



The Scottish Parliament
Pàrlamaid na h-Alba

SUBORDINATE LEGISLATION COMMITTEE

AGENDA

4th Meeting, 2012 (Session 4)

Tuesday 21 February 2012

The Committee will meet at 2.30 pm in Committee Room 5.

1. **Decision on taking business in private:** The Committee will decide whether to take items 4 and 5 in private.
2. **Instruments subject to negative procedure:** The Committee will consider the following—

[Non-Domestic Rate \(Scotland\) Order 2012 \(SSI 2012/27\)](#)

[Non-Domestic Rates \(Levyng\) \(Scotland\) Regulations 2012 \(SSI 2012/28\)](#)

[Non-Domestic Rates \(Levyng\) \(Scotland\) \(No.2\) Regulations 2012 \(SSI 2012/29\)](#)

[Title Conditions \(Scotland\) Act 2003 \(Conservation Bodies\) Amendment Order 2012 \(SSI 2012/30\)](#)

[Home Energy Assistance Scheme \(Scotland\) Amendment Regulations 2012 \(SSI 2012/34\)](#)

[The Potatoes Originating in Egypt \(Scotland\) Amendment Regulations 2012 \(SSI 2012/37\)](#)

3. **Instruments not subject to any parliamentary procedure:** The Committee will consider the following—

[Public Records \(Scotland\) Act 2011 \(Commencement No. 1\) Order 2012 \(SSI 2012/21 \(C.5\)\)](#)

[Patient Rights \(Scotland\) Act 2011 \(Commencement\) Order 2012 \(SSI 2012/35 \(C.7\)\)](#)

[The Public Records \(Scotland\) Act 2011 \(Commencement No. 1\) Amendment Order 2012 \(SSI 2012/42 \(C.9\)\)](#)

4. **Long Leases (Scotland) Bill:** The Committee will consider a draft report to the Rural Affairs, Climate Change and Environment Committee.
5. **Transitional provisions:** The Committee will consider its approach to transitional provisions.

SL/S4/12/4/A

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The papers for this meeting are as follows—

Agenda Items 2 and 3

Legal brief (private paper) SL/S4/12/4/1 (P)

Instrument responses SL/S4/12/4/2

Agenda Item 4

[Long Leases \(Scotland\) Bill \(as introduced\)](#)

[Delegated Powers Memorandum](#)

Draft report (private paper) SL/S4/12/4/3 (P)

Agenda Item 5

Briefing paper (private paper) SL/S4/12/4/4 (P)

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Instrument Responses

DRAFT INSTRUMENT NOT SUBJECT TO ANY PARLIAMENTARY PROCEDURE

**The Public Records (Scotland) Act 2011 (Commencement No. 1) Order 2012
(SSI 2012/21 (C. 5))**

On 31st January 2012 the Scottish Government was asked:

The Order provides for the commencement of section 2 of the Public Records (Scotland) Act 2011, but not the schedule to the Act, which that section both introduces and enables the amendment of. Express commencement of a schedule in these circumstances is the normal drafting approach. Could you explain why it is considered that the order commences the schedule to the Act on 24 February 2012?

The Scottish Government responded as follows:

SGLD thanks the Subordinate Legislation Committee for its question. This is a drafting error and an amending commencement order will be brought forward in advance of the coming into force of this Order on 24th February to insert reference to the schedule in this Order.