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Graham Simpson MSP  
Convener  
Delegated Powers and Law Reform Committee  
Scottish Parliament  
Edinburgh  
EH99 1SP

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Dear Graham,

You will recall that I gave an undertaking to notify the Delegated Powers and Law Reform Committee of any proposal to introduce new delegated powers at Stage 3 of a Bill. I am writing to notify the Committee that the Government has brought forward an amendment providing for a new delegated power at Stage 3 of the Islands (Scotland) Bill, scheduled for 30 May. It is proposed that this new power is subject to the affirmative procedure so as to allow maximum parliamentary scrutiny.

Section 8 of the Bill will introduce a duty on relevant public authorities to carry out an island communities impact assessment in relation to a policy, strategy, service or legislation which, in the authority's opinion, is likely to have a significantly different effect on an island community.

### **New delegated power**

During the debate at Stage 2 of the Bill in relation to Colin Smyth's amendment 89, the Scottish Government offered to bring forward a provision to make regulations in relation to reviewing decisions relating to island communities impact assessments. The official report can be found here:

<http://www.parliament.scot/parliamentarybusiness/report.aspx?r=11453&mode=pdf>

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The Government has lodged an amendment at Stage 3 so that the Scottish Ministers are enabled to make further provision in regulations about reviews of such decisions, this can be found in the annex. The power is intended to allow the Scottish Ministers to make regulations making provision for reviews, including the procedure for reviews, the manner of conducting reviews, the time limits for applications, etc. This is similar to the regulation making power under section 30 of the Community Empowerment (Scotland) Act 2015.

I hope that this notification is helpful to the Committee.



**Joe FitzPatrick**

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After section 8, insert—

<**Reviews of decisions relating to island communities impact assessments**

- (1) The Scottish Ministers may by regulations make provision about reviews of decisions of relevant authorities relating to island communities impact assessments under section 8(1).
- (2) Regulations under subsection (1) may, in particular, make provision about—
  - (a) the procedure to be followed in connection with reviews,
  - (b) the manner in which reviews are to be conducted,
  - (c) the time limits within which applications for reviews are to be made,
  - (d) the circumstances under which applications for reviews may or may not be made,
  - (e) the persons to whom applications for reviews may be made, and
  - (g) the steps that may be taken by a relevant authority following a review.>

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