

# **INTERPRETATION AND LEGISLATIVE REFORM (SCOTLAND) ACT 2010**

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## **EXPLANATORY NOTES**

### **THE ACT - BACKGROUND**

#### **Part 2: Scottish Statutory Instruments**

##### ***Section 31 - Failure to lay instruments in accordance with [section 28\(2\)](#) or [30\(2\)](#)***

75. [Section 31](#) makes provision about the consequences of failure to lay an SSI in accordance with the laying requirements in [section 28\(2\)](#) (which provides for the negative procedure) or [section 30\(2\)](#) (which provides for simple laying).
76. It makes clear that failure to comply with the laying requirements does not affect the validity of an instrument as a matter of law (subsection (2)). Rather it is a matter for which the responsible authority (as defined by subsection (6)) is answerable to the Parliament. Subsections (3) and (4) provide that, if the instrument is made without complying with the relevant laying requirement, the responsible authority must explain why in writing to the Presiding Officer as soon as practicable. This replicates the terms of Article 10(3) of the SI Order.