Official Report
Aithisg Oifigeil

Delegated Powers and Law Reform Committee

Comataidh nan Cumhachdan Tiomnaichte agus Ath-leasachadh an Lagha

Tuesday 1 September 2026

Session 7

The Scottish Parliament
Pàrlamaid na h-Alba

© Parliamentary copyright. Scottish Parliamentary Corporate Body

Information on the Scottish Parliament's copyright policy can be found on the website—
www.parliament.scot or by contacting Public Information on 0131 348 5000

Tuesday 1 September 2026

CONTENTS

Col.

INTERESTS 1
DECISION ON TAKING BUSINESS IN PRIVATE 1
INSTRUMENTS SUBJECT TO ANNULMENT 2
Act of Sederunt (Fees of Messengers-at-Arms and Sheriff Officers) 2026 (SSI 2026/208) 2
Tobacco and Vapes Act 2026 (Consequential, Transitional and Saving Provisions) (Scotland) Regulations 2026 (SSI 2026/213) 2
Dangerous Dogs (Compensation and Exemption Schemes) (Miscellaneous Amendment) (Scotland) (No 2) Order 2026 (SSI 2026/212) 3
Act of Sederunt (Taxation of Judicial Expenses Rules) (Amendment) 2026 (SSI 2026/238) 3
Wildlife Management and Muirburn (Scotland) Act 2024 (Consequential Amendments) Regulations 2026 (SSI 2026/240) 3
INSTRUMENTS NOT SUBJECT TO PARLIAMENTARY PROCEDURE 4
Non-surgical Procedures and Functions of Medical Reviewers (Scotland) Act 2026 (Commencement No 1 and Saving Provision) Regulations 2026 (SSI 2026/206 (C 21)) 4
Tobacco and Vapes Act 2026 (Commencement No 1, Transitional and Saving Provisions) (Scotland) Regulations 2026 (SSI 2026/210 (C 22)) 4

DELEGATED POWERS AND LAW REFORM COMMITTEE
2nd Meeting 2026, Session 7

CONVENER

*Calum Kerr (Midlothian South, Tweeddale and Lauderdale) (SNP)

DEPUTY CONVENER

Q Manivannan (Edinburgh and Lothians East) (Green)

COMMITTEE MEMBERS

*Amanda Lindsay (Central Scot and Lothians West) (Reform)
*Colm Merrick (Glasgow Anniesland) (SNP)
*Paul Sweeney (Glasgow) (Lab)

*attended

LOCATION

The James Clerk Maxwell Room (CR4)

Scottish Parliament

Delegated Powers and Law Reform Committee

Tuesday 1 September 2026

[The Convener opened the meeting at 10:00]

Interests

The Convener (Calum Kerr): Welcome to the second meeting of the Delegated Powers and Law Reform Committee in session 7. We have received apologies from Q Manivannan. I remind everybody to switch off or set to silent their mobile phones and electronic devices.

The first item of business is a declaration of interests. In accordance with section 3 of the code of conduct, I invite Paul Sweeney MSP to declare any interests that are relevant to the remit of the committee.

Paul Sweeney (Glasgow) (Lab): I have no relevant interests to declare.

The Convener: Thank you, Paul, and welcome once again to the committee. It is good to have your experience on board.

Decision on Taking Business in Private

10:01

The Convener: The next item of business is to decide whether to take items 5 and 6 in private. Is the committee content to take those items in private?

***Members** indicated agreement.*

Instruments subject to Annulment

10:01

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

Act of Sederunt (Fees of Messengers-at-Arms and Sheriff Officers) 2026 (SSI 2026/208)

The Convener: This instrument concerns the fees that can be charged by sheriff officers and messengers-at-arms. In relation to this instrument, the committee asked the Lord President's private office a number of questions, and the correspondence, which has been published alongside the papers for this meeting, sets out the committee's questions and the Lord President's private office's responses in full. The committee's detailed findings will be included in its report, which will be published in due course and will set out its consideration of subordinate legislation at this meeting.

Does the committee wish to draw the instrument to the attention of the Parliament as follows: on reporting ground (i), that its drafting appears to be defective in one respect, being that it fails to deliver the intended policy by failing to allow for messengers-at-arms to charge a surcharge for out-of-hours, remote or high-value work, the point raised in the committee's question 4; and on the general reporting ground, in respect of the points raised in questions 1, 2, 3, 5, 8 and 9?

Members *indicated agreement*.

The Convener: Does the committee wish to welcome that the Lord President's private office has advised that it intends, subject to the court's approval, to bring forward an amending instrument with a view to addressing all the acknowledged points before the present instrument comes into force?

Members *indicated agreement*.

The Convener: Issues have also been raised in relation to the following instrument.

Tobacco and Vapes Act 2026 (Consequential, Transitional and Saving Provisions) (Scotland) Regulations 2026 (SSI 2026/213)

The Convener: Again, the full correspondence has been published alongside the papers for this meeting, and more detailed findings will be set out in the committee's report from today's meeting.

In relation to this instrument, the committee asked the Scottish Government whether, in the schedule of the instrument, "herbal smoking business" should be "herbal smoking product business", to reflect the defined term. The Scottish Government has accepted that.

Does the committee wish to draw this error to the attention of the Parliament, on the general reporting ground?

Members *indicated agreement*.

The Convener: Does the committee wish to note that the error has now been corrected by correction slip?

Members *indicated agreement*.

The Convener: The committee also asked about the heading of regulation 7. Although the Scottish Government does not propose any immediate corrective action in relation to the issue that the committee raised, it has said that it will consider amending the heading in the future at an appropriate opportunity. Does the committee wish to welcome that?

Members *indicated agreement*.

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

Dangerous Dogs (Compensation and Exemption Schemes) (Miscellaneous Amendment) (Scotland) (No 2) Order 2026 (SSI 2026/212)

Act of Sederunt (Taxation of Judicial Expenses Rules) (Amendment) 2026 (SSI 2026/238)

Wildlife Management and Muirburn (Scotland) Act 2024 (Consequential Amendments) Regulations 2026 (SSI 2026/240)

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

Members *indicated agreement*.

Instruments not subject to Parliamentary Procedure

10:05

The Convener: Under agenda item 4, we are considering two instruments, on which no issues have been raised.

Non-surgical Procedures and Functions of Medical Reviewers (Scotland) Act 2026 (Commencement No 1 and Saving Provision) Regulations 2026 (SSI 2026/206 (C 21))

Tobacco and Vapes Act 2026 (Commencement No 1, Transitional and Saving Provisions) (Scotland) Regulations 2026 (SSI 2026/210 (C 22))

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.

10:06

Meeting continued in private until 10:19.

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

All documents are available on
the Scottish Parliament website at:

www.parliament.scot

Information on non-endorsed print suppliers
is available here:

www.parliament.scot/documents

For information on the Scottish Parliament contact
Public Information on:

Telephone: 0131 348 5000
Textphone: 0800 092 7100
Email: sp.info@parliament.scot

The Scottish Parliament
Pàrlamaid na h-Alba