



# Convention Rights (Compliance) (Scotland) Act 2001

2001 asp 7

## PART 6

### POWER TO MAKE REMEDIAL ORDERS

#### **13 Procedure for remedial orders: general**

- (1) A remedial order shall be made by statutory instrument.
- (2) No remedial order shall be made unless laid in draft before and approved by resolution of the Scottish Parliament.
- (3) Before laying a draft remedial order for the purposes of subsection (2) above, the Scottish Ministers shall—
  - (a) lay a copy of the proposed draft order, together with a statement of their reasons for proposing to make the order, before the Scottish Parliament;
  - (b) give such public notice of the contents of the proposed draft order as they consider appropriate and invite persons wishing to make observations on the draft order to do so, in writing, within the period of 60 days beginning with the day on which that public notice was given or the day on which the draft order was laid under this subsection, whichever is earlier, or, if both those actions occurred on the same day, that day;
  - (c) have regard to any written observations submitted within that period.
- (4) When laying a draft remedial order for the purposes of subsection (2) above, the Scottish Ministers shall lay before the Scottish Parliament a statement—
  - (a) summarising all the observations to which they had to have regard under subsection (3)(c) above; and
  - (b) specifying the changes (if any) which they have made in the draft order and the reasons for them.
- (5) In reckoning, for the purposes of subsection (3)(b) above, any period of 60 days no account shall be taken of any time during which the Scottish Parliament is dissolved or is in recess for more than four days.

**Changes to legislation:**

There are currently no known outstanding effects for the Convention Rights (Compliance) (Scotland) Act 2001, Section 13.