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## Remit & Responsibilities

The Subordinate Legislation Committee is one of eight mandatory Committees of the Scottish Parliament. Under Standing Orders, the Parliamentary Bureau must, by motion, propose the establishment of the Subordinate Legislation Committee within 42 days of a general election. The remit of the Subordinate Legislation Committee is contained in Standing Orders and is set out below.

The remit of the Subordinate Legislation Committee is to consider and report on -

- a. any-
  - i. subordinate legislation laid before the Parliament;
  - ii. Scottish Statutory Instrument not laid before the Parliament but classified as general according to its subject matter,and, in particular, to determine whether the attention of the Parliament should be drawn to any of the matters mentioned in Rule 10.3.1;
- b. proposed powers to make subordinate legislation in particular Bills or other proposed legislation;
- c. general questions relating to powers to make subordinate legislation; and
- d. whether any proposed delegated powers in particular Bills or other legislation should be expressed as a power to make subordinate legislation.

Most subordinate legislation considered by the Subordinate Legislation Committee takes the form of Scottish Statutory Instruments (SSIs). SSIs provide for the detailed implementation of general provisions agreed to in Acts of Parliament and European Directives..

Statutory instruments have the same binding effect as Acts of Parliament, but are made by persons or bodies to whom such law-making powers have been delegated. In Scotland this is most often a Minister of the Scottish Executive.

In passing a Bill into law Parliament accepts its principles, powers and general objectives but usually leaves much of the detail of implementation, timing and updating of many provisions to subordinate legislation, made usually by the Executive using the enabling powers in the relevant Act.

The Committee examines the legal soundness and the technical drafting of subordinate legislation to ensure that it is well drafted and works as the Act intended.

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