

Parliamentary Bureau – Approval of Scottish Statutory Instruments

Affirmative Instruments

[The Electronic Monitoring \(Use of Devices and Information\) \(Scotland\) Regulations 2025 \(SSI 2025/Draft\)](#)

1. Under Rule 10.6.5, the Bureau is required to lodge the following motion—

Jamie Hepburn on behalf of the Parliamentary Bureau: That the Parliament agrees that the Electronic Monitoring (Use of Devices and Information) (Scotland) Regulations 2025 (SSI 2025/Draft) be approved.

Purpose

2. Section 9 of the Management of Offenders (Scotland) Act 2019 (the 2019 Act) gives Scottish Ministers the power by regulations to regulate the use of electronic monitoring devices and the information obtained from them. These Regulations will limit the use of GPS enabled electronic monitoring devices to monitoring certain conditions imposed on an individual when released from custody by the Scottish Ministers on a home detention curfew licence. It will also allow existing radio frequency electronic monitoring devices to continue to monitor the court disposals set out at section 3 of the 2019 Act and the conditions imposed on an individual on their release on licence set out at section 7 of that Act.
3. The instrument also clarifies the maximum period for which information obtained through the use of radio frequency and GPS enabled electronic monitoring devices would be retained and the purposes for which the Scottish Ministers, or those acting on their behalf, may share that information.

[The Rehabilitation of Offenders Act 1974 \(Exclusions and Exceptions\) \(Scotland\) Amendment Order 2025 \(SSI 2025/Draft\)](#)

4. Under Rule 10.6.5, the Bureau is required to lodge the following motion—

Jamie Hepburn on behalf of the Parliamentary Bureau: That the Parliament agrees that The Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Amendment Order 2025 (SSI 2025/Draft) be approved.

Purpose

5. To allow Police Scotland to request relevant extract conviction information from Scottish Courts and Tribunals Service to support applications for Sexual Harm Prevention Orders (SHPO) and Sexual Risk Orders (SROs). The Order ensures that limitations on protections under section 4 of the Rehabilitation of Offenders Act 1974 apply to the new behavioural orders (SHPOs and SROs) introduced by the Abusive Behaviour and Sexual Harm (Scotland) Act 2016

Consideration by committee

6. At its meeting on 18 December 2024 the Criminal Justice Committee agreed to recommend that both the above Instruments be approved. The [Committee's report was published on 6 January 2025](#).

Made Affirmative Instrument

[Land and Buildings Transaction Tax \(additional amount: transactions relating to second homes etc.\) \(Scotland\) Amendment Order 202 \(SSI 2024/367\)](#)

7. Under Rule 10.6.5, the Bureau is required to lodge the following motion—

Jamie Hepburn on behalf of the Parliamentary Bureau: That the Parliament agrees that the Land and Buildings Transaction Tax (additional amount: transactions relating to second homes etc.) (Scotland) Amendment Order 202 (SSI 2024/367) be approved.

Purpose

8. This Made Affirmative is due to expire on Thursday 16 January 2025 and is required to be considered and agreed by the Parliament by the expiry date to stay in force. Land and Buildings Transaction Tax (LBTT) is payable on transactions of residential and non-residential properties and land. Additional Dwelling Supplement (ADS) is a surcharge on purchases of additional residential properties. Individuals purchasing a second or subsequent home must pay the ADS on any residential property at a price of more than £40,000.
9. This LBTT Order amends the Land and Buildings Transaction Tax (Scotland) Act 2013 to increase the rate of ADS from 6% to 8% from transactions with an effective date of on, or after, 5 December 2024. It does not apply to transactions with an effective date on, or after, 5 December 2024 where the contract for the transaction was entered into prior to 5 December 2024.

Consideration by committee

10. At its meeting on 7 January 2025 the Finance and Public Administration Committee agreed (by division: For 5, Against 2, Abstentions 0) to recommend that the Instrument be approved. The Committee's report will be published by Monday 13 January 2025 and available on the [Committee's webpage here](#).

Decision

11. Business Managers are invited to note that the above motions will be lodged.
12. Business Managers should reserve their position if their party intends to speak against or oppose the motions.

Parliamentary Business Team
January 2025