Supplements (Magnesium L-threonate monohydrate) (Scotland) Regulations 2026 [Draft]

Scottish Aggregates Tax (Applicable Rate of Tax) Regulations 2026 [Draft]

Animal Health (Fixed Penalty Notices) (Scotland) Regulations 2026 [Draft]

Visitor Levy (Scotland) Act 2024 Amendment Regulations 2026 [Draft]

Civic Government (Scotland) Act 1982 (Licensing of Non-surgical Procedures) Order 2026 [Draft]

Social Security (Residence and Presence Requirements) (Miscellaneous Amendment) (Scotland) Regulations 2026 [Draft]

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

Members *indicated agreement.*

The Convener: In relation to both the draft Animal Health (Fixed Penalty Notices) (Scotland) Regulations 2026 and the draft Civic Government (Scotland) Act 1982 (Licensing of Non-surgical Procedures) Order 2026, does the committee wish to note that the original drafts of these instruments were withdrawn and the present versions relaid following questions raised by the committee with the Scottish Government?

Members *indicated agreement.*

Instruments subject to Negative Procedure

10:01

The Convener: Under agenda item 3, we are considering two instruments. An issue has been raised on the following instrument.

Firefighters' Pension Scheme (Scotland) Amendment Order 2025 (SSI 2025/406)

The Convener: The purpose of this instrument is to give a cohort of retained firefighters further options to purchase historic pensionable service. In correspondence with the Scottish Government, published alongside the papers for this meeting, the committee asked whether the formula that the instrument sets out for calculating the amount of a "missed pension lump sum grant" was sufficiently clear regarding which years are to count in determining a value in that formula.

The Scottish Government has undertaken to clarify that the reference to years means only those years during which the firefighter was employed in the period from 1 July 2000 to the end date of their extended limited period. However, it considered that the intended meaning will be understood, given its context, and that the operation of the provision will not be impacted in practical terms, as the position is understood by the scheme authority and other key stakeholders. The Scottish Government nonetheless intends to clarify this point in the next suitable instrument.

Does the committee wish to report this point on reporting ground (h), as the instrument's form or meaning could be clearer?

Members *indicated agreement.*

The Convener: Does the committee also wish to note that the Scottish Government intends to clarify this provision in the next suitable instrument?

Members *indicated agreement.*

The Convener: Also in relation to this instrument, and regarding the same formula, the committee asked whether the reference should be to the defined term "completed years" rather than "years". The Scottish Government responded that it considered the legal effect of this cross-reference to be clear, but that it intended to amend the instrument at the next suitable opportunity in order to insert the word "completed" in the interests of consistency with the other formulae in the same part of the instrument.

Does the committee wish to report this point on the general reporting ground?

Members *indicated agreement.*

The Convener: Does the committee wish to note that the Scottish Government intends to amend the definition in the next suitable instrument?

Members *indicated agreement.*

The Convener: Also under this agenda item, no points have been raised on the following instrument.

Local Governance (Scotland) Act 2004 (Remuneration) Amendment Regulations 2026 (SSI 2026/1)

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

Members *indicated agreement.*

Instruments not subject to Parliamentary Procedure

10:03

The Convener: Under agenda item 4, we are considering one instrument, on which no points have been raised.

Education (Scotland) Act 2025 (Commencement No 2, Transitional and Transitory Provisions) Regulations 2026 (SSI 2026/2 (C 1))

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

Members *indicated agreement.*

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

10:04

Meeting continued in private until 10:18.

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.

Published in Edinburgh by the Scottish Parliamentary Corporate Body, the Scottish Parliament, Edinburgh, EH99 1SP

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