



# Islands (Scotland) Act 2018

## 2018 asp 12

### PART 5

#### ADDITIONAL POWERS REQUESTS

#### **21 Additional powers requests**

- (1) The Scottish Ministers must, by regulations, make a scheme for additional powers requests.
- (2) A scheme under subsection (1) is to set out a process by which—
  - (a) a local authority listed in the schedule (a “relevant local authority”) may request that additional functions, duties or responsibilities are transferred to the authority,
  - (b) the Scottish Ministers are to determine what action (if any) they intend to take in response to such a request,
  - (c) the Scottish Ministers are to publish a statement setting out how and when such action is to be taken,
  - (d) a relevant local authority may request a review of the Scottish Ministers' determination.
- (3) A scheme under subsection (1) must provide that—
  - (a) a relevant local authority must demonstrate reasonable cause for making a request,
  - (b) the Scottish Ministers must not unreasonably refuse to grant the request.
- (4) A draft Scottish statutory instrument containing the first regulations under subsection (1) must be laid before the Scottish Parliament before the end of the period of one year beginning with the day of Royal Assent.

#### **Commencement Information**

**II** S. 21 in force at 4.10.2018 by [S.S.I. 2018/282](#), [reg. 2](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Islands (Scotland) Act 2018, Section 21.