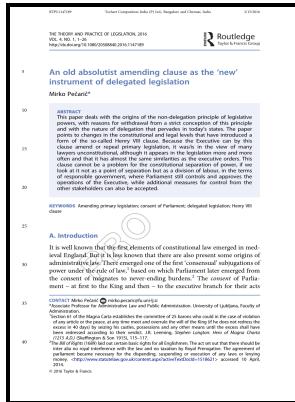


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Therefore at the point of submitting the application to the court, the lay representative already acts for the non-natural person but their application is, on behalf of the non-natural person, for court permission to act in the proceedings as a prospective lay representative before the court. This, in the Committee's view, amounts to an unusual or unexpected use of the enabling power and raises serious issues of compatibility with ECHR, Article 8 right to private life.

5th Report, 2016 (Session 5): Subordinate Legislation : Scottish Parliament

On 22 January 2002 the Committee asked the Executive for an explanation of the following matters:- i The Executive is asked to explain which provisions provide the vires for Article 6 and Schedule 1.

5th Report, 2015 (Session 4): Report on subordinate legislation

If the representative stood to gain if the debt was successfully defended then that would be the same as the representative having an interest in the outcome of the case. The extra powers are needed because regulation 25 1 gives the right to carry out the functions in Schedule 3 ie to serve the notice of reinstatement and to reassess decisions after a site has become a European site. Membership: John Scott Convener Stuart McMillan Deputy Convener Rachael Hamilton Monica Lennon David Torrance Subordinate Legislation Introduction 1.

The Scottish Parliament

It was the intention of this draft order to maintain and update that provision and to make reference to it in the body of the draft Order. In relation to paragraph 4, these Regulations by virtue of the application provisions referred to above can apply in part to land outwith Scotland. The Committee took evidence on the instruments from John Swinney MSP, Cabinet Secretary for Finance, Constitution and Economy.

Subordinate Legislation Committee

The Committee considers that the wording in the Act, and the wording in the Form, would not necessarily be taken by a user of the legislation to be synonymous with one another. The objective of regulation 5 6 is obviously to secure that the Ministers reach a decision in a reasonable time and this is obviously important to the applicant. In relation to paragraph 9, it is not intended that regulation 5 9 should be limited to decisions, which are not deemed decisions.

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Further discussion on this point will be required in particular with DEFRA to ensure cross border consistency and will be taken up. This Article provides that the provisions in relation to car parks shall be exercised only with the consent of Scottish Ministers. Session 1 2002 Remit and Membership Remit: The remit of the Committee is to consider and report on- a i subordinate legislation which is laid before the Parliament; ii any Scottish Statutory Instrument not laid before the Parliament but classified as general according to its subject matter; and, in particular, to determine whether the attention of the Parliament should be drawn to any of the matters mentioned in Rule 10.

Subordinate Legislation Committee

Article 8 1 e enables the authority to make byelaws to temporarily close the bridge to traffic. It does not follow from that that the Scottish Regulations must too. The Committee welcomes the inclusion in the Regulations of a provision dealing with electronic communications regulation 2 5.

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The instrument dissolves the present Forth Road Bridge Joint Board and replaces it with the Forth Estuary Transport Authority which is given wider powers.

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