Official Report
Aithisg Oifigeil

Delegated Powers and Law Reform Committee

Comataidh nan Cumhachdan Tiomnaichte agus Ath-leasachadh an Lagha

Tuesday 15 September 2026

Session 7

The Scottish Parliament
Pàrlamaid na h-Alba

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DELEGATED POWERS AND LAW REFORM COMMITTEE
4th 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 15 September 2026

[The Convener opened the meeting at 10:00]

Decision on Taking Business in Private

The Convener (Calum Kerr): Welcome to the fourth meeting of the Delegated Powers and Law Reform Committee in session 7. We expect Paul Sweeney MSP to join us remotely. As usual, I have just set my phaser to stun, and I remind everybody to switch off or set to silent their devices.

The first item of business is to decide whether to take items 6, 7 and 8 in private. Is the committee content to take those items in private?

Members *indicated agreement*.

Draft Instruments subject to Approval

10:01

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

Employment Tribunals Extension of Jurisdiction (Amendment) (Scotland) Order 2026 [Draft]

Representation of the People (Postal Voting for Local Government Elections) (Scotland) Amendment Regulations 2026 [Draft]

Scottish Local Government Elections (Election Agents, Expenses and Publication of Information) Amendment Order 2026 [Draft]

Mental Health (Care and Treatment) (Scotland) Act 2003 Remedial Order 2026 [Draft]

Maximum Number of Judges (Scotland) Order 2026 [Draft]

Renewables Obligation (Scotland) Amendment (No 2) Order 2026 [Draft]

Provision of Early Learning and Childcare (Specified Children) (Scotland) Amendment Order 2026 [Draft]

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

Members *indicated agreement*.

The Convener: In relation to the draft Employment Tribunals Extension of Jurisdiction (Amendment) (Scotland) Order 2026, the committee corresponded with the Scottish Government, and that correspondence has been published in full alongside the papers for today's meeting.

In relation to that, does the committee wish to highlight its correspondence to the lead committee, noting that the delayed implementation creates a temporary divergence in employment rights and remedies between Scotland and England and Wales, resulting in the policy change not being available to affected workers in Scotland until around five weeks after it takes effect in England and Wales?

Members *indicated agreement*.

The Convener: Does the committee wish to suggest that the Economy, Tourism and Energy

Committee may wish to explore whether the change could have been prioritised and implemented earlier, given that the invitation from United Kingdom ministers to exercise the power was received on 15 December 2025?

Members *indicated agreement*.

Documents subject to Parliamentary Approval

10:03

The Convener: Under agenda item 3, we are considering one instrument, on which no issues have been raised.

Welfare of Equidae Code of Practice (Revocation) (Scotland) Notice 2026 (SG/2026/193)

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

Members *indicated agreement*.

The Convener: The committee also corresponded with the Scottish Government in relation to this notice, and that correspondence is published in full alongside the papers for this meeting.

Instruments subject to Annulment

10:04

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

Act of Sederunt (Fees of Messengers-at-Arms and Sheriff Officers) (Amendment) 2026 (SSI 2026/252)

The Convener: This instrument was laid on 4 September and will come into force on 25 September. Under section 28(2) of the Interpretation and Legislative Reform (Scotland) Act 2010, instruments subject to the negative procedure must be laid at least 28 days before they come into force. Breaching this rule does not affect the validity of the instrument but does trigger an automatic report by this committee.

Does the committee wish to draw this instrument to the attention of the Parliament under reporting ground (j) for a failure to lay the instrument in accordance with the laying requirements?

Members *indicated agreement*.

The Convener: As required under the 2010 act, a letter was sent to the Presiding Officer explaining why the laying requirements have not been complied with. This will be published in the report of subordinate legislation considered at today's meeting.

In the circumstances, is the committee content with the reason given to the Presiding Officer for the breach?

Members *indicated agreement*.

The Convener: Does the committee wish to welcome that this instrument fulfils a commitment by the Lord President's private office to correct errors identified by the committee in the Act of Sederunt (Fees of Messengers-at-Arms and Sheriff Officers) 2026 (SSI 2026/208) before that instrument comes into force?

Members *indicated agreement*.

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

Charges for Residues Surveillance Amendment (Scotland) Regulations 2026 (SSI 2026/249)

Scottish Local Government Elections Amendment Order 2026 (SSI 2026/254)

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

Members *indicated agreement*.

Instruments not subject to Parliamentary Procedure

10:06

The Convener: Under agenda item 5, we are considering one instrument, on which no issues have been raised.

Act of Sederunt (Summary Cause Rules 2002 Amendment) (Domestic Abuse (Protection) (Scotland) Act 2021) 2026 (SSI 2026/253)

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 10:25.

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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