OFFICIAL REPORT
AITHISG OIFIGEIL

Delegated Powers and Law Reform Committee

Tuesday 27 January 2026

Session 6

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Pàrlamaid na h-Alba

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DELEGATED POWERS AND LAW REFORM COMMITTEE
4th 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 27 January 2026

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

Decision on Taking Business in Private

The Deputy Convener (Bill Kidd): Ladies and gentlemen, welcome to the fourth meeting in 2026 of the Delegated Powers and Law Reform Committee. We have received apologies from our convener, Stuart McMillan MSP. 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 item 5 in private?

Members *indicated agreement.*

Instruments subject to Affirmative Procedure

10:00

The Deputy Convener: Under agenda item 2, we are considering nine instruments. An issue has been raised on the following instrument.

Digital Waste Tracking (Scotland) Regulations 2026 [Draft]

The Deputy Convener: The purpose of this instrument is to establish a digital waste tracking system in Scotland to track household, industrial and commercial waste. The committee asked the Scottish Government nine questions about this instrument. This correspondence, which has been published alongside the papers for this meeting, sets out in full the committee's questions and the Scottish Government's responses, highlighting several errors in the instrument. The committee's detailed findings will be set out in its report, which will be published in due course and will include its consideration of subordinate legislation at this meeting.

In summary, does the committee wish to draw the instrument to the attention of the Parliament, on the general reporting ground, in respect of the points raised in questions 4, 5, 6, 7 and 8?

Members *indicated agreement.*

The Deputy Convener: Does the committee wish to note that the Scottish Government intends to correct these errors at the earliest opportunity?

Members *indicated agreement.*

The Deputy Convener: Does the committee also wish to note that there is an error in the policy note, as discussed in question 1, and that the Scottish Government will amend this at the time that the regulations are made?

Members *indicated agreement.*

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

Visitor Levy (Reviews and Appeals) (Scotland) Regulations 2026 [Draft]

Visitor Levy (Local Authority Assessment) (Scotland) Regulations 2026 [Draft]

National Bus Travel Concession Schemes (Miscellaneous Amendment) (Scotland) (No 2) Order 2026 [Draft]

Antisocial Behaviour (Fixed Penalty Offences) (Miscellaneous Amendment) (Scotland) Order 2026 [Draft]

Conservation of Habitats and Species (Offshore Wind) (Miscellaneous Amendments) (Scotland) Regulations 2026 [Draft]

Early Removal of Prisoners from the United Kingdom (Amendment of Specified Time Periods) (Scotland) Order 2026 [Draft]

Social Security Up-rating (Scotland) Order 2026 [Draft]

Greenhouse Gas Emissions Trading Scheme (Amendment) (Extension to Maritime Activities) Order 2026 [Draft]

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

Members *indicated agreement.*

Instruments subject to Negative Procedure

10:03

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

Building (Fees) (Scotland) Amendment Regulations 2026 (SSI 2026/7)

Scottish Landfill Tax (Administration) Amendment Regulations 2026 (SSI 2026/8)

Visitor Levy (Interest on Unpaid Levy and Penalties) (Scotland) Regulations 2026 (SSI 2026/9)

Sea Fish (Prohibition on Fishing) (Firth of Clyde) Order 2026 (SSI 2026/10)

Seed (Fees) (Scotland) Amendment Regulations 2026 (SSI 2026/13)

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

Members *indicated agreement.*

Instruments not subject to Parliamentary Procedure

10:03

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

Act of Adjournal (Criminal Procedure Rules 1996 Amendment) (Miscellaneous) 2026 (SSI 2026/11)

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

Members *indicated agreement.*

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

10:03

Meeting continued in private until 10:05.

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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