



Islands (Scotland) Act 2018

2018 asp 12

PART 3

DUTIES IN RELATION TO ISLAND COMMUNITIES

Duties of the Scottish Ministers in respect of legislation and strategies

15 Scheme for requests by local authorities for devolution of functions

- (1) The Scottish Ministers must by regulations establish a scheme for the making by a local authority listed in the schedule of a request to them to promote legislation devolving a function to the authority.
- (2) Regulations under subsection (1) must include provision specifying—
 - (a) the manner and form in which a request is to be made,
 - (b) the information that an authority must provide when making a request,
 - (c) the process by which, and the period within which, the Scottish Ministers must consider and decide on the request,
 - (d) the actions which the Scottish Ministers must take following their decision to approve or reject the request,
 - (e) the period within which those actions must be taken,
 - (f) that a decision of the Scottish Ministers to devolve a function following a request may be a decision to devolve that function to the authority that made that request or to that authority and to one or more of the other local authorities listed in the schedule,
 - (g) the manner, form and period within which an authority may appeal against decisions of the Scottish Ministers in relation to a request.
- (3) Regulations under subsection (1) may include provision—
 - (a) specifying consultation to be undertaken by an authority before making a request,
 - (b) that the information mentioned in subsection (2)(b) must include—
 - (i) information identifying the outcomes that would be improved by virtue of devolution of the function requested,

Changes to legislation: There are currently no known outstanding effects for the Islands (Scotland) Act 2018, Section 15. (See end of Document for details)

- (ii) evidence of community support (including the support of island communities) for the promotion of such devolution.
- (4) Before laying a draft of regulations under subsection (1) before the Scottish Parliament, the Scottish Ministers must consult—
- (a) each local authority listed in the schedule,
 - (b) such other persons as they consider appropriate.

Commencement Information

II [S. 15](#) in force at 4.10.2018 by [S.S.I. 2018/282](#), [reg. 2](#)

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