

Delegated Powers and Law Reform Committee  
Tuesday, 17<sup>th</sup> June 2025  
21<sup>st</sup> Meeting, 2025 (Session 6)

## Instrument Responses

### Scottish Parliament (Disqualification) Order 2025 (SSI 2025/Re-laid Draft)

NB: the original instrument to which these questions relate was laid on 22 May and was withdrawn by the Scottish Government on 3 June 2025, following questions sent by the Committee. The instrument considered by the Committee at this meeting was re-laid on 6 June 2025.

**On 27 May 2025, the Committee asked the Scottish Government:**

1. Is there an error in the entry for “CDC Group p.l.c. (formerly the Commonwealth Development Corporation)” (on page 11)? It does not appear that there is currently a company with this name. (We note that CDC Group plc was the name, until 29 March 2022, of company number 03877777, which is now called [British International Investment plc](#). There is also a private limited company called [CDC Group Limited](#), company number 14946549, but it does not appear to be the successor to the Commonwealth Development Corporation.)
2. Should the reference to the “National Health Service Commissioning Board” (on page 12) be to “NHS England” following the commencement of section 1(1) of the Health and Care Act 2022?
3. Should the reference to the “Local Democracy and Boundary Commission for Wales (on page 14) be to the “Democracy and Boundary Commission Cymru” following the commencement of section 12(1)(b) of the Senedd Cymru (Members and Elections) Act 2024?
4. Regarding coroners appointed under the Coroners and Justice Act 2009, there are entries covering “senior coroner, area coroner or assistant coroner” (page 23), and “Deputy Chief Coroner... who is not also a senior coroner” (page 15). Chief Coroner is not mentioned. Is this intentional, or is this post perhaps covered by another entry?
5. Regarding the entry for Highways England Company Limited (page 16), does this relate to the company which currently has that name ([company number 13574541](#), incorporated on 19 August 2021, which appears to be dormant), or to the company which had that name until 8 September 2021 ([company number 09346363](#)) but is now called National Highways Limited? It appears that these two companies effectively switched names on 8 September 2021.

6. It appears that the entries for International Military Services Limited (page 16) and UK Financial Investments Limited (page 17) are redundant as these companies have been dissolved.
7. HM Chief Inspector of Prisons for England and Wales is listed (page 17) but not HM Chief Inspector of Prisons for Scotland. Is this intentional?
8. Some entries are not in alphabetical order (for example the entries on page 11 for the Commonwealth Institute, a college of further education, and the British Broadcasting Corporation Board appear in that order).
9. Please advise whether any corrective action is proposed, and if so, what action and when.

**On 3 June 2025, the Scottish Government responded:**

1. The reference to “CDC Group p.l.c. (formerly the Commonwealth Development Corporation)” should be to [British International Investment plc](#) company number 03877777 the successor to the [Commonwealth Development Corporation](#) as the company changed its name on 29 March 2022 as apparent from Companies House. It is not a reference to [CDC Group Limited](#), company number 14946549, which appears to be dormant.
2. The reference to the National Health Service Commissioning Board should be to “NHS England” as renamed by section 1(1) of the Health and Care Act 2022 on 1 July 2022.
3. The reference to the “Local Democracy and Boundary Commission for Wales” should be to the “Democracy and Boundary Commission Cymru” following the coming into force of section 12(1)(b) of the Senedd Cymru (Members and Elections) Act 2024 renaming the Commission on 25 June 2024.
4. The Chief Coroner must be a High Court or Circuit judge in England & Wales (paragraph 1 of schedule 8 of the Coroners and Justice Act 2009). Both High Court and Circuit Judges are disqualified from the House of Commons under section 1(1)(a) and Part 1 of schedule 1 of the House of Commons Disqualification Act 1975 (“the 1975 Act”). House of Commons disqualifications are applied to the Scottish Parliament by section 15(1)(a) of the Scotland Act 1998<sup>[1]</sup>.
5. [The entry for Highways England Company Limited should now be to “National Highways Limited” ([company number 09346363](#)).]
6. We agree the entries for International Military Services Limited and UK Financial Investments Limited are now redundant.
7. This is intentional - HM Chief Inspector of Prisons for Scotland is a civil servant covered under section 1(1)(b) of the 1975 Act which is applied to the Scottish Parliament by section 15(1)(a) of the Scotland Act.

8. The entries identified for the Commonwealth Institute and a college of further education are each specifically addressed to the chair of the “board” of those institutions so are listed and alphabetised as organisations whose name begins with B. We will continue to consider the ordering generally including these entries to make it as clear as possible in the future.
9. We thank the Committee for bringing points 1 to 3, 5 and 6 to our attention and we will be withdrawing the instrument and re-laying it with the corrections made.

<sup>[1]</sup> s20 of the Scottish Elections (Representation and Reform) Act 2025 ends the ambulatory effect of s15 of the Scotland Act 1998 will come into force until 1 August 2025 to mean the 1975 Act as it had effect on 27 April 2022 will be relevant. As the Chief Coroner’s disqualification pre-dates this change it will remain in effect.

## **Act of Sederunt (Rules of the Court of Session 1994 and Ordinary Cause Rules 1993 Amendment) (Miscellaneous) (Amendment) 2025 (SSI 2025/171)**

### **On 10 June 2025, the Committee asked the Lord President’s Private Office:**

1. Is there an error in this instrument’s Explanatory Note where it says that the principal instrument (SSI 2025/80) is not yet in force? It appears that some of the provisions of SSI 2025/80 came into force on 30 April 2025. One such provision (paragraph 2) is amended by the present instrument, albeit that the amendment is only to correct a typographical error in a cross-reference.
2. Please advise whether any corrective action is proposed, and if so, what action and when.

### **On 11 June 2025, the Lord President’s Private Office responded:**

1. While noting that the Explanatory Note is not part of the instrument, the description in the first sentence to the Note could usefully have included the word “fully” after the word “yet”. The primary purpose of the instrument is to correct a substantive error in a previous instrument before the point at which that error will have effect. As the Court was bringing forward an instrument to correct that substantive error, it was thought worth the effort to include an additional amendment to rectify a patent typo elsewhere in the previous instrument which hitherto had been planned to be rectified by correction slip. Paragraph 2 of the instrument is the amendment that rectifies that typo and it does so in respect of a provision that is indeed currently in force.
2. As the omission of the word “fully” occurs in the Explanatory Note and not in part of the instrument, no corrective action is proposed.