



The Scottish Parliament
Pàrlamaid na h-Alba

SUBORDINATE LEGISLATION COMMITTEE

AGENDA

28th Meeting, 2012 (Session 4)

Tuesday 4 December 2012

The Committee will meet at 10.30 am in Committee Room 4.

1. **Decision on taking business in private:** The Committee will decide whether to take item 5 in private.
2. **Marine Navigation (No.2) Bill (UK Parliament legislation):** The Committee will take evidence on the Legislative Consent Memorandum on the Marine Navigation (No.2) Bill (UK Parliament legislation) from—

Stuart Foubister, Divisional Solicitor ECT Division, Directorate for Legal Services, Scottish Government, Val Ferguson, Policy Executive, Ports & Harbours Branch, Chris Wilcock, Branch Head, Ports & Harbours Branch, Transport Scotland.

3. **Instruments subject to negative procedure:** The Committee will consider the following—

[Court Fees \(Miscellaneous Amendments\) Scotland Order 2012 \(SSI 2012/322\);](#)

[Police Grant \(Variation\) \(Scotland\) Order 2012 \(SSI 2012/316\);](#)

[M74 Motorway \(Fullarton Road to the M8 West of Kingston Bridge\) \(Speed Limit\) Regulations 2012 \(SSI 2012/320\).](#)

4. **Aquaculture and Fisheries (Scotland) Bill:** The Committee will consider its approach to the delegated powers provisions in this Bill at Stage 1.
5. **Marine Navigation (No.2) Bill (UK Parliament legislation):** The Committee will consider the evidence it heard earlier in the meeting.

SL/S4/12/28/A

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The papers for this meeting are as follows—

Agenda Items 2 and 5

[Marine Navigation \(No. 2\) Bill \(UK Parliament legislation\) -
Legislative Consent Memorandum](#)

Briefing Paper (private) SL/S4/12/28/1 (P)

Agenda Item 3

Legal Brief (private) SL/S4/12/28/2 (P)

Instrument Responses SL/S4/12/28/3

Agenda Item 4

[Aquaculture and Fisheries \(Scotland\) Bill -
as introduced](#)

[Aquaculture and Fisheries \(Scotland\) Bill -
delegated powers memorandum](#)

Briefing Paper (private) SL/S4/12/28/4 (P)

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Instrument Responses

INSTRUMENTS SUBJECT TO NEGATIVE PROCEDURE

Court Fees (Miscellaneous Amendments) Scotland Order 2012 (SSI 2012/322)

Breach of laying requirements: letter to Presiding Officer

The above instrument was made by the Scottish Ministers under section 2 of the Courts of Law Fees (Scotland) Act 1895 on 22 November 2012. It is being laid before the Scottish Parliament today and is to come into force on 9 December 2012.

Section 28(2) of the Interpretation and Legislative Reform (Scotland) Act 2010 has not been complied with. In accordance with section 31(3) of that Act, this letter explains why.

The above instrument makes amendments to the Court of Session etc. Fees Amendment Order 2012, the High Court of Justiciary Fees Amendment Order 2012 and the Sheriff Court Fees Amendment Order 2012. The Scottish Government's attention was drawn to errors in these orders by the Subordinate Legislation Committee at its meeting on 20 November.

These errors require to be corrected, and the Scottish Government has undertaken to do so prior to the orders coming into force on 10 December. It is, therefore, intended that the corrective instrument will come into force before then. As a result, the corrective instrument does not comply with section 28(2) of the Interpretation and Legislative Reform (Scotland) Act 2010.