

Friday 13 December 2024

Business Bulletin

Iris Ghnothaichean



The Scottish Parliament
Pàrlamaid na h-Alba

Today's Business

Meeting of the Parliament

There are no meetings today.

Committee Meetings

There are no meetings today.

Today's Business
Gnothaichean an-diugh

Future Business
Gnothaichean ri teachd

Motions & Questions
Gluasadan agus Ceistean

Legislation
Reachdas

Other
Eile

Chamber | Seòmar

Meeting of the Parliament

There are no meetings today.

Committee Meetings

There are no meetings today.

Future Meetings of the Parliament

Business Programme agreed by the Parliament on 11 December 2024

Tuesday 17 December 2024

2:00 pm Time for Reflection: Dr Alexander Leslie Milton, Minister, St. Andrew's High Parish Church, Musselburgh

followed by Parliamentary Bureau Motions

followed by Topical Questions (if selected)

followed by Stage 3 Proceedings: Scottish Elections (Representation and Reform) Bill

followed by Committee Announcements

followed by Business Motions

followed by Parliamentary Bureau Motions

5:00 pm Decision Time

followed by Members' Business — S6M-15775 Emma Roddick: Celebrating 10 Years of Same-sex Marriage in Scotland

Wednesday 18 December 2024

2:00 pm Parliamentary Bureau Motions

2:00 pm Portfolio Questions

Rural Affairs, Land Reform and Islands

Health and Social Care

followed by Stage 1 Debate: Education (Scotland) Bill

followed by Financial Resolution: Education (Scotland) Bill

followed by Business Motions

followed by Parliamentary Bureau Motions

followed by Approval of SSIs (if required)

5:00 pm Decision Time

followed by Members' Business — S6M-15634 Lorna Slater: A Safe, Accessible and Sustainable Holyrood Park for the 21st Century

Thursday 19 December 2024

11:40 am Parliamentary Bureau Motions

11:40 am General Questions

12:00 pm First Minister's Questions

12:45 pm Portfolio Questions

Social Justice

followed by Parliamentary Bureau Motions

1:10 pm Decision Time

followed by Members' Business — S6M-14155 Pam Gosal: Repairing Potholes on Scotland's Roads

Tuesday 7 January 2025

2:00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Topical Questions (if selected)

followed by Scottish Government Business

followed by Committee Announcements

followed by Business Motions

followed by Parliamentary Bureau Motions

5:00 pm Decision Time

followed by Members' Business

Wednesday 8 January 2025

2:00 pm Parliamentary Bureau Motions

2:00 pm Portfolio Questions: Constitution, External Affairs and Culture, and Parliamentary Business; Justice and Home Affairs

followed by Finance and Public Administration Committee Debate: National Performance Framework - Review of National Outcomes

followed by Business Motions

followed by Parliamentary Bureau Motions

followed by Approval of SSIs (if required)

5:00 pm Decision Time

followed by Members' Business

Thursday 9 January 2025

11:40 am Parliamentary Bureau Motions

11:40 am General Questions

12:00 pm First Minister's Questions

followed by Members' Business

2:30 pm Parliamentary Bureau Motions

2:30 pm Portfolio Questions: Education and Skills

followed by Stage 1 Debate: Disability Commissioner (Scotland) Bill

followed by Business Motions

followed by Parliamentary Bureau Motions

5:00 pm Decision Time

Future Committee Meetings

This section includes the agendas of the forthcoming committee meetings and outlines proposed future business, which may be subject to change. Committees have the right to take items in private and this will be notified as far in advance as possible.

Many committees include details of their future business on their webpages, which can be accessed on the committee hub page.

<http://www.parliament.scot/business/committees/index.htm>

Net Zero, Energy and Transport Committee

17 December 2024

38th Meeting, 2024

The Committee will meet at 9:00 am in T4.40-CR2 The Fairfax Somerville Room

1. **Decision on taking business in private:** The Committee will decide whether to take items 4, 5 and 6 in private.
2. **Proposed Subordinate legislation:** The Committee will take evidence on the proposed Environmental Authorisations (Scotland) Amendment Regulations 2025 from—
Lin Bunten, Chief Operating Officer, Regulation, Business and Environment, Scottish Environment Protection Agency.
3. **Land Reform (Scotland) Bill:** The Committee will take evidence on the Bill at Stage 1 from—
Hamish Lean, Partner and Head of Rural Property, Shepherd and Wedderburn LLP;
Martin Hall, Senior Director, Davidson & Robertson;
Tom Oates, Director, Oates Rural;
Andrew Wood, Partner, Residential Development, Bidwells.
4. **Proposed Subordinate legislation:** The Committee will consider the evidence heard earlier in the meeting.
5. **Land Reform (Scotland) Bill:** The Committee will consider the evidence heard earlier in the meeting.
6. **Work programme:** The Committee will consider its work programme.

Proposed future business

For further information, contact the Clerk to the Committee, Peter McGrath on 85232 or at peter.mcgrath@parliament.scot

Finance and Public Administration Committee

17 December 2024

36th Meeting, 2024

The Committee will meet at 9:30 am in TG.40-CR1 The Burns Room

1. **Budget Scrutiny 2025-26:** The Committee will take evidence in a roundtable format from—
Andy Witty, Director of Strategic Policy and Corporate Governance, Colleges Scotland;
Reuben Aitken, Managing Director, Scottish Development International;
Sandy Begbie CBE, Chief Executive Officer, Scottish Financial Enterprise;
Claire Mack, Chief Executive Officer, Scottish Renewables;
Gordon McGuinness, Director of Industry and Enterprise Networks, Skills Development Scotland;
Dr Alastair McInroy, Chief Executive Officer, Technology Scotland;

Professor Alastair Florence, Director, Continuous Manufacturing and Crystallisation Centre (CMAC), University of Strathclyde.

2. **Assisted Dying for Terminally Ill Adults (Scotland) Bill: Financial Memorandum:** The Committee will take evidence from—
Liam McArthur, Member in Charge of the Bill, Nick Hawthorne, Senior Clerk, Non-Government Bills Unit, and Liz Anderson, Assistant Clerk, Non-Government Bills Unit, Scottish Parliament.

Proposed future business

For further information, contact the Clerk to the Committee, Joanne McNaughton, at FPA.committee@parliament.scot

Health, Social Care and Sport Committee

17 December 2024

36th Meeting, 2024

The Committee will meet at 9:30 am in TG.60-CR3 The Fleming Room

1. **Decisions on taking business in private:** The Committee will decide whether to take items 4 and 5 in private.
2. **Budget Scrutiny 2025-2026:** The Committee will take evidence on the Scottish Government's Budget 2025-2026 from—
Neil Gray, Cabinet Secretary for Health and Social Care, Shiree Donnelly, Deputy Director, Health and Social Care Financial Management, and Alan Gray, Director of Health and Social Care Finance, Scottish Government.
3. **Tobacco and Vapes Bill (UK Parliament legislation):** The Committee will take evidence on legislative consent memorandum [LCM-S6-51](#) from—
Jenni Minto, Minister for Public Health and Women's Health, Professor Linda Bauld OBE, Chief Social Policy Adviser, Fiona Dill, Teams Leader for Tobacco, Gambling, Diet and Healthy Weight Directorate, and Ruth Foulis, Lawyer, Legal Services Directorate (SGLD), Scottish Government.
4. **Budget Scrutiny 2025-2026:** The Committee will consider the evidence it heard earlier under agenda item 2.
5. **Tobacco and Vapes Bill (UK Parliament Legislation):** The Committee will consider the evidence it heard earlier under agenda item 3.

Proposed future business

For further information, contact the Clerk to the Committee, Alex Bruce on 85229 or at Alex.Bruce@Parliament.scot

Delegated Powers and Law Reform Committee

17 December 2024

36th Meeting, 2024

The Committee will meet at 10:00 am in T1.40-CR5 The Smith Room

1. **Decision on taking business in private:** The Committee will decide whether to take items 5 and 6 in private.
2. **Instruments subject to made affirmative procedure:** The Committee will consider the following—

- [Land and Buildings Transaction Tax \(additional amount: transactions relating to second homes etc.\) \(Scotland\) Amendment Order 2024](#) (SSI 2024/367)
- Instruments subject to negative procedure:** The Committee will consider the following—
[Conservation of Salmon \(Miscellaneous Amendment\) \(Scotland\) Regulations 2024](#) (SSI 2024/368)
[Town and Country Planning \(Fees for Applications\) \(Scotland\) Amendment \(Amendment\) Regulations 2024](#) (SSI 2024/369)
 - Instruments not subject to any parliamentary procedure:** The Committee will consider the following—
[Housing \(Cladding Remediation\) \(Scotland\) Act 2024 \(Commencement\) Regulations 2024](#) (SSI 2024/370 (C.24))
 - Criminal Justice Modernisation and Abusive Domestic Behaviour Reviews (Scotland) Bill:** The Committee will consider the Scottish Government's response to points raised on the delegated powers in this Bill at Stage 1.
 - Statutory Instrument Protocol 2:** The Committee will consider an update on Statutory Instrument Protocol 2.

Proposed future business

For further information, contact the Clerk to the Committee, Greg Black at Greg.Black@parliament.scot

Equalities, Human Rights and Civil Justice Committee

17 December 2024

29th Meeting, 2024

The Committee will meet at 10:00 am in T1.60-CR4 The Clerk Maxwell Room

- Work programme (in private):** The Committee will consider its work programme.
- Work programme (in private):** The Committee will consider any follow-up to its work on the report of the Gender Sensitive Parliament Advisory Group.

Proposed future business

For further information, contact the Clerk to the Committee, Stephen Imrie on 85931 or at Stephen.Imrie@parliament.scot

Local Government, Housing and Planning Committee

17 December 2024

36th Meeting, 2024

The Committee will meet at 10:00 am in T4.60-CR6 The Livingstone Room

- Decision on taking business in private:** The Committee will decide whether to take items 3, 4, 5, 6 and 7 in private.
- Scrutiny of the Scottish Housing Regulator:** The Committee will take evidence from—
Michael Cameron, Chief Executive, and George Walker, Chair, Scottish Housing Regulator.
- Scrutiny of the Scottish Housing Regulator:** The Committee will consider the evidence heard earlier in the meeting.
- Scrutiny of SPCB Supported Bodies:** The Committee will consider draft correspondence to the Ethical Standards Commissioner, Standards Commission for Scotland and the Finance and Public Administration Committee.

5. **Housing emergency inquiry:** The Committee will consider a draft report on its visit to Argyll & Bute Council.
6. **Renters' Rights Bill (UK Parliament legislation):** The Committee will consider a draft report on Legislative Consent Memorandum LCM-(S6)-49.
7. **Work programme:** The Committee will consider its work programme.

Proposed future business

For further information, contact the Clerk to the Committee, Euan Donald on 85212 or at ewan.donald@parliament.scot

Rural Affairs and Islands Committee

18 December 2024

31st Meeting, 2024

The Committee will meet at 9:00 am in T4.40-CR2 The Fairfax Somerville Room

1. **Follow-up inquiry into salmon farming in Scotland (in private):** The Committee will continue its consideration a draft report.

Proposed future business

For further information, contact the Clerk to the Committee, Emma Johnston on 85225 or at emma.johnston@parliament.scot

Today's Business <i>Gnothaichean an-diugh</i>	Future Business <i>Gnothaichean ri teachd</i>	Motions & Questions <i>Gluasadan agus Ceistean</i>	Legislation <i>Reachdas</i>	Other <i>Eile</i>
Motions Gluasadan				

Motions

Motions and amendments are usually printed the day after lodging. When an amendment is lodged, then the original motion will be republished alongside it.

Motions and amendments can be published with symbols:

- * before the number indicates publication for the first time
- *...* around a section of text indicates changes to previously published material
- R indicates a member has declared a registered interest

The Parliamentary Bureau periodically deletes motions or amendments that are over six weeks old and not scheduled for debate.

Questions regarding this section should be directed to the Chamber Desk.

Other new and altered motions and amendments

***[S6M-15857](#) Annie Wells: Glasgow's OVO Hydro Named Venue of the Year 2024**—That the Parliament congratulates Glasgow's OVO Hydro on being named the UK's best live entertainment venue at the Live Awards on 11 December 2024; notes that the 14,000-capacity venue was awarded UK Venue of the Year after hosting over 140 world-class music, sporting, theatre and comedy events in 2024, including the iconic WWE Clash at the Castle in June; understands that the venue also made history by becoming the first live entertainment hub to achieve A Greener Arena certification, recognising its leadership in sustainability and commitment to reducing its environmental impact; believes that OVO Hydro makes a significant contribution to Scotland's cultural and entertainment landscape, and wishes it continued success as a world-class venue.

Supported by: Douglas Ross*, Kevin Stewart*, Pam Gosal*, Alexander Stewart*, Bill Kidd*, Sandesh Gulhane*, Elena Whitham*, Liam Kerr*, Pam Duncan-Glancy*, Colin Beattie*, Meghan Gallacher*, Kenneth Gibson*, Jeremy Balfour*, Bob Doris*, Miles Briggs*

***[S6M-15855](#) Evelyn Tweed: Stirlingshire Christmas Tractor Run Raises Over £10,200 for Somerville Heart Foundation**—That the Parliament congratulates the organisers of the Stirlingshire Christmas Tractor Run on raising over £10,200 for the Somerville Heart Foundation; understands that the Stirlingshire Christmas Tractor Run was organised in association with the Royal Highland Education Trust (RHET) and took place on 7 December 2024, with over 60 festively decorated tractors driving a circular route from the Stirling Agriculture Centre through Raploch, Stirling City Centre, Top of the Town, Causewayhead, Bridge of Allan, Dunblane, Doune and Blairdrummond, and notes that the Somerville Heart Foundation was the chosen charity in memory of Heather McAllister, and that the funds raised will go towards the Somerville Heart Foundation's work to provide support, advocacy, communication and community for young people and adults with all forms of heart conditions known as congenital heart disease.

Supported by: Audrey Nicoll*, Alexander Stewart*, Kenneth Gibson*, Emma Harper*, Jeremy Balfour*, Bill Kidd*, Colin Beattie*, Marie McNair*, Kevin Stewart*, Miles Briggs*, Elena Whitham*

***[S6M-15854](#) Sharon Dowey: Marr Cappella Christmas Concerts are a Festive Fundraising Success**—That the Parliament congratulates the members of Marr Cappella, a community choir based in Troon, on hosting two highly successful Christmas concerts; recognises that the concerts

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Motions Glusadan				

were in aid of two local charities, Ayrshire Baby Loss Support and Ayrshire Families with Diabetes, and raised a total of £4,150; understands that, over the last 25 years, the choir has raised approximately £100,000 for local charities and good causes through its fundraising activities; further understands that the group regularly takes part in events across the town and recently received over £1,500 from the Co-op's Local Community Fund, enabling it to continue the excellent work it does; commends the work of the Marr Cappella choir, and wishes it every success for the future.

Supported by: Miles Briggs*, Sandesh Gulhane*, Douglas Ross*, Bill Kidd*, Pam Gosal*, Jeremy Balfour*, Meghan Gallacher*, Kenneth Gibson*, Colin Beattie*, Liam Kerr*, Stuart McMillan*

***[S6M-15852](#) Humza Yousaf: Local Community Fund Silverburn Cares**—That the Parliament acknowledges the excellent work done by the team at Silverburn Cares; understands that Silverburn Cares was established in 2007 to help those most in need in the community and over the years has donated over £56,000 to organisations such as Glasgow Children's Hospital Charity, Social Bite and Alzheimer Scotland; notes that in 2024 it is focusing on the Pantry in Pollok, and has purchased £1,200 worth of food and supplies; further notes that, in addition, £1,000 worth of toys will be purchased for donation to the local community project SWAMP, to help families in poverty this Christmas; commends the wonderful work done by all involved with this initiative, and wishes the management and staff all the best for the holiday season.

***[S6M-15851](#) Monica Lennon: Celebrating the 150th Anniversary of Hamilton Academical FC**—That the Parliament acknowledges the 150th anniversary of Hamilton Academical FC's formation; notes that the club was founded by the pupils of Hamilton Academy and their rector, James Blacklock, in 1874; recognises the charitable work that it and its supporters do for the people of Hamilton, including the running of the Hamilton Accies community foodbank and the provision of a community garden at New Douglas Park for Hamilton Men's Shed; congratulates the club on reaching this significant milestone, and wishes it, its staff and its supporters continued success for the next 150 years.

***[S6M-15850](#) Craig Hoy: Praising Scottish Wedding Awards Success in East Linton**—That the Parliament congratulates Jo's Kitchen, which is based at the Mart in East Linton, on being named Best Caterer at the Scottish Wedding Awards in Glasgow; understands that it was founded eight years ago by Jo Lawrence and has grown exponentially since the COVID-19 pandemic; notes that it is now catering for 80 to 100 weddings per year, as well as corporate functions, barbecues and home dinners; acknowledges Jo's Kitchen's personal touch to its service by working with couples on an individual basis depending on what they want, as opposed to having set menus; wishes continued success for Jo and the team; praises the restaurant's community-oriented service, and encourages the Scottish Government to continue to support small businesses such as Jo's Kitchen.

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***[S6M-15849](#) Craig Hoy: Praising Scottish Italian Awards Success in East Lothian**—That the Parliament congratulates Osteria of North Berwick High Street on winning the best family-run business category at the Scottish Italian Awards in Glasgow; further congratulates the business on being highly recommended in the category of best restaurant in the East of Scotland; understands that the restaurant is run by Stefano and Angelo Cocchia and has been owned by Angelo for 19

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Motions Gluasadan				

years; wishes Osteria and the Cocchias continued future successes, and encourages the Scottish Government to continue to support local businesses such as Osteria.

Supported by: Bill Kidd*, Liam Kerr*, Annie Wells*, Pam Gosal*, Jeremy Balfour*, Meghan Gallacher*, Douglas Ross*, Sandesh Gulhane*, Kenneth Gibson*, Colin Beattie*, Miles Briggs*, Stuart McMillan*

***[S6M-15848](#) Pam Duncan-Glancy: Recognising Colleges' Role as Anchor Institutions**

Fuelling Scotland's Economic Success—That the Parliament recognises what it sees as the vital role of colleges as anchor institutions fuelling Scotland's economic success; welcomes the release of the first part of Colleges Scotland's new vision for Scotland's college sector, titled *Colleges – Anchor Institutions Fuelling Scotland's Economic Success*; notes that the document sets out the clear role of colleges to provide access to relevant, quality education that is agile and adaptive, that fosters innovation, entrepreneurship and supports sustainable growth for the benefit of all, and acknowledges that this foundational document sets the stage for a strategic plan for the sector, which will be published in spring 2025.

Supported by: Miles Briggs*, Jeremy Balfour*, Sandesh Gulhane*, Annie Wells*, Monica Lennon*, Kenneth Gibson*, Brian Whittle*, Pauline McNeill*, Foysoyl Choudhury*, Elena Whitham*, Stuart McMillan*

***[S6M-15847](#) Christine Grahame: Rural Road Safety in Winter**—That the Parliament notes the importance of awareness of winter conditions on roads, particularly when using rural roads such as those found in Midlothian and the Borders; considers that, whilst it is advisable to minimise journeys where possible, for many in more rural areas driving in winter conditions and making longer journeys can be unavoidable due to no nearby public transportation and long distances to amenities; understands that Police Scotland has issued a range of advice to people for those using such roads, including ensuring that their vehicle is fit for the road, with appropriate tyres, sufficient fuel or charge, emergency supplies such as water and blankets, windscreen fluid and so on, ensuring that they are fit to drive, with particular attention to ensuring regular eyesight tests and taking note of any changes in vision, and maintaining an awareness of risks when winter driving; considers that there are risks that are particularly pronounced on rural roads, such as the likelihood of lower passing traffic over gritted routes, which can make grit less effective, and the higher speeds of driving affecting reaction times; encourages those using rural roads in winter to take heed of the advice and to ensure the safety of all road users, whether motorists, cyclist or pedestrian, and thanks the various teams involved in keeping rural roads open and safe during winter.

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***[S6M-15846](#) Martin Whitfield: Life Extension for Torness Nuclear Power Station**—That the Parliament welcomes the reported announcement by EDF Energy of a two-year life extension for Torness Nuclear Power Station, which, it believes, will now generate clean reliable energy until 2030; considers that Torness is Scotland's most productive clean energy asset ever, producing enough clean electricity to power every home in Scotland for nearly 30 years whilst avoiding over 100 million tonnes of CO2; believes that this extension will allow nuclear power to continue cutting bills, with analysis from Britain Remade estimating that the Torness and Hesham II extensions could save consumers up to £75 per year off their bills, and protect 750 highly skilled, well-paid and long-term jobs in a proud nuclear community; further believes that the continued operation of Torness will improve grid stability, providing 1,200 MW of predictable, reliable energy capacity,

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Motions Gluasadan				

which is absolutely vital in light of routine warnings from the National Grid that Great Britain has had less than 500 MW between electricity supply and demand, and commends what it sees as the significant role that the Torness extension will play in supporting Scotland's transition to a net zero future, enhancing energy security and underpinning economic resilience in the South Scotland region.

Supported by: Jeremy Balfour*, Murdo Fraser*, Stephen Kerr*, Mark Griffin*, Colin Smyth*, Paul Sweeney*, Miles Briggs*, Foyso Choudhury* **R**, Douglas Ross*, Brian Whittle*, Pauline McNeill*

***S6M-15845 Rachael Hamilton: Congratulating Peter MacMahon on His Work Over the Last Decade as Political Editor for ITV Border**—That the Parliament congratulates Peter MacMahon on what it sees as his exemplary work over the last decade as the political editor for ITV Border; acknowledges that, at such a crucial time in British and Scottish politics, he has been responsible for reporting and analysing events at the UK Parliament and the Scottish Parliament, as well as communicating how they impact people on both sides of the border; commends his key role in ITV Border's independence referendum coverage, reporting from across Scotland, in addition to covering another referendum, six general and Scottish Parliament elections and numerous local authority elections; notes that he was previously the deputy editor and business editor of *The Scotsman*, and that he worked as press secretary to the First Minister of Scotland from 2000 to 2001; further notes that, at ITV Border, he has presented the politics programme, *Representing Border*, and worked for the news programme, *Lookaround*; applauds his making of the award-winning ITV documentary, *David Steel, A Life In Politics*, and his short-listing for the RTS Scotland Awards' Television Journalist of the Year 2016; recognises what it sees as his positive impact on the people of the Borders, and wishes him the absolute best in his career moving forward.

Supported by: Annie Wells*, Bill Kidd*, Edward Mountain*, Meghan Gallacher*, Alexander Stewart*, Pam Gosal*, Sandesh Gulhane*, Monica Lennon*, Douglas Ross*, Elena Whitham*, Kenneth Gibson*, Emma Harper*, Fergus Ewing*, Jeremy Balfour*, Bob Doris*, Colin Beattie*, Liam Kerr*, Miles Briggs*

***S6M-15844 Meghan Gallacher: Lanarkshire Truck and Tractor Charity Christmas Light Run 2024**—That the Parliament acknowledges the Lanarkshire Truck and Tractor Charity Christmas Light Run 2025, which took place on 6 December 2024; praises the hard work of local businesses and people, who spent hours decorating their vehicles with Christmas lights and inflatable Santas to drive through the route, bringing festive cheer to the children and families who lined the pavements to wave as the trucks and tractors passed by; commends those involved in this festive annual charity night for raising funds for local children's charities throughout Christmas, and celebrates that, this year, they have raised money for Cash for Kids, Chris's House and University Hospital Wishaw's children's and neonatal units, raising over £16,000 so far.

Supported by: Craig Hoy*, Annie Wells*, Monica Lennon*, Sandesh Gulhane*, Edward Mountain*, Russell Findlay*, Jeremy Balfour*, Stuart McMillan*, Colin Beattie*, Bill Kidd*, Brian Whittle*, Miles Briggs*, Douglas Ross*, Pam Gosal*

***S6M-15843 Marie McNair: Colpi Ice Cream Wins Best Gelateria/Dessert Café at the Annual Scottish Italian Awards**—That the Parliament congratulates Colpi Ice Cream, in Milngavie, on winning Best Gelateria/Dessert Café at the Annual Scottish Italian Awards; notes that the process for making Colpi's ice cream has been handed down generations, since the family immigrated to Scotland from Italy in the 1890s; understands that the ice cream has been made on-site at their Milngavie shop since the business first opened in 1928; commends everyone who works at Colpi's for their hard work and dedication in bringing tasty ice cream to the people of Milngavie and further afield, and wishes them all the best for the future.

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Supported by: Stephanie Callaghan*, Colin Beattie*, Jeremy Balfour*, Annabelle Ewing*, Rona Mackay*, Bill Kidd*, Audrey Nicoll*, Kevin Stewart*, Miles Briggs*, Kenneth Gibson*, Emma Harper*, Jackie Dunbar*, Pam Gosal*, Elena Whitham*, Stuart McMillan*

***S6M-15842 Marie McNair: Clydebank Housing Association Celebrates 40th Anniversary —** That the Parliament congratulates Clydebank Housing Association (CHA) on reaching its 40th anniversary; notes that CHA was founded in December 1984 as Central & East Clydebank Housing Association by local residents; further notes that CHA was formally registered with the Housing Corporation in January 1985 and will officially celebrate 40 years of achievement in January 2025; understands that residents set out to improve housing and regenerate the central and east parts of Clydebank; further understands that CHA currently has 1,247 properties in its portfolio and acts as a factor to over 600 properties; understands that CHA employs 34 staff and has a management committee made up of 14 volunteer members of the local community; recognises the hard work of the CHA management committee and the dedication of all who work there, and wishes everyone at CHA the very best as they continue in their efforts to provide high-quality housing to the residents of Clydebank.

***S6M-15841 Finlay Carson: Johnston Nursery Collects Another Woodland Honour—**That the Parliament congratulates Johnston Nursery, in Kirkcudbright, Dumfries and Galloway, on being awarded the Scottish Finest Woods Awards Early Years Runner-Up 2024 prize at a recent awards ceremony, which was held at the Scottish Parliament in Edinburgh; acknowledges what it sees as the incredible work carried out by Hollie Mitchell and Kelly Lappin, along with the children and volunteers, who have created a wonderful environment for nature and the youngsters; notes that this is not the first time that their sterling work has been recognised, having previously won the Scottish Forestry's Acorn Trophy in 2022 for early-years settings that inspire a love of trees and woodlands for young children; understands that the judges described this as a superb example of what can be done by the nursery community, and wishes the nursery staff and children every success in the future.

Supported by: Alexander Stewart*, Edward Mountain*, Sandesh Gulhane*, Annie Wells*, Colin Beattie*, Meghan Gallacher*, Liam Kerr*, Russell Findlay*, Jeremy Balfour*, Brian Whittle*, Miles Briggs*, Pam Gosal*, Kevin Stewart*, Douglas Ross*, Stuart McMillan*

***S6M-15840 Marie McNair: Allander Leisure Centre Wins Top Accolade at Architectural Awards—**That the Parliament recognises the Allander Leisure Centre, Bearsden, for topping the leaderboard in the Leisure and Arts category at the 2024 Glasgow Institute of Architects Design Awards, with judges commending the Allander for being "welcoming" and "innovative", in particular for what it sees as the pioneering move to bring the leisure centre and adult resource centre together, providing a people-focused campus; notes that the Allander was built by East Dunbartonshire Council with architectural design by Holmes Miller, with the official opening ceremony taking place in February 2024; acknowledges that the centre offers a range of sporting and leisure facilities, while also including a support base for adults with learning disabilities in the Allander Resource Centre, which was also recently recognised for Diversity in the Public Sector at *The Herald* and GenAnalytics 2024 Diversity Awards; welcomes this fantastic achievement, and thanks all of the hardworking staff in the Allander.

Supported by: Annabelle Ewing*, Jeremy Balfour*, Bill Kidd*, Clare Haughey*, Annie Wells*, Rona Mackay*, Emma Harper*, Stuart McMillan*, Colin Beattie*, Audrey Nicoll*, Kevin Stewart*, Miles Briggs*, Pam Gosal*

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Motions Gluasadan				

***[S6M-15839](#) Douglas Lumsden: Celebrating the Graduates of Robert Gordon University—** That the Parliament congratulates the students who graduated from Robert Gordon University; recognises the significant achievements of these graduates in completing their academic journeys; acknowledges the university's continued commitment to providing high-quality education and preparing students for successful careers; commends the students, academic staff and support teams for their dedication and hard work; notes what it considers to be the vital role of higher education in supporting personal development, economic growth and societal progress; celebrates the potential and promise of these graduates as they embark on their future professional and personal paths; wishes the graduates success and fulfilment in their chosen careers and future endeavours, and recognises Robert Gordon University's contribution to Scotland's educational landscape and workforce development.

***[S6M-15838](#) Foysoyl Choudhury: Edinburgh Charity Drive Provides Free Experiences to People in Need—** That the Parliament welcomes the introduction of the charity drive, Resident Rewards Edinburgh Gives Back, launched by Forever Edinburgh in partnership with One City Trust; understands that the initiative will grant free leisure and cultural experiences to people living in poverty or facing social inequality in Edinburgh; recognises the support of local tourism businesses, which have provided almost 500 free experiences to people who would otherwise not be able to access them; commends the work of One City Trust, an independent charity that will be distributing experiences to its network of partners and community groups, and believes that access to leisure and culture is important to wellbeing, and that every person should have the opportunity to experience events and attractions in their home city.

Supported by: Jeremy Balfour*, Kevin Stewart*, Bill Kidd*, Colin Beattie*, Sarah Boyack*, Miles Briggs*

***[S6M-15837](#) Michelle Thomson: Festive Starring Roles for Polmont's Hazel and Violet Beattie—** That the Parliament congratulates mother and daughter performing duo, Hazel and Violet Beattie, of Polmont, on securing their roles within festive performances taking place in Edinburgh this Christmas season, from 10 to 15 December 2024; understands that Violet auditioned for, and secured, the role of Anne Boleyn in Captivate Theatre's production of *SIX: Teen Edition* at Assembly Roxy, which is part of Edinburgh's Christmas programme; notes that Violet attends the Royal Conservatoire of Scotland Juniors programme for musical theatre alongside Central Scotland Ballet School; recognises that Hazel will also be performing at the Assembly Roxy, taking up the role of Miss Poppy in *Nativity the Musical*, a stage show based on the popular Christmas film; notes that Hazel won an award for Best Actress at the West Lothian Film Festival in 2024 for her role in the short film *Chelle*; congratulates Hazel and Violet on their success in securing these roles, and wishes them all the best with their respective upcoming performances.

***[S6M-15836](#) Michelle Thomson: Forth Valley College Joins Forces with Start Up Stirling to Support Falkirk East Residents—** That the Parliament recognises the efforts of staff and students from Forth Valley College's hospitality team and Start Up Stirling to deliver vital support to the vulnerable in the community this Christmas; understands that, alongside the 2023 beneficiaries, Start Up Stirling Crisis Food Service, support will also be extended to Falkirk East through KLSB and a local Grangemouth community group; notes that the hospitality department at Forth Valley College created and delivered 300 three-course frozen Christmas meals, to be delivered to those in need, to ensure that they have a nutritious homemade meal to enjoy for the festive season; recognises what it sees as the community-minded spirit of Forth Valley College's

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hospitality team and the Start Up Stirling group, and thanks them for their efforts to expand this initiative into the Falkirk area.

***[S6M-15835](#) Michelle Thomson: Community Groups Take Ownership of Vital Community Venues**—

That the Parliament congratulates the community groups in Falkirk East that have coordinated their work and organised to take control of community assets through Falkirk Council's Community Asset Transfer (CAT) programme; understands that community assets previously owned and operated by the local authority have been transferred to local groups to ensure that community access remains; further understands that Limerigg Community Hall is now under the control of Limerigg Action Group SCIO, with support from the council's enablement fund, to provide up to £135,000 to facilitate the installation of solar panels, heating upgrades and general improvements; notes that Brightons Community Hall will be handed over to a local community group under a 20-year lease, supported by £125,000 from the enablement fund for new heating systems, lighting improvements and building upgrades to enhance its use; further notes that Polmont Ski Slope has been transferred to a local snow and recreation group, with £175,000 in enablement funding to improve infrastructure, boost the site's energy efficiency and renovate an existing underutilised building, alongside general site improvements, and congratulates these Falkirk East community groups on their aspiration and action to take ownership of these community assets to ensure that they remain accessible to their local area as vital community hubs.

***[S6M-15834](#) Foysoil Choudhury: Roseburn to Union Canal Active Travel Route Opened—**

That the Parliament welcomes the opening of the Roseburn to Union Canal active travel route on 9 December 2024 in Edinburgh; understands that the £17 million project has created a green corridor to improve walking, wheeling and cycling connections, bringing disused land back into use; commends the project for its efforts to improve spaces in the city centre, with Dalry Community Park seeing new play equipment installed; notes that 200 semi-mature trees have been planted along the route and that community gardens are planned for the Sauchiebank area, to improve biodiversity; believes that active travel is key to the wellbeing of communities and reaching net zero carbon emissions, and hopes that communities make good use of the Roseburn to Union Canal active travel route.

Supported by: Kenneth Gibson*, Kevin Stewart*, Jeremy Balfour*, Bill Kidd*, Colin Beattie*, Marie McNair*, Miles Briggs*, Stuart McMillan*

***[S6M-15833](#) Rona Mackay: East Dunbartonshire Pupils Shine at Christmas Performances—**

That the Parliament commends the East Dunbartonshire Council (EDC) instrumental music service for its Christmas 2024 season of performances; applauds the dedication of the core team of Jane Ferguson and Ruth MacKenzie, supported by chief education officer, Greg Bremner; recognises what it sees as the outstanding calibre of the role-model staff who are delivering instruction and whose freelance activities include working with the BBC Scottish Symphony Orchestra, Scottish Opera, Scottish Ballet, the Royal Scottish National Orchestra (RSNO) and a wealth of international events, and whose experience, it believes, nurtures the next generation of musicians in all 32 primary schools and eight secondary schools, including the additional support needs (ASN) school; highlights what it sees as the development of highly transferable life skills, such as confidence-building, teamwork and tenacity, through these activities; congratulates the pupils of the 2024 Annual EDC Schools Christmas Gala Concert, who performed to a capacity audience of 2,475 at the Royal Concert Hall; applauds the Senior String Orchestra, the Concert Band and the Children's Chorus Concert for the high standard of their Christmas 2024 performances; extends gratitude to the instrumental music service for its extensive range of pupil

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opportunities, through the Primary Training Orchestra, Primary Schools Symphony Orchestra, Wind Band, Concert Band, String Ensemble, String Orchestra, Jazz Orchestra, Children's Chorus, Pipe Band, Percussion Ensemble and Secondary Schools Symphony Orchestra; thanks in particular the families and friends of these young people for their support throughout the year, as the musicians practise at home and collectively at rehearsals; appreciates the warmth of hospitality offered by concert venues including Boclair Community Church in Bearsden, Springfield Cambridge Church in Bishopbriggs and St Cyprian's Church in Lenzie, and sends every best wish for continued enjoyment, fulfilment and success to all those already preparing for a busy schedule of performances throughout 2025.

***S6M-15832 Sharon Dowey: Ayr Gym Fundraising for Women's Aid this Christmas—**That the Parliament commends the generosity of the members and staff at All Warriors Gym in Ayr, who have been fundraising for Women's Aid during this and every Christmas period over the last 10 years; understands that members of the all-female gym donate gifts, which go to mothers and children, with hundreds already donated in 2024; further understands that the gym hosted a charity night, with over £1,500 being raised to help people facing difficult circumstances at this time of year; commends what it sees as the generous work of All Warriors Gym, and wishes its members and staff well in their future endeavours.

Supported by: Craig Hoy*, Annabelle Ewing*, Russell Findlay*, Annie Wells*, Liam Kerr*, Edward Mountain*, Jeremy Balfour*, Bill Kidd*, Sandesh Gulhane*, Meghan Gallacher*, Colin Beattie*, Brian Whittle*, Kevin Stewart*, Miles Briggs*, Douglas Ross*, Pam Gosal*, Elena Whitham*

***S6M-15831 Sharon Dowey: Ayr's Narture CIC Wins at Scottish SURF Awards—**That the Parliament congratulates Narture CIC, of Ayr, following its win in the Creative Regeneration category at what it considers the prestigious 2024 Scottish SURF Awards; understands that these awards highlight the work of community regeneration projects across the country, recognising their achievements and the positive impact that they have on improving the wellbeing of individuals and communities; notes that Narture CIC was founded in 2020 by father and daughter, Robert and Saskia Singer, and has created a successful bakery and café; believes that it helps fund creative art and regeneration projects in the Ayr area as well as hosting artist studios, a shop, workshops, events and exhibitions; commends the work of Narture CIC, and wishes it every success for the future.

Supported by: Annie Wells*, Edward Mountain*, Russell Findlay*, Jeremy Balfour*, Brian Whittle*, Miles Briggs*, Kenneth Gibson*

***S6M-15830 Rachael Hamilton: The Last Keeper—**That the Parliament congratulates the Shepherds of Wildlife Society on what it sees as its significant contribution to the production of the feature-length documentary, *The Last Keeper*, which explores the reportedly complex and contentious debate over Scotland's land use; understands that the production, which was directed by the wildlife conservationist and human rights activist, Tom Opre, was shot over 18 months and captures diverse perspectives, including those of rewilding advocates, land reformers, crofters, scientists and gamekeepers, and showcases the challenges faced by rural communities; acknowledges that its UK premiere was on 25 April 2024, with a screening in the Parliament in June; applauds its success at international film festivals, where it has won 10 prominent awards, including Best Documentary at the Paris World Cinema Festival; notes that the film is now available on Amazon Prime, with a one-hour version to be broadcast on the Public Broadcasting Service (PBS) in the United States, potentially reaching hundreds of thousands worldwide, and recognises what it sees as its critical focus on the social and environmental consequences of land-use changes, providing a platform for constructive debate on Scotland's future.

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Supported by: Annie Wells*, Meghan Gallacher*, Craig Hoy*, Sandesh Gulhane*, Russell Findlay*, Jeremy Balfour*, Liam Kerr*, Murdo Fraser*, Colin Beattie*, Brian Whittle*, Miles Briggs*, Douglas Ross*, Pam Gosal*, Elena Whitham*

***[S6M-15829](#) Sharon Dowey: Troon Brownies Fill Shoeboxes for Blythswood Appeal**—That the Parliament commends the work of the members of the 6th Troon Brownies, who have put together shoeboxes to donate to the Blythswood Care Shoebox Appeal; notes that the boxes have been filled with small practical items, such as clothing, stationery and toiletries, and that they will be distributed across hospitals, schools, care homes, communities and low-income households, with many supporting people impacted by the war in Ukraine; thanks all involved at the 6th Troon Brownies for their generosity and festive spirit, and wishes them every success for the future.

Supported by: Craig Hoy*, Liam Kerr*, Murdo Fraser*, Jeremy Balfour*, Pam Gosal*, Alexander Stewart*, Annie Wells*, Edward Mountain*, Russell Findlay*, Bill Kidd*, Sandesh Gulhane*, Meghan Gallacher*, Stuart McMillan*, Douglas Ross*, Colin Beattie*, Brian Whittle*, Miles Briggs*

***[S6M-15828](#) Roz McCall: Everest Inn Wins Scottish Business Award**—That the Parliament congratulates the Everest Inn, in Dunfermline, on winning Best Restaurant and Takeaway in Fife at the 2024 Scottish Business Awards; commends the restaurant for its blend of Bangladeshi, Nepalese and Indian cuisine, which has become a staple of the local community since its opening in 2009, and acknowledges the Everest Inn's impressive accolades, including the Certificate of Excellence from TripAdvisor for four consecutive years and the Curry Restaurant of the Year in Scotland award at the 2023 Scottish Curry Awards.

***[S6M-15827](#) Roz McCall: The Commercial Inn Wins CAMRA Award**—That the Parliament commends The Commercial Inn, in Dunfermline, for being awarded the Kingdom of Fife Campaign for Real Ale (CAMRA) Cider Pub of the Year 2024; recognises the pub's commitment to providing high-quality real cider, which it considers to be a rare offering in the region, and which has garnered praise from the local community; notes that this accolade joins an impressive list of achievements, including four Fife CAMRA Pub of the Year awards for real ale since 2008; applauds landlord, Andy Black, and his team, and highlights the role of establishments like The Commercial Inn in preserving Scotland's pub culture.

***[S6M-15826](#) Roz McCall: CLP Nature Action Wins Community Initiative Award**—That the Parliament congratulates the Charlestown, Limekilns and Pattiesmuir (CLP) Nature Action Group on winning the Community Initiative Award at the Nature of Scotland Awards 2024; commends the group for its outstanding work in the community, including cleaning seven beaches as part of the Fife Climate Festival, contributing to a school community garden, conducting river pollution sampling, and raising awareness about nurdles; applauds the support of local residents, teachers and children, which allowed CLP Nature Action Group to triumph over larger organisations in a public vote; congratulates Jo McFarlane and the entire CLP team for their passion and commitment to environmental conservation, and wishes them continued success.

***[S6M-15823](#) Ben Macpherson: Stop Climate Chaos Scotland**—That the Parliament recognises the work of Stop Climate Chaos Scotland, which is a diverse coalition of over 70 members in Scotland that includes environmental NGOs, international development organisations and anti-poverty groups, working together to campaign on tackling and preventing climate change globally; understands that Scotland has the highest proportion of people personally motivated to act on climate when compared with the other UK nations; notes from the Scottish Household Survey 2023, that the majority of adults who responded believed that "climate change is an urgent and immediate problem"; further notes that on 7 January 2025, Stop Climate Chaos Scotland will hold

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a reception in the Scottish Parliament that will provide what it considers to be a timely opportunity to hear from communities across Scotland that are taking climate action, and commends Stop Climate Chaos Scotland for its hard work and commitment.

Supported by: Maggie Chapman*

***[S6M-15822](#) Marie McNair: Clydebank's Looking Good Skin, Health and Beauty Clinic Celebrates 30 Years**—That the Parliament congratulates Clydebank-based beauty clinic Looking Good on its 30th anniversary of being established; understands that the local clinicians offer wellbeing massage therapies alongside their prestigious range of skincare and other treatments; celebrates local businesses reaching milestones, and wishes Looking Good staff and customers a happy 30 years of youthfulness.

Motions and amendments which have attracted additional support

[S6M-15824](#) Finlay Carson: South of Scotland Cycling Partnership Nominated for Top Global Award (lodged on 11 December 2024)

New Support: Tess White*, Paul Sweeney*, Pam Gosal*, Edward Mountain*, Craig Hoy*, Rachael Hamilton*, Brian Whittle*, Sharon Dowey*, Russell Findlay*

[S6M-15821](#) Alexander Stewart: Angharad Evans and Paige van der Westhuizen to Represent the University of Stirling at the World Short Course Swimming Championships (lodged on 11 December 2024)

New Support: Paul Sweeney*, Sharon Dowey*, Annie Wells*, Jeremy Balfour*, Craig Hoy*, Bill Kidd*, Annabelle Ewing*, Edward Mountain*, Sandesh Gulhane*, Meghan Gallacher*, Russell Findlay*, Murdo Fraser*, Colin Beattie*, Brian Whittle*, Miles Briggs*, Kevin Stewart*, Douglas Ross*, Pam Gosal*

[S6M-15820](#) Alexander Stewart: Duncan Scott MBE, Scottish Sportsperson of the Year 2024 (lodged on 11 December 2024)

New Support: Kenneth Gibson*, Annabelle Ewing*, Stuart McMillan*, Sandesh Gulhane*, Paul Sweeney*, Audrey Nicoll*, Annie Wells*, Pam Gosal*, Liz Smith*, Craig Hoy*, Brian Whittle*, Sharon Dowey*, Russell Findlay*

[S6M-15819](#) Liam McArthur: Westray Coastguard Volunteer Geordie Drever Celebrated for 45 Years of Service (lodged on 11 December 2024)

New Support: Paul Sweeney*, Pam Gosal*, Sharon Dowey*

[S6M-15818](#) Clare Adamson: Pure Gym Motherwell Community Collection (lodged on 11 December 2024)

New Support: Paul Sweeney*, Sharon Dowey*

[S6M-15817](#) Clare Adamson: The War Office Children's Christmas Appeal (lodged on 11 December 2024)

New Support: Paul Sweeney*

[S6M-15814](#) Rona Mackay: Mobility Scotland Ltd, Kirkintilloch, Triumphs at Healthcare Awards (lodged on 10 December 2024)

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New Support: Stuart McMillan*, Pam Gosal*, Emma Harper*, Elena Whitham*

[S6M-15813](#) Alexander Burnett: Congratulating Saving Scotland's Red Squirrels on its 2024 Great Scottish Squirrel Survey Results (lodged on 10 December 2024)

New Support: Pam Gosal*, Douglas Lumsden*, Sharon Dowey*

[S6M-15812](#) Rona Mackay: Bishopbriggs Footballer is Scottish Women's Player of the Year (lodged on 10 December 2024)

New Support: Tess White*, Emma Harper*, Pam Gosal*, Sharon Dowey*

[S6M-15807](#) Jeremy Balfour: Congratulations to Lothian Schools in The Times Schools Rankings (lodged on 10 December 2024)

New Support: Sharon Dowey*

[S6M-15806](#) Edward Mountain: Safe, Strong, and Free's Anti-bullying Campaign to Protect Highland Youth (lodged on 10 December 2024)

New Support: Douglas Lumsden*, Sharon Dowey*

[S6M-15805](#) Marie McNair: Clydebank Musical Society's Performance of Matilda (lodged on 10 December 2024)

New Support: Sharon Dowey*

[S6M-15804](#) Tess White: Rossie Young People's Trust Leading the Way with Innovative Technology (lodged on 10 December 2024)

New Support: Douglas Lumsden*, Sharon Dowey*

[S6M-15803](#) Tess White: PC Ally Hutchison Receives Scottish Police Federation Community Commitment Award 2024 (lodged on 10 December 2024)

New Support: Douglas Lumsden*, Sharon Dowey*

[S6M-15802](#) Tess White: New Aberdeen Headquarters for Scots Offshore Firm, OEG Energy Group (lodged on 10 December 2024)

New Support: Douglas Lumsden*, Sharon Dowey*

[S6M-15801](#) Monica Lennon: 10th Green Flag Awarded to Newfield Primary and Nursery School (lodged on 10 December 2024)

New Support: Sharon Dowey*

[S6M-15800](#) Claire Baker: Congratulating Fife-based Sports Coach, Claire Morrison, on Being Crowned Coach of the Year at the Scottish Sports Awards 2024 (lodged on 10 December 2024)

New Support: Sharon Dowey*

[S6M-15798](#) Ben Macpherson: Edinburgh Nurse Receives Queen's Nurse Award (lodged on 10 December 2024)

New Support: Sharon Dowey*

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[S6M-15797](#) Emma Roddick: Annual Elf Run Raises £3,750 for Maggie's Highlands (lodged on 10 December 2024)

New Support: Sharon Dowey*, Emma Harper*

[S6M-15795](#) Emma Roddick: Caithness Pair Complete 16 Swims in 16 Days to Raise Awareness of Gender-based Violence in the Highlands (lodged on 10 December 2024)

New Support: Stuart McMillan*, Tess White*, Emma Harper*

[S6M-15793](#) Pam Duncan-Glancy: Welcoming ScotRail Policy Changes to Provide Equality for Disabled Rail Users (lodged on 10 December 2024)

New Support: Sandesh Gulhane*

[S6M-15789](#) Rachael Hamilton: Farmers Choir Performance on 30 November 2024 at Borders Events Centre (lodged on 09 December 2024)

New Support: Sharon Dowey*

[S6M-15788](#) Pam Gosal: La Vista Restaurant at Cameron House Wins Best Restaurant in the West at the Scottish Italian Awards 2024 (lodged on 09 December 2024)

New Support: Sharon Dowey*

[S6M-15787](#) Pam Gosal: Hayston Golf Club Kirkintilloch Wins Best Fish Tea in Scotland 2024 (lodged on 09 December 2024)

New Support: Sharon Dowey*

[S6M-15785](#) Annie Wells: Clydebank Recovery Group Celebrates an Important Milestone (lodged on 09 December 2024)

New Support: Sharon Dowey*

[S6M-15781](#) Liz Smith: Sandy Begbie Receives the Freedom of the City of London (lodged on 09 December 2024)

New Support: Sharon Dowey*

[S6M-15770](#) Miles Briggs: NHS Lothian Midwife's Pioneering Theatre Scrubs (lodged on 09 December 2024)

New Support: Audrey Nicoll*, Sharon Dowey*

[S6M-15739](#) Murdo Fraser: Protection of Park Home Residents (lodged on 05 December 2024)

New Support: Pam Gosal*, Rachael Hamilton*, Brian Whittle*, Alex Rowley*, Oliver Mundell*

[S6M-15708](#) Kenneth Gibson: Report on the National Performance Framework: Review of National Outcomes (lodged on 05 December 2024)

New Support: John Mason*

[S6M-15660](#) Pam Gosal: Congratulating PC Sally Ann Nicol on Winning Award at Scottish Police Federation Awards 2024 (lodged on 10 December 2024)

New Support: Sharon Dowey*

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Written Questions

Questions in which a member has indicated a declarable interest are marked with an "R".

Written questions lodged on 12 December 2024

[S6W-31269 Douglas Lumsden:](#) To ask the Scottish Government how many post-mortems have been conducted in (a) Aberdeen, (b) Glasgow and (c) Edinburgh in each of the last 10 years.

[S6W-31581 Douglas Lumsden:](#) To ask the Scottish Government when the Cabinet Secretary for Net Zero and Energy last met (a) Aberdeenshire, (b) Angus, (c) Highland and (d) Moray Council to discuss the impact of (i) major electricity infrastructure and (ii) energy infrastructure consenting reforms.

[S6W-31639 Douglas Lumsden:](#) To ask the Scottish Government how many seal licences have been issued in each of the last 10 years, also broken down by how many have been exercised.

[S6W-31642 Douglas Lumsden:](#) To ask the Scottish Government how many seal licences have been issued to parties along the River (a) Dee and (b) Don in each of the last 10 years, also broken down by how many have been exercised.

[S6W-31644 Douglas Lumsden:](#) To ask the Scottish Government how many seal licences have been issued in each local authority area in each of the last 10 years, also broken down by how many have been exercised.

[S6W-31645 Douglas Lumsden:](#) To ask the Scottish Government how many seals have been killed under licence in each of the last 10 years.

[S6W-31961 Paul Sweeney:](#) To ask the Scottish Government what the estimated capital cost is of permanently replacing the M8 Woodside Viaducts with a surface level dual carriageway; whether this could be partly funded by high-density commercial development of any surplus land released adjacent to a new road, and how this option compares with the cost of continually repairing the existing viaducts.

[S6W-32145 Mark Griffin:](#) To ask the Scottish Government when the Out-turn report for the Affordable Housing Supply Programme between 2022 and 2024 will be published

[S6W-32146 Jackie Baillie:](#) To ask the Scottish Government whether it will provide a breakdown of the £100 million of funding that has been allocated in its draft Budget 2025-26 under the budget line Reform and Improvement Measures.

[S6W-32148 Jackie Baillie:](#) To ask the Scottish Government whether it will provide a breakdown of the £220.891 million of funding that has been allocated in its draft Budget 2025-26 under the Primary Care Fund budget line.

[S6W-32206 Pam Duncan-Glancy:](#) To ask the Scottish Government, in light of there being no planned increase to the Whole Family Wellbeing Fund in its draft Budget 2025-26, while the Care Experience - Whole Family Wellbeing budget line has increased by £49 million compared with 2024-25, whether it will provide a breakdown of how it plans to allocate this additional funding.

[S6W-32207 Patrick Harvie:](#) To ask the Scottish Government, in light of its draft Budget 2025-26, whether it has reached its target of allocating at least £1.8 billion to support the Heat in Buildings programme over the current parliamentary session and, if not, what the allocation is.

[S6W-32208 Patrick Harvie:](#) To ask the Scottish Government what the timeline is for carrying out the Scottish Climate Survey, which aims to assess public awareness and understanding of the heat transition, and by what date this will be published.

[S6W-32209 Patrick Harvie:](#) To ask the Scottish Government what correspondence it has had with the UK Department for Energy Security and Net Zero regarding improving the quality of heat

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networks metering and billing regulations notification data on the clean heat supplied through the heat networks in Scotland.

S6W-32210 Patrick Harvie: To ask the Scottish Government, following the publication of the *Heat in Buildings: progress report 2024*, what action it is taking to strengthen the sources and quality of data on the number of (a) domestic and (b) non-domestic properties operating with zero emissions heating, including heat pumps, heat networks and electric heating.

S6W-32211 Patrick Harvie: To ask the Scottish Government whether it will provide a breakdown of the £349.1 million energy efficiency and decarbonisation expenditure announced in its draft Budget 2025-26.

S6W-32212 Patrick Harvie: To ask the Scottish Government what solutions it is exploring to scale up the private finance needed for the clean heat transition.

S6W-32213 Patrick Harvie: To ask the Scottish Government what finance mechanisms are being considered by the Green Heat Finance Taskforce to deliver the clean heat transition.

S6W-32214 Patrick Harvie: To ask the Scottish Government by what date the Green Heat Finance Taskforce will publish part 2 of its report.

S6W-32215 Patrick Harvie: To ask the Scottish Government on what dates the Green Heat Finance Taskforce has met since July 2024, and when the next meeting will take place.

S6W-32216 Patrick Harvie: To ask the Scottish Government, further to the answer to question S6W-31510 by Alasdair Allan on 28 November 2024, whether it will provide a breakdown of the outturn on energy efficiency and decarbonisation for the three-year Budget period of 2021-24.

S6W-32217 Claire Baker: To ask the Scottish Government what steps are being taken across the rail network in Scotland to improve access to good quality toilet facilities for (a) drivers, (b) train crew, (c) track workers and (d) other staff.

S6W-32218 Claire Baker: To ask the Scottish Government when CalMac will begin the crew familiarisation process on the MV (a) Isle of Islay and (b) Loch Indaal.

S6W-32219 Claire Baker: To ask the Scottish Government when CMAL will take delivery of the MV (a) Isle of Islay and (b) Loch Indaal.

S6W-32220 Claire Baker: To ask the Scottish Government, in light of the publication of the report, *Dignity for Drivers*, by ASLEF, what impact the proposed reductions in ScotRail station ticket office opening hours will have on driver access to toilet facilities.

S6W-32221 Claire Baker: To ask the Scottish Government, in light of the publication of the report, *Dignity for Drivers*, by ASLEF, what steps it is taking in Scotland to address the issue raised suggesting that there is a lack of satisfactory toilet facilities for train drivers.

S6W-32222 Claire Baker: To ask the Scottish Government, further to the answer to question S6T-02170 by Fiona Hyslop on 5 November 2024, what its response is to reported concerns that the "redeployment of some ScotRail staff to provide more and better assistance for passengers" might lead to staff sometimes being moved from the station at which they are usually based, which could result in uncertainty for passengers regarding the hours at which a staff presence can be expected.

S6W-32223 Claire Baker: To ask the Scottish Government, further to the answer to question S6T-02170 by Fiona Hyslop on 5 November 2024, what its response is to reported concerns that the "redeployment of some ScotRail staff to provide more and better assistance for passengers" and a reduction in ScotRail ticket office opening hours, might affect the (a) opening hours of waiting rooms and (b) access to toilet facilities in stations.

S6W-32224 Pauline McNeill: To ask the Scottish Government, in light of the proposal in the Victims, Witnesses and Justice Reform (Scotland) Bill to have jury sizes of 15 with a majority of at least 10 required to convict, what that majority would be if either one, two or three jurors dropped out.

[S6W-32229 Mercedes Villalba](#): To ask the Scottish Government, further to the answer to question S6W-20143 by Mairi McAllan on 15 August 2023, whether it anticipates any further delays to the implementation of fisheries management measures for both offshore and inshore Marine Protected Areas (MPAs) and Priority Marine Features.

[S6W-32230 Mercedes Villalba](#): To ask the Scottish Government when it plans to publish Regional Marine Plans for existing Marine Planning Partnership areas.

[S6W-32231 Mercedes Villalba](#): To ask the Scottish Government when Regional Marine Plans will be developed for the remainder of the Scottish Marine Regions.

[S6W-32232 Mercedes Villalba](#): To ask the Scottish Government how it plans to integrate inshore fisheries management with regional planning.

[S6W-32233 Alex Cole-Hamilton](#): To ask the Scottish Government whether students under the age of 22 from outside of Scotland who are studying at Scottish universities and colleges qualify for the discretionary free bus travel card, and, if so, what the annual cost of this is to the Scottish Government.

[S6W-32235 Daniel Johnson](#): To ask the Scottish Government what methodology it used to calculate the increase of around 1% in real terms to the 2025-26 block grant settlement compared with the latest 2024-25 allocation, as set out in its draft Budget 2025-26, including the (a) figures and (b) sources of figures used in this calculation, and, following that methodology, whether it can calculate the percentage increase to three significant figures.

[S6W-32236 Michael Matheson](#): To ask the Scottish Government what minimum standard is used by NHS boards for the number of parent beds available to determine sufficient emergency overnight accommodation for neonatal care.

[S6W-32237 Michael Matheson](#): To ask the Scottish Government whether it will consider introducing guidance for neonatal units, including on the number of parent beds available and other provisions, to enable family integrated care.

[S6W-32238 Michael Matheson](#): To ask the Scottish Government whether it is committed to ensuring, as part of the Best Start programme for maternity and neonatal care, that the NHS boards leading the plans for the implementation of its new model of care are considering parent support, including ending any separation of parents and babies.

[S6W-32239 Michael Matheson](#): To ask the Scottish Government how it plans to ensure that NHS boards are appropriately resourced to deliver plans for the implementation of its new model of care, as part of the Best Start programme for maternity and neonatal care.

[S6W-32240 Miles Briggs](#): To ask the Scottish Government how many Protecting Vulnerable Group (PVG) checks have been undertaken for people working with young people in sport in each year since 1999.

[S6W-32241 Miles Briggs](#): To ask the Scottish Government how much has been spent on reading books in schools in each year since 1999, broken down by (a) local authority and (b) each (i) primary and (ii) secondary school.

[S6W-32242 Miles Briggs](#): To ask the Scottish Government how many librarians have been employed in schools in each year since 1999.

[S6W-32243 Miles Briggs](#): To ask the Scottish Government what support it has provided to help develop free children's libraries near primary schools.

[S6W-32244 Miles Briggs](#): To ask the Scottish Government what its current estimate is of the revised costs of upgrading the A720 Sheriffhall Roundabout.

[S6W-32245 Miles Briggs](#): To ask the Scottish Government how much funding it has given to Sustrans in each year since the organisation was established.

[S6W-32247 Miles Briggs](#): To ask the Scottish Government when it anticipates work on the new Edinburgh eye hospital will commence.

Today's Business <i>Gnothaichean an-diugh</i>	Future Business <i>Gnothaichean ri teachd</i>	Motions & Questions <i>Gluasadan agus Ceistean</i>	Legislation <i>Reachdas</i>	Other <i>Eile</i>
Questions Ceistean				

[S6W-32248 Miles Briggs:](#) To ask the Scottish Government when it estimates the new Edinburgh eye hospital will be completed.

[S6W-32249 Miles Briggs:](#) To ask the Scottish Government what plans it has to rejoin the Trends in International Mathematics and Science Study (TIMSS).

[S6W-32251 Miles Briggs:](#) To ask the Scottish Government what progress it is making on delivering action (a) 1, (b) 4, (c) 5 and (d) 6 in its cancer strategy for children and young people 2021-26.

[S6W-32252 Ariane Burgess:](#) To ask the Scottish Government what measures it is taking to ensure the sustainability and future of GP practices, particularly in rural and island areas, and to address the funding issues raised by the increase in employer national insurance contributions, including at the Skerryvore practice in Orkney.

[S6W-32253 Meghan Gallacher:](#) To ask the Scottish Government how many of the buildings that have been identified as having unsafe cladding to date have had work commenced to remove such cladding.

[S6W-32254 Meghan Gallacher:](#) To ask the Scottish Government how many (a) members of the public and (b) organisations have notified it or its relevant public bodies of unsafe cladding on their buildings in each month since January 2019.

[S6W-32257 Sandesh Gulhane:](#) To ask the Scottish Government for which conditions policy will be developed as a result of the additional funding for long-term conditions outlined in its draft Budget 2025-26. **R**

[S6W-32258 Sandesh Gulhane:](#) To ask the Scottish Government what steps it is taking to ensure that primary care clinical teams can provide the best (a) prevention, (b) diagnosis and (c) treatment of chronic kidney disease. **R**

[S6W-32259 Mark Ruskell:](#) To ask the Scottish Government how much funding has been allocated in its draft Budget 2025-26 for (a) the Active Travel Infrastructure Fund, (b) Places for Everyone projects, (c) the National Cycle Network, (d) People and Place projects, (e) regional transport partnerships and (f) Bikeability Scotland.

[S6W-32260 Mark Ruskell:](#) To ask the Scottish Government what the cost will be to deliver each local authority's 20mph speed limit implementation plan.

[S6W-32261 Rhoda Grant:](#) To ask the Scottish Government whether animal health concerns would qualify crofters and farmers for protection of their subsidies under the force majeure clause in the Rural Support (Improvement) (Miscellaneous Amendment) (Scotland) Regulations 2024.

[S6W-32262 Rhoda Grant:](#) To ask the Scottish Government what qualifying circumstances would be covered under the force majeure clause in the Rural Support (Improvement) (Miscellaneous Amendment) (Scotland) Regulations 2024, and how crofters and farmers can (a) access protection and (b) appeal a decision of a rejected application to access protection under this clause.

[S6W-32263 Rhoda Grant:](#) To ask the Scottish Government whether (a) weather conditions and (b) late delivery of a bull would qualify crofters and farmers for protection of their subsidies under the force majeure clause in the Rural Support (Improvement) (Miscellaneous Amendment) (Scotland) Regulations 2024, and in what circumstances the late delivery of artificial insemination would qualify crofters and farmers for protection under this clause.

[S6W-32264 Rhoda Grant:](#) To ask the Scottish Government whether illness would qualify crofters and farmers for protection of their subsidies under the force majeure clause in the Rural Support (Improvement) (Miscellaneous Amendment) (Scotland) Regulations 2024.

[S6W-32265 Douglas Lumsden:](#) To ask the Scottish Government whether it will provide an update on when it will publish its Energy Strategy.

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Questions Ceistean				

[S6W-32266 Douglas Lumsden:](#) To ask the Scottish Government how the investment of £21 billion in health and social care in its draft Budget 2025-26 will be allocated across different services and regions.

[S6W-32267 Douglas Lumsden:](#) To ask the Scottish Government whether it will provide a detailed breakdown of the £25 million allocated in its draft Budget 2025-26 to increase jobs in the green energy supply chain.

[S6W-32268 Douglas Lumsden:](#) To ask the Scottish Government whether it will provide a breakdown of how the capital funding of £150 million in its draft Budget 2025-26 to support the offshore wind sector will be allocated.

[S6W-32269 Douglas Lumsden:](#) To ask the Scottish Government where the capital funding of £150 million in its draft Budget 2025-26 to support the offshore wind sector will be spent, broken down by region.

[S6W-32270 Paul O'Kane:](#) To ask the Scottish Government, further to the comments by the Minister for Social Care, Mental Wellbeing and Sport during the members' business debate on motion S6M-14427 (Reversal of £10 Million Funding for Changing Places Toilets) on 11 December 2024, how much funding has been allocated from within its draft mental health budget for 2025-26 for the planned Changing Places Toilet Fund.

[S6W-32271 Paul O'Kane:](#) To ask the Scottish Government, further to the comments by the Minister for Social Care, Mental Wellbeing and Sport during the members' business debate on motion S6M-14427 (Reversal of £10 Million Funding for Changing Places Toilets) on 11 December 2024, whether it plans to publish the draft criteria for the planned Changing Places Toilet Fund, and, if so, when.

[S6W-32272 Paul O'Kane:](#) To ask the Scottish Government, further to the comments by the Minister for Social Care, Mental Wellbeing and Sport during the members' business debate on motion S6M-14427 (Reversal of £10 Million Funding for Changing Places Toilets) on 11 December 2024, whether it will provide the draft criteria for the planned Changing Places Toilet Fund to MSPs, and, if so, when.

[S6W-32273 Paul O'Kane:](#) To ask the Scottish Government, further to the comments by the Minister for Social Care, Mental Wellbeing and Sport during the members' business debate on motion S6M-14427 (Reversal of £10 Million Funding for Changing Places Toilets) on 11 December 2024, by what date in the 2025-26 financial year it hopes to have opened the Changing Places Toilet Fund for funding applications.

[S6W-32274 Paul O'Kane:](#) To ask the Scottish Government, further to the comments by the Minister for Social Care, Mental Wellbeing and Sport during the members' business debate on motion S6M-14427 (Reversal of £10 Million Funding for Changing Places Toilets) on 11 December 2024, by what date it plans to have published the application form for the planned Changing Places Toilet Fund.

[S6W-32275 Ariane Burgess:](#) To ask the Scottish Government what discussions it has had (a) internally, (b) with public bodies and (c) with stakeholders regarding supporting fruit and nut orchard development, and what its position is on (i) establishing a bespoke orchard grant to support the setting up of new fruit and nut orchards and (ii) reforming existing grant schemes to allow growers to focus solely on fruit and nut trees.

[S6W-32276 Sharon Dowey:](#) To ask the Scottish Government by what date the Independent Working Group on Antisocial Behaviour will publish its report setting out its findings and recommendations, and whether the group has made specific enquiries into young people's behaviour on public transport as part of its investigation.

[S6W-32278 Sharon Dowey:](#) To ask the Scottish Government what its position is on introducing a young person's behaviour code for bus travel, similar to that operated by Transport for London.

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Questions Ceistean				

[S6W-32279](#) Sharon Dowey: To ask the Scottish Government what its position is on introducing a school programme to educate young people regarding responsible bus travel.

[S6W-32280](#) Sharon Dowey: To ask the Scottish Government what steps it is taking to tackle drug-driving, and how effective these measures have been.

[S6W-32281](#) Sharon Dowey: To ask the Scottish Government whether it will provide an update on the work and outcomes of the Road Safety Scotland Drink and Drug-Driving Campaign

Amendments

New amendments to Bills lodged on 12 December 2024

Regulation of Legal Services (Scotland) Bill — Stage 2

Section 20

Siobhian Brown

- 310 In section 20, page 16, line 23, leave out <them> and insert <the Lord President>

Siobhian Brown

- 311 In section 20, page 16, line 25, leave out <they> and insert <the Lord President>

Section 51

Siobhian Brown

- 312 Leave out section 51

Section 52

Siobhian Brown

- 313 In section 52, page 38, line 30, leave out <attached to the grant> and insert <imposed in relation to the authorisation>

Siobhian Brown

- 314 In section 52, page 40, leave out lines 2 to 22

After section 52

Siobhian Brown

- 315 After section 52, insert—

<Complaints initiated by, or continued by, the Commission

- (1) The 2007 Act is amended as follows.
- (2) After section 2, insert—

“2A Complaints initiated by the Commission

- (1) In addition to receiving a conduct complaint or a regulatory complaint mentioned in section 2(1), the Commission may itself initiate a complaint against a practitioner which, had it been received from a person mentioned in section 2(2), would be a conduct complaint or a regulatory complaint.
- (2) Section 2(1A) applies to a complaint under subsection (1) as it applies to a complaint referred to in section 2(1).

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Amendments Atharrachaidhean				

- (3) References in this Part (other than in this section) and in sections 47 to 52B to a conduct complaint or a regulatory complaint include references to a conduct complaint or a regulatory complaint that is initiated by the Commission under subsection (1).
- (4) The Commission may not initiate a complaint under subsection (1) if it would not be an eligible complaint in accordance with any provision in rules made under section 32(1).”>

Section 53

Siobhian Brown

- 316 In section 53, page 41, line 5, at end insert—
<() paragraph (b) is repealed.>

Section 54

Siobhian Brown

- 317 In section 54, page 41, line 11, after <2(1)> insert <or 2A(1)>

Siobhian Brown

- 318 In section 54, page 42, line 3, leave out first <negotiated>

After section 54

Siobhian Brown

- 319 After section 54, insert—

<Commission’s duty to investigate and determine services complaints

- (1) The 2007 Act is amended as follows.
- (2) In section 9 (services complaint: Commission’s duty to investigate and determine), after subsection (4) insert—
 - “(5) Where the practitioner (and, where subsection (3) applies, the employing practitioner) accepts a settlement proposed by the Commission under subsection (2) as respects the complaint but the complainer does not accept the settlement, the Commission may discontinue the investigation of the complaint and not determine it under subsection (1).
 - (6) If subsection (7) applies, the Commission may decide—
 - (a) not to initiate the investigation of a services complaint and determine it under subsection (1), or
 - (b) to discontinue the investigation of a services complaint and not to determine it under subsection (1).
 - (7) This subsection applies if—
 - (a) the Commission considers that the practitioner, the practitioner’s firm or the employing practitioner has offered the complainer a settlement as respects the complaint (“the proposed settlement”) which the Commission considers is fair and

reasonable in the circumstances,

- (b) the complainer has not accepted the proposed settlement, and
- (c) the Commission is satisfied that the proposed settlement will remain available for acceptance by the complainer for a period of up to 28 days after the complainer receives notice of the Commission's decision under subsection (6).”>

Section 55

Siobhian Brown

320 In section 55, page 42, line 16, after <2(1)> insert <or 2A(1)>

Siobhian Brown

321 In section 55, page 42, line 34, at end insert <and, subject to subsection (1A), determine the complaint.

(1A) The relevant professional organisation may make a decision—

- (a) to discontinue an investigation of a regulatory complaint,
- (b) to reinstate the investigation of a discontinued regulatory complaint, but only if the organisation considers that this is in the public interest.

(1B) As soon as practicable after a decision under subsection (1A) is made, the relevant professional organisation must give notice in writing to the complainer and the practitioner by sending them a copy of the decision, and—

- (a) specifying the reason for the decision, and
- (b) giving information about any right of appeal or ability to make a handling complaint by virtue of section 23.>

Siobhian Brown

322 In section 55, page 42, line 35, leave out <investigating a> and insert <determining the>

Siobhian Brown

323 In section 55, page 42, line 38, leave out first <the> and insert <any>

Siobhian Brown

324 In section 55, page 42, line 39, leave out <and> and insert—

<(aa) the relevant professional organisation's determination and the reasons for that determination,>

Siobhian Brown

325 In section 55, page 43, line 1, after <action> insert <(if any)>

Siobhian Brown

326 In section 55, page 43, line 4, at end insert <, and

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Amendments Atharrachaidhean				

- (c) if the relevant professional organisation does not propose to take, or has not taken, any action in the matter, an explanation of why this is the case.>

Siobhian Brown

327 In section 55, page 43, line 4, at end insert—

<(2A) When making a written report under subsection (2), the relevant professional organisation must also give notice in writing to the complainer and the practitioner of any right of appeal or ability to make a handling complaint by virtue of section 23.>

Siobhian Brown

328 In section 55, page 43, line 4, at end insert—

<(2B) The relevant professional organisation must, in considering what action (if any) to take as mentioned in subsection (2)(b), take into account any decision taken by the Commission in respect of a services complaint against the practitioner where the services complaint arises from the same matter to which the regulatory complaint relates.>

Siobhian Brown

329 In section 55, page 43, line 8, leave out <24(2)> and insert <24(6)>

Siobhian Brown

330 In section 55, page 43, leave out lines 9 to 21

Section 56

Siobhian Brown

331 In section 56, page 43, line 25, at end insert—

<“(3ZA)Where the practitioner was, at the time when the services were provided, a partner of a firm, a direction under subsection (2)(c) may be given to the practitioner’s firm instead of the practitioner.>

Siobhian Brown

332 In section 56, page 43, line 27, after <practitioner> insert <or the practitioner’s firm>

Siobhian Brown

333 In section 56, page 43, line 28, after <practitioner> insert <or the practitioner’s firm>

Siobhian Brown

334 In section 56, page 43, line 29, after <practitioner> insert <or the practitioner’s firm>

Section 57

Siobhian Brown

335 In section 57, page 44, line 40, at end insert—

<() after paragraph (a) insert—

“(aa) a decision under section 2A(1) to initiate a complaint to be taken only by—

(i) any of its committees, or

(ii) one of the Commission’s members,”>

Siobhian Brown

336 In section 57, page 44, line 41, at end insert—

<() after paragraph (c), insert—

“(ca) the making of any decision on the disclosure of information under section 41A to be exercised only by one of the Commission’s members,”>

Siobhian Brown

337 In section 57, page 45, line 4, leave out <24(2)> and insert <24(6)>

Section 58

Siobhian Brown

338 In section 58, page 45, line 8, leave out subsection (2)

Siobhian Brown

339 In section 58, page 46, line 3, leave out <is or>

Siobhian Brown

340 In section 58, page 46, leave out lines 5 to 10 and insert—

<(b) a determination that a complaint referred to in section 2(1) or 2A(1) is a conduct complaint,

(c) a determination that a complaint referred to in section 2(1) or 2A(1) is a regulatory complaint,>

Siobhian Brown

341 In section 58, page 46, line 16, at end insert—

<(ga) a decision not to initiate the investigation of a services complaint (and not to determine it under section 9(1)) in accordance with section 9(6)(a),

(gb) a decision to discontinue the investigation of a services complaint (and not to determine it under section 9(1)) in accordance with section 9(6)(b),>

Siobhian Brown

342 In section 58, page 46, line 17, leave out <10(1)> and insert <10(2)>

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Amendments Atharrachaidhean				

Siobhian Brown

343 In section 58, page 46, line 19, after <practitioner> insert <or the employing practitioner (as the case may be)>

Siobhian Brown

344 In section 58, page 46, line 24, leave out from beginning to <(3),> in line 29

Siobhian Brown

345 In section 58, page 47, line 18, leave out <is or>

Siobhian Brown

346 In section 58, page 47, leave out lines 20 to 25 and insert—

- <(ii) a determination that a complaint referred to in section 2(1) or 2A(1) is a conduct complaint,
- (iii) a determination that a complaint referred to in section 2(1) or 2A(1) is a regulatory complaint,>

Section 60

Siobhian Brown

347 In section 60, page 48, line 18, after <of> insert <—

- (a) a document or information if consent to the disclosure is given by the client of (as the case may be)—
 - (i) the practitioner,
 - (ii) the practitioner’s firm, or
 - (iii) the employing practitioner, or
- (b)>

Siobhian Brown

348 In section 60, page 48, line 30, at end insert—

<(c) after subsection (6) insert—

“(6A) For the purpose of subsection (3) or (6), references to other documents include references to anything in which information is recorded in any form.”>

Siobhian Brown

349 In section 60, page 48, line 30, at end insert—

<() after subsection (6A) (inserted by subsection (2)(c)) insert—

“(6B) Subsection (6C) applies where—

- (a) the Commission gave notice under subsection (1) in connection with its investigation and determination of a services complaint under section 9 to the

- practitioner, the practitioner's firm or the employing practitioner ("the recipient"),
- (b) the recipient failed to provide some or all of the documents or information sought in the notice within the time specified in it, and
 - (c) the Commission is satisfied that the recipient does not have a reasonable excuse for the failure.
- (6C) The Commission may proceed to determine the complaint based on the information before it despite the recipient's failure.
- (6D) Before proceeding as mentioned in subsection (6C), the Commission must notify the recipient in writing of the proposal and give the recipient an opportunity to respond within the period specified in the notice (which must be no fewer than 14 days from the date of the notice) to—
- (a) provide all of the documents or information sought in the notice given under subsection (1), or
 - (b) provide a reasonable excuse for the failure to provide some or all of the documents or information sought in that notice within the time specified in that notice.
- (6E) Where subsection (6C) applies, in determining the complaint, the Commission may draw such inference from the recipient's failure as it considers appropriate.">

Siobhian Brown

350 In section 60, page 48, line 35, after <of> insert <—

- (a) a document or information if consent to the disclosure is given by the client of (as the case may be)—
 - (i) the practitioner,
 - (ii) the practitioner's firm, or
 - (iii) the employing practitioner, or
- (b)>

Siobhian Brown

351 In section 60, page 48, line 38, leave out <concerned>

Siobhian Brown

352 In section 60, page 49, line 9, after <explanations> insert <—

() after subsection (1) insert—

“(1A) Where a relevant professional organisation gives notice under subsection (1)(a) to a practitioner and the practitioner is an employee of another practitioner, the organisation must give a copy of the notice to the employing practitioner.”,

()>

Siobhian Brown

353 In section 60, page 49, line 14, after <of> insert <—

- (a) a document or information if consent to the disclosure is given by the client of (as the case may be)—
 - (i) the practitioner,
 - (ii) the practitioner's firm, or
 - (iii) the employing practitioner, or
- (b)>

Siobhian Brown

354 In section 60, page 49, line 26, at end insert—

<() after subsection (5) insert—

“(5A) For the purpose of subsection (3) or (5), references to other documents include references to anything in which information is recorded in any form.”>

Siobhian Brown

355 In section 60, page 49, line 26, at end insert—

<() after subsection (5A) (inserted by this section) insert—

“(5B) Subsection (5C) applies where—

- (a) a relevant professional organisation gave notice under subsection (1)(a) to the practitioner, the practitioner's firm or the employing practitioner (“the recipient”) for the purposes of an investigation into a conduct complaint under section 47 or a regulatory complaint under section 52B,
 - (b) the recipient failed to provide some or all of the documents or information sought in the notice within the time specified in it, and
 - (c) the relevant professional organisation is satisfied that the recipient does not have a reasonable excuse for the failure.
- (5C) The relevant professional organisation may proceed to determine the complaint based on the information before it despite the recipient's failure.
- (5D) Before proceeding as mentioned in subsection (5C), the relevant professional organisation must notify the recipient in writing of the proposal and give the recipient an opportunity to respond within the period specified in the notice (which must be no fewer than 14 days from the date of the notice) to—
- (a) provide all of the documents or information sought in the notice given under subsection (1), or
 - (b) provide a reasonable excuse for the failure to provide some or all of the documents or information sought in that notice within the time specified in that notice.
- (5E) Where subsection (5C) applies, in determining the complaint, the Commission may draw such inference from the recipient's failure as it considers appropriate.”>

Section 61

Siobhian Brown

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Amendments Atharrachaidhean				

356 In section 61, page 49, line 33, after <2(1)> insert <or 2A(1)>

Siobhian Brown

357 In section 61, page 49, line 35, leave out from <for> to end of line 36 and insert <held by the relevant professional organisation relating to—

- (a) the practitioner,
- (b) the practitioner’s firm,
- (c) the employing practitioner,
- (d) the person (or persons) holding a specified role (or exercising a specified function) in the practitioner’s firm or the employing practitioner.>

Siobhian Brown

358 In section 61, page 49, line 39, leave out <as soon as practicable> and insert <without delay>

Siobhian Brown

359 In section 61, page 50, line 2, after <to> insert <—

<(i)>

Siobhian Brown

360 In section 61, page 50, line 2, at end insert <, or

(ii) assessment of the eligibility of complaints.>

Siobhian Brown

361 In section 61, page 50, line 2, at end insert—

<(4) It does not matter for the purpose of a relevant professional organisation’s response under subsection (2) whether, at the time of the response, the practitioner, practitioner’s firm or employing practitioner (as the case may be) continues to be authorised by the organisation to provide legal services.”.>

Section 63

Siobhian Brown

362 In section 63, page 51, line 21, at end insert—

<() the title of the section becomes “**Handling by relevant professional organisations of conduct or regulatory complaints: investigation by Commission**”,>

Siobhian Brown

363 In section 63, page 52, line 5, at end insert—

<() after subsection (4) insert—

“(4A) But paragraph (b) of subsection (4) does not apply where the Commission considers

that there are exceptional circumstances justifying its investigation of a handling complaint that is made after the expiry of the 6 month period referred to in that paragraph.”,>

Siobhian Brown

364 In section 63, page 52, leave out line 6

Siobhian Brown

365 In section 63, page 52, line 7, leave out <subsection (10) is> and insert <subsections (8) and (10) are>

Siobhian Brown

366 In section 63, page 52, leave out lines 9 and 10

Siobhian Brown

367 In section 63, page 52, leave out lines 13 and 14

Siobhian Brown

368 In section 63, page 52, leave out lines 18 to 35 and insert—

- <() in paragraph (e), after “conduct complaint” insert “or regulatory complaint”,
- () in paragraph (f), before “cost”, in both places where it occurs, insert “administrative”,
- () in subsection (5)—
 - (i) after “conduct complaint” insert “or regulatory complaint”,
 - (ii) for the words from “of—” to the end of the subsection, substitute “whether it will comply with the recommendation within 3 months and, if not, the reason why not.”,
- () in subsection (6)—
 - (i) in paragraph (a)—
 - (A) for “has decided not to” substitute “will not”,
 - (B) the word “wholly” is repealed,
 - (ii) in paragraph (b)—
 - (A) the word “wholly” is repealed,
 - (B) for “before the end of the period of” substitute “within”,
 - (C) the words from “beginning” to the end of paragraph (b) are repealed,
 - (iii) in the closing words, for “if the Commission thinks fit” substitute “within such period as it may specify in the direction”,
- () in subsection (6A)—
 - (i) for “considers” substitute “notifies the Commission”,
 - (ii) the word “wholly” is repealed,
- () in subsection (6B)(b), after “conduct complaint” insert “or regulatory complaint”,

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Amendments Atharrachaidhean				

() after subsection (8) insert—

- “(9) In this section, “within 3 months”, in relation to a recommendation included in a report sent to a relevant professional organisation under this section, means before the end of the period of 3 months beginning with the day on which the report was sent to the organisation.
- (10) In this section and schedule 3, “the other party to the conduct complaint or regulatory complaint to which the handling complaint relates” is in the case of a handling complaint made in accordance with—
- (a) paragraph (a)(ii)(A) of section 23(1A), the practitioner concerned in the conduct complaint to which the handling complaint relates,
 - (b) paragraph (b)(ii)(A) of section 23(1A), the authorised legal business concerned in the regulatory complaint to which the handling complaint relates,
 - (c) paragraph (a)(ii)(B) or (b)(ii)(B) of section 23(1A), the complainer in the conduct complaint or regulatory complaint to which the handling complaint relates.”.>

Siobhian Brown

369 In section 63, page 52, line 36, leave out subsection (4)

Section 64

Siobhian Brown

370 In section 64, page 53, line 26, leave out <attributed> and insert <attributable>

Siobhian Brown

371 In section 64, page 54, line 12, leave out <attributed> and insert <attributable>

Section 65

Siobhian Brown

372 In section 65, page 55, line 28, leave out <may> and insert <must>

Siobhian Brown

373 In section 65, page 56, line 2, at end insert—

- <(6A) The Commission must ensure that the amount of resources allocated for its use is reasonably sufficient to enable it to—
- (a) establish and maintain the register, and
 - (b) investigate, determine and review services complaints against unregulated providers of legal services.>

Siobhian Brown

374 In section 65, page 56, line 12, leave out <amounts> and insert <amount>

Today's Business <i>Gnothaichean an-diugh</i>	Future Business <i>Gnothaichean ri teachd</i>	Motions & Questions <i>Gluasadan agus Ceistean</i>	Legislation <i>Reachdas</i>	Other <i>Eile</i>
Amendments Atharrachaidhean				

Section 66

Siobhian Brown

375 In section 66, page 57, line 11, leave out <determining> and insert <assessing>

Siobhian Brown

376 In section 66, page 57, line 18, at end insert—

<(ea) assessing whether to initiate a complaint against a practitioner under section 2A(1) which, had it been received by a person mentioned in section 2(2), would be a conduct complaint or a regulatory complaint,>

Siobhian Brown

377 In section 66, page 58, line 8, after <complaint> insert <other than a handling complaint>

Siobhian Brown

378 In section 66, page 58, line 9, after <any> insert <and, where appropriate, the relevant professional organisation>

Siobhian Brown

379 In section 66, page 58, leave out line 12

Siobhian Brown

380 In section 66, page 58, line 12, at end insert—

<(ia) to initiate a conduct complaint or a regulatory complaint under section 2A(1),>

Siobhian Brown

381 In section 66, page 58, line 16, after <2(1)> insert <or 2A(1)>

Siobhian Brown

382 In section 66, page 58, line 16, leave out <, or a handling complaint,>

Siobhian Brown

383 In section 66, page 58, line 22, at end insert—

<(ma) the timing and the manner in which the Commission is to notify, in relation to a handling complaint, the following persons of its decisions—

- (i) the person who made the handling complaint (and, if made on behalf of another person, that other person),
- (ii) the other party to the conduct complaint or regulatory complaint to which the handling complaint relates (see section 24(10)), and
- (iii) the relevant professional organisation,>

Siobhian Brown

384 In section 66, page 59, line 16, at end insert—

<1ZA Rules under paragraph 1(m)(v) must in particular provide that where a complaint referred to in section 2(1) constituted a services complaint and additionally constituted a conduct complaint or a regulatory complaint that has been remitted to a relevant professional organisation under section 6(2) or 7A(2) (as the case may be), the Commission must inform the organisation—

(a) of the outcome under section 9 of—

(i) any decision by the Commission relating to the investigation of the services complaint, or

(ii) any determination by the Commission of the services complaint, and

(b) if the Commission makes a determination under that section upholding the services complaint, of any determination, direction or report by the Commission under section 10(2).>

Siobhian Brown

385 In section 66, page 59, line 27, after <relation> insert <to>

Section 67

Siobhian Brown

386 In section 67, page 60, line 15, leave out <attached to the grant> and insert <imposed in relation to the authorisation>

Siobhian Brown

387 In section 67, page 60, line 25, after <organisation> insert <—

(a)>

Siobhian Brown

388 In section 67, page 60, line 26, leave out from <authorised> to end of line 28 and insert <regulated by it, and

(b) is satisfied that the matter, if it were to be referred to the Commission as mentioned in section 2(1)(a), would be considered by the Commission to be an eligible conduct complaint in accordance with any provision in rules made under section 32(1).>

Siobhian Brown

389 In section 67, page 61, line 15, after <organisation> insert <—

(a)>

Siobhian Brown

390 In section 67, page 61, line 18, at end insert <, and

(b) is satisfied that the matter, if it were to be referred to the Commission as mentioned in section 2(1)(c), would be considered by the Commission to be an eligible regulatory complaint in accordance with any provision in rules made under section 32(1).>

Section 68

Siobhian Brown

391 In section 68, page 61, line 37, at end insert—

<() after subsection (1) insert—

“(1A) The relevant professional organisation may decide—

(a) to discontinue the investigation of a conduct complaint,

(b) to reinstate the investigation of a discontinued conduct complaint, but only if the organisation considers that this is in the public interest.

(1B) As soon as practicable after a decision under subsection (1A) is made, the relevant professional organisation must give notice in writing to the complainer and the practitioner by sending them a copy of the decision, and—

(a) specifying the reason for the decision, and

(b) giving information about any right of appeal, or ability to make a handling complaint by virtue of section 23.”>

Siobhian Brown

392 In section 68, page 61, line 38, after <(2)> insert <—

() in the opening words,>

Siobhian Brown

393 In section 68, page 61, line 39, at end insert—

<() in paragraph (a), for “the facts” substitute “any facts”,

() in paragraph (b), after “action” insert “(if any)”,

() after paragraph (b), insert—

“(c) if the organisation does not propose to take, or has not taken, any action in the matter, an explanation of why this is the case.”>

Siobhian Brown

394 In section 68, page 61, line 40, at end insert—

<“(2ZA)The relevant professional organisation must, in considering what action (if any) to take as mentioned in subsection (2)(b), take into account any decision taken by the Commission in respect of a services complaint against the practitioner where the services complaint arises from the same matter to which the conduct complaint relates.>

Section 69

Siobhian Brown

395 In section 69, page 62, line 14, after <sharing)> insert <—

Today's Business <i>Gnothaichean an-diugh</i>	Future Business <i>Gnothaichean ri teachd</i>	Motions & Questions <i>Glusadan agus Ceistean</i>	Legislation <i>Reachdas</i>	Other <i>Eile</i>
Amendments Atharrachaidhean				

()>

Siobhian Brown

396 In section 69, page 62, line 15, at end insert—

<() after subsection (4) insert—

“(5) If, in the course of exercising its functions under this Act, the Commission identifies a matter of concern relating to one or more practitioners (or practitioners’ firms or employing practitioners), the Commission may notify the relevant professional organisation of the concern and give the organisation any information it holds relating to the concern.”.>

Siobhian Brown

397 In section 69, page 63, line 29, leave out from <each> to end of line 34 and insert <—

- (a) the following persons in relation to the Commission’s initial proposals for the minimum standards that are to be set out in the guidance—
 - (i) the Lord President,
 - (ii) each relevant professional organisation concerned,
 - (iii) the practitioners regulated by each organisation, and
 - (iv) any other person the Commission considers appropriate,
- (b) the following persons in relation to a subsequent draft of the guidance that includes the proposed minimum standards—
 - (i) each relevant professional organisation concerned, and
 - (ii) any other person the Commission considers appropriate.>

Siobhian Brown

398 In section 69, page 63, line 34, at end insert—

<(4A) For the purpose of subsection (4)(a), a duty to consult the practitioners may be met by the Commission directing a relevant professional organisation to issue information about the initial proposals to the practitioners regulated by the organisation.

(4B) The Commission must take account of any representations made by a relevant professional organisation consulted under subsection (4) that are received by the Commission within the period of 28 days beginning with the day on which the organisation receives notification from the Commission of the opportunity to make representations.>

Siobhian Brown

399 In section 69, page 63, line 35, after <must> insert <—

(a)>

Siobhian Brown

400 In section 69, page 63, line 37, at end insert <, and

- (b) if the guidance sets minimum standards, at the time of publishing any such guidance,

publish a document summarising—

- (i) the consultation carried out under subsection (4),
- (ii) any representations received in response to the consultation,
- (iii) any changes made to the Commission's initial proposals for the minimum standards as a result of the consultation, and
- (iv) the Commission's reasons for including the minimum standards in the guidance.”.>

Siobhian Brown

401 In section 69, page 64, leave out lines 5 to 7

Siobhian Brown

402 In section 69, page 64, line 9, after <organisations> insert <—
(a)>

Siobhian Brown

403 In section 69, page 64, line 11, at end insert—

- <(b) relating to standards that must be set by the organisations for practitioners that they regulate in relation to how complaints made to practitioners about the matters mentioned in paragraph (a) or (b) of subsection (1) are dealt with by practitioners,
- (c) in respect of any practice (and any trends in practice) identified by the Commission in the way in which the practitioners that are regulated by the organisations deal with matters which the Commission considers contributes significantly to—
 - (i) services complaints being dealt with by the Commission under sections 8 to 12,
 - (ii) conduct complaints being remitted to the relevant professional organisations under section 6(2) (or treated as having been remitted to them under that section by virtue of section 33A(2)),
 - (iii) regulatory complaints being remitted to the relevant professional organisations under section 7A(2) (or treated as having been remitted to them under that section by virtue of section 33B(2)).>

Siobhian Brown

404 In section 69, page 64, leave out lines 12 to 23

Siobhian Brown

405 In section 69, page 64, line 24, leave out <, (3) or (4) or> and insert <or (3)>

Siobhian Brown

406 In section 69, page 64, line 30, after <subsection> and insert <(1) or>

Siobhian Brown

Today's Business <i>Gnothaichean an-diugh</i>	Future Business <i>Gnothaichean ri teachd</i>	Motions & Questions <i>Gluasadan agus Ceistean</i>	Legislation <i>Reachdas</i>	Other <i>Eile</i>
Amendments Atharrachaidhean				

407 In section 69, page 64, line 37, after <guidance> insert <to a relevant professional organisation>

Siobhian Brown

408 In section 69, page 64, line 37, leave out from <(4)> to end of line 40 and insert <(3), the relevant professional organisation must notify the practitioners that it regulates of the guidance.>

Siobhian Brown

409 In section 69, page 65, line 2, leave out from <each> to end of line 7 and insert <—

- (a) the following persons in relation to the Commission’s initial proposals for the minimum standards that are to be set out in the guidance—
 - (i) the Lord President,
 - (ii) each relevant professional organisation concerned,
 - (iii) the practitioners regulated by each organisation, and
 - (iv) any other person the Commission considers appropriate,
- (b) the following persons in relation to a subsequent draft of the guidance that includes the proposed minimum standards—
 - (i) each relevant professional organisation concerned, and
 - (ii) any other person the Commission considers appropriate.>

Siobhian Brown

410 In section 69, page 65, line 7, at end insert—

- <(9A) For the purpose of subsection (9)(a), a duty to consult the practitioners may be met by the Commission directing a relevant professional organisation to issue information about the initial proposals to the practitioners regulated by the organisation.
- (9B) The Commission must take account of any representations made by a relevant professional organisation consulted under subsection (9) that are received by the Commission within the period of 28 days beginning with the day on which the organisation receives notification from the Commission of the opportunity to make representations.>

Siobhian Brown

411 In section 69, page 65, line 10, at end insert—

- <(11) In the case of guidance issued under subsection (3) that sets minimum standards, the Commission must, at the time of publishing the guidance, publish a document summarising—
 - (a) the consultation carried out under subsection (9),
 - (b) any representations received in response to the consultation,
 - (c) any changes made to the Commission’s initial proposals for the minimum standards as a result of the consultation, and
 - (d) the Commission’s reasons for including the minimum standards in the guidance.>

Section 70

Siobhian Brown

412 In section 70, page 65, line 17, leave out <Guarantee> and insert <Client Protection>

Siobhian Brown

413 In section 70, page 65, line 18, leave out <Guarantee> and insert <Client Protection>

Siobhian Brown

414 In section 70, page 65, line 24, leave out <(2)> and insert <(1A)>

Siobhian Brown

415 In section 70, page 65, line 28, leave out <(2)> and insert <(1A)>

Siobhian Brown

416 In section 70, page 65, line 29, leave out from <each> to end of line 34 and insert <—

- (a) the following persons in relation to the Commission's initial proposals for the minimum standards that are to be set out in the guidance—
 - (i) the Lord President,
 - (ii) each relevant professional organisation concerned,
 - (iii) the practitioners regulated by each organisation, and
 - (iv) any other person the Commission considers appropriate,
- (b) the following persons in relation to a subsequent draft of the guidance that includes the proposed minimum standards—
 - (i) each relevant professional organisation concerned, and
 - (ii) any other person the Commission considers appropriate.>

Siobhian Brown

417 In section 70, page 65, line 34, at end insert—

- <(6A) For the purpose of subsection (6)(a), a duty to consult the practitioners may be met by the Commission directing a relevant professional organisation to issue information about the initial proposals to the practitioners regulated by the organisation.
- (6B) The Commission must take account of any representations made by a relevant professional organisation consulted under subsection (6) that are received by the Commission within the period of 28 days beginning with the day on which the organisation receives notification from the Commission of the opportunity to make representations.>

Siobhian Brown

418 In section 70, page 65, line 35, after <must> insert <—

- (a)>

Siobhian Brown

419 In section 70, page 65, line 37, after <guidance> insert <, and

- (b) if the guidance sets minimum standards, at the time of publishing the guidance, publish a document summarising—
 - (i) the consultation carried out under subsection (6),
 - (ii) any representations received in response to the consultation,
 - (iii) any changes made to the Commission's initial proposals for the minimum standards as a result of the consultation, and
 - (iv) the Commission's reasons for including the minimum standards in the guidance.>

Section 71

Siobhian Brown

420 In section 71, page 67, line 13, at end insert <or part of the direction (see subsection (10B)).

(10A) Subsection (10B) applies if the court, having considered an application under subsection (9)—

- (a) is proposing to make an order under subsection (10) requiring a relevant professional organisation to comply with the direction, and
- (b) considers that the taking of one or more steps specified in the order would have a detrimental effect on the ability of the relevant professional organisation to comply with its duty under section 3(1) or (3) of the 2023 Act.

(10B) In making an order under subsection (10), the court may provide that the relevant professional organisation is not required to take a step referred to in subsection (10A)(b).>

Siobhian Brown

421 In section 71, page 67, line 19, leave out from beginning to end of line 21 on page 68

After section 71

Siobhian Brown

422 After section 71, insert—

<Obtaining information from practitioners

- (1) The 2007 Act is amended as follows.
- (2) After section 40A (inserted by section 71), insert—

“40B Obtaining information from practitioners

- (1) For the purpose of any its functions mentioned in subsection (2), the Commission may request information from a practitioner about complaints received by the practitioner during the relevant period.
- (2) The functions are—
 - (a) monitoring practice and identifying any trends in practice under section 35(1) or 36(1),

- (b) the issuing of guidance under section 40(1) or (3).
- (3) The information that may be sought under subsection (1) in relation to each complaint received by the practitioner during the relevant period includes—
 - (a) the date on which the complaint was received,
 - (b) a description of the substance of the complaint,
 - (c) the category of personnel in respect of whom the complaint was made,
 - (d) the type of services in respect of which the complaint was made,
 - (e) any action taken by the practitioner, the practitioner's firm or the employing practitioner (as the case may be) in relation to the complaint,
 - (f) the date on which the practitioner's consideration of the complaint concluded,
 - (g) an explanation of whether the complaint was resolved,
 - (h) any changes in the working practices of, or processes or systems used by, the practitioner, the practitioner's firm or the employing practitioner (as the case may be) arising from the complaint.
- (4) In subsection (1), the “relevant period”, in relation to a request under that subsection, means the period of 3 years before the day on which the request is made.”.>

Section 72

Siobhian Brown

423 In section 72, page 68, line 30, at end insert—

- <() In section 42ZB (unsatisfactory professional conduct: Council's powers to monitor compliance), in subsection (2), the words “or (12)” are repealed.
- () In section 52 (procedure on complaints and appeals to Tribunal), in subsection (2), in paragraph (aa), the words “(11) or (12),” are repealed.>

Siobhian Brown

424 In section 72, page 68, line 31, leave out <of the 1980 Act>

Siobhian Brown

425 In section 72, page 68, line 31, at end insert—

- <() in subsection (1)—
 - (i) in paragraph (b)—
 - (A) the words “(other than a conviction for an economic crime offence)” are repealed, and
 - (B) the words “(other than in relation to a conviction for an economic crime offence)” are repealed,
 - (ii) paragraph (ba) is repealed,
 - (iii) paragraph (ca) is repealed.>

Siobhian Brown

- 426 In section 72, page 68, line 35, after <(c)> insert <—
() the words “subject to subsection (3ZA),” are repealed,
()>

Siobhian Brown

- 427 In section 72, page 68, line 35, at end insert—
<() paragraph (ca) is repealed,>

Siobhian Brown

- 428 In section 72, page 68, line 35, at end insert—
<() subsection (2A) is repealed,
() subsection (2B) is repealed,
() after subsection (2B) insert—
“(2C) Where the solicitor has been convicted of a criminal offence in relation to the subject matter of the Tribunal’s inquiry, the Tribunal must, when deciding whether to exercise a power under subsection (2), have regard to the conviction.”,
() subsection (3ZA) is repealed,>

Siobhian Brown

- 429 In section 72, page 68, leave out line 36 and insert—
<() in subsection (3A)—
(i) in the opening words, for “subsection (2)(bb)” substitute “subsection (2)(c)”,
(ii) in paragraph (a), for “, (b) or (ba)” substitute “or (b)”,
(iii) in paragraph (b), “, (ca)” is repealed,>

Siobhian Brown

- 430 In section 72, page 68, line 37, at end insert—
<() subsection (7D) is repealed,
() in subsection (8), paragraph (a) is repealed,>

Siobhian Brown

- 431 In section 72, page 68, line 38, at end insert—
<() subsection (9A) is repealed.>

Siobhian Brown

- 432 In section 72, page 69, line 3, at end insert—
<() subsection (3) is repealed,

() subsection (4) is repealed,>

Siobhian Brown

433 In section 72, page 69, line 5, at end insert—

<() subsection (10) is repealed.>

Siobhian Brown

434 In section 72, page 69, line 13, after <subsection (1)> insert <—

()>

Siobhian Brown

435 In section 72, page 69, line 13, at end insert—

<() for paragraph (c), substitute—

“(c) impose on the solicitor a fine of any amount,”>

Siobhian Brown

436 In section 72, page 69, leave out line 14 and insert—

<() subsection (5) is repealed,>

Siobhian Brown

437 In section 72, page 69, line 15, at end insert—

<() subsection (7) is repealed.

() In section 55A (power of Court: unsatisfactory professional conduct)—

(a) in subsection (1), paragraph (b) is repealed,

(b) in subsection (3), paragraph (b) is repealed.>

Section 73

Siobhian Brown

438 In section 73, page 69, line 23, leave out <Services> and insert <Complaints>

Section 74

Siobhian Brown

439 In section 74, page 70, line 7, at end insert—

<() in sub-paragraph (1)(b), for “8” substitute “at least 8 but no more than 20”,>

Siobhian Brown

440 In section 74, page 70, line 8, before <4> insert <at least>

Siobhian Brown

441 In section 74, page 70, line 9, leave out <for “3” substitute “4”> and insert <after “be” insert “at least”>

Siobhian Brown

442 In section 74, page 70, line 9, at end insert—

<() sub-paragraphs (5), (7) and (9) are repealed,

() in sub-paragraph (8), after “of lawyer members” insert “, but the number of non-lawyer members must not exceed the number of lawyer members by more than two”.>

Siobhian Brown

443 In section 74, page 70, line 11, leave out <“8”> and insert <“not less than 5 years and not exceeding 8”>

Siobhian Brown

444 In section 74, page 70, leave out line 12 and insert—

<() sub-paragraph (5) is repealed.>

Section 75

Siobhian Brown

445 In section 75, page 70, line 14, leave out <Schedule 1 of>

Siobhian Brown

446 In section 75, page 70, line 14, at end insert—

<() In section 41 (power by regulations to amend duties and powers of Commission), after subsection (1)(a) insert—

“(aa) the independent advisory panel established under paragraph 11A of schedule 1,”.>

Siobhian Brown

447 In section 75, page 70, line 15, at beginning insert <In schedule 1,>

Siobhian Brown

448 In section 75, page 70, line 20, at end insert—

<(da) to make recommendations to the Lord President relating to any of the Lord President’s functions conferred under or by virtue of the 2023 Act,>

Section 76

Siobhian Brown

449 In section 76, page 70, line 36, leave out <24(2)> and insert <24(6)>

Siobhian Brown

450 In section 76, page 71, line 7, at end insert—

<(d) provide information about—

- (i) the work of each review committee established by the Commission under paragraph 11(1)(a), including the number of applications for review that each review committee dealt with during the year,
- (ii) the steps taken by the Commission to ensure that each review committee is able to act independently of the Commission when considering and determining each application for review.

(1B) When preparing the report, the Commission must consult—

- (a) the Lord President,
- (b) the independent advisory panel of the Commission,
- (c) each category 1 and category 2 regulator.”.>

Section 77

Siobhian Brown

451 In section 77, page 71, line 9, leave out <2> and insert <2A>

Section 81

Siobhian Brown

452 In section 81, page 71, line 32, leave out <insert>

Siobhian Brown

453 In section 81, page 71, line 33, leave out <, at the end of the subsection> and insert <(as substituted by paragraph 27V(10) of schedule 3), after paragraph (b)>

Siobhian Brown

454 In section 81, page 72, line 2, leave out subsection (4)

Section 82

Siobhian Brown

455 In section 82, page 73, line 12, leave out <with intent to deceive>

Section 83

Siobhian Brown

- 456 In section 83, page 73, line 27, leave out <with intent to deceive>

Section 84

Siobhian Brown

- 457 In section 84, page 74, line 3, leave out <with intent to deceive> and insert <without reasonable excuse>

Section 86

Siobhian Brown

- 458 In section 86, page 75, leave out lines 11 to 16 and insert—

- <(3) The Scottish Ministers may exercise the power to make regulations under subsection (1) only if they have received a request to exercise the power from—
- (a) the Lord President,
 - (b) the regulatory committee of a category 1 regulator,
 - (c) a category 1 regulator that has no functions other than regulatory functions,
 - (d) an approved regulator within the meaning of Part 2 of the 2010 Act, or
 - (e) the independent advisory panel established by the Commission under paragraph 11A of the schedule 1 of the 2007 Act.
- (3A) Before making a request under subsection (3), the person making the request (“the requester”) must—
- (a) consult—
 - (i) the regulatory committee (if any) of each category 1 regulator,
 - (ii) each category 1 regulator that has no functions other than regulatory functions,
 - (iii) each approved regulator within the meaning of Part 2 of the 2010 Act,
 - (iv) the panel mentioned in subsection (3)(e),
 - (v) such other person or body as the requester considers appropriate,
 - (b) except where the requester is the Lord President, secure the Lord President’s agreement to the making of the request.
- (3B) But a body mentioned in subsection (3A)(a)(i) to (iv) does not need to be consulted if the body is the requester.
- (3C) For the purpose of seeking the Lord President’s agreement under subsection (3A)(b), the requester must provide to the Lord President—
- (a) a document setting out—
 - (i) an explanation of the change sought by the proposed exercise of the power, and
 - (ii) the reasons for seeking the change,
 - (b) copies of any written representations received in response to the consultation under subsection (3A)(a).

(3D) A request under subsection (3) must include—

(a) a document setting out—

- (i) an explanation of the change sought by the proposed exercise of the power, and
- (ii) the reasons for seeking the change,

(b) copies of any written representations received in response to the consultation under subsection (3A)(a), and

(c) except where the requester is the Lord President, written confirmation of the Lord President's agreement to the making of the request.

(3E) As soon as reasonably practicable after making a request under subsection (3), the requester must publish the documents included with the request in such manner as the requester considers appropriate (having regard to the desirability of the documents being accessible to those likely to have an interest in them).>

After section 86

Siobhian Brown

459 After section 86, insert—

<Lord President's functions under Parts 1 and 2: rule-making power

Lord President's functions under Parts 1 and 2: rule-making making power

- (1) The Lord President may make rules in connection with the exercise of the Lord President's functions under Part 1 or 2 of this Act.
- (2) Before making rules under subsection (1), the Lord President must consult—
 - (a) the independent advisory panel of the Commission, and
 - (b) each category 1 and category 2 regulator.
- (3) Rules under subsection (1) may in particular require each category 1 and category 2 regulator to maintain a list of—
 - (a) its regulatory functions, and
 - (b) the requirements imposed on it under this Act or any other enactment.
- (4) Rules under subsection (1)—
 - (a) may make different provision for different purposes,
 - (b) are to be published in such manner as the Lord President may determine.>

Section 87

Siobhian Brown

460 In section 87, page 75, line 24, leave out <Schedule 3 contains> and insert <Parts 3A and 4 of schedule 3 contain>

Schedule 3

Siobhian Brown

- 461 In schedule 3, page 103, leave out lines 15 to 17

Siobhian Brown

- 462 In schedule 3, page 103, line 28, leave out <provide legal services> and insert <conduct litigation, or a right of audience,>

Siobhian Brown

- 463 In schedule 3, page 103, line 34, leave out <provide legal services> and insert <conduct litigation, or a right of audience,>

Siobhian Brown

- 464 In schedule 3, page 104, line 1, leave out <provide legal services> and insert <conduct litigation, or a right of audience,>

Siobhian Brown

- 465 In schedule 3, page 104, line 9, leave out <provide legal services> and insert <conduct litigation, or a right of audience,>

Siobhian Brown

- 466 In schedule 3, page 104, line 12, at end insert—

<Renaming etc. of Association of Commercial Attorneys

In the schedule of the Licensed Legal Services (Specification of Regulated Professions) (Scotland) Regulations 2012 (S.S.I. 2012/213), in the table—

- (a) in the first column (profession) for “Commercial Attorney” substitute “Construction Attorney”,
- (b) in the second column, (professional association) for “Commercial” substitute “Construction”.>

Siobhian Brown

- 467 In schedule 3, page 104, line 16, leave out paragraphs 8 to 22

Siobhian Brown

- 468 In schedule 3, page 106, line 21, at end insert—

<PART

MODIFICATION OF THE 1980 ACT IN RELATION TO COMPLAINTS

Conduct complaints suggesting unsatisfactory professional conduct

- (1) The 1980 Act is amended as follows.
- (2) In section 3A of the 1980 Act (discharge of functions of Council of the Law Society), in subsection (5), in paragraph (aa), for “(6)(2)(a) or 15(5)(a) of that Act” substitute “6(2) of that Act (or treated as having been remitted to them under that section by virtue of section 33A(2) of that Act)”.

- (3) In section 42ZA of the 1980 Act (unsatisfactory professional conduct: Council's powers)—
- (a) in subsection (1), in the opening words—
 - (i) for “6(2)(a) or 15(5)(a) of the 2007 Act” substitute “6(2) of the 2007 Act (or treated as having been remitted to them under that section by virtue of section 33A(2) of that Act)”,
 - (ii) after “must” insert “(subject to section 47(1A) of the 2007 Act and subsections (1A) and (1B))”,
 - (b) after subsection (1), insert—

“(1A) Before the Council make a determination under subsection (1)—

 - (a) the Council may propose a settlement in respect of the complaint which they consider is fair and reasonable in the circumstances to the solicitor and the complainer,
 - (b) the solicitor may propose a settlement in respect of the complaint to the Council and the complainer.

(1B) If the solicitor accepts the proposal under subsection (1A)(a), or the Council consider that the proposal under subsection (1A)(b) is fair and reasonable in the circumstances, the Council—

 - (a) must make a direction to that effect, and
 - (b) may not determine the complaint under subsection (1) unless—
 - (i) the solicitor has failed to comply with the direction under paragraph (a), or
 - (ii) the direction is quashed under section 53ZB(2)(d).”,
 - (c) subsection (2) is repealed,
 - (d) in subsection (3), in the opening words—
 - (i) the words “or (2)” are repealed,
 - (ii) after “complaint” insert “or where the Council makes a direction under subsection (1B)(a)”,
 - (e) after subsection (3), insert—

“(3A) Where the Council censures a solicitor under subsection (3), the Council may provide that the censure is to have effect for a specified period and must give their reasons for doing so when making an intimation under subsection (8).”,
 - (f) in subsection (4), after paragraph (c), insert—

“(d) impose conditions on the solicitor's practising certificate.”,
 - (g) after subsection (4), insert—

“(4A) Where the Council have imposed conditions on a solicitor's practising certificate under subsection (4)(d), the Council may provide that the certificate is subject to those conditions for a specified period and must give their reasons for doing so when making an intimation under subsection (8).”,
 - (h) in subsection (5)—
 - (i) after “complaint” where it first occurs insert “(including whether to propose a settlement under subsection (1A)(a) or in considering a proposal under subsection (1A)(b))”,
 - (ii) the words from “any” to “misconduct” become paragraph (a),

- (iii) for “(but” to the end of the subsection substitute “,
 - (b) any previous decision made under section 47(1A)(a) of the 2007 Act with respect to a complaint against the solicitor,
 - (c) any previous direction made under subsection (1B)(a) with respect to a complaint against the solicitor,
 - (d) any previous determination of the Commission of a services complaint under section 9(1) of the 2007 Act relating to the same alleged set of circumstances,
 but not a determination, decision or direction in respect of which an appeal is pending or which has been quashed ultimately on appeal.”,
- (i) for subsection (7) substitute—
 - “(7) Any fine imposed under subsection (4)(b) is payable to the Scottish Ministers.”,
- (j) in subsection (8)—
 - (i) in paragraph (a), the words “or (2)” are repealed,
 - (ii) in paragraph (c), for “(4)” substitute “(1B)(a), (4)(a) or (4)(b)”,
 - (iii) after paragraph (c), insert—
 - “(d) any decision to impose conditions on a solicitor’s practising certificate under subsection (4)(d),”,
 - (iv) in the closing words, after “it” insert “, and to the Commission and any other relevant party,”,
 - (v) in the closing words, for “or, as the case may be, the direction” substitute “, direction or, as the case may be, the decision”,
 - (vi) in the closing words, after “determination” where it second occurs insert “or direction under subsection (1B)(a)”,
- (k) after subsection (8), insert—
 - “(8A) An intimation made under subsection (8) must—
 - (a) be sent as soon as practicable after the determination, direction or decision has been made,
 - (b) include information about any right of appeal or ability to make a handling complaint by virtue of section 23 of the 2007 Act.”,
- (l) in subsection (9)—
 - (i) in the opening words, for “or (2),” substitute “, a decision to reinstate a discontinued investigation has been made under section 47(1A)(b) of the 2007 Act,”,
 - (ii) in the opening words, after “direction” where it first occurs insert “or a decision”,
 - (iii) in the opening words, for “determination or” substitute “determination, decision, or”,
 - (iv) after paragraph (a) insert—
 - “(aa) decision,”,
 - (v) in paragraph (b), for “(whether or not he” substitute “or decision under subsection (4) (whether or not the solicitor”,
- (m) in subsection (10), for the words from “a determination” to the end of the subsection substitute

“—

- (a) a determination under subsection (1) not upholding the conduct complaint is intimated to the complainer,
- (b) a decision under section 47(1A)(a) of the 2007 Act to discontinue an investigation is intimated to the complainer,
- (c) a direction under subsection (1B)(a) is intimated to the complainer,

appeal to the Tribunal against the determination direction or decision.”

(4) In section 42ZB—

- (a) in subsection (1)(a), for “42ZA(4)” substitute “42ZA(1B)(a) or (4)”,
- (b) in subsection (2)—
 - (i) after “42ZA(9)” insert “or (10)”,
 - (ii) for “42ZA(4)” substitute “42ZA(1B)(a) or (4)”,
 - (iii) after subsection (2) insert—

“(3) The Council may, by notice in writing, require an authorised legal business or, as the case may be, a licensed provider that is specified in—

- (a) a decision under section 42E(3)(b), or
- (b) such a decision as confirmed or varied on appeal by the Tribunal or the Court,

to give, before the expiry of such period being not less than 21 days as the notice specifies, an explanation of the steps which the authorised legal business or the licensed provider has taken to comply with the decision.

(4) Where an appeal is made under section 42E(7) against a decision under section 42E(3)(b), any notice under subsection (3) relating to the decision ceases to have effect pending the outcome of the appeal.

(5) The Council may, by notice in writing, require a solicitor who is specified in—

- (a) a direction or order made under section 53ZAA(4), or
- (b) such a direction or order as confirmed or varied on appeal by the Court,

to give, before the expiry of such period being not less than 21 days as the notice specifies, an explanation of the steps which the solicitor has taken to comply with the direction or order.

(6) Where an appeal is made under section 54(1A) or (3A) against a decision under section 53ZAA(1) or any direction or order under section 53ZAA(4), any notice under subsection (5) relating to the decision, direction or, as the case may be, order ceases to have effect pending the outcome of the appeal.”

(c) the title to section 42ZB becomes “**Unsatisfactory professional conduct: Council’s powers to monitor compliance**”.

(5) Section 42C of the 1980 Act (powers to examine documents and demand explanations in connection with complaints) is repealed.

(6) In section 53 (powers of Tribunal), in subsection (2), after paragraph (g) insert—

“(h) where it considers that a solicitor does not have sufficient competence in relation to any aspect of the law or legal practice, direct the solicitor to undertake such

education or training as regards the law or legal practice as it considers appropriate in that respect.”.

- (7) Section 53ZA (remission of complaint from Tribunal to Council) is repealed.
- (8) After section 53ZA (remission of complaint by Tribunal to Council) insert—

“53ZAA Powers of Tribunal: unsatisfactory professional conduct

- (1) Where, after holding an inquiry under section 53(1)(a) into a complaint of professional misconduct against a solicitor, the Tribunal is not satisfied that the solicitor has been guilty of professional misconduct, the Tribunal may decide that the solicitor has been guilty of unsatisfactory professional conduct.
- (2) Where the Tribunal decides that a solicitor has been guilty of unsatisfactory professional conduct, they—
 - (a) must censure the solicitor,
 - (b) may take any of the steps mentioned in subsection (4) which they consider appropriate.
- (3) Where the Tribunal censures a solicitor under subsection (2)(a), the Tribunal may provide that the censure is to have effect for a specified period and must give its reasons for doing so when intimating their decision.
- (4) The steps are—
 - (a) where the Tribunal consider that the solicitor does not have sufficient competence in relation to any aspect of the law or legal practice, to direct the solicitor to undertake such education or training as regards the law or legal practice as the Tribunal consider appropriate in that respect,
 - (b) subject to subsection (8), to direct the solicitor to pay a fine not exceeding £2,000,
 - (c) to order that the solicitor’s practising certificate is to be subject to such conditions as the Tribunal may direct.
- (5) Any fine imposed by the Tribunal under subsection (4)(b) is payable to the Scottish Ministers.
- (6) Where the Tribunal has ordered that the solicitor’s practising certificate is to be subject to conditions under subsection (4)(c), the Tribunal may direct that the certificate is to be subject to those conditions for a specified period and must give its reasons for doing so when intimating their decision.
- (7) The Tribunal may, in deciding whether the solicitor has been guilty of unsatisfactory professional conduct, take account of—
 - (a) any previous determination by them, the Council or the Court upholding a complaint against the solicitor of unsatisfactory professional conduct or professional misconduct,
 - (b) any previous decision made under section 47(1A)(a) of the 2007 Act with respect to a complaint against the solicitor,
 - (c) any previous direction made under section 42ZA(1B)(a) with respect to a complaint against the solicitor,
 - (d) any previous determination of the Commission of a services complaint under section 9(1) of the 2007 Act relating to the same alleged set of circumstances,

but not a determination, decision or direction in respect of which an appeal is pending or which has been quashed ultimately on appeal.

- (8) The Tribunal must not direct the solicitor to pay a fine under subsection (4)(b) where, in relation to the subject matter of the complaint, the solicitor has been convicted by any court of an act involving dishonesty and sentenced to a term of imprisonment of not less than two years.
- (9) A direction of the Tribunal under this section is enforceable in like manner as an extract registered decree arbitral in favour of the Council bearing a warrant for execution issued by the sheriff court of any sheriffdom in Scotland.
- (10) The Scottish Ministers may by regulations amend subsection (4)(b) by substituting for the amount for the time being specified in that subsection such other amount as appears to them to be justified by a change in the value of money.
- (11) Regulations under subsection (10) are subject to the negative procedure.”.
- (9) In section 53ZB (powers of Tribunal on appeal: unsatisfactory professional conduct)—
 - (a) in the opening words of subsection (1), after “Tribunal” insert “by the solicitor”,
 - (b) in subsection (1)(a), for “being appealed against” substitute “upholding a conduct complaint”,
 - (c) in subsection (1)(c), for “being appealed against” substitute “or decision made under section 42ZA(4)”,
 - (d) after subsection (1)(f), insert—
 - “(g) may quash or confirm the decision made under section 47(1A)(b) of the 2007 Act (to reinstate a discontinued investigation),
 - (h) if it confirms the decision, may direct the Council as to which aspects of the complaint should be continued.”,
 - (e) in the opening words of subsection (2), after “Tribunal” insert “by the complainer”,
 - (f) in subsection (2)(a), at end insert “, and if it does so—
 - (i) must censure the solicitor,
 - (ii) may, subject to subsection (5), direct the solicitor to pay a fine not exceeding £2,000,
 - (iii) order that the solicitor’s practising certificate is to be subject to such conditions as the Tribunal may direct,”,
 - (g) after subsection (2)(c), insert—
 - “(d) may quash or confirm the direction made under section 42ZA(1B)(a),
 - (e) if it quashes the direction—
 - (i) must quash any censure and any other associated measures accompanying the direction,
 - (ii) may direct the Council to carry out their duties under section 42ZA(1),
 - (iii) may direct the Council to propose a new settlement under section 42ZA(1A)(a), taking into account any matters specified by the Tribunal,
 - (iv) may dismiss the complaint,
 - (f) may, where it considers that the solicitor does not have sufficient competence in relation to any aspect of the law or legal practice, direct the solicitor to undertake

such education or training as regards the law or legal practice as it considers appropriate in that respect,

- (g) may quash or confirm the decision made under section 47(1A)(a) of the 2007 Act,
- (h) if it quashes the decision, may direct the Council as to which aspects of the complaint should be continued.”,

(h) after subsection (2), insert—

“(2A) The Tribunal may, in determining whether to uphold the complaint by virtue of subsection (2)(a), take account of—

- (a) any previous determination by them, the Council or the Court upholding a complaint against the solicitor of unsatisfactory professional conduct or professional misconduct,
- (b) any previous decision made under section 47(1A)(a) of the 2007 Act with respect to a complaint against the solicitor,
- (c) any previous direction made under section 42ZA(1B)(a) with respect to a complaint against the solicitor,
- (d) any previous determination of the Commission of a services complaint under section 9(1) of the 2007 Act relating to the same alleged set of circumstances,

but not a determination, decision or direction in respect of which an appeal is pending or which has been quashed ultimately on appeal.

(2B) Where the Tribunal censures a solicitor under subsection (2)(a)(i), the Tribunal may provide that the censure is to have effect for a specified period and must give its reasons for doing so when intimating their decision.

(2C) Where the Tribunal has ordered that the solicitor’s practising certificate is to be subject to conditions under subsection (2)(a)(iii), the Tribunal may direct that the certificate is to be subject to those conditions for a specified period and must give its reasons for doing so when intimating their decision.”,

(i) in subsection (5), after “subsection (1)(e)” insert “or (2)(a)(ii)”,

(j) for subsection (6) substitute—

“(6) Any fine imposed under subsection (1)(e) or (2)(a)(ii) is payable to the Scottish Ministers.”,

(k) in subsection (8)(a), after “subsection (1)(e)” insert “or (2)(a)(ii)”.

(10) Section 54A (appeals from decisions of Tribunal: unsatisfactory professional conduct) is amended as follows—

(a) in subsection (1)—

- (i) after “decision” where it first occurs insert “mentioned in subsection (1A)”,
- (ii) the words “under section 53ZB(1), (2), (3) or (4)” are repealed,

(b) after subsection (1), insert—

“(1A) The decision is—

- (a) a decision that the solicitor has been guilty of unsatisfactory professional conduct under section 53ZAA(1),
- (b) a direction or order made under section 53ZAA(4),

- (c) a decision under section 53ZB(1),
- (d) a decision under section 53ZB(2)(a), (f), (g) or (h).”,
- (c) in subsection (3) the following paragraphs are repealed—
 - (i) paragraph (b),
 - (ii) paragraph (c),
 - (iii) paragraph (d),
 - (iv) paragraph (f),
 - (v) paragraph (g),
- (d) in subsection (3)—
 - (i) after paragraph (a), insert—
 - “(aa) a decision under subsection (1)(b) made in relation to a decision under subsection (1)(a),
 - (ab) a decision under subsection (1)(h) made in relation to a decision under subsection (1)(g).”,
 - (ii) after paragraph (g), insert—
 - “(h) a decision under subsection (2)(g) to confirm a decision made under section 47(1A)(a) of the 2007 Act.”.
- (e) after subsection (3) insert—
 - “(3A) The Council may, before the expiry of the period of 21 days beginning with the day on which a decision by the Tribunal under section 53ZAA(1) is intimated to them, appeal to the Court against—
 - (a) a decision on whether the solicitor has been guilty of unsatisfactory professional conduct under section 53ZAA(1),
 - (b) any direction or order made under section 53ZAA(4).”,
- (f) in subsection (4), for the words “subsection (1) or (2)” substitute “this section”.
- (11) In section 65 (interpretation), in subsection (1), insert after the definition of “the CMA Board”—
 - ““conduct complaint” is to be construed in accordance with Part 1 of the 2007 Act.”.>

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469 In schedule 3, page 106, line 21, at end insert—

<Regulatory complaints

- (1) The 1980 Act is amended as follows.
- (2) In section 3A (discharge of functions of Council of the Law Society), in subsection (5)—
 - (a) after paragraph (aa), insert—
 - “(aaa) that under section 52B of the 2007 Act of determining of a regulatory complaint remitted to them under section 7A(2) of that Act (or treated as having been remitted to them under that section by virtue of section 33B(2) of that Act),”,
 - (b) after paragraph (ad), insert—

“(ae) that under section 51(1) of determining whether or not to make a regulatory complaint to the Tribunal.”.

(3) After section 42D (procedure relating to complaints) as inserted by this Act, insert—

“42E Powers relating to regulatory complaints

- (1) Before the Council make a determination upholding a regulatory complaint under section 52B(1) of the 2007 Act—
 - (a) the Council may propose a settlement in respect of the complaint which they consider is fair and reasonable in the circumstances to—
 - (i) the authorised legal business or, as the case may be, the licensed provider, and
 - (ii) the complainer,
 - (b) the authorised legal business or, as the case may be, the licensed provider may propose a settlement in respect of the complaint to the Council and the complainer.
- (2) If the authorised legal business or, as the case may be, the licensed provider accepts a proposal under subsection (1)(a), or the Council consider that a proposal under subsection (1)(b) is fair and reasonable in the circumstances, the Council—
 - (a) must make a direction to that effect, and
 - (b) may not determine the complaint unless—
 - (i) the authorised legal business or, as the case may be, licensed provider has failed to comply with the direction made under paragraph (a), or
 - (ii) the direction is quashed under section 53ZE(2)(e).
- (3) Where the Council make a determination upholding a regulatory complaint under section 52B(1) of the 2007 Act or where the Council make a direction under subsection (2)(a), the Council—
 - (a) must censure the authorised legal business or, as the case may be, the licensed provider,
 - (b) may—
 - (i) where the Council consider that a solicitor of the authorised legal business or, as the case may be, the licensed provider does not have sufficient competence in relation to any aspect of the law or legal practice, direct the solicitor to undertake such education or training as regards the law or legal practice as the Council consider appropriate in that respect,
 - (ii) where the imposition of a fine is permitted under the regulatory scheme of the Council, direct the authorised legal business or, as the case may be, the licensed provider to pay a fine,
 - (iii) impose conditions on the practising certificate of a solicitor of the authorised legal business or, as the case may be, the licensed provider,
 - (vi) order that the authorisation of a legal business to provide legal services be subject to such conditions as the Council may direct,
 - (vii) impose any other sanction permitted by the regulatory scheme of the Council.
- (4) Where the Council censures an authorised legal business or a licensed provider under subsection (3)(a), the Council may provide that the censure is to have effect for a specified period and, where they do so, must give their reasons for doing so in the

report under section 52B(2) of the 2007 Act.

- (5) Where the Council have placed conditions on the practising certificate of a solicitor under subsection (3)(b), the Council may provide that the certificate is subject to those conditions for a specified period and, where they do so, must give their reasons for doing so in the report under section 52B(2) of the 2007 Act.
- (6) When considering a regulatory complaint, including whether to propose a settlement under subsection (1)(a) or in considering a proposal under subsection (1)(b), the Council may take into account—
 - (a) any previous determination by them, the Tribunal or the Court upholding a regulatory complaint against the authorised legal business or, as the case may be, the licensed provider,
 - (b) any previous decision under section 52B(1A)(a) of the 2007 Act with respect to a complaint against the authorised legal business or, as the case may be, the licensed provider,
 - (c) any previous direction made under subsection (2)(a) with respect to a complaint against the authorised legal business or, as the case may be, the licensed provider,
 - (d) any previous determination of the Commission of a services complaint under section 9(1) of the 2007 Act relating to the same alleged set of circumstances,

but not a determination, decision or direction in respect of which an appeal is pending or which has been quashed ultimately on appeal.
- (7) An authorised legal business or a licensed provider may, before the expiry of the period of 21 days beginning with the day on which—
 - (a) a determination under section 52B(1) of the 2007 Act upholding a regulatory complaint is intimated to the them,
 - (b) a decision under section 52B(1A)(b) of that Act to reinstate a discontinued investigation is intimated to them, or
 - (c) a decision to impose a sanction under subsection (3)(b) is intimated to them,

appeal to the Tribunal against the determination or decision.
- (8) A complainer may, before the expiry of 21 days beginning on the day on which—
 - (a) a determination under section 52B(1) of the 2007 Act not upholding a regulatory complaint is intimated to the complainer,
 - (b) a decision under section 52B(1A)(a) of that Act to discontinue an investigation is intimated to the complainer,
 - (c) a direction under subsection (2)(a) is intimated to the complainer, appeal to the Tribunal against the determination or decision.
- (9) In this section—
 - “complainer” has the same meaning as in section 42ZA,
 - “qualifying individual” has the meaning given in section 39(8) of the Regulation of Legal Services (Scotland) Act 2023,
 - “regulatory scheme” is to be construed in accordance with Part 1 of the Regulation of Legal Services (Scotland) Act 2023, and

references to provisions of the 2007 Act include references to those provisions as they are applied in relation to licensed providers by Part 2A of the 2007 Act.”.

- (4) In section 51 (complaints to Tribunal)—
- (a) in subsection (1A), after “includes” insert “—
- (a) a regulatory complaint,
- (b)”,
- (b) subsection (2) is repealed,
- (c) subsection (3) is repealed,
- (d) subsection (4) is repealed.

- (5) After section 51, insert—

“51A Procedure on making regulatory complaints to Tribunal

- (1) The Council must make rules as to the procedure for determining whether or not to make a regulatory complaint to the Tribunal under section 51(1).
- (2) Before making any rules under this section, the Council must—
- (a) consult the Tribunal,
- (b) send to each member of the Society a draft of the rules,
- (c) after sending the rules under paragraph (b), submit the draft rules to a meeting of the Society, and
- (d) take into consideration any resolution passed at that meeting relating to amendments to the draft rules.
- (3) Rules made under this section will not have effect unless the Lord President, after considering any objections the Lord President thinks relevant, has approved the rules so made.”.
- (6) In section 52 (procedure on complaints and appeals to Tribunal), in subsection (2)(aa)—
- (a) after “42ZD(1)” insert “, 42E(5) or (6)”,
- (b) after “9A(1)” (as inserted by this Act) insert “, 9C(1), 9E(1)“.
- (7) After section 53ZC, insert—

“53ZD Powers relating to regulatory complaints

- (1) Where a regulatory complaint is made to the Tribunal under section 51(1), the Tribunal must determine the complaint.
- (2) Where the Tribunal make a determination upholding a regulatory complaint, the Tribunal—
- (a) must censure the authorised legal business or, as the case may be, the licensed provider,
- (b) may—
- (i) where the Tribunal consider that a solicitor of the authorised legal business or, as the case may be, the licensed provider does not have sufficient competence in relation to any aspect of the law or legal practice, direct the solicitor to undertake such education or training as regards the law or legal practice as the Tribunal consider appropriate in that respect,

- (ii) where the imposition of a fine is permitted under the regulatory scheme of the Council, impose a fine,
 - (iii) order that the practising certificate of a solicitor of the authorised legal business or, as the case may be, the licensed provider is to be subject to such conditions as the Tribunal may direct,
 - (iv) order that the recognition under section 34(1A) of the incorporated practice be revoked,
 - (v) order that the authorisation of a legal business to provide legal services be withdrawn,
 - (vi) order that the authorisation of a legal business to provide legal services be subject to such conditions as the Tribunal may direct,
 - (vii) impose any other sanction permitted by the regulatory scheme of the Council.
- (3) Where the Tribunal censures an authorised legal business or a licensed provider under subsection (2)(a), the Tribunal may provide that the censure is to have effect for a specified period and, where they do so, must give their reasons in their decision.
- (4) Where the Tribunal orders that the practising certificate of a solicitor is to be subject to conditions under subsection (2)(b)(iii), the Tribunal may direct that the certificate is to be subject to those conditions for a specified period and, where they do so, must give their reasons in their decision.
- (5) Where the Tribunal order that the recognition under section 34(1A) of an incorporated practice be revoked, the Tribunal must direct that the order is to take effect on such date as the Tribunal specifies, being a date not earlier than 60 days after its order is intimated to the authorised legal business and such an order is to take effect accordingly.
- (6) Where the Tribunal order that the authorisation of a legal business to provide legal services be withdrawn, the Tribunal must direct that the order is to take effect on such date as the Tribunal specifies, being a date not earlier than 60 days after its order is intimated to the authorised legal business and such an order is to take effect accordingly.
- (7) Where an appeal against an order mentioned in subsection (5) or (6) is taken to the Court under section 54B, the order continues to have effect pending the determination or abandonment of the appeal unless the Court otherwise directs.
- (8) When considering a regulatory complaint, the Tribunal may take into account—
- (a) any previous determination by the Council, the Tribunal or the Court upholding a regulatory complaint against the authorised legal business or, as the case may be, the licensed provider,
 - (b) any previous decision under section 52B(1A)(a) of the 2007 Act with respect to a complaint against the authorised legal business or, as the case may be, the licensed provider,
 - (c) any previous direction made under section 42E(2)(a) with respect to a complaint against the authorised legal business or, as the case may be, the licensed provider,
 - (d) any previous determination of the Commission of a services complaint under section 9(1) of the 2007 Act relating to the same alleged set of circumstances,
- but not a determination, decision or direction in respect of which an appeal is pending or which has been quashed ultimately on appeal.”.
- (8) After section 53ZD (as inserted by this Act), insert—

“53ZE Powers of Tribunal on appeal: regulatory complaints

- (1) On an appeal to the Tribunal by an authorised legal business or a licensed provider under section 42E(7), the Tribunal may—
 - (a) confirm the determination upholding a regulatory complaint,
 - (b) quash the determination upholding a regulatory complaint and the censure accompanying it,
 - (c) confirm the decision to reinstate a discontinued investigation and direct the Council as to which aspects of the complaint are to be continued,
 - (d) quash the decision to reinstate a discontinued investigation,
 - (e) quash, confirm or vary a sanction imposed under section section 42E(3)(b),
 - (f) where the Tribunal consider that a solicitor of the authorised legal business or, as the case may be, the licensed provider does not have sufficient competence in relation to any aspect of the law or legal practice, direct the solicitor to undertake such education or training as regards the law or legal practice as the Tribunal consider appropriate in that respect,
 - (g) where the imposition of a fine is permitted under the regulatory scheme of the Council, impose a fine,
 - (h) order that the practising certificate of a solicitor of the authorised legal business or, as the case may be, the licensed provider is to be subject to such conditions as the Tribunal may direct,
 - (i) order that the recognition under section 34(1A) of the incorporated practice be revoked,
 - (j) order that the authorisation of a legal business to provide legal services be withdrawn,
 - (k) order that the authorisation of a legal business to provide legal services be subject to such conditions as the Tribunal may direct,
 - (l) impose any other sanction permitted by the regulatory scheme of the Council.
- (2) On an appeal to the Tribunal by the complainer under section 42E(8), the Tribunal may—
 - (a) confirm the determination not upholding a regulatory complaint,
 - (b) quash the determination not upholding a regulatory complaint, make a determination upholding the complaint and censure the authorised legal business or, as the case may be, licensed provider,
 - (c) confirm the decision to discontinue an investigation,
 - (d) quash the decision to discontinue an investigation and direct the Council as to which aspects of the complaint are to be continued,
 - (e) quash or confirm the direction made under section 42E(2)(a),
 - (f) if it quashes the direction—
 - (i) must quash any censure and any other associated measures accompanying the direction,
 - (ii) may direct the Council to carry out their duties under section 52B(1),
 - (iii) may direct the Council to propose a new settlement under section 42E(1)(a), taking into account any matters specified by the Tribunal,
 - (iv) may dismiss the complaint,

- (g) where the Tribunal consider that a solicitor of the authorised legal business or, as the case may be, the licensed provider does not have sufficient competence in relation to any aspect of the law or legal practice, direct the solicitor to undertake such education or training as regards the law or legal practice as the Tribunal consider appropriate in that respect,
 - (h) where the imposition of a fine is permitted under the regulatory scheme of the Council, impose a fine,
 - (i) order that the practising certificate of a solicitor of the authorised legal business or, as the case may be, the licensed provider is to be subject to such conditions as the Tribunal may direct,
 - (j) order that the recognition under section 34(1A) of the incorporated practice be revoked,
 - (k) order that the authorisation of a legal business to provide legal services be withdrawn,
 - (l) order that the authorisation of a legal business to provide legal services be subject to such conditions as the Tribunal may direct,
 - (m) impose any other sanction permitted by the regulatory scheme of the Council.
- (3) Where the Tribunal censures an authorised legal business or a licensed provider under subsection (2)(b), the Tribunal may provide that the censure is to have effect for a specified period and, where they do so, must give their reasons in their decision.
- (4) Where the Tribunal orders that the practising certificate of a solicitor is to be subject to conditions under subsection (1)(h) or (2)(i), the Tribunal may direct that the certificate is to be subject to those conditions for a specified period and, where they do so, must give their reasons in their decision.
- (5) Where the Tribunal order that the recognition under section 34(1A) of an incorporated practice be revoked, the Tribunal must direct that the order is to take effect on such date as the Tribunal specifies, being a date not earlier than 60 days after its order is intimated to the authorised legal business and such an order is to take effect accordingly.
- (6) Where the Tribunal order that the authorisation of a legal business to provide legal services be withdrawn, the Tribunal must direct that the order is to take effect on such date as the Tribunal specifies, being a date not earlier than 60 days after its order is intimated to the authorised legal business and such an order is to take effect accordingly.
- (7) Where an appeal against an order mentioned in subsection (5) or (6) is taken to the Court under section 54B, the order continues to have effect pending the determination or abandonment of the appeal unless the Court otherwise directs.”.
- (9) After section 54A, insert—

“54B Appeals from decisions of Tribunal: regulatory complaints

- (1) An authorised legal business or a licensed provider in respect of which a decision mentioned in subsection (2) has been made may, before the expiry of the period of 21 days beginning with the day on which the decision is intimated to them, appeal to the Court against the decision.
- (2) The decision is—
 - (a) a decision under section 53ZD(1) upholding a regulatory complaint,
 - (b) a decision to impose a sanction under section 53ZD(2)(b),

- (c) a decision under section 53ZE(1)(a) confirming the determination upholding a regulatory complaint,
 - (d) a decision under section 53ZE(2)(b) quashing the determination not upholding the regulatory complaint, making a determination upholding the complaint and censuring the authorised legal business or licensed provider,
 - (e) a decision under section 53ZE(1)(c) reinstating a discontinued investigation and directing the Council as to which aspects of the complaint are to be continued,
 - (f) a decision under section 53ZE(2)(d) quashing the decision to discontinue an investigation and directing the Council as to which aspects of the complaint are to be continued,
 - (g) a decision under section 53ZE(1)(e) to quash, confirm or vary a sanction,
 - (h) a decision to impose a sanction under section 53ZE(1)(f) to (l) or (2)(g) to (m).
- (3) The Council may, before the expiry of the period of 21 days beginning with the day on which a decision mentioned in subsection (4) is intimated to them, appeal to the Court against the decision.
- (4) The decision is—
- (a) a decision under section 53ZD(1) not upholding a regulatory complaint,
 - (b) a decision under section 53ZE(1)(b) quashing the determination upholding a regulatory complaint and the censure accompanying it,
 - (c) a decision under section 53ZE(2)(a) confirming the determination not upholding a regulatory complaint,
 - (d) a decision under section 53ZE(1)(d) quashing the decision to reinstate a discontinued investigation,
 - (e) a decision under section 53ZE(2)(c) confirming the decision to discontinue an investigation,
 - (f) a decision under section 53ZE(1)(e) to quash, confirm or vary a sanction,
 - (g) a decision to impose a sanction under section 53ZE(1)(f) to (l) or (2)(g) to (m).
- (5) Section 43 of the Regulation of Legal Services (Scotland) Act 2023 does not apply to an appeal under this section.”.
- (10) After section 55A, insert—

“55B Powers of Court: regulatory complaints

- (1) In the case of an appeal under section 54B(1), the Court may—
- (a) confirm the determination upholding a regulatory complaint,
 - (b) quash the determination upholding a regulatory complaint and the censure accompanying it,
 - (c) confirm the decision to reinstate a discontinued investigation and direct the Council as to which aspects of the complaint are to be continued,
 - (d) quash the decision to reinstate a discontinued investigation,
 - (e) quash, confirm or vary a sanction,
 - (f) where the Court considers that a solicitor of the authorised legal business or, as the case may be, the licensed provider does not have sufficient competence in relation to

any aspect of the law or legal practice, direct the solicitor or qualifying individual to undertake such education or training as regards the law or legal practice as the Court considers appropriate in that respect,

- (g) where the imposition of a fine is permitted under the regulatory scheme of the Council, impose a fine,
 - (h) order that the practising certificate of a solicitor of the authorised legal business or, as the case may be, the licensed provider is to be subject to such conditions as the Court may direct,
 - (i) order that the recognition under section 34(1A) of the incorporated practice be revoked,
 - (j) order that the authorisation of the legal business to provide legal services be withdrawn,
 - (k) order that the authorisation of the legal business to provide legal services be subject to such conditions as the Court may direct,
 - (l) impose any other sanction permitted by the regulatory scheme of the Council.
- (2) In the case of an appeal under section 54B(3), the Court may—
- (a) confirm the determination not upholding a regulatory complaint,
 - (b) quash the determination not upholding a regulatory complaint, make a determination upholding the complaint and censure the authorised legal business,
 - (c) confirm the decision to discontinue an investigation,
 - (d) quash the decision to discontinue an investigation and direct the Council as to which aspects of the complaint are to be continued,
 - (e) quash, confirm or vary a sanction,
 - (f) where the Court considers that a solicitor of the authorised legal business or, as the case may be, the licensed provider does not have sufficient competence in relation to any aspect of the law or legal practice, direct the solicitor to undertake such education or training as regards the law or legal practice as the Court considers appropriate in that respect,
 - (g) where the imposition of a fine is permitted under the regulatory scheme of the Council, impose a fine,
 - (h) order that the practising certificate of a solicitor of an authorised legal business or, as the case may be, the licensed provider is to be subject to such conditions as the Court may direct,
 - (i) order that the recognition under section 34(1A) of the incorporate practice be revoked,
 - (j) order that the authorisation of a legal business to provide legal services be withdrawn,
 - (k) order that the authorisation of a legal business to provide legal services be subject to such conditions as the Court may direct,
 - (l) impose any other sanction permitted by the regulatory scheme of the Council.
- (3) Where the Court censures an authorised legal business or a licensed provider under subsection (2)(b), the Court may provide that the censure is to have effect for a specified period and, where it does so, must give its reasons.
- (4) Where the Court orders that the practising certificate of a solicitor is to be subject to conditions under subsection (1)(h) or (2)(h), the Court may direct that the certificate is to

be subject to those conditions for a specified period and, where they do so, must give its reasons.

- (5) A decision of the Court under this section is final.
- (6) The Court may give such directions in the matter as it thinks fit, including directions as to the expenses of the proceedings before the Court and as to any order by the Tribunal relating to expenses.”.

(11) After section 62A (Council’s power to recover expenses), insert—

“62B Power to amend application of regulatory complaints provisions to licensed providers

- (1) The Scottish Ministers may by regulations amend sections 42E, 53ZE, 54B and 55B—
 - (a) to disapply those sections to licensed providers,
 - (b) where the power in paragraph (a) has been exercised, to reapply those sections to licensed providers.
- (2) Regulations under subsection (1) may include incidental, supplementary, consequential, transitional, transitory or saving provision.
- (3) Regulations under subsection (1) are subject to the negative procedure.”.

(12) In section 65 (interpretation), at the appropriate place insert—

““regulatory complaint” is to be construed in accordance with Part 1 of the 2007 Act (and, in the case of a regulatory complaint about a licensed provider, is to be construed in accordance with that Part as applied by Part 2A of that Act),”.

(13) In schedule 4—

(a) after paragraph 9A (as inserted by this Act), insert—

- “9B(1) Subject to Part 4, the Tribunal may dismiss a regulatory complaint against an authorised legal business—
- (a) without requiring the authorised legal business to answer the allegations made against it or without holding any enquiry if sub-paragraph (2) applies, or
 - (b) without hearing parties if the Tribunal are of the opinion upon consideration of the complaint and other documents that they disclose no case of failure on the part of the authorised legal business to comply with—
 - (i) the practice rules forming part of the rules for authorising and regulating the legal business made under (or for the purposes of) section 41(1)(a) of the Regulation of Legal Services (Scotland) Act 2023, or
 - (ii) the terms on which its authorisation is granted including any conditions or restrictions imposed in relation to the authorisation.
- (2) This sub-paragraph applies if—
- (a) the Tribunal are of the opinion that the complaint discloses no prima facie case of failure on the part of the authorised legal business to comply with—
 - (i) the practice rules forming part of the rules for authorising and regulating the legal business made under (or for the purposes of) section 41(1)(a) of the Regulation of Legal Services (Scotland) Act 2023, or
 - (ii) the terms on which its authorisation is granted including any conditions or restrictions imposed in relation to the authorisation, or

- (b) the complainer fails to comply with any rule made under section 52.
- 9C(1) Where under paragraph 9B the Tribunal dismisses a complaint against an authorised legal business, a person mentioned in sub-paragraph (2) may appeal the decision to the Court.
- (2) The persons are—
- (a) in the case of a decision under paragraph 9B(1)(b), the Council,
- (b) if paragraph 9B(2)(a) applies, the Council,
- (c) if paragraph 9B(2)(b) applies, the complainer.
- (3) An appeal under sub-paragraph (1) must be made before the expiry of the period of 21 days beginning with the day on which the Tribunal's decision is intimated to the Council or, as the case may be, the complainer.
- 9D(1) Subject to Part 4, the Tribunal may dismiss a regulatory complaint against a licensed provider—
- (a) without requiring the licensed provider to answer the allegations made against it or without holding any enquiry if sub-paragraph (2) applies,
- (b) without hearing parties if the Tribunal are of the opinion upon consideration of the complaint and other documents that they disclose no case of failure on the part of the licensed provider to—
- (i) have regard to the regulatory objectives (as described in section 2 of the Regulation of Legal Services (Scotland) Act 2023 (and construed in accordance with section 3 of that Act)),
- (ii) adhere to the professional principles (as described in section 4(1) of that Act),
- (iii) comply with the regulatory scheme of the Council, or
- (iv) comply with the terms and conditions of its licence.
- (2) This sub-paragraph applies if—
- (a) the Tribunal are of the opinion that the complaint discloses no prima facie case of failure on the part of the licensed provider to—
- (i) have regard to the regulatory objectives (as described in section 2 of the Regulation of Legal Services (Scotland) Act 2023 (and construed in accordance with section 3 of that Act)),
- (ii) adhere to the professional principles (as described in section 4(1) of that Act),
- (iii) comply with the regulatory scheme of the Council, or
- (iv) comply with the terms and conditions of its licence, or
- (b) the complainer fails to comply with any rule made under section 52.
- 9E(1) Where under paragraph 9D the Tribunal dismisses a complaint against a licensed provider, a person mentioned in sub-paragraph (2) may appeal the decision to the Court.
- (2) The persons are—
- (a) in the case of a decision under paragraph 9D(1)(b), the Council,
- (b) if paragraph 9D(2)(a) applies, the Council,
- (c) if paragraph 9D(2)(b) applies, the complainer.
- (3) An appeal under sub-paragraph (1) must be made before the expiry of the period of 21 days

beginning with the day on which the Tribunal’s decision is intimated to the Council or, as the case may be, the complainer.”,

- (b) in paragraph 23, in the opening words, after “section 42ZD(1)” insert “, section 42E(5) or (6)”.>

Siobhian Brown

470 In schedule 3, page 106, line 21, at end insert—

<Procedure relating to complaints

After section 42C (powers to examine documents and demand explanations in connection with complaints) of the 1980 Act insert—

“42D Procedure relating to complaints

- (1) The Council must make rules as to the procedure for—
 - (a) making a decision under section 47(1A)(a) of the 2007 Act to discontinue an investigation of a conduct complaint,
 - (b) making a decision under section 47(1A)(b) of that Act to reinstate a discontinued investigation of a conduct complaint,
 - (c) making a proposed settlement under section 42ZA(1A),
 - (d) accepting a proposed settlement under section 42ZA(1B),
 - (e) making a decision under section 52B(1A)(a) of the 2007 Act to discontinue an investigation of a regulatory complaint,
 - (f) making a decision under section 52B(1A)(b) of that Act to reinstate a discontinued investigation of a regulatory complaint.
- (2) Before making any rules under this section, the Council must—
 - (a) send to each member of the Society a draft of the rules,
 - (b) after sending the rules under paragraph (a), submit the draft rules to a meeting of the Society, and
 - (c) take into consideration any resolution passed at that meeting relating to amendments to the draft rules.
- (3) Rules made under this section will not have effect unless the Lord President, after considering any objections the Lord President thinks relevant, has approved the rules so made.”.>

Siobhian Brown

471 In schedule 3, page 106, line 21, at end insert—

<Publication of decisions

- (1) Schedule 4 of the 1980 Act (constitution, procedure and powers of Tribunal) is amended as follows.
- (2) In paragraph 14, the words “and shall, subject to paragraph 14A, be published in full” are repealed.
- (3) After paragraph 14, insert—

“14ZA The Tribunal must publish—

- (a) a decision under section 53(1)(a) as respects a conduct complaint suggesting professional misconduct,
- (b) a decision under section 53ZB(1) or (2) where the determination or direction being appealed against has been published by the Council,
- (c) a decision under section 53ZD(1),
- (d) a decision under section 53ZE(1) or (2) where the determination or decision being appealed against has been published by the Council.

14ZB The Tribunal may publish any other decision of the Tribunal.”.

- (4) For paragraph 14A substitute—

“14A In publishing a decision under paragraph 14ZA or 14ZB the Tribunal must not publish any information about persons, other than the solicitor against whom the complaint was made, unless the Tribunal considers that it is in the public interest to do so.”.>

Siobhian Brown

- 472 In schedule 3, page 106, line 21, at end insert—

<Other modifications

- (1) The 1980 Act is amended as follows.
- (2) In section 34 (rules as to professional practice, conduct and discipline), after subsection (1D) insert—
 - “(1E) Before making any rules under this section in pursuance of the Society’s functions under the 2007 Act relating to complaints against members of the Society or authorised legal businesses, the Council must consult the Commission.”.
- (3) In section 39A (powers where excessive fees etc. charged), in subsection (10), paragraph (b), for “6(2)(a) or 15(5)(a) of the 2007 Act” substitute “6(2) of the 2007 Act (or treated as having been remitted to them under that section by virtue of section 33A(2) of that Act)”.
- (4) In section 40 (power where failure to comply with accounts rules etc.), in subsection (5), in paragraph (b), for “6(2)(a) or 15(5)(a) of the 2007 Act” substitute “6(2) of the 2007 Act (or treated as having been remitted to them under that section by virtue of section 33A(2) of that Act)”.>

Siobhian Brown

- 473 In schedule 3, page 106, line 25, leave out paragraph 23

Siobhian Brown

- 474 In schedule 3, page 107, line 11, at end insert—

<() In section 17 (conveyancing practitioners), subsection (8)(d) is repealed.>

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- 475 In schedule 3, page 107, line 12, after <etc.> insert <—

()>

Siobhian Brown

- 476 In schedule 3, page 107, line 13, leave out <the words “or 15(5)(a)” are repealed> and insert <for “6(2)(a) or

15(5)(a) of the 2007 Act” substitute “6(2) of the 2007 Act (or treated as having been so remitted by virtue of section 33A(2) of that Act”,>

Siobhian Brown

477 In schedule 3, page 107, line 13, at end insert—

<() subsection (2)(ca) is repealed,

() subsection (2ZB) is repealed,

() subsection (2B)(aa) is repealed,

() for subsection (4) substitute—

“(4) Any fine imposed under subsection (2)(cb) or (2B)(b) is payable to the Scottish Ministers.”,

() subsection (6) is repealed,

() subsection (7) is repealed,

() subsections (11ZA) to (11ZC) are repealed,

() subsections (11B) to (11E) are repealed,

() subsection (11G) is repealed,

() subsection (11H) is repealed.

() Section 20ZA (remission of complaint by Tribunal to Council) is repealed.>

Siobhian Brown

478 In schedule 3, page 107, leave out lines 14 to 17 and insert—

() In section 20ZB (unsatisfactory professional conduct)—

(a) in subsection (1), in the opening words—

(i) for “6(2)(a) or 15(5)(a) of the 2007 Act” substitute “6(2) of the 2007 Act (or is treated as having been so remitted by virtue of section 33A(2) of that Act”,

(ii) after “must” insert “(subject to section 47(1A) of the 2007 Act and subsections (1A) and (1B))”,

(b) after subsection (1), insert—

“(1A) The Council may propose a settlement in respect of the complaint which they consider is fair and reasonable in the circumstances to the practitioner and the complainer and, if the practitioner accepts the proposal, the Council—

(a) must make a direction to that effect, and

(b) may not determine the complaint under subsection (1) unless—

(i) the practitioner has failed to comply with the direction under paragraph (a), or

(ii) the direction is quashed under section 20B(2)(f).

(1B) The practitioner may propose a settlement to the Council and the complainer, and if the Council considers the proposed settlement is fair and reasonable in the circumstances the Council—

(a) must make a direction to that effect, and

- (b) may not determine the complaint under subsection (1) unless—
 - (i) the practitioner has failed to comply with the direction under paragraph (a), or
 - (ii) the direction is quashed under section 20B(2)(f).”,
- (c) subsection (2) is repealed,
- (d) in subsection (3), in the opening words—
 - (i) the words “or (2)” are repealed,
 - (ii) after “complaint” insert “or where the Council make a direction under subsection (1A)(a) or (1B)(a)”,
- (e) after subsection (3), insert—

“(3A) Where the Council censures a practitioner under subsection (3), the Council may provide that the censure is to have effect for a specified period and must give their reasons for doing so when making an intimation under subsection (8).”
- (f) subsection (4)(c) is repealed,
- (g) in subsection (5)—
 - (i) after “complaint” where it first occurs insert “(including whether to make a proposed settlement under subsection (1A) or accept a proposed settlement made under subsection (1B))”,
 - (ii) after “of” where it first occurs insert “—
“(a)”,
 - (iii) for “(but not a complaint in respect of which an appeal is pending or which has been quashed ultimately on appeal).” substitute “,
 - (b) any previous decision made under section 47(1A)(a) of the 2007 Act with respect to a complaint against the practitioner,
 - (c) any previous direction made under subsection (1A)(a) or (1B)(a) with respect to a complaint against the practitioner,
 - (d) any previous determination of the Commission of a services complaint under section 9(1) of the 2007 Act relating to the same alleged set of circumstances,
but not a determination, decision or direction in respect of which an appeal is pending or which has been quashed ultimately on appeal.”
- (h) for subsection (7) substitute—

“(7) Any fine imposed under subsection (4)(b) is payable to the Scottish Ministers.”
- (i) in subsection (8)—
 - (i) in paragraph (a), the words “or (2)” are repealed,
 - (ii) in paragraph (c), after “subsection” insert “(1A)(a), (1B)(a) or”,
 - (iii) in the closing words, after “practitioner” insert “, and to the Commission and any other relevant party,”,
 - (iv) in the closing words, after “determination” where it second occurs insert “or the direction under subsection (1A)(a) or (1B)(a)”,
- (j) after subsection (8) insert—

- “(8A) An intimation made under subsection (8) must—
- (a) be sent as soon as practicable after the determination or direction under subsection (1A)(a) or (1B)(a) has been made,
 - (b) include information about any right of appeal or ability to make a handling complaint by virtue of section 23 of the 2007 Act.”,
- (k) in subsection (9)—
- (i) in the opening words, for “or (2),” substitute “, a decision to reinstate a discontinued investigation has been made under section 47(1A)(b) of the 2007 Act,”,
 - (ii) in the opening words, for “determination or” substitute “determination, decision or”,
 - (iii) after paragraph (a) insert—
 - “(aa) decision,”,
- (l) in subsection (10)—
- (i) after “which” insert “—
 - “(a),
 - (ii) the words “or (2)” are repealed,
 - (iii) for “him, appeal to the Tribunal against the determination.” substitute “the complainer,
 - (b) a decision under subsection 47(1A)(a) of the 2007 Act to discontinue an investigation is intimated to the complainer, or
 - (c) a direction under subsection (1A)(a) or (1B)(a) is intimated to the complainer,
 appeal to the Tribunal against the determination, decision or direction.”,
- (m) subsection (11) is repealed,
- (n) subsection (12) is repealed,
- (o) subsection (13)(b) is repealed,
- (p) subsection (14)(b) is repealed.
- () In section 20ZC—
- (a) in subsection (1), for “20ZB(4)” substitute “20ZB(1A)(a), (1B)(a) or (4)”,
 - (b) in subsection (2)—
 - (i) for “(12)” substitute “(10)”,
 - (ii) for “20ZB(4)” substitute “20ZB(1A)(a), (1B)(a) or (4)”,
 - (c) the title to the section becomes “**Unsatisfactory professional conduct: Council’s powers to monitor compliance with direction under section 20ZB**”.
- () After section 20ZE, insert—
- “20ZF Application of procedure relating to complaints**
- (1) The rules made by the Council under section 42D(1)(a) and (b) of the 1980 Act about the procedure for the making of a decision under section 47(1A) of the 2007 Act apply to such decisions made in relation to a complaint against a practitioner.
 - (2) The rules made by the Council under section 42D(1)(c) and (d) of the 1980 Act about the procedure for making and accepting a proposed settlement under section 42ZA(1A) and (1B)

of that Act apply to the making and accepting of a proposed settlement under section 20ZB(1A) and (1B).”.

- () In section 20B (unsatisfactory professional conduct: powers of Tribunal on appeal)—
- (a) in subsection (1)—
 - (i) paragraph (f) is repealed,
 - (ii) after paragraph (f) insert—
 - “(g) may quash or confirm the decision being appealed against,
 - (h) if it confirms the decision, may direct the Council as to which aspects of the complaint should be continued.”,
 - (b) in subsection (2)—
 - (i) paragraph (b) is repealed,
 - (ii) after paragraph (c), insert—
 - “(d) may quash or confirm the decision being appealed against,
 - (e) if it quashes the decision, may direct the Council as to which aspects of the complaint should be continued,
 - (f) may quash or confirm the direction being appealed against,
 - (g) if it quashes the direction—
 - (i) must quash any censure and any other associated measures accompanying the direction,
 - (ii) may direct the Council to carry out their duties under section 20ZB(1),
 - (iii) may direct the Council to propose a new settlement under section 20ZB(1A), taking into account any matters specified by the Tribunal,
 - (iv) may dismiss the complaint.”,
 - (c) subsection (3) is repealed,
 - (d) subsection (4) is repealed,
 - (e) for subsection (6) substitute—
 - “(6) Any fine imposed under subsection (1)(e) is payable to the Scottish Ministers.”,
 - (f) subsection (8)(b) is repealed,
 - (g) subsection (9)(b) is repealed.
- () In section 20D (unsatisfactory professional conduct: appeal from decisions of Tribunal), in subsection (3)—
- (a) paragraphs (b) to (d) are repealed,
 - (b) paragraph (f) is repealed,
 - (c) paragraph (g) is repealed,
 - (d) after paragraph (g), insert—
 - “(h) a decision under subsection (2)(d) to quash or confirm a decision made under section 47(1A)(a) of the 2007 Act.”.
- () In section 20E (unsatisfactory professional conduct: powers of court on appeal)—

- (a) subsection (1)(b) is repealed,
- (b) subsection (3)(b) is repealed,
- (c) subsection (4)(b) is repealed.

- () In section 21B (procedures of the Tribunal etc.), in subsection (2)—
 - (a) “15” substitute “15A, 16A”,
 - (b) for “, (10), (11) or (12)” substitute “or (10)”.>

Siobhian Brown

479 In schedule 3, page 107, line 24, at end insert—

- <() In section 3 (existence of specified regulatory scheme), in subsection (1), after “2(1)” insert “or 2A(1)”.>

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480 In schedule 3, page 107, line 29, leave out <, subject to> and insert <and>

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481 In schedule 3, page 107, line 32, at end insert—

- <() in the closing words, for “(4)” substitute “(7)”.>

Siobhian Brown

482 In schedule 3, page 107, leave out lines 34 and 35

Siobhian Brown

483 In schedule 3, page 108, line 12, at end insert—

- <() in subsection (3)(b), for “incorporated practice of which the practice” substitute “authorised legal business of which the business”.>

Siobhian Brown

484 In schedule 3, page 108, line 26, at end insert—

- <() In section 42 (reports: privilege)—
 - (a) the title of the section becomes “**Disclosure of information by Commission: privilege**”,
 - (b) for “publication of any report” insert “disclosure of any information by the Commission”,
 - (c) the words “13(1), 23(8),” are repealed,
 - (d) after “36(2)” insert “, 41A”,
 - (e) for “publication” where it second occurs substitute “disclosure”.>

Siobhian Brown

485 In schedule 3, page 108, leave out line 29

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486 In schedule 3, page 108, line 29, at end insert—

<() In section 45 (giving of notices etc. under Part 1), in subsection (2)(a)—

(a) in sub-paragraph (ii)—

(i) for “incorporated practice” substitute “authorised legal business”,

(ii) for “practice’s registered office” substitute “business’s principal place of business”,

(b) in sub-paragraph (iii), for “a firm of solicitors or an incorporated practice” substitute “an authorised legal business”.>

Siobhian Brown

487 In schedule 3, page 109, line 5, leave out second <legal> and insert <professional>

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488 In schedule 3, page 109, line 10, leave out <legal> and insert <professional>

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489 In schedule 3, page 109, line 32, leave out from <(except> to end of line 33 and insert <—

(a) in relation to an authorised legal business, has the meaning given by section 2(1)(c),

(b) in relation to a licensed legal services provider (within the meaning of section 47 of the Legal Services (Scotland) Act 2010), has the meaning given by section 57A(4A)(a),”>

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490 In schedule 3, page 110, line 10, leave out <“such rules”> and insert <“section 33(4) and any rules made under section 32(1)”>

Siobhian Brown

491 In schedule 3, page 110, leave out line 11

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492 In schedule 3, page 110, line 11, at end insert—

<() in subsection (4), for “52” substitute “52B”.>

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493 In schedule 3, page 110, line 11, at end insert—

<() In section 48 (conduct complaints and reviews: power of relevant professional organisations to examine documents and demand explanations), in subsection (1), in the opening words—

(a) after “section 47” insert “or a regulatory complaint under section 52B,”,

(b) for “a conduct”, where it second occurs, substitute “such a”.

- () The title of section 48 becomes “**Conduct complaints, regulatory complaints and reviews: power of relevant professional organisations to examine documents and demand explanations**”.
- () In section 49 (conduct complaints: financial impropriety), in subsection (1), after “section 47” insert “or a regulatory complaint under section 52B”.
- () The title of section 49 becomes “**Conduct complaints and regulatory complaints: financial impropriety**”.
- () In section 51 (powers in relation to documents and information from third parties), in subsection (1)—
 - (a) after “section 47” insert “or a regulatory complaint under section 52B,”,
 - (b) for “a conduct”, where it second occurs, substitute “such a”.>

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494 In schedule 3, page 110, line 11, at end insert—

<() After section 51, insert—

“51B Disclosure of information by relevant professional organisation: privilege

For the purposes of the law of defamation, disclosure of any information by a relevant professional organisation under section 51A is privileged unless the disclosure is proved to be made with malice.”.>

Siobhian Brown

495 In schedule 3, page 110, line 11, at end insert—

<() In section 52 (restriction upon disclosure of information: relevant professional organisations), in subsection (2)(a), after “complaint” insert “or a regulatory complaint”.>

Siobhian Brown

496 In schedule 3, page 110, line 11, at end insert—

<() In section 57A (complaints about licensed providers)—

- (a) in subsection (2), for the words “and (4)” substitute “to (4A)”,
- (b) in subsection (4), paragraph (b) is repealed,
- (c) after subsection (4) insert—

“(4A) In relation to a regulatory complaint about a licensed provider—

- (a) a regulatory complaint is where any person suggests that the licensed provider is failing (or has failed) to—
 - (i) have regard to the regulatory objectives,
 - (ii) adhere to the professional principles,
 - (iii) comply with the approved regulator’s regulatory scheme,
 - (iv) comply with the terms and conditions of its licence, and
- (b) its approved regulator is to be regarded as the relevant professional organisation.”,
- (d) subsection (5) is repealed.

- () Section 57B (regulatory complaints) is repealed.
- () In section 57C (levy, advice and guidance)—
 - (a) in subsection (2), after the words “28(1)” insert “to the extent it relates to the annual general levy and the complaints levy”,
 - (b) subsections (4) and (5) are repealed,
 - (c) the title of the section becomes “Levy”.
- () In section 57E (handling complaints), in subsection (1), after “conduct complaint” insert “or a regulatory complaint”.>

Siobhian Brown

497 In schedule 3, page 110, line 11, at end insert—

- <() In section 78 (ancillary provision), in subsection (1), for “of” where it second occurs substitute “made under”.>

Siobhian Brown

498 In schedule 3, page 110, line 20, leave out <In the 2010 Act> and insert—

- <() The 2010 Act is amended as follows.
- () In section 19 (financial sanctions)—
 - (a) in subsection (1)—
 - (i) the words from “the” to the end of the subsection become paragraph (a),
 - (ii) after that paragraph, insert—
 - “(b) the withdrawal of the imposition of a financial penalty if the regulator considers that it would not be reasonable to seek (or to continue to seek) payment of the financial penalty.”,
 - (b) for subsection (2) substitute—
 - “(2) The Scottish Ministers may by regulations specify the maximum amount of a financial penalty that may be imposed by virtue of subsection (1).”,
 - (c) after subsection (5) insert—
 - “(6) Before making regulations under subsection (2), the Scottish Ministers must consult—
 - (a) each approved regulator, and
 - (b) such other person or body as the Scottish Ministers consider appropriate.
 - (7) Regulations under subsection (2) may not be made without the agreement of the Lord President.”.
- () In section 38 (measures open to Ministers), in subsection (6), the words “except paragraph (d)” are repealed.
- ()>

Siobhian Brown

499 In schedule 3, page 110, line 22, leave out <Services> and insert <Complaints>

Siobhian Brown

500 In schedule 3, page 110, line 22, at end insert—

<() In schedule 4 (financial penalties), paragraphs 8 to 10 are repealed.>

Siobhian Brown

501 In schedule 3, page 110, line 22, at end insert—

<PART

MISCELLANEOUS MODIFICATIONS OF THE 1980 ACT ETC.

The roll and other registers

(1) The 1980 Act is amended as follows.

(2) In section 7 (keeping the roll)—

(a) in subsection (1), the words “at the office of their secretary” are repealed,

(b) for subsection (3) substitute—

“(3) The roll must be accessible to, and searchable by, the public, free of charge, by such electronic means as the Council consider appropriate.”.

(3) In section 8 (entry in the roll), for subsection (2) substitute—

“(2) Any solicitor whose name is entered on the roll (in this Act referred to as “an enrolled solicitor”) must—

(a) on enrolment, inform the Council of—

(i) the address of the solicitor’s place of business, and

(ii) any other information the Council consider necessary for the purpose of maintaining the roll, and

(b) inform the Council of any change to the information required under paragraph (a) within 28 days of the change.”.

(4) In section 12A (keeping the register)—

(a) in subsection (1), the words “, and shall keep the register at the office of their secretary” are repealed,

(b) for subsection (3) substitute—

“(3) The register must be accessible to, and searchable by, the public, free of charge, by such electronic means as the Council consider appropriate.”.

(5) In section 12B (information to be provided by registered European lawyers), for subsection (1) substitute—

“(1) Any registered European lawyer must—

(a) on registration, inform the Council of—

(i) the address of the registered European lawyer’s place of business,

(ii) the registered European lawyer’s home professional title, and

(iii) the name and address of the competent authority with which the registered

European lawyer is registered in the registered European lawyer's home state, and

(b) inform the Council of any change to the information required under paragraph (a) within 28 days of the change.”.

- (6) In section 12C (removal of name from register on request)—
- (a) in subsection (1), for “solicitor” substitute “registered European lawyer”,
 - (b) in subsection (2)(a), for “solicitor”, in both places it occurs, substitute “registered European lawyer”.
- (7) In section 13 (applications for practising certificates), for subsection (2) substitute—
- “(2) The register must be accessible to, and searchable by, the public, free of charge, by such electronic means as the Council consider appropriate.”.
- (8) In section 24A (applications for registration certificates), for subsection (2) substitute—
- “(2) The register referred to in subsection (1)(c) must be accessible to, and searchable by, the public, free of charge, by such electronic means as the Council consider appropriate.”.
- (9) In section 60A (registered foreign lawyers)—
- (a) for subsection (4A) substitute—
- “(4A) The register of foreign lawyers must be accessible to, and searchable by, the public, free of charge, by such electronic means as the Council consider appropriate.”,
- (b) in subsection (4B), after “hand” insert “and the Council are satisfied that it is otherwise appropriate to do so”.
- (10) In schedule 2 (the roll: powers of the Council and ancillary provisions)—
- (a) in paragraph 1(b)—
 - (i) for “send to any solicitor at his address as shown in the roll a letter enquiring” substitute “contact any solicitor to enquire”,
 - (ii) for “6 months” substitute “8 weeks”,
 - (iii) for “of the posting of the letter” substitute “the enquiry is made”,
 - (b) in paragraph 1(c)—
 - (i) for “send” substitute “contact”,
 - (ii) for “a letter enquiring” substitute “to enquire”,
 - (iii) for “6 months” substitute “8 weeks”,
 - (iv) for “of the posting of the letter” substitute “the enquiry is made”,
 - (c) in paragraph 1(d)—
 - (i) for “a letter has been so sent” substitute “an enquiry has been made”,
 - (ii) for “a letter sent” substitute “an enquiry made”.
- (11) In schedule 4 (constitution, procedure and powers of Tribunal)—
- (a) in paragraph 18, for the words from “shall” to the end of the paragraph substitute “must be accessible to, and searchable by, the public, free of charge, by such electronic means as the Council consider appropriate.”,
 - (b) in paragraph 18A, for the words from “open” to the end of the paragraph substitute “accessible

to, and searchable by, the public, free of charge, by such electronic means as the Council consider appropriate.”.

27B(1) The 1990 Act is amended as follows.

(2) In section 17 (conveyancing practitioners)—

(a) in subsection (1), for the words from “shall” to the end of the subsection substitute “must be accessible to, and searchable by, the public, free of charge, by such electronic means as the Council consider appropriate.”,

(b) after subsection (9) insert—

“(9A) On application to the Council from a conveyancing practitioner whose name has been removed from the register under subsection (9), the Council may, after such inquiry as they think proper, restore the name of that conveyancing practitioner to the register.

(9B) Rules made by the Tribunal under section 52 of the 1980 Act may—

(a) regulate the making, hearing and determining of applications under subsection (9A),

(b) provide for payment by the applicant to the Council of such fee in respect of restoration to the register as the rules may specify.”.

(3) In section 18 (executory practitioners)—

(a) in subsection (1), for the words from “shall” to the end of the subsection substitute “must be accessible to, and searchable by, the public, free of charge, by such electronic means as the Council consider appropriate.”,

(b) after subsection (8) insert—

“(8A) On application to the Council from an executory practitioner whose name has been removed from the register under subsection (9), the Council may, after such inquiry as they think proper, restore the name of that executory practitioner, to the register.

(8B) Rules made by the Tribunal under section 52 of the 1980 Act may—

(a) regulate the making, hearing and determining of applications under subsection (8A),

(b) provide for payment by the applicant to the Council of such fee in respect of restoration to the register as the rules may specify.”.>

Siobhian Brown

502 In schedule 3, page 110, line 22, at end insert—

<Restoration of name to roll: appeals

27C(1) The 1980 Act is amended as follows.

(2) In section 10 (restoration of name to roll on request)—

(a) after subsection (1ZA), insert—

“(1ZB) Where under subsection (1) or (1ZA) the Tribunal decides not to restore a solicitor’s name to the roll, the solicitor may appeal the decision to the Court.

(1ZC) An appeal under subsection (1ZB) must be made before the expiry of the period of 21 days beginning with the day on which the Tribunal’s decision is intimated to the solicitor.

(1ZD) On an appeal under subsection (1ZB), the Court may give such directions in the matter as it thinks fit, including directions as to the expenses of the proceedings before the Court and

as to any order by the Tribunal relating to expenses.

(1ZE) A decision of the Court under subsection (1ZD) is final.”

(b) after subsection (1A), insert—

“(1B) Where under subsection (1A) the Council decides not to restore a solicitor’s name, or annotation against a solicitor’s name, to the roll, the solicitor may appeal the decision to the Tribunal.

(1C) An appeal under subsection (1B) must be made before the expiry of the period of 21 days beginning with the day on which the Council’s decision is intimated to the solicitor.

(1D) On an appeal to the Tribunal under subsection (1B), the Tribunal may—

- (a) restore the solicitor’s name, or annotation against the solicitor’s name, to the roll, or
- (b) confirm the Council’s decision.”.

(3) In schedule 4 (constitution, procedure and powers of Tribunal)—

- (a) in paragraph 23, in the opening words, after “appeal to the Tribunal under section” insert “10(1B),”,
- (b) in paragraph 25, at the beginning, insert “Subject to paragraph 26,”,
- (c) after paragraph 25 insert—

“26 In an appeal to the Tribunal under section 10(1B), the Tribunal must—

- (a) give notice of the appeal to the solicitor and to the Council, and
- (b) enquire into the matter, giving the solicitor and the Council reasonable opportunity to make representations to the Tribunal.”.

Restoration of name to register of European lawyers: appeals

27D(1) The 1980 Act is amended as follows.

(2) In section 12D (restoration of name to register on request), after subsection (2) insert—

“(2A) Where under subsection (2) the Council decides not to restore a registered European lawyer’s name, or annotation against a registered European lawyer’s name, to the register, the registered European lawyer may appeal the decision to the Tribunal.

(2B) An appeal under subsection (2A) must be made before the expiry of the period of 21 days beginning with the day on which the Council’s decision is intimated to the registered European lawyer.

(2C) On an appeal to the Tribunal under subsection (2A), the Tribunal—

- (a) if the Tribunal considers that a registered European lawyer’s name should be restored to the register, must direct the Council—
 - (i) to restore the registered European lawyer’s name to the register, and
 - (ii) to issue to the registered European lawyer a registration certificate, subject to such conditions, if any, as the Tribunal thinks fit,
- (b) if the Tribunal considers that an annotation against the registered European lawyer’s name should be restored to the register, must direct the Council to restore the annotation to the register,
- (c) may confirm the Council’s decision.”.

- (3) In section 52 (procedure on complaints and appeals to Tribunal), in subsection (2)(aa), after “section” insert “10(1B), 12D(2A),”.

Restoration of name to register of foreign lawyers: appeals

27E(1) The 1980 Act is amended as follows.

- (2) In section 60A (registered foreign lawyers), after subsection (4F) insert—

“(4FA) Where under subsection (4C) the Council decides not to restore a foreign lawyer’s name to the register, the foreign lawyer may appeal the decision to the Court.

(4FB) Where under subsection (4D) the Tribunal decides not to restore a foreign lawyer’s name to the register, the foreign lawyer may appeal the decision to the Court.

(4FC) An appeal under subsection (4FA) or (4FB) must be made before the expiry of the period of 21 days beginning with the day on which the Council’s decision or, as the case may be, the Tribunal’s decision, is intimated to the foreign lawyer.

(4FD) On an appeal to the Court under subsection (4FA) or (4FB), the Court may—

(a) restore the foreign lawyer’s name to the register, or

(b) confirm the decision of the Council or, as the case may be, the Tribunal.”.>

Siobhian Brown

503 In schedule 3, page 110, line 22, at end insert—

<Practising certificates

27F(1) The 1980 Act is amended as follows.

- (2) In section 15 (discretion of Council in special cases)—

(a) in subsection (2)(i)(i), for “6(2)(a) or 15(5)(a) of the 2007 Act” substitute “6(2) of the 2007 Act (or is treated as having been so remitted by virtue of section 33A(2) of that Act)”,

(b) after subsection (2)(j) insert—

“(k) where the solicitor’s practising certificate is subject to conditions.”,

(c) in subsection (3), for “or (h)” substitute “, (h) or (k)”,

(d) after subsection (3) insert—

“(3A) Where the Council decide to issue a practising certificate subject to conditions, the Council may, at the request of the solicitor to whom the certificate is issued or on their own initiative—

(a) vary the conditions,

(b) remove conditions, or

(c) impose further conditions.

(3B) Before making a decision to vary, remove or impose conditions under subsection (3A), the Council must—

(a) notify the solicitor of their intention to exercise the power,

(b) give the solicitor an opportunity to make representations within 14 days of being notified,

and when exercising that power, must take into account any representations made by the solicitor.

(3C) The Council must notify the solicitor to whom the practising certificate is issued of the decision to vary, remove or impose conditions and the reasons for the decision as soon as practicable after making the decision.”,

(e) in subsection (4), after “conditions,” insert “or vary, remove or impose conditions under subsection (3A),”,

(f) after subsection (4) insert—

“(5) If a solicitor fails to comply with any condition of the solicitor’s practising certificate, that failure may be treated as professional misconduct or unsatisfactory professional conduct.”.

(3) After section 15 insert—

“15A Discretion of Council in other cases

(1) Except in a case where section 15 has effect, the Council may, subject to subsection (2), take any of the following steps in relation to the practising certificate of a solicitor—

- (a) vary any conditions imposed by the Council,
- (b) remove conditions, or
- (c) impose conditions.

(2) The Council may take any of the steps mentioned in subsection (1) only if they consider it necessary to do so—

- (a) in the public interest, or
- (b) for the protection of the public.

(3) Before making a decision to vary, remove or impose conditions by virtue of subsection (2)(a), the Council must—

- (a) notify the solicitor of their intention to exercise the power,
- (b) give the solicitor an opportunity to make representations within 14 days of being notified,

and when exercising that power, must take into account any representations made by the solicitor.

(4) Where the Council have made a decision to vary, remove or impose conditions by virtue of subsection (2)(b), the Council—

- (a) when notifying the solicitor under subsection (5), must give the solicitor an opportunity to make representations within 14 days of being notified, and
- (b) taking into account any representations made, may vary their decision.

(5) The Council must notify the solicitor to whom the practising certificate is issued of their decision to vary, remove or impose conditions and the reasons for the decision as soon as practicable after making the decision.

(6) Where the Council decide to vary, remove or impose conditions, they may, if they think fit, postpone the issue of the certificate pending the hearing and determination of an appeal under section 16.

(7) If a solicitor fails to comply with any condition of the solicitor’s practising certificate, that failure may be treated as professional misconduct or unsatisfactory professional conduct.”.

- (4) In section 16 (appeals from decisions of Council)—
- (a) in subsection (2), after “conditions,” insert “or decide to vary, remove or impose conditions,”
 - (b) after subsection (2) insert—

“(2A) Where the Council have varied conditions of, removed conditions from or imposed conditions on a practising certificate under section 15A, the solicitor to whom the certificate is issued may appeal to the Court against that decision within 14 days of being notified of it.”,
 - (c) in subsection (3), in the opening words, after “(2)” insert “or (2A)”.
- (5) In section 17 (date and expiry of practising certificates), in subsection (2), after “(1)” insert “or a different date specified on the certificate”.
- (6) In section 18 (suspension of practising certificates)—
- (a) after subsection (1ZA) insert—

“(1ZB) The Council may suspend a solicitor from practice as a solicitor if the Council consider it necessary to do so—

 - (a) in the public interest, or
 - (b) for the protection of the public.

(1ZC) Before making a decision to suspend a solicitor from practice by virtue of subsection (1ZB)(a), the Council must—

 - (a) notify the solicitor of their intention to make a decision,
 - (b) give the solicitor an opportunity to make representations within 14 days of being notified,

and when making a decision, must take into account any representations made by the solicitor.

(1ZD) Where the Council have made a decision to suspend a solicitor from practice by virtue of subsection (1ZB)(b), the Council—

 - (a) when notifying the solicitor under subsection (1ZE), must give the solicitor an opportunity to make representations within 14 days of being notified, and
 - (b) taking into account any representations made, may vary their decision.

(1ZE) Where the Council have made a decision to suspend a solicitor from practice under subsection (1ZB), the Council must notify the solicitor of the suspension as soon as practicable and give reasons for the suspension.”,
 - (b) after subsection (3A) insert—

“(4) Where the Council have been notified by the Commission that a solicitor has failed to comply with a direction under section 10 of the 2007 Act, the Council may, when considering a suspension under this section, contact the Commission to ascertain whether the solicitor has since complied with the direction.”,

(c) the title of section 18 becomes “**Suspension from practice as solicitor**”.
- (7) In section 19 (further provisions relating to suspension of practising certificates)—
- (a) subsection (1) is repealed,
 - (b) for subsections (4) and (5) substitute—

“(4) Where a solicitor has been suspended from practice as a solicitor by virtue of section 18(1)(c)

or (d), the suspension expires on the solicitor being granted a discharge.

(5) Where a solicitor has been suspended from practice as a solicitor by virtue of section 18(1)(e), the suspension expires on the judicial factor being granted a discharge.”,

(c) subsection (5B) is repealed,

(d) in subsection (5C), for “(5B)” substitute “(5A)”,

(e) after subsection (5C), insert—

“(5D) Where a solicitor is suspended from practice as a solicitor by virtue of paragraphs (c), (d) or (e) of section 18(1) or by virtue of section 18(1ZA) or (1ZB), the Council may, on their own initiative, decide to terminate the suspension with or without conditions.”,

(f) in subsection (6), after “section 18(1ZA)” insert “or (1ZB)”,

(g) after subsection (7), insert—

“(7A) Where the Council have made a decision—

(a) to terminate the suspension of a solicitor under subsection (5D),

(b) to grant an application to terminate the suspension of a solicitor under subsection (7)(a), or

(c) to refuse an application to terminate the suspension of a solicitor under subsection (7)(b),

the Council must notify the solicitor of the decision and the reasons for the decision as soon as practicable after making the decision.”,

(h) the title of section 19 becomes “**Further provisions relating to suspension from practice as solicitor**”.

(8) In section 20 (Council’s duty to supply lists of solicitors holding practising certificates), after subsection (1)(b) insert—

“(c) any other body the Council consider necessary for the fulfilment of the Council’s regulatory duties.”.

Registration certificates

27G(1) The 1980 Act is amended as follows.

(2) In section 24C (discretion of Council in special cases)—

(a) in subsection (2)(h)—

(i) in the opening words, the words “, after a complaint has been made” are repealed,

(ii) in sub-paragraph (i), for “relating to his conduct of the business of a client” substitute “the Council are investigating a conduct complaint remitted to them under section 6(2) of the 2007 Act (or is treated as having been so remitted by virtue of section 33A(2) of that Act),”

(iii) in sub-paragraph (ii), at beginning insert “after a complaint has been made”,

(b) after subsection (2)(i) insert—

“(j) where the registered European lawyer’s registration certificate is subject to conditions.”,

(c) in subsection (3), for “or (g)” substitute “, (g) or (j)”,

(d) after subsection (3) insert—

“(3A) Where the Council decide to issue a registration certificate subject to conditions, the Council may, at the request of the registered European lawyer to whom the certificate is issued or on their own initiative—

- (a) vary the conditions,
- (b) remove conditions, or
- (c) impose further conditions.

(3B) Before making a decision to vary, remove or impose conditions under subsection (3A), the Council must—

- (a) notify the registered European lawyer of their intention to exercise the power,
- (b) give the registered European lawyer an opportunity to make representations within 14 days of being notified,

and when exercising that power, must take into account any representations made by the registered European lawyer.

(3C) The Council must notify the registered European lawyer to whom the registration certificate is issued of the decision to vary, remove or impose conditions and the reasons for the decision as soon as practicable after making the decision.”,

(e) in subsection (4), after “conditions,” insert “or vary, remove or impose conditions under subsection (3A),”,

(f) after subsection (4) insert—

“(5) If a registered European lawyer fails to comply with any condition of the lawyer’s registration certificate, that failure may be treated as professional misconduct or unsatisfactory professional conduct.”.

(3) After section 24C insert—

“24CA Discretion of Council in other cases

(1) Except in a case where section 24C has effect, the Council may, subject to subsection (2), take any of the following steps in relation to the registration certificate of a registered European lawyer—

- (a) vary any conditions imposed by the Council,
- (b) remove conditions, or
- (c) impose conditions.

(2) The Council may take any of the steps mentioned in subsection (1) only if they consider it necessary to do so—

- (a) in the public interest, or
- (b) for the protection of the public.

(3) Before making a decision to vary, remove or impose conditions by virtue of subsection (2)(a), the Council must—

- (a) notify the registered European lawyer of their intention to exercise the power,
- (b) give the registered European lawyer an opportunity to make representations within 14 days of being notified,

and when exercising that power, must take into account any representations made by the registered European lawyer.

- (4) Where the Council have made a decision to vary, remove or impose conditions by virtue of subsection (2)(b), the Council—
 - (a) when notifying the registered European lawyer under subsection (5), must give the registered European lawyer an opportunity to make representations within 14 days of being notified, and
 - (b) taking into account any representations made, may vary their decision.
 - (5) The Council must notify the registered European lawyer to whom the registration certificate is issued of their decision to vary, remove or impose conditions and the reasons for their decision.
 - (6) Where the Council decide to vary, remove or impose conditions, they may, if they think fit, postpone the issue of the certificate pending the hearing and determination of an appeal under section 16.”.
- (4) In section 24D (appeals from decisions of Council)—
 - (a) in subsection (2), after “conditions,” insert “or decide to vary, remove or impose conditions,”
 - (b) after subsection (2) insert—

“(2A) Where the Council have varied conditions of, removed conditions from or imposed conditions on a registration certificate under section 12D(2C) or 24CA, the registered European lawyer to whom the certificate is issued may appeal to the Court against that decision within 14 days of being notified of it.”,
 - (c) subsection (3), in the opening words, after “(2)” insert “or (2A)”.
 - (5) In section 24E (date and expiry of registration certificate), in subsection (2), after “(1)” insert “or a different date specified on the certificate”.
 - (6) In section 24F (suspension of registration certificate)—
 - (a) after subsection (1A) insert—

“(1B) The Council may suspend a registered European lawyer from practice as a registered European lawyer if the Council consider it necessary to do so—

 - (a) in the public interest, or
 - (b) for the protection of the public.
 - (1C) Before making a decision to suspend a registered European lawyer from practice by virtue of subsection (1B)(a), the Council must—
 - (a) notify the lawyer of their intention to make a decision,
 - (b) give the lawyer an opportunity to make representations within 14 days of being notified,

and when making a decision, must take into account any representations made by the lawyer.
 - (1D) Where the Council have made a decision to suspend a registered European lawyer from practice by virtue of subsection (1B)(b), the Council—
 - (a) when notifying the lawyer under subsection (1E), must give the lawyer an opportunity to make representations within 14 days of being notified, and

- (b) taking into account any representations made, may vary their decision.
- (1E) Where the Council have made a decision to suspend a registered European lawyer from practice under subsection (1B), the Council must notify the lawyer of the suspension as soon as practicable and give reasons for the suspension.”,
- (b) after subsection (3) insert—
 - “(4) Where the Council have been notified by the Commission that a registered European lawyer has failed to comply with a direction under section 10 of the 2007 Act, the Council may, when considering a suspension under this section, contact the Commission to ascertain whether the lawyer has since complied with the direction.”,
- (c) title of section 24F becomes “**Suspension from practice as registered European lawyer**”.
- (7) In section 24G (further provisions relating to suspension of registration certificate)—
 - (a) subsection (1) is repealed,
 - (b) for subsection (2) substitute—
 - “(2A) Where a registered European lawyer has been suspended from practice as a registered European lawyer by virtue of section 24F(1)(c) or (d), the suspension expires on the lawyer being granted a discharge.”,
 - (c) for subsection (3), substitute—
 - “(3A) Where a registered European lawyer has been suspended from practice as a registered European lawyer by virtue of section 24F(1)(e), the suspension expires on the judicial factor being granted a discharge.”,
 - (d) subsection (4A) is repealed,
 - (e) in subsection (4B), for “(4A)” substitute “(4)”,
 - (f) after subsection (4B), insert—
 - “(4C) Where a registered European lawyer is suspended from practice as a registered European lawyer by virtue of paragraphs (c), (d) or (e) of section 24F(1) or by virtue of section 24F(1A) or (1B), the Council may, on their own initiative, decide to terminate the suspension with or without conditions.”,
 - (g) in subsection (5), after “section 24F(1A)” insert “or (1B)”,
 - (h) after subsection (6), insert—
 - “(6A) Where the Council have made a decision—
 - (a) to terminate the suspension of a registered European lawyer under subsection (4C),
 - (b) to grant an application to terminate the suspension of a registered European lawyer under subsection (6)(a), or
 - (c) to refuse an application to terminate the suspension of a registered European layer under subsection (6)(b),
 the Council must notify the registered European lawyer of the decision and the reasons for the decision as soon as practicable after making the decision.”,
 - (i) the title of section 24G becomes “**Further provisions relating to suspension from practice as registered European lawyer**”.>

Siobhian Brown

504 In schedule 3, page 110, line 22, at end insert—

<Powers where excessive fees etc. charged

27H(1) Section 39A of the 1980 Act (powers where excessive fees etc. charged) is amended as follows.

(2) After subsection (2), insert—

“(2A) On their own initiative the Council may decide to terminate the suspension of a solicitor under subsection (2) and, where they do so, must restore to the solicitor any practising certificate held by the solicitor for the practice year then current and may impose conditions on the certificate.

(2B) Where the Council have made a decision to terminate the suspension of a solicitor under subsection (2A), the Council must notify the solicitor of the decision and the reasons for the decision as soon as practicable after making the decision.”.

(3) In subsection (3)—

(a) for the words “, unless they are of the opinion that the solicitor or incorporated practice is liable to disciplinary proceedings under Part IV, shall” substitute “may”,

(b) for the words “and shall” substitute “and, where they do so, must”,

(c) after “current” insert “and may impose conditions on the certificate”.

(4) In subsection (8), after “certificate” insert “or a decision under subsection (2A) to restore a solicitor’s practising certificate subject to conditions or a decision under subsection (3) to refuse to terminate the solicitor’s suspension from practice”.

(5) After subsection (8) insert—

“(8A) Nothing in subsection (8) prevents a solicitor or authorised legal business from subsequently satisfying the Council under subsection (3).”.>

Siobhian Brown

505 In schedule 3, page 110, line 22, at end insert—

<Powers where failure to comply with rules

27I(1) Section 40 of the 1980 Act (power where failure to comply with accounts rules etc.) is amended as follows.

(2) After subsection (1) insert—

“(1A) On their own initiative the Council may decide to terminate the suspension of a solicitor under subsection (1) and, where they do so, must restore to the solicitor any practising certificate held by the solicitor for the practice year then current and may impose conditions on the certificate.

(1B) Where the Council have made a decision to terminate the suspension of a solicitor under subsection (1A), the Council must notify the solicitor of the decision and the reasons for the decision as soon as practicable after making the decision.”.

(3) In subsection (2)—

(a) after “provisions” insert “or has complied with the provisions”,

(b) for the words “, unless they are of opinion that the solicitor or, as the case may, the incorporated practice is liable to disciplinary proceedings under Part IV, shall” substitute “may”,

- (c) for “shall” where it second occurs substitute “, where they do so, must”,
 - (d) after “current” insert “and may impose conditions on the certificate”.
- (4) After subsection (2), insert—
- “(2A) If the Council make a decision under subsection (2) to terminate the suspension of a solicitor from practice on the basis that the solicitor (or the authorised legal business) is willing and able to comply with the applicable provisions—
- (a) the Council must specify the period within which the solicitor or authorised legal business is to comply with the provisions, and
 - (b) the solicitor or authorised legal business must, before the end of that period, notify the Council of having complied with the provisions.
- (2B) If a solicitor or authorised legal business, without reasonable excuse, fails to comply with the requirements of subsection (2A), the Council may, as the case may be—
- (a) withdraw the practising certificate held by the solicitor, or
 - (b) withdraw the practising certificate or certificates of any or all of the solicitors who are members, owners, partners or, as the case may be, directors of the authorised legal business,
- and suspend the solicitor from practice as a solicitor.”.
- (5) In subsection (3), after “certificate” insert “or a decision under subsection (1A) to restore a solicitor’s practising certificate subject to conditions”.>

Siobhian Brown

506 In schedule 3, page 110, line 22, at end insert—

<Previous findings of record

27J After section 42E of the 1980 Act (powers relating to regulatory complaints) as inserted by this Act insert—

“42F Previous findings of record

- (1) This section applies where the Council are exercising their functions under this Part.
- (2) Where a person has been convicted of a criminal offence committed in the United Kingdom—
 - (a) an extract conviction of the crime bearing to have been issued by an officer whose duties include the issue of extract convictions is conclusive proof of—
 - (i) the conviction, and
 - (ii) the findings of fact upon which the conviction is based, and
 - (b) the only evidence which may be adduced by the person in rebuttal of the conviction is evidence for the purpose of proving that the person is not the person referred to in the extract conviction.
- (3) Where the Council have made a finding based upon an extract conviction for a conviction which is subsequently quashed the Council may, on the application of the person who was convicted of the criminal offence, revoke their finding.
- (4) The judgment of any civil court in or outside Scotland may be proved by producing a certified copy of the judgment and the findings of fact upon which that judgment was based are admissible as proof but not conclusive proof of those facts.

- (5) In this section, “extract conviction” includes a copy of a certificate of conviction issued from any court of justice of the United Kingdom.”>

Siobhian Brown

507 In schedule 3, page 110, line 22, at end insert—

<The Client Protection Fund

27K(1) The 1980 Act is amended as follows.

(2) In section 21 (consultants to hold practising certificates)—

(a) in subsection (1), for “Guarantee” substitute “Client Protection”,

(b) in subsection (2), for “the Guarantee” substitute “The Client Protection”.

(3) In section 37A (accounts and anti-money laundering fees), in subsection (1)(a), for “Guarantee” substitute “Client Protection”.

(4) In section 41 (appointment of judicial factor)—

(a) in paragraph (b)(iii), for “Guarantee” substitute “Client Protection”,

(b) in paragraph (c)(iii), for “guarantee fund” substitute “Client Protection Fund”.

(5) In section 43 (Guarantee Fund)—

(a) in subsection (1)—

(i) for ““The Scottish Solicitors Guarantee Fund”” substitute ““The Client Protection Fund””,

(ii) for ““the Guarantee Fund”,” substitute ““the Client Protection Fund)””,

(b) in subsection (2), in the opening words, for “Guarantee” substitute “Client Protection”,

(c) in subsection (6), for “Guarantee” substitute “Client Protection”,

(d) in subsection (7), for “Guarantee” in both places it occurs substitute “Client Protection ”,

(6) In schedule 3—

(a) in paragraph 1(1), for “Guarantee” substitute “Client Protection”,

(b) in paragraph 1(2B), for “Guarantee Fund” substitute “Client Protection Fund—”,

(c) in paragraph 1(4)—

(i) for “Guarantee” substitute “Client Protection”,

(ii) for “£250,000 or such other” substitute “such”,

(d) in paragraph 1(5), for “Guarantee” substitute “Client Protection”,

(e) in paragraph 1A(2)(b), for “Guarantee” substitute “Client Protection”,

(f) in paragraph 1B(2)(b), for “Guarantee” substitute “Client Protection”,

(g) in paragraph 1B(4), for “Guarantee” substitute “Client Protection”,

(h) in paragraph 2(1), for “Guarantee” substitute “Client Protection”,

(i) in paragraph 2(2), for “Guarantee” substitute “Client Protection”,

(j) in paragraph 2(3) for “Guarantee” substitute “Client Protection”,

(k) in paragraph 2(5) for “Guarantee” in each place it occurs substitute “Client Protection”,

- (l) in paragraph 3(1), for “Guarantee” substitute “Client Protection”,
- (m) in paragraph 4(1), for “Guarantee” substitute “Client Protection”,
- (n) in paragraph 4(2), for “Guarantee” substitute “Client Protection”,
- (o) in paragraph 4(3), for “Guarantee” substitute “Client Protection”,
- (p) in paragraph 4(3A), for “Guarantee” substitute “Client Protection”,
- (q) in paragraph 4(4), for “Guarantee Fund” in both places it occurs substitute “Client Protection Fund”,
- (r) the title of Part 1 becomes “The Client Protection Fund”.

27L (1) The 2007 Act is amended as follows.

- (2) In section 39 (monitoring effectiveness of guarantee funds etc.)—
 - (a) in subsection (1)—
 - (i) in paragraph (a)—
 - (A) for “Scottish Solicitors Guarantee Fund” substitute “Client Protection Fund”,
 - (B) for ““the Guarantee Fund”” substitute ““the Client Protection Fund””,
 - (ii) in paragraph (c), for “Guarantee” substitute “Client Protection”,
 - (b) the title of section 39 becomes “**Monitoring effectiveness of funds etc.**”.

27M(1) The 2010 Act is amended as follows.

- (2) In section 24 (choice of arrangements)—
 - (a) in subsection (2), for “Guarantee” substitute “Client Protection”,
 - (b) in subsection (3)—
 - (i) in paragraph (a), for “Guarantee” substitute “Client Protection”,
 - (ii) in paragraph (b), for “Guarantee” substitute “Client Protection”,
 - (c) in subsection (4), for “Guarantee” substitute “Client Protection”.
- (3) In section 25 (compensation rules: general), in subsection (3), for “Guarantee” substitute “Client Protection”.
- (4) In section 26 (more about compensation arrangements), subsection (3)—
 - (a) for “the Guarantee” substitute “the Client Protection”,
 - (b) for “Scottish Solicitors Guarantee” substitute “Client Protection”.
- (5) In section 33 (reporting to Law Society)—
 - (a) in subsection (1), for “Guarantee” substitute “Client Protection”,
 - (b) in subsection (2)(b), for “Guarantee” substitute “Client Protection”,
 - (c) in subsection (5), for “Guarantee” substitute “Client Protection”.
- (6) In section 34 (steps open to Society), in subsection (4)(a), for “Guarantee” substitute “Client Protection”.>

Siobhian Brown

508 In schedule 3, page 110, line 22, at end insert—

<*Safeguarding interests of clients*

27N(1) The 1980 Act is amended as follows.

(2) After section 45 (safeguarding interests of clients of solicitor struck off or suspended) insert—

“45A Safeguarding interests of clients

- (1) This section applies in relation to—
 - (a) an authorised legal business that has had its authorisation to provide legal services—
 - (i) suspended, or
 - (ii) withdrawn, and
 - (b) an authorised legal business comprised of a sole solicitor who—
 - (i) has died,
 - (ii) has been struck off the roll,
 - (iii) is incapacitated by illness or accident to such an extent as to be unable to operate on, or otherwise deal with, any client account in the name of the authorised legal business,
 - (iv) has been suspended from practice or otherwise restricted from acting as principal, or
 - (v) has ceased to practice for any other reason.
- (2) In this section, an authorised legal business is “comprised of a sole solicitor” if it—
 - (a) consists of a solicitor practising under the solicitor’s own name or as a single solicitor under a firm or business name,
 - (b) is wholly owned by a single solicitor.
- (3) For the purpose of subsection (2)(b), an authorised legal business may be wholly owned by a single solicitor—
 - (a) directly or through one or more other bodies,
 - (b) partly directly and partly through one or more other bodies.
- (4) In a case mentioned in subsection (1)(a) or (b)(ii) or (iv), until one of the tests in subsection (9)(a) or (c) is satisfied—
 - (a) the rights described in section 45B(2) and (3) vest in the Society (notwithstanding any enactment or rule of law to the contrary),
 - (b) the Council may require the production or delivery to any person appointed by them at a time and place fixed by them of the documents and information mentioned in section 45B(3),
 - (c) Part 2 of schedule 3 applies in relation to the documents and information.
- (5) In a case mentioned in subsection (1)(b)(i), until the test in subsection (9)(a) is satisfied—
 - (a) the rights described in section 45B(2) to (4) vest in the Society (notwithstanding any enactment or rule of law to the contrary),
 - (b) the Council may require the production or delivery to any person appointed by them at a time and place fixed by them of the documents and information mentioned in section 45B(3).

- (6) In a case mentioned in subsection (1)(b)(iii), until one of the tests in subsection (9)(a) or (b) is satisfied—
- (a) the rights described in section 45B(2) and (3) vest in the Society (notwithstanding any enactment or rule of law to the contrary),
 - (b) the Council may require the production or delivery to any person appointed by them at a time and place fixed by them of the documents and information mentioned in section 45B(3),
 - (c) the Council may distribute the documents and information to a person mentioned in subsection (8) if—
 - (i) they are requested to do so by the client to whom the documents and information relate,
 - (ii) where that client has died, the Council are requested to do so by the client's executor or successor, or
 - (iii) where, in the opinion of the Council, that client cannot be traced, the Council are requested to do so by a person who appears to the Council to represent the interests of that client,
 - (d) the Council may apply to the Court for an order that the Council may distribute the documents and information mentioned in section 45B(3) (without meeting the requirements of paragraph (c))—
 - (i) to the client to whom they relate, or
 - (ii) to an authorised legal business or licensed provider that has been instructed by that client.
- (7) In a case mentioned in subsection (1)(b)(v), until the test in subsection (9)(a) is satisfied—
- (a) the rights described in section 45B(2) and (3) vest in the Society (notwithstanding any enactment or rule of law to the contrary) but the Council may not make a payment out of any account or any sum of money mentioned in section 45B(2) unless—
 - (i) they are requested to do so by the client on behalf of whom, or in relation to whom, the money is held,
 - (ii) where that client has died, the Council are requested to do so by the client's executor or successor, or
 - (iii) where, in the opinion of the Council, that client cannot be traced, the Council are requested to do so by a person who appears to the Council to represent the interests of that client,
 - (b) the Council may require the production or delivery to any person appointed by them at a time and place fixed by them of the documents and information mentioned in section 45B(3),
 - (c) the Council may distribute the documents and information to a person mentioned in subsection (8) if—
 - (i) they are requested to do so by the client to whom the documents and information relate,
 - (ii) where that client has died, the Council are requested to do so by the client's executor or successor, or
 - (iii) where, in the opinion of the Council, that client cannot be traced, the Council are

requested to do so by a person who appears to the Council to represent the interests of that client,

- (d) the Council may apply to the Court for an order that the Council may—
 - (i) make payments out of any account or sum of money mentioned in section 45B(2) (without meeting the requirements of paragraph (a)),
 - (ii) distribute the documents and information mentioned in section 45B(3) (without meeting the requirements of paragraph (c)) to the client to whom they relate or to an authorised legal business or licensed provider that has been instructed by that client.
- (8) The persons to whom documents and information may be distributed under subsections (6)(c) and (7)(c) are—
 - (a) the person who made the request, or
 - (b) an authorised legal business or licensed provider that has been instructed by that person.
- (9) The tests referred to in subsections (4) to (7) are that—
 - (a) the Council are satisfied that suitable arrangements are in place in respect of—
 - (i) the accounts and money mentioned in section 45B(2), and
 - (ii) the documents and information mentioned in section 45B(3),
 - (b) in the case of an authorised legal business comprised of a sole solicitor who was incapacitated by illness or accident, the solicitor is no longer incapacitated,
 - (c) in the case of an authorised legal business comprised of a sole solicitor who was suspended from practice or otherwise restricted from acting as principal, the solicitor is no longer suspended from practice or otherwise restricted from acting as principal.
- (10) In any case referred to in subsection (1), the Council may apply to the Court for—
 - (a) an order that no payment may be made by any bank, building society or other body named in the order out of any banking account or any sum deposited in the name of the authorised legal business without leave of the Court,
 - (b) an order that the authorised legal business must give possession of the documents and information mentioned in section 45B(3) to the Council,
 - (c) any other order which the Council consider necessary to safeguard the interests of the clients of the authorised legal business.
- (11) On an application under subsection (10), the Court may—
 - (a) make an order as described in subsection (10), and
 - (b) make any other order which it considers is necessary to safeguard the interests of the clients of the authorised legal business.
- (12) In this section and in section 45C—

“material date” means whichever is the latest of—

 - (a) the day on which, as the case may be—
 - (i) the decision of the Council or the order of the Tribunal or Court by or in pursuance of which the solicitor is struck of the roll is to take effect,
 - (ii) the decision of the Council or the order of the Tribunal or Court by or in

pursuance of which the solicitor is suspended from practice is to take effect,

- (iii) the solicitor is suspended under section 18(1),
 - (iv) the decision of the Council or the order of the Tribunal or Court by or in pursuance of which the solicitor is otherwise restricted from acting as principal is to take effect,
 - (v) the decision of the Council or the order of the Tribunal or Court by or in pursuance of which the authorisation to provide legal services is suspended or withdrawn is to take effect,
- (b) the last day on which—
- (i) an appeal against a decision or order mentioned in paragraph (a)(i), (ii), (iv) or (v) may be lodged or an application may be made to the Court under section 54(2),
 - (ii) an appeal under section 19(6) may be lodged, or
 - (iii) an appeal against a decision of the Council under section 40 may be lodged,
- (c) the day on which any such appeal is dismissed or abandoned,
“principal” means a solicitor who is—
- (a) in the case of an authorised legal business comprised of a sole solicitor, the solicitor,
 - (b) in the case of a company—
 - (i) a director, secretary, manager or similar officer, or
 - (ii) where the affairs of the company are managed by its members, a member,
 - (c) in the case of a limited liability partnership, a member,
 - (d) in the case of a partnership other than a limited liability partnership, a partner,
 - (e) in the case of a multi-national practice having its principal place of business in Scotland, a member,
 - (f) in any other body or association, a person who is concerned in the management or control of its affairs.

45B Safeguarding interests of clients: certain rights to vest in Society

- (1) The rights referred to in section 45A are as follows.
- (2) The right to operate on or otherwise deal with, to the exclusion of any other person—
 - (a) any client account in the name of the authorised legal business,
 - (b) any sums of money held by, or in the name of, the authorised legal business on behalf of, or in relation to, the clients of the authorised legal business,
 - (c) any sums of money subject to any trust of which the authorised legal business is the sole trustee or co-trustee only with one or more of the members, owners, partners, directors or employees of the authorised legal business.
- (3) The right to take possession of all documents and information (of any kind) in the possession or control of the authorised legal business which relate to, or are held on behalf

of, the clients of the authorised legal business.

- (4) The right to distribute the documents and information mentioned in subsection (3)—
 - (a) to the client to whom the documents and information relate, or
 - (b) to another authorised legal business or licensed provider instructed by that client.

45C Safeguarding interests of clients: duty to prepare accounts and notify clients

- (1) In a case mentioned in section 45A(1)(a)(ii) or (b)(ii), the authorised legal business must comply with the duties mentioned in subsection (2) before the expiry of the period of 21 days beginning with the day on which, as the case may be—
 - (a) its authorisation to provide legal services is withdrawn, or
 - (b) the sole solicitor is struck off the roll.
- (2) The duties are—
 - (a) to prepare final accounts which (in particular) detail all sums held on behalf of clients,
 - (b) to send a copy of the accounts to the Council,
 - (c) to notify its clients—
 - (i) that its authorisation to provide legal services has been withdrawn or (as the case may be) that the solicitor has been struck off the roll, and
 - (ii) of the powers that the Society and the Council have under section 45A in relation to its clients, and
 - (d) to satisfy the Council that it has complied with paragraph (c).
- (3) In a case mentioned in section 45A(1)(a)(i) or (b)(iv) or (v), the authorised legal business must comply with the duties mentioned in subsection (4) before the expiry of the period of 21 days beginning with the day on which, as the case may be—
 - (a) its authorisation to provide legal services is suspended,
 - (b) the sole solicitor is suspended from practice or otherwise restricted from acting as principal, or
 - (c) the sole solicitor ceased to practice.
- (4) The duties are—
 - (a) to prepare interim accounts which (in particular) detail all sums held on behalf of clients,
 - (b) to send a copy of the accounts to the Council,
 - (c) to notify its clients, as the case may be—
 - (i) that its authorisation to provide legal services has been suspended,
 - (ii) that the sole solicitor has been suspended from practice or otherwise restricted from acting as principal, or
 - (iii) that the sole solicitor has ceased to practice,
 - (d) to notify its clients of the powers that the Society and the Council have under section 45A in relation to its clients, and
 - (e) to satisfy the Council that it has complied with paragraphs (c) and (d).

- (5) In a case referred to in section 45A(1)(a), or (b)(ii), (iv) or (v), the Council must, as soon as practicable, notify the authorised legal business of its duties under this section.
- (6) The Court may, on an application by the Council, make an order requiring an authorised legal business that is in breach of a duty imposed by this section to carry out that duty.”.
- (3) Sections 45 and 46 are repealed.
- (4) In section 62A (Council’s power to recover expenses incurred under section 45 or 46)—
- (a) Before subsection (1) insert—
- “(A1) In a case where by virtue of section 45A(5) the Society have operated on or otherwise dealt with a client account in the name of an authorised legal business comprised of a sole solicitor who has died, the Society is entitled to recover from the estate of the solicitor any expenditure reasonably incurred by it in doing so.
- (A2) In subsection (A1), “comprised of a sole solicitor” has the same meaning as in section 45A(2).”.
- (b) in subsection (1)—
- (i) for “section 46(4)” substitute “subsection (A1)”,
- (ii) for “a solicitor or incorporated practice” substitute “an authorised legal business”,
- (iii) for “45, or 46” substitute “45A”,
- (c) subsection (2) is repealed.
- (d) the title of section 62A becomes “**Council’s power to recover expenses incurred under section 45A**”.
- (5) In Part 2 of schedule 3 (power of Council to investigate), in paragraph 5—
- (a) before sub-paragraph (1) insert—
- “(A1) This paragraph applies in a case mentioned in—
- (a) section 45A(1)(a) (authorised legal business that has had its authorisation suspended or withdrawn),
- (b) section 45A(1)(b)(ii) (sole solicitor who has been struck off the roll), and
- (c) section 45A(1)(b)(iv) (sole solicitor who has been suspended or otherwise restricted from acting as principal).”.
- (b) in sub-paragraph (1)—
- (i) for “45 or 46” substitute “45A”,
- (ii) after “documents”, in both places it occurs, insert “and information”,
- (c) in sub-paragraph (2)—
- (i) for “such documents which have been produced or delivered to the Council” substitute “documents or information mentioned in section 45B(3)”, and
- (ii) for “45 or 46” substitute “45A”,
- (d) after sub-paragraph (2) insert—
- “(2A) In the period ending with the material date, the Council may distribute the documents and information mentioned in section 45B(3) to a person mentioned in sub-paragraph (2B) if—
- (a) the Council are requested to do so by the client to whom the documents and

information relate,

- (b) where that client has died, the Council are requested to do so by—
 - (i) the client's executor, or
 - (ii) the client's successor, or
 - (c) where, in the opinion of the Council, that client cannot be traced, the Council are requested to do so by a person who appears to the Council to represent the interests of that client.
- (2B) The persons to whom documents and information may be distributed under sub-paragraph (2A) are—
- (a) the person who made the request, or
 - (b) an authorised legal business or licensed provider that has been instructed by that person.
- (2C) In the period beginning with the day after the material date, sub-paragraphs (4) to (6) apply.”,
- (e) sub-paragraph (3) is repealed,
 - (f) in sub-paragraph (4)—
 - (i) for “after service of” substitute “beginning with the day on which”,
 - (ii) after “(2)” insert “is served or, if later, the material date,”,
 - (iii) after “documents” insert “and information”,
 - (g) in sub-paragraph (5), after “documents”, in both places it occurs, insert “and information”,
 - (h) after sub-paragraph (5), insert—
 - “(6) In this paragraph, “material date” has the meaning given in section 45A(10).”>

Siobhian Brown

509 In schedule 3, page 110, line 22, at end insert—

<Investment business certificates

27O(1) The 1980 Act is amended as follows.

(2) In section 53 (powers of Tribunal)—

- (a) in subsection (2)(g), for “an investment business certificate” substitute “a licence to carry on incidental financial business”,
- (b) in subsection (7A), for the words from ““investment” to the end of the subsection substitute ““licence to carry on incidental financial business” means a licence issued by the Society as a designated professional body under section 326(1) of the Financial Services and Markets Act 2000.”,
- (c) for subsection (8)(b) substitute—

“(b) the definition of “licence to carry on incidental financial business” in subsection (7A) by substituting for the reference to the Society’s Practice Rule C2: Incidental Financial Business, or such reference replacing that reference as may for the time being be specified in that subsection, a reference to such Practice Rule as may from

time to time replace Practice Rule C2.”,

(d) after subsection (8) insert—

“(8A) The power in subsection (8)(b) includes the power to make supplementary, incidental, consequential, transitional, transitory or saving provision.”.

(3) In section 53D (suspension etc. of investment business certificates: appeal to Tribunal)—

(a) in subsection (1), for “an investment business certificate” substitute “a licence to carry on incidental financial business”,

(b) the title of section 53D becomes “**Suspension etc. of licence to carry on incidental financial business: appeal to Tribunal**”.

(4) In schedule 4 (constitution, procedure and powers of Tribunal), in paragraph 16(h), for “an investment business certificate” substitute “a licence to carry on incidental financial business”.>

Siobhian Brown

510 In schedule 3, page 110, line 22, at end insert—

<Appeals from decisions of Tribunal

27P(1) Section 54 of the 1980 Act (appeals from decisions of Tribunal) is amended as follows.

(2) After subsection (1B) insert—

“(1BA) Section 43 of the Regulation of Legal Services (Scotland) Act 2023 does not apply to an appeal under subsection (1B)(c).”.

(3) In subsection (1C)—

(a) for “a decision by the Tribunal under section 53(2) or (5)” substitute “any decision by the Tribunal mentioned in subsection (1CA)”,

(b) the words “; but the Council may not appeal to the Court against a decision of the Tribunal under section 53(2)(bb) or (bc)” are repealed.

(4) After subsection (1C) insert—

“(1CA) The decision is—

(a) the finding that the solicitor has been not guilty of professional misconduct,

(b) a decision under section 53(2), (5) or (5A).”.>

Siobhian Brown

511 In schedule 3, page 110, line 22, at end insert—

<Constitution of Tribunal

27Q(1) Schedule 4 of the 1980 Act (constitution, procedure and powers of Tribunal) is amended as follows.

(2) In paragraph 1A—

(a) in paragraph (a), after “Council” insert “after consultation with the Tribunal”, and

(b) in paragraph (b), after “the Scottish Ministers” insert “and the Tribunal”.

(3) After paragraph 1A insert—

“1AA Each solicitor member must have in force a practising certificate when appointed under paragraph 1A(a) or re-appointed under paragraph 2(b).

- 1AB The Council must notify the Tribunal where—
- (a) a solicitor member has been suspended from practice as a solicitor,
 - (b) a solicitor member’s practising certificate ceases to have effect,
 - (c) the Council have—
 - (i) issued a solicitor member’s practising certificate subject to conditions, or
 - (ii) placed a condition on, added a condition to, removed a condition from or varied a condition of a solicitor member’s practising certificate.
- 1AC When notifying the Tribunal under paragraph 1AB, the Council must give reasons for, as the case may be—
- (a) the solicitor member’s suspension,
 - (b) the solicitor member’s practising certificate ceasing to have effect,
 - (c) the solicitor member’s practising certificate being issued subject to conditions,
 - (d) the condition being placed on or added to the solicitor member’s practising certificate,
 - (e) the condition of the solicitor member’s practising certificate being varied, or
 - (f) the condition being removed from the solicitor member’s practising certificate.
- 1AD Where the Tribunal has been notified about a solicitor member under paragraph 1AB, the Chair (see paragraph 4) may request that the Lord President terminates the appointment of the solicitor member (see paragraph 3).”.
- (4) In paragraph 2—
 - (a) in paragraph (a), after “the Secretary of State” insert “and the Tribunal”,
 - (b) in paragraph (b), after “Council” insert “after consultation with the Tribunal”.
 - (5) In paragraph 3—
 - (a) after “Council” insert “after consultation with the Tribunal”, and
 - (b) after “the Secretary of State” insert “and the Tribunal”.
 - (6) In paragraph 4, for “chairman” substitute “Chair”.
 - (7) After paragraph 4 insert—

“4A The Tribunal may appoint one or more of their number to be vice-Chair and, subject to the provisions of this Act, may regulate their procedure in such a way as they may think fit.

4B The Chair may arrange for any of the Chair’s functions to be discharged on the Chair’s behalf by a vice-Chair.”.
 - (8) In paragraph 14, for “chairman” substitute “Chair”.>

Siobhian Brown

- 512 In schedule 3, page 110, line 22, at end insert—

<Procedure of Tribunal

- 27R(1) The 1980 Act is amended as follows.

- (2) In section 52 (procedure on complaints and appeals to Tribunal), after subsection (2)(ab) insert—

“(ac) for regulating an arrangement under paragraph 6A of schedule 4,”.

(3) In schedule 4 (constitution, procedure and powers of Tribunal), after the title to Part 2 insert—

“Procedure

- 6A The Tribunal may arrange for any of their functions (other than an excepted function) to be discharged on their behalf by one of their number.
- 6B An “excepted function” is the making of a decision under—
- (a) section 10,
 - (b) section 12D,
 - (c) section 42ZD,
 - (d) section 47,
 - (e) section 52,
 - (f) section 53,
 - (g) section 53ZAA,
 - (h) section 53ZB,
 - (i) section 53ZD,
 - (j) section 53ZE,
 - (k) section 53D,
 - (l) section 54,
 - (m) section 60A.”>

Siobhian Brown

513 In schedule 3, page 110, line 22, at end insert—

<Communicating and giving effect to Tribunal decisions

27S(1) The 1980 Act is amended as follows.

(2) In schedule 4 (constitution, procedure and powers of tribunal)—

- (a) in paragraph 15, after “of appeal” insert “, if any,”,
- (b) after paragraph 15, insert—

“15A A copy of every decision by the Tribunal certified by the clerk must be sent to the Commission.”,

(c) in paragraph 16—

(i) after paragraph (d), insert—

“(da) directing a solicitor to undertake education or training, or

(db) ordering that the practising certificate of a solicitor be subject to such conditions as they may direct, or”,

(ii) in the closing words, for the words “shall forthwith” to the end of the closing words substitute “must comply with paragraph 16A.”,

(d) after paragraph 16, insert—

“16A When the Council receives a copy of a decision by virtue of paragraph 16, the Council

must—

- (a) give effect to any order as to striking the solicitor off the roll,
- (b) give effect to any conditions directed by the Tribunal under section 53(5), 53ZAA(4)(c), 53ZB(2)(a)(iii), 53ZD(2)(b) or 53ZE(1)(h) or (2)(g),
- (c) give effect to any direction requiring a solicitor to undertake education or training,
- (d) in any other case in relation to a solicitor, cause a note of the effect of the decision to be entered against the name of the solicitor in the roll,
- (e) give effect to any order revoking the recognition under section 34(1A) of an incorporated practice, or
- (f) give effect to the withdrawal of, or imposition of conditions in relation to, the authorisation of a legal business to provide legal services.

16B In the case of a decision by the Tribunal—

- (a) relating to the discontinuation of an investigation of a conduct complaint or a regulatory complaint,
- (b) relating to the reinstatement of a discontinued investigation of a conduct complaint or a regulatory complaint,
- (c) directing the Council to carry out their duties under section 42ZA(1),
- (d) directing the Council to propose a new settlement under section 42ZA(1A)(a),
- (e) under section 53ZD,
- (f) under section 53ZE,

on the expiration of the days of appeal without an appeal being lodged or, where an appeal has been lodged, as soon as the appeal is withdrawn or a decision by the Court confirming the decision of the Tribunal is given, the clerk of the Tribunal must send a certified copy of the decision of the Tribunal to the Council, and where relevant the Council must give effect to the decision.”.

- (3) In section 53, in subsection (5), the words “terms and” are repealed.>

Siobhian Brown

514 In schedule 3, page 110, line 22, at end insert—

<Appeal against decision of Tribunal to dismiss before enquiry

27T(1) The 1980 Act is amended as follows.

- (2) In schedule 4 (constitution, procedure and powers of Tribunal)—

(a) after paragraph 9 insert—

“9A(1) Where under paragraph 9 the Tribunal dismisses a complaint against a solicitor or an authorised legal business, a person mentioned in sub-paragraph (2) may appeal the decision to the Court.

(2) The persons are—

- (a) in the case of a decision under paragraph 9(a)(i), the Council,
- (b) in the case of a decision under paragraph 9(a)(ii), the complainer,

- (c) in the case of a decision under paragraph 9(b), the Council.
- (3) An appeal under sub-paragraph (1) must be made before the expiry of the period of 21 days beginning with the day on which the Tribunal's decision is intimated to the Council or, as the case may be, the complainer.”,
- (b) after paragraph 24, insert—
- “24A(1) Where under paragraph 24 the Tribunal dismisses an appeal the appellant may appeal the decision to the Court.
- (2) An appeal under sub-paragraph (1) must be made before the expiry of the period of 21 days beginning with the day on which the Tribunal's decision is intimated to the appellant.”.
- (3) In section 52 (procedure on complaints and appeals to Tribunal), in subsection (2)(aa)—
- (a) after “53D(1)” insert “or paragraph 9A(1)”,
- (b) after “9E(1)” (as inserted by this Act) insert “or 24A(1) of schedule 4”.>

Siobhian Brown

515 In schedule 3, page 110, line 22, at end insert—

<Finality of decisions

27U(1) The 1980 Act is amended as follows.

- (2) In section 16 (appeals from decisions of Council), after subsection (3) insert—
- “(4) A decision of the Court under subsection (1), (1A), (2) or (2A) is final.”.
- (3) In section 19 (further provisions relating to suspension of practising certificates), after subsection (8) insert—
- “(9) A decision of the Court under subsection (8) is final.”.
- (4) In section 24D (appeals from decisions of Council), after subsection (3) insert—
- “(4) A decision of the Court under subsection (1), (2) or (2A) is final.”.
- (5) In section 24G (further provisions relating to suspension of registration certificate), after subsection (7) insert—
- “(8) A decision of the Court under subsection (7) is final.”.
- (6) In section 47 (restriction on employing solicitor struck off or suspended), after subsection (4) insert—
- “(5) A decision of the Court under subsection (3) or (4) is final.”.>

Siobhian Brown

516 In schedule 3, page 110, line 22, at end insert—

<Other modifications

27V(1) The 1980 Act is amended as follows.

- (2) In section 16 (appeals from decisions of Council), after subsection (1) insert—
- “(1A) Where the Council refuse to recognise a body corporate as being suitable in terms of section 34(1A)(b), the body corporate may apply to the Court, who may make such order in the matter as it thinks fit.”.
- (3) In section 18 (suspension of practising certificates)—

- (a) in subsection (2), the words “in writing” are repealed,
- (b) in subsection (3), the words “in writing” are repealed.
- (4) In section 19 (further provisions relating to suspension of practising certificates), in subsection (5C), the words “in writing” are repealed.
- (5) In section 24D (appeals from decisions of Council), subsection (1)(b) is repealed.
- (6) In section 24F (suspension of registration certificate)—
 - (a) in subsection (2), the words “in writing” are repealed,
 - (b) in subsection (3), the words “in writing” are repealed.
- (7) In section 24G (further provisions relating to suspension of registration certificate), in subsection (4B), the words “in writing” are repealed.
- (8) In section 26 (offence for solicitors to act as agents for unqualified persons), in subsection (2), the words “employed full-time on a fixed salary by a body corporate or” are repealed.
- (9) In section 30 (liability for fees of other solicitor)—
 - (a) after “employs” insert “or otherwise engages”,
 - (b) for “employed” substitute “other”,
 - (c) after “employment” insert “or engagement”.
- (10) In section 32 (offence for unqualified persons to prepare certain documents), for subsection (2B) substitute—

“(2B) Subsection (1)(b) does not apply to—

 - (a) a person who is, by virtue of an act of sederunt made under section 104(1) of the Courts Reform (Scotland) Act 2014 (power to regulate procedure etc. in the sheriff court and the Sheriff Appeal Court) permitted to represent—
 - (i) a party to a simple procedure case,
 - (ii) a debtor or hirer in proceedings for—
 - (A) a time order under section 129 of the Consumer Credit Act 1974 (time orders), or
 - (B) variation or revocation, under section 130(6) of that Act (variation and revocation of time orders), of a time order made under section 129,
 - (b) an approved lay representative within the meaning of section 5F of the Heritable Securities (Scotland) Act 1894 or section 24E of the Conveyancing and Feudal Reform (Scotland) Act 1970 (lay representation in proceedings by creditors for repossession of residential property) while acting in pursuance of the section in question.”.
- (11) In section 44 (professional indemnity), in subsection (5)—
 - (a) in paragraph (a), for “Part 4” substitute “Part 4A”,
 - (b) in paragraph (b), for “Part 4” substitute “Part 4A”,
 - (c) paragraphs (c) and (d) are repealed.
- (12) In section 55 (powers of Court), in subsection (2), after “(3)” insert “and (3A)”.
- (13) In section 61A (solicitors’ fees), in subsection (1), for paragraphs (a) and (b) substitute—

- “(a) section 103(2)(j) of the Courts Reform (Scotland) Act 2014, or
(b) section 104(2)(j) of that Act.”.

(14) In section 63, subsections (3) and (4) are repealed.

(15) After section 63, insert—

“63A Individual culpability for offending by an organisation

(1) Subsection (2) applies where—

- (a) an offence under this Act is committed by a relevant organisation, and
(b) the commission of the offence involves the connivance or consent of, or is attributable to the neglect of—
(i) a responsible official of the organisation, or
(ii) an individual purporting to act in the capacity of a responsible official.

(2) The responsible official (or, as the case may be, the individual purporting to act in that capacity), as well as the organisation, commits the offence.

(3) “Relevant organisation” means—

- (a) a company,
(b) a partnership (including a limited liability partnership),
(c) another body or association.

(4) “Responsible official” means—

- (a) in the case of a company—
(i) a director, secretary, manager or similar officer, or
(ii) where the affairs of the company are managed by its members, a member,
(b) in the case of a limited liability partnership, a member,
(c) in the case of a partnership other than a limited liability partnership, a partner,
(d) in the case of another body or association, a person who is concerned in the management or control of its affairs.”.

(16) In section 65 (interpretation)—

(a) after the definition of “building society” insert—

““category 1 regulator” means a body that regulates the provision of legal services and which has been assigned as a category 1 regulator in or under section 8 of the Regulation of Legal Services (Scotland) Act 2023,

“category 2 regulator” means a body that regulates the provision of legal services and which has been assigned as or deemed a category 2 regulator in or under section 8 of the Regulation of Legal Services (Scotland) Act 2023,”.

(b) after the definition of “law centre” insert—

““legal services” has the meaning given by section 6 of the Regulation of Legal Services (Scotland) Act 2023.”.>

517 In schedule 3, page 111, leave out paragraph 32 and insert—

<32 (1) The Disclosure (Scotland) Act 2020 is amended as follows.

(2) In schedule 1 (list A offences)—

(a) after paragraph 43 (insolvency), insert—

“Legal professions etc.

43A An offence under the Solicitors (Scotland) Act 1980.

43B An offence under either of the following provisions of the Legal Services (Scotland) Act 2010—

(a) section 73 (offence of concealing disqualification),

(b) section 74 (offence of pretending to be licensed).

43C An offence under any of the following provisions of the Regulation of Legal Services (Scotland) Act 2023—

(a) section 32(1) (offence of pretending to have acquired rights),

(b) section 39(4) (offence of owning or operating a legal business without authorisation),

(c) section 40(1) (offence of pretending to be an authorised legal business),

(d) section 82(1) (offence of taking or using the title of lawyer),

(e) section 83(1) (offence of pretending to be a regulated provider of legal services),

(f) section 84(1) (offence of pretending to be a member of the Faculty of Advocates).”,

(b) paragraph 60 (solicitors) and the heading immediately preceding it are repealed.>

Siobhian Brown

518 In schedule 3, page 112, line 12, at end insert—

<32CA An offence under either of the following provisions of the Legal Services (Scotland) Act 2010—

(a) section 73 (offence of concealing disqualification),

(b) section 74 (offence of pretending to be licensed).>

Siobhian Brown

519 In schedule 3, page 112, line 15, at end insert—

<(aa) section 39(4) (offence of owning or operating a legal business without authorisation),>

Siobhian Brown

520 In schedule 3, page 112, line 24, leave out paragraph 34

Section 90

Today's Business <i>Gnothaichean an-diugh</i>	Future Business <i>Gnothaichean ri teachd</i>	Motions & Questions <i>Gluasadan agus Ceistean</i>	Legislation <i>Reachdas</i>	Other <i>Eile</i>
Amendments Atharrachaidhean				

Siobhian Brown

521 In section 90, page 76, line 26, leave out <and> and insert <any>

Section 91

Siobhian Brown

522 In section 91, page 77, line 7, leave out <Commercial> and insert <Construction>

Siobhian Brown

523 In section 91, page 77, line 18, leave out <Services> and insert <Complaints>

Today's Business <i>Gnothaichean an-diugh</i>	Future Business <i>Gnothaichean ri teachd</i>	Motions & Questions <i>Gluasadan agus Ceistean</i>	Legislation <i>Reachdas</i>	Other <i>Eile</i>
New Subordinate Legislation Adhartas Reachdais				

New Subordinate Legislation

Subject to negative procedure

The following instruments were laid before Parliament on 12 December 2024 and are subject to the negative procedure—

[Financial Assistance for Environmental Purposes \(Variation\) \(Scotland\) Order 2024 \(SSI 2024/371\)](#)

Laid under section 160A(1) of the Environmental Protection Act 1990

[Local Government Pension Scheme \(Remediable Service\) \(Scotland\) \(Miscellaneous Amendment\) Regulations 2024 \(SSI 2024/374\)](#)

Laid under section 24 of the Public Service Pensions Act 2013

[Building \(Procedure\) \(Scotland\) Amendment Regulations 2024 \(SSI 2024/376\)](#)

Laid under section 54(5) of the Building (Scotland) Act 2003

Not subject to parliamentary procedure

The following instruments were laid before Parliament on 12 December 2024 and are not subject to any parliamentary procedure—

[Bankruptcy and Diligence \(Scotland\) Act 2024 \(Commencement No. 1, Transitional and Saving Provisions\) Regulations 2024 \(SSI 2024/373 \(C.25\)\)](#)

Laid under Interpretation and Legislative Reform (Scotland) Act 2010, section 30(2)

[Transport \(Scotland\) Act 2019 \(Commencement No. 8\) Regulations 2024 \(SSI 2024/375 \(C.26\)\)](#)

Laid under section 30(2) of the Interpretation and Legislative Reform (Scotland) Act 2010

Today's Business <i>Gnothaichean an-diugh</i>	Future Business <i>Gnothaichean ri teachd</i>	Motions & Questions <i>Gluasadan agus Ceistean</i>	Legislation <i>Reachdas</i>	Other <i>Eile</i>
Progress of Legislation Adhartas Reachdais				

Progress of Legislation

A list of all Bills in progress can be accessed via the website at:

<https://www.parliament.scot/bills-and-laws/bills>

For each Bill, the date of the next (or most recent) event in the Bill's passage is given. Other relevant information, e.g. about lodging amendments, is given in italics.

As soon as a Public Bill (i.e. a Government, Committee or Member's Bill) has completed Stage 1, amendments for consideration at Stage 2 may be lodged; and as soon as Stage 2 is completed, amendments for Stage 3 consideration may be lodged. The last lodging day for amendments at Stage 2 is four sitting days before the meeting at which those amendments will be considered (e.g. Wednesday for a meeting on Tuesday); at Stage 3 it is five days before. Amendments may be lodged until 4.30 pm on any sitting day, except on the last lodging day for each Stage, when the deadline is 12 noon.

A Hybrid Bill is subject to the same rules except in the case of Stage 2 where amendments for consideration may be lodged no earlier than the completion of any consideration of evidence at Stage 2.

Amendments to Private Bills are subject to different deadlines. These are set out in Rule 9A.12 of Standing Orders.

Members are advised to lodge amendments in good time before the beginning of a Stage and as early as possible during the day.

(G) = Government Bill; (M) = Member's Bill; (C) = Committee Bill; (P) = Private Bill; (H) = Hybrid Bill.

Assisted Dying for Terminally Ill Adults (Scotland) Bill (M)

Stage 1 (evidence, lead committee (Health, Social Care and Sport)), 19 November 2024

Stage 1 (evidence (Finance and Public Administration Committee)), 17 December 2024

Report – Delegated Powers and Law Reform Committee (55th Report, 2024)

Criminal Justice Modernisation and Abusive Domestic Behaviour Reviews (Scotland) Bill (G)

Stage 1 (lead committee (Criminal Justice)), 30 October 2024

Stage 1 (Delegated Powers and Law Reform Committee), 17 December 2024

Disability Commissioner (Scotland) Bill (M)

Stage 1 (debate, meeting of the Parliament), 9 January 2025

Stage 1 Report – Equalities, Human Rights and Civil Justice Committee (8th Report, 2024)

Education (Scotland) Bill (G)

Stage 1 (debate, meeting of the Parliament), 18 December 2024

Stage 1 Report – Education, Children and Young People Committee (6th Report, 2024)

European Charter of Local Self-Government (Incorporation) (Scotland) Bill (M)

Passed, 23 March 2021

Today's Business <i>Gnothaichean an-diugh</i>	Future Business <i>Gnothaichean ri teachd</i>	Motions & Questions <i>Gluasadan agus Ceistean</i>	Legislation <i>Reachdas</i>	Other <i>Eile</i>
Progress of Legislation Adhartas Reachdais				

Following a reference under section 33 of the Scotland Act 1998 by the Attorney General and the Advocate General for Scotland, the Supreme Court has ruled that some provisions of the Bill are outwith the legislative competence of the Scottish Parliament. The Bill cannot be submitted for Royal Assent in its unamended form.

Gender Recognition Reform (Scotland) Bill (G)

Passed, 22 December 2022

Following an Order under section 35 of the Scotland Act 1998 made by the Secretary of State for Scotland, this Bill cannot be submitted for Royal Assent in its current form.

Housing (Scotland) Bill (G)

Stage 1 completed, 28 November 2024

Stage 2 amendments may now be lodged with the clerks in the Legislation Team (legislationteam@parliament.scot)

Judicial Factors (Scotland) Bill (G)

Passed, 10 December 2024

Land Reform (Scotland) Bill (G)

Stage 1 (evidence, lead committee (Net Zero, Energy and Transport)), 17 December 2024

Stage 1 (Delegated Powers and Law Reform Committee), 26 November 2024

Leases (Automatic Continuation etc.) (Scotland) Bill (G)

Introduced, 11 December 2024

National Care Service (Scotland) Bill (G)

Before Stage 2 (evidence (Health, Social Care and Sport Committee)), 26 November 2024

Stage 2 amendments may now be lodged with the clerks in the Legislation Team (legislationteam@parliament.scot)

Police (Ethics, Conduct and Scrutiny) (Scotland) Bill (G)

Stage 2 completed, 2 October 2024

Report after Stage 2 – Delegated Powers and Law Reform Committee (71st Report, 2024)

Stage 3 amendments may now be lodged with the clerks in the Legislation Team (legislationteam@parliament.scot)

Prisoners (Early Release) (Scotland) Bill (G)

Passed, 26 November 2024

Regulation of Legal Services (Scotland) Bill (G)

Stage 2 (Day 1) (Equalities, Human Rights and Civil Justice Committee), 21 January 2025

All amendments should be lodged by 12 noon on Wednesday 15 January with the clerks in the Legislation Team (legislationteam@parliament.scot)

Right to Addiction Recovery (Scotland) Bill (M)

Stage 1 (lead committee (Health, Social Care and Sport)), 10 December 2024

Report – Delegated Powers and Law Reform Committee (62nd Report, 2024)

Schools (Residential Outdoor Education) (Scotland) Bill (M)

Today's Business <i>Gnothaichean an-diugh</i>	Future Business <i>Gnothaichean ri teachd</i>	Motions & Questions <i>Gluasadan agus Ceistean</i>	Legislation <i>Reachdas</i>	Other <i>Eile</i>
Progress of Legislation Adhartas Reachdais				

Stage 1 (evidence, lead committee (Education, Children and Young People)), 27 November 2024
 Stage 1 (evidence (Finance and Public Administration Committee)), 19 November 2024
Report – Delegated Powers and Law Reform Committee (63rd Report, 2024)

Scottish Elections (Representation and Reform) Bill (G)

Stage 3 (debate, meeting of the Parliament), 17 December 2024
Report after Stage 2 – Delegated Powers and Law Reform Committee (77th Report, 2024)

Scottish Languages Bill (G)

Stage 2 completed, 11 December 2024
Stage 3 amendments may now be lodged with the clerks in the Legislation Team
[*\(legislationteam@parliament.scot\)*](mailto:legislationteam@parliament.scot)

Social Security (Amendment) (Scotland) Bill (G)

Passed, 3 December 2024

Victims, Witnesses, and Justice Reform (Scotland) Bill (G)

Before Stage 2 (evidence (Criminal Justice Committee)), 11 December 2024
Stage 2 amendments may now be lodged with the clerks in the Legislation Team
[*\(legislationteam@parliament.scot\)*](mailto:legislationteam@parliament.scot)

Welfare of Dogs (Scotland) Bill (M)

Stage 2 completed, 18 September 2024
Report after Stage 2 – Delegated Powers and Law Reform Committee (75th Report, 2024)
Stage 3 amendments may now be lodged with the clerks in the Legislation Team
[*\(legislationteam@parliament.scot\)*](mailto:legislationteam@parliament.scot)

Legislative Consent Memorandums

A list of all Legislative Consent Memorandums lodged with the Scottish Parliament can be accessed via the website at:

[**https://www.parliament.scot/bills-and-laws/legislative-consent-memorandums**](https://www.parliament.scot/bills-and-laws/legislative-consent-memorandums)

Data (Use and Access) Bill LCM-S6-52

Lodged on 22 November 2024
Lead committee – Economy and Fair Work

Employment Rights Bill LCM-S6-53

Lodged on 11 December 2024

Great British Energy Bill LCM-S6-48

Lodged on 8 August 2024
Lead committee – Net Zero, Energy and Transport

High Speed Rail (Crewe - Manchester) Bill LCM-S6-15

Lodged on 7 February 2022
Report – Lead committee (Net Zero, Energy and Transport) (9th Report, 2022)
Report – Delegated Powers and Law Reform Committee (27th Report, 2022)

Today's Business <i>Gnothaichean an-diugh</i>	Future Business <i>Gnothaichean ri teachd</i>	Motions & Questions <i>Gluasadan agus Ceistean</i>	Legislation <i>Reachdas</i>	Other <i>Eile</i>
Progress of Legislation Adhartas Reachdais				

Product Regulation and Metrology Bill LCM-S6-50

Lodged on 24 September 2024

Meeting (evidence, lead committee (Economy and Fair Work)), 11 December 2024

Report – Delegated Powers and Law Reform Committee (74th Report, 2024

Renters' Rights Bill LCM-S6-49

Lodged on 24 September 2024

Meeting (lead committee (Local Government, Housing and Planning)), 17 December 2024

Report – Delegated Powers and Law Reform Committee (69th Report, 2024)

Tobacco and Vapes Bill LCM-S6-51

Lodged on 21 November 2024

Meeting (evidence, lead committee (Health, Social Care and Sport)), 17 December 2024

Subordinate Legislation (date of laying) (lead committee)

Made Affirmative instruments

Subject to approval by 16 January 2024

[Land and Buildings Transaction Tax \(additional amount: transactions relating to second homes etc.\) \(Scotland\) Amendment Order 202 \(SSI 2024/367\) \(4 December 2024\)](#) (Finance and Public Administration Committee)

Affirmative instruments

Subject to approval by 13 December 2024

[Regulated Roles \(Prohibitions and Requirements\) \(Scotland\) Regulations 2024 \(SSI 2024/Draft\) \(4 November 2024\)](#) (Education, Children and Young People Committee)

Subject to approval by 8 January 2025

[Burial \(Management\) \(Scotland\) Regulations 2025 \(SSI 2025/Draft\) \(14 November 2024\)](#) (Health, Social Care and Sport Committee)

[Burial and Cremation \(Inspection\) \(Scotland\) Regulations 2025 \(SSI 2025/Draft\) \(14 November 2024\)](#) (Health, Social Care and Sport Committee)

Subject to approval by 12 January 2025

[Rehabilitation of Offenders Act 1974 \(Exclusions and Exceptions\) \(Scotland\) Amendment Order 2025 \(SSI 2025/Draft\) \(18 November 2024\)](#) (Criminal Justice Committee)

Subject to approval by 16 January 2025

[Electronic Monitoring \(Use of Devices and Information\) \(Scotland\) Regulations 2025 \(SSI 2025/Draft\) \(22 November 2024\)](#) (Criminal Justice Committee)

Today's Business <i>Gnothaichean an-diugh</i>	Future Business <i>Gnothaichean ri teachd</i>	Motions & Questions <i>Gluasadan agus Ceistean</i>	Legislation <i>Reachdas</i>	Other <i>Eile</i>
Progress of Legislation Adhartas Reachdais				

Subject to approval by 27 January 2025

[Greenhouse Gas Emissions Trading Scheme \(Amendment\) Order 2025 \(SI 2025/Draft\)](#) (3 December 2024) (Net Zero, Energy and Transport Committee)

Negative instruments

Subject to annulment 13 December 2024

Lead committee report due by 9 December 2024

[Protection of Vulnerable Groups \(Referrals by Chief Constable\) \(Prescribed Information\) \(Scotland\) Regulations 2024 \(SSI 2024/313\)](#) (4 November 2024) (Education, Children and Young People Committee)

[Protection of Vulnerable Groups \(Information for Listing and Vetting\) \(Scotland\) Regulations 2024 \(SSI 2024/314\)](#) (4 November 2024) (Education, Children and Young People Committee)

[Level 1 and Level 2 Disclosure Information \(Scotland\) Regulations 2024 \(SSI 2024/315\)](#) (4 November 2024) (Education, Children and Young People Committee)

[Consideration of Suitability for Regulated Roles \(Prescribed Purposes\) \(Scotland\) Regulations 2024 \(SSI 2024/316\)](#) (4 November 2024) (Education, Children and Young People Committee)

[Disclosure and Use of Level 2 Disclosures \(Prescribed Purpose and Circumstances\) \(Scotland\) Regulations 2024 \(SSI 2024/317\)](#) (4 November 2024) (Education, Children and Young People Committee)

Subject to annulment 16 December 2024

Lead committee report due by 9 December 2024

[Official Controls \(Import of High Risk Food and Feed of Non-Animal Origin\) Amendment \(Scotland\) \(No. 2\) Regulations 2024 \(SSI 2024/324\)](#) (7 November 2024) (Health, Social Care and Sport Committee)

Subject to annulment 17 December 2024

Lead committee report due by 16 December 2024

[Food Safety \(Sampling and Qualifications\) \(Scotland\) Amendment Regulations 2024 \(SSI 2024/326\)](#) (8 November 2024) (Health, Social Care and Sport Committee)

[Building \(Scotland\) Amendment \(No. 2\) Regulations 2024 \(SSI 2024/327\)](#) (8 November 2024) (Local Government, Housing and Planning Committee)

[Feed Additives \(Authorisations\) and Uses of Feed Intended for Particular Nutritional Purposes \(Miscellaneous Amendment\) \(Scotland\) Regulations 2024 \(SSI 2024/330\)](#) (8 November 2024) (Health, Social Care and Sport Committee)

Subject to annulment 8 January 2025

Today's Business <i>Gnothaichean an-diugh</i>	Future Business <i>Gnothaichean ri teachd</i>	Motions & Questions <i>Gluasadan agus Ceistean</i>	Legislation <i>Reachdas</i>	Other <i>Eile</i>
Progress of Legislation Adhartas Reachdais				

Lead committee report due by 6 January 2025

[Burial \(Applications and Register\) \(Scotland\) Regulations 2024 \(SSI 2024/334\)](#) (14 November 2024) (Health, Social Care and Sport Committee)

[Public Procurement \(Miscellaneous Amendment\) \(Scotland\) Regulations 2024 \(SSI 2024/338\)](#) (14 November 2024) (Economy and Fair Work Committee)

Subject to annulment 15 January 2025

Lead committee report due by 13 January 2025

[Sports Grounds and Sporting Events \(Designation\) \(Scotland\) Amendment Order 2024 \(SSI 2024/352\)](#) (21 November 2024) (Health, Social Care and Sport Committee)

Subject to annulment 16 January 2025

Lead committee report due by 13 January 2025

[Electronic Monitoring \(Approved Devices\) \(Scotland\) Amendment Regulations 2024 \(SSI 2024/354\)](#) (22 November 2024) (Criminal Justice Committee)

Subject to annulment 29 January 2025

Lead committee report due by 27 January 2025

[Town and Country Planning \(Fees for Applications\) \(Scotland\) Amendment \(Amendment\) Regulations 2024 \(SSI 2024/369\)](#) (5 December 2024) (Local Government, Housing and Planning Committee)

Subject to annulment 30 January 2025

Lead committee report due by 27 January 2025

[Conservation of Salmon \(Miscellaneous Amendment\) \(Scotland\) Regulations 2024 \(SSI 2024/368\)](#) (6 December 2024) (Rural Affairs and Islands Committee)

Subject to annulment 5 February 2025

Lead committee report due by 3 February 2025

[Financial Assistance for Environmental Purposes \(Variation\) \(Scotland\) Order 2024 \(SSI 2024/371\)](#) (12 December 2024) (Net Zero, Energy and Transport Committee)

[Local Government Pension Scheme \(Remediable Service\) \(Scotland\) \(Miscellaneous Amendment\) Regulations 2024 \(SSI 2024/374\)](#) (12 December 2024) (Local Government, Housing and Planning Committee)

[Building \(Procedure\) \(Scotland\) Amendment Regulations 2024 \(SSI 2024/376\)](#) (12 December 2024) (Local Government, Housing and Planning Committee)

New Documents

Committee Reports

The following report was published on 12 December 2024—

Delegated Powers and Law Reform Committee, 77th Report, 2024 (Session 6): Delegated powers in the Scottish Elections (Representation and Reform) Bill (as amended at Stage 2) (SP Paper 707)

For further information on accessing committee reports, please contact the relevant clerk or webpage (see end of Bulletin for contact details or access general committee webpage)

Other Documents

The following documents were laid before the Parliament on 12 December 2024 and are not subject to parliamentary procedure—

Aithisg Bhliadhnail agus Cunntasan Puirt-adhair na Gàidhealtachd is nan Eilean Earranta gu 31 Mart 2024 (SG/2024/269) laid under section 34 of the Civil Aviation Act 1982

Annual report to Parliament on the monitoring programme for transmissible spongiform encephalopathies (TSEs) - 2023 (SG/2024/310) laid under Article 6 of Regulation (EC) No 999/2001 of the European Parliament and of the Council of 22 May 2001

Cairngorms National Park Authority Annual Report and Accounts 2023/24 (SG/2024/284) laid under section 26(5) of the National Parks (Scotland) Act 2000 and section 22(5) of the Public Finance and Accountability (Scotland) Act 2000

Civil Service Commission Annual Report and Accounts 2023/24 (SG/2024/308) laid under paragraph 16 schedule 1 and paragraph 17 schedule 1 of the Constitutional Reform and Governance Act 2010

Construction Industry Training Board (CITB) Annual Report and Accounts For the year ending 31 March 2024 (SG/2024/90) laid under Section 8 of the Industrial Training Act 1982

Highlands and Islands Airports Limited (HIAL) Annual Report and Accounts to 31 March 2024 (SG/2024/239) laid under section 34 of the Civil Aviation Act 1982

The Sea Fish Industry Authority Annual Report & Accounts 2023-24 (SG/2024/304) laid under Section 11(8) of the Fisheries Act 1981

Corrections

Member's Correction

Official Report, Meeting of the Parliament, 4 December 2024

The Cabinet Secretary for Finance and Local Government (Shona Robison) has identified an error in her contribution and provided the following correction to the Official Report of 4 December 2024.

The Cabinet Secretary for Finance and Local Government:

At col 29, para 3, line 3—

Original text—

The latest Scottish Fiscal Commission forecasts show that Scottish taxes will raise £24.6 billion in 2025-26, which is £777 million more than had been forecast in December 2023, which is due mainly to an increase in forecast income tax revenue.

Corrected text—

The latest Scottish Fiscal Commission forecasts show that Scottish taxes will raise £24.6 billion in 2025-26, which is £790 million more than had been forecast in December 2023, which is due mainly to an increase in forecast income tax revenue.

Members' corrections are published alongside, but do not replace the original contribution and can be accessed via the Scottish Parliament website at:

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Corrections will be listed on the members' corrections page of the Scottish Parliament website until the end of the session in which the correction was made. After that the correction will still be available in the Official Report of the relevant meeting.

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