

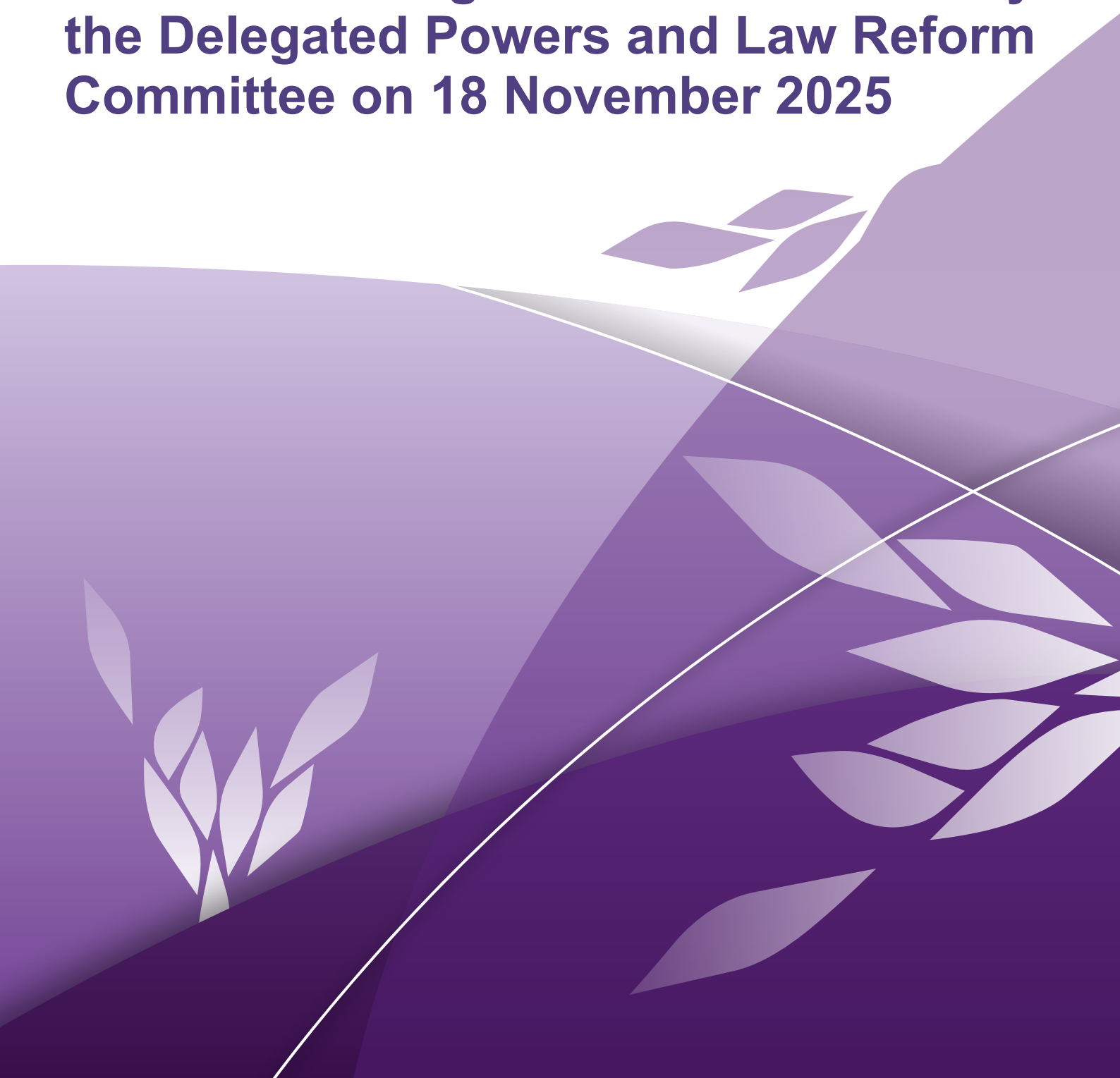


The Scottish Parliament
Pàrlamaid na h-Alba

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Delegated Powers and Law Reform Committee

Subordinate Legislation considered by the Delegated Powers and Law Reform Committee on 18 November 2025



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No points raised	1
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Delegated Powers and Law Reform Committee

To consider and report on the following (and any additional matter added under Rule 6.1.5A)—

(a) any—

(i) subordinate legislation laid before the Parliament or requiring the consent of the Parliament under section 9 of the Public Bodies Act 2011;

(ii) [deleted]

(iii) pension or grants motion as described in Rule 8.11A.1; and, in particular, to determine whether the attention of the Parliament should be drawn to any of the matters mentioned in Rule 10.3.1;

(b) proposed powers to make subordinate legislation in particular Bills or other proposed legislation;

(c) general questions relating to powers to make subordinate legislation;

(d) whether any proposed delegated powers in particular Bills or other legislation should be expressed as a power to make subordinate legislation;

(e) any failure to lay an instrument in accordance with section 28(2), 30(2) or 31 of the 2010 Act;

(f) proposed changes to the procedure to which subordinate legislation laid before the Parliament is subject;

(g) any Scottish Law Commission Bill as defined in Rule 9.17A.1;

(h) any draft proposal for a Scottish Law Commission Bill as defined in that Rule; and

(i) any Consolidation Bill as defined in Rule 9.18.1 referred to it in accordance with Rule 9.18.3.



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Committee Membership



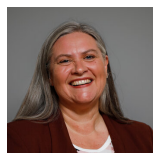
Convener
Stuart McMillan
Scottish National Party



Deputy Convener
Bill Kidd
Scottish National Party



Katy Clark
Scottish Labour



Roz McCall
Scottish Conservative
and Unionist Party



Jeremy Balfour
Independent

No points raised

1. At its meeting on 18 November 2025ⁱ, the Committee considered the following instruments under its remit and agreed not to draw them to the attention of the Parliament.

Constitution, Europe, External Affairs and Culture Committee

Scottish Register of Tartans Fees Order 2025 (SSI 2025/334)

Economy and Fair Work Committee

Public Procurement (Agreement on Government Procurement) (Thresholds) (Miscellaneous Amendments) (Scotland) Regulations 2025 (SSI 2025/299)

Health, Social Care and Sport Committee

Food Safety Act 1990 Amendment (Scotland) Regulations 2026 (SSI 2026/Draft)

Official Controls (Import of High Risk Food and Feed of Non-Animal Origin) Amendment (Scotland) Regulations 2025 (SSI 2025/335)

National Health Service (General Ophthalmic Services) (Scotland) Amendment Regulations 2025 (SSI 2025/337)

Social Justice and Social Security Committee

Charities Accounts (Scotland) Amendment Regulations 2025 (SSI 2025/341)

Standards, Procedures and Public Appointments Committee

Draft Code of Practice: The Non-Party Campaigner Campaign Expenditure (Scottish Parliament Elections) Code of Practice 2025 (SG/2025/289)

- This version of the draft Code of Practice was laid before the Parliament by the Scottish Ministers on 10 November 2025. The Committee notes that the original versionⁱⁱ was withdrawn as it appeared that one of the statutory preconditions had not been met, being the requirement that the Electoral Commission must consult the Scottish Parliament on a draft of the Code before submitting it to the Scottish Ministers for their approvalⁱⁱⁱ. The Committee notes that the present version has been re-laid after the Electoral Commission formally consulted with the Parliament^{iv}.
- The Committee also agreed to raise the following matters as minor points:
 - The Background section on page 2 of the draft Code states:

“...The draft Code was prepared by the Electoral Commission (the ‘Commission’) in accordance with [section] 100BA PPERA following consultation with, interested persons, the Scottish Parliament and the Standards, Procedures and Public Appointments Committee.

The consultation report can be found on the Commission’s website.

A draft was approved by the Scottish Ministers and laid before the Scottish Parliament in accordance with section 100AA PPERA....”

- However, when attempting to locate the consultation report on the Electoral Commission’s website, it appears (from the [“Our consultations”](#) page) that it has not yet been published.
- In the final paragraph quoted above, the reference to section 100AA PPERA should be to section 100BA.

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- i Jeremy Balfour MSP submitted apologies for this meeting.
 - ii The original draft was laid before the Parliament on 16 September 2025.
 - iii This is one of the consultation requirements in [section 100BA\(1\)](#) of the Political Parties, Elections and Referendums Act 2000.
 - iv The Parliament’s Standards, Procedures and Public Appointments Committee considered the re-laid draft at its meeting on 6 November 2025 ([Minutes](#), agenda item 7).

