

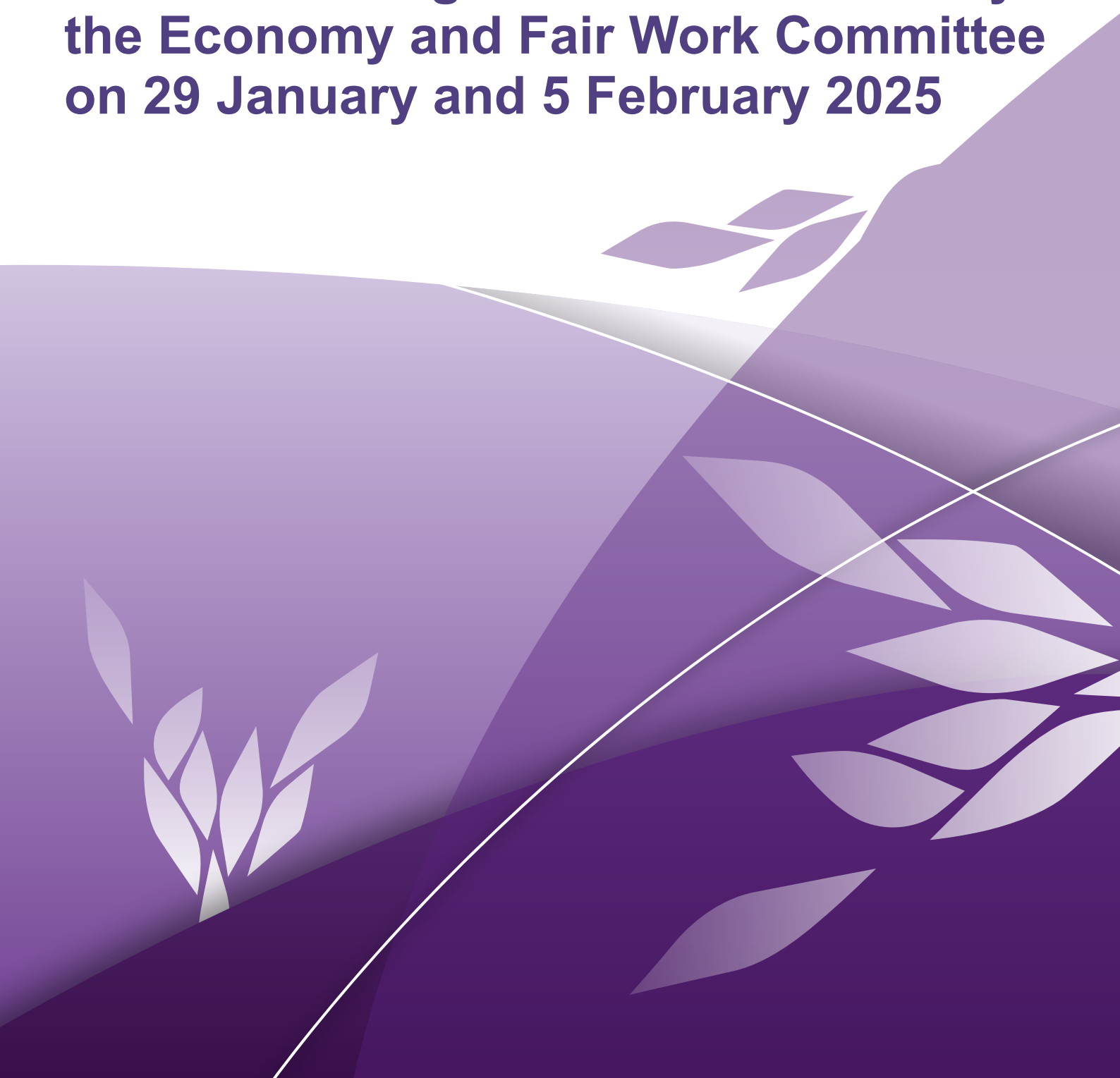


The Scottish Parliament  
Pàrlamaid na h-Alba

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## **Economy and Fair Work Committee**

# **Subordinate legislation considered by the Economy and Fair Work Committee on 29 January and 5 February 2025**



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# Economy and Fair Work Committee

To consider and report on matters within the responsibility of the Deputy First Minister and Cabinet Secretary for Economy and Gaelic, with the exception of Gaelic; and on matters relating to just transition.



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# Committee Membership



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**Deputy Convener**  
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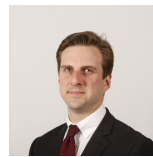
**Willie Coffey**  
Scottish National Party



**Murdo Fraser**  
Scottish Conservative  
and Unionist Party



**Jamie Halcro Johnston**  
Scottish Conservative  
and Unionist Party



**Daniel Johnson**  
Scottish Labour



**Gordon MacDonald**  
Scottish National Party



**Lorna Slater**  
Scottish Green Party



**Kevin Stewart**  
Scottish National Party

# Introduction

1. This report concerns two affirmative Scottish Statutory Instruments (SSIs) laid before the Parliament by the Scottish Government on 16 December 2024—
  - [The Moveable Transactions \(Scotland\) Act 2023 Amendment Regulations 2025](#); and
  - [The Registers of Scotland \(Fees and Plain Copies\) Miscellaneous Amendments Order 2025](#).
2. These instruments, laid in draft, are subject to the affirmative procedure. This means they require approval by resolution of the Parliament before they can become law.
3. It is for the Economy and Fair Work Committee, as lead committee, to decide whether or not to recommend approval.

# About the instruments

## The Moveable Transactions (Scotland) Act 2023 Amendment Regulations 2025

4. These regulations amend sections 4 and 50 of the [Movable Transactions \(Scotland\) Act 2023](#) to update the definition of insolvency for the purposes of the Act, following stakeholder consultation.
5. They also make minor technical amendments and corrections to sections 6 and 14 of the Act for the purposes of, and for giving full effect to, the Act.
6. Additionally, the original legislation refers to consulting the Keeper of the Registers of Scotland on any draft regulations under the Act containing the rules of procedure for the Register of Assignations and the Register of Statutory Pledges (sections 39(1) and 111(1)). Any changes to the rules around these registers will be made under the negative procedure, rather than the affirmative procedure, and therefore do not require that consultation. These regulations amend this error by removing the requirement.

## The Registers of Scotland (Fees and Plain Copies) Miscellaneous Amendments Order 2025

7. The [Movable Transactions Scotland Act 2023](#) created two new registers to simplify and facilitate moveable transactions in Scotland, both are under the management and control of the Keeper of the Registers of Scotland—
  - the Register of Assignations; and
  - the Register of Statutory Pledges
8. This instrument amends the [Registers of Scotland \(Fees\) Order 2014](#) (as amended) to set the fees Registers of Scotland may charge for their use. It also further amends the 2014 Fees Order to correct historic typographical errors, and amends the [Registers of Scotland \(Information and Access\) Order 2014](#) to apply its terms to both new registers.

# Consideration by the Delegated Powers and Law Reform Committee

9. The Delegated Powers and Law Reform Committee considered the instruments on 7 January 2025 and reported on them in its [1<sup>st</sup> Report, 2025](#).
10. It made no recommendations in relation to the instruments.

# Consideration by the Economy and Fair Work Committee

11. The Committee took evidence on the instruments from the Minister for Public Finance on 29 January 2025. Alongside the two affirmative instruments, the Committee also considered two related negative instruments at the evidence session—
  - [The Moveable Transactions \(Forms\) \(Scotland\) Regulations 2024](#); and
  - [The Moveable Transactions \(Register of Assignations and Register of Statutory Pledges Rules\) \(Scotland\) Regulations 2024](#).
12. The Committee asked the Minister about the operation of the two registers established under the Act, including the level of charges set, access for non-profit money advisors, measures in place to ensure accuracy and prevent fraud, privacy, and corrections to the registers. Members also asked more generally about responses to the Scottish Government's consultation, and how awareness would be raised.
13. The Committee continued consideration of all four instruments to its meeting on 5 February. And the [the Minister wrote to the Committee](#) with further information.
14. At the meeting on 5 February, the Committee thanked the Minister and officials for providing the requested information quickly and requested that the Scottish Government report to the successor Committee in 18 months time on the effectiveness of the Act's provisions.
15. The Minister moved motion S6M-15910—

That the Economy and Fair Work Committee recommends that the Moveable Transactions (Scotland) Act 2023 Amendment Regulations 2025 [draft] be approved.

and motion S6M-15911—

That the Economy and Fair Work Committee recommends that the Registers of Scotland (Fees and Plain Copies) Miscellaneous Amendments Order 2025 [draft] be approved.
16. Both Motions were agreed to.
17. **Accordingly, the Committee recommends to the Parliament that the draft Moveable Transactions (Scotland) Act 2023 Amendment Regulations 2025 and the draft Registers of Scotland (Fees and Plain Copies) Miscellaneous Amendments Order 2025 be approved.**

