



The Scottish Parliament
Pàrlamaid na h-Alba

Subordinate Legislation Committee

27th Report, 2012 (Session 4)

Land Registration etc. (Scotland) Bill as amended at Stage 2

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Subordinate Legislation Committee

Remit and membership

Remit:

The remit of the Subordinate Legislation Committee is to consider and report on—

(a) any—

(i) subordinate legislation laid before the Parliament;

(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; and

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

(Standing Orders of the Scottish Parliament, Rule 6.11)

Membership:

Chic Brodie
Nigel Don (Convener)

James Dornan (Deputy Convener)
Mike MacKenzie
Michael McMahon
John Pentland
John Scott

Committee Clerking Team:

Clerk to the Committee
Irene Fleming

Assistant Clerk
Rob Littlejohn

Support Manager
Daren Pratt



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Land Registration etc. (Scotland) Bill as amended at Stage 2

The Committee reports to the Parliament as follows—

1. At its meeting on 22 May 2012, the Subordinate Legislation Committee considered the delegated powers provisions in the Land Registration etc. (Scotland) Bill, as amended at Stage 2. The Committee submits this report to the Parliament under Rule 9.7.9 of Standing Orders.
2. The Scottish Government provided the Parliament with a supplementary delegated powers memorandum on the new provisions in the Bill (“the supplementary DPM”)¹.

Delegated Powers Provisions

3. At Stage 1 of the Bill, the Committee reported that it did not need to draw the attention of the Parliament to the powers in sections: 111(1), 14(1)(b), 22(1)(d), 33(2), 34(1), 39(5), 40(5), 42(7), 44(6), 59(2), 78(5), 11(6)(b), 27(6), 36(3) and 37, 42(8), 44(7), 52(4), 57(6), 66(3), 93(2) (inserting sections 9B(1)(b), 9B(2)(c), 9C(2) and 9G(3) of the Requirements of Writing (Scotland) Act 1995), 95(3), 96(1) and (2), 106(1), 109(4), 113(1), 118 and 119(3).
4. **After Stage 2, the Committee reports that it does not need to draw the attention of the Parliament to the new or substantially amended powers in sections: 42(8); 47(10) and 112(2)(ca); 55(4) and 112(2)(cb); 58B(3)(b) and 112(3)(ea); 61(1) and 112(3)(eb); 77(4), 80(7), 91(4), and 112(3)(fa), (fb) and (fc); and 93(2), inserting section 9E(4).**
5. **The Committee also welcomes that the amendments lodged at Stage 2 have, in general, catered for the recommendations of the Committee in its report at Stage 1.**

¹ Land Registration etc. (Scotland) Bill. Supplementary Delegated Powers Memorandum. Available at: http://www.scottish.parliament.uk/S4_SubordinateLegislationCommittee/Land_Registration_etc._Bill_Supplementary_DPM.pdf

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