

Delegated Powers and Law Reform Committee  
Tuesday, 27<sup>th</sup> May 2025  
18<sup>th</sup> Meeting, 2025 (Session 6)

## Instrument Responses

### Scotland Act 1998 (Agency Arrangements) (Specification) (Recognition of Qualifications) Order 2025 (SI 2025/555)

**On 16 May 2025, the Committee asked the Scottish Government:**

The Delegated Powers and Law Reform Committee intends to consider the Scotland Act 1998 (Agency Arrangements) (Specification) (Recognition of Qualifications) Order 2025 at its meeting on 27 May 2025. The Committee has delegated authority to its legal advisers to ask questions directly of the Scottish Government Legal Directorate.

In the Policy Note to this instrument, paragraph 9(c) states: *“Bundles provide a cheaper and more convenient option than one-off ‘statement of comparability’ applications.”*

This instrument is related to SSI 2025/67, which the Committee considered on 1 April 2025. From our understanding of schedules 1 and 2 of SSI 2025/67, the effect is that bundles are more expensive than standard one-off statements of comparability. This is because a single standard statement of comparability costs £58, whereas the only bundle option costs between £61.80 to £82.40 per statement (depending on the number of statements sought).

It is the case that bundles are a cheaper option where a fee-payer requires a quicker result, given the 24-hour and 48-hour prices for single statements (£186 and £237 respectively) exceed the above bundle costs. However, it is not the case for a standard single statement.

1. Do you agree that this sentence in the Policy Note is incorrect at paragraph 9(c), and do you consider that it could be misleading to the reader?
2. The same sentence appears in the Policy Note for the related instrument SSI 2025/67 and was noted as a minor point. Was consideration given to correcting the sentence in that Policy Note?
3. Please confirm whether any corrective action is proposed, and if so, what action and when.

**On 20 May 2025 the Scottish Government responded:**

1. The Scottish Government does not consider the sentence to be incorrect as the bundles include other services that users do not receive with the standalone statements of comparability. The Standard Bundle and Refugee Bundle services include:
  - A faster turnaround service (5-working day turnaround instead of the 15-working day turnaround for purchasing a single statement)
  - Support services – the ‘bundle subscriber’ is assigned a dedicated UK ENIC Account Manager who can be contacted with any queries regarding their bundle package or applications
  - Translation waiver at no additional cost. A translation waiver is a service by which the application and supporting documents are processed in a language other than the six UN languages (Arabic, Chinese, English, French, Russian and Spanish).

Therefore, a customer may choose to purchase the bundle to get these additional benefits.

The Statutory Instruments setting the fees make it clear that the bundle services are not just limited to a faster turnaround time. SSI 2025/67 clearly defines the different bundle services as including, but not limited to, the provision of a specified number of statements of comparability.

The Scottish Government acknowledges that the sentence in the Policy Note could be interpreted as suggesting that individual statements of comparability are more expensive per statement than when purchased as part of a bundle when this is not necessarily the case (depending on preferred turnaround times). The phrase “cheaper and more convenient” has been used to convey the fact that a bundle provides better value for money due to everything that is contained in the bundle service. For this reason, the Scottish Government recognises that although the sentence is accurate, it has the potential to be misleading to the reader.

2. The Scottish Government did not consider correcting the sentence in the Policy Note for SSI 2025/67 as it was not inaccurate. It is however acknowledged that the sentence as currently framed has the potential to be misleading to the reader.
3. The Scottish Government considers that the sentence where it appears in both Policy Notes, although accurate, could be drafted more clearly to explain why bundles provide better value for money for the customer than individual statements of comparability. This sentence will be amended accordingly and revised Policy Notes will be substituted for both instruments.