

These notes relate to the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10) which received Royal Assent on 3 June 2010

INTERPRETATION AND LEGISLATIVE REFORM (SCOTLAND) ACT 2010

EXPLANATORY NOTES

THE ACT - BACKGROUND

Part 4: Orders Subject to Special Parliamentary Procedure

Overview

103. The main purpose of Part 4 of the Act is to make provision for special parliamentary procedure (“SPP”) for the purposes of section 94(2)(b) of the Scotland Act. These provisions replace the provisions of the [Scotland Act 1998 \(Transitory and Transitional Provisions\) \(Orders subject to Special Parliamentary Procedure\) Order 1999 \(S.I. 1999/1593\)](#) (“the SPP Order”).

Sections 48 to 53

104. This Part replicates the effect of the SPP Order. It provides that the following procedure is to apply to an order subject to SPP:—

- the order is to be advertised in the Edinburgh Gazette (and a local newspaper if the order relates to a particular area);
- if the order is objected to (and the objection is not frivolous or concerned with a question of compensation which can be referred to an arbiter) the order must be confirmed by an ASP. The Bill for that ASP is to be treated as a Private Bill unless the Parliament provides for a special procedure in its standing orders;
- if the order is not objected to it must be laid before the Parliament. The order may come into force 40 days after being so laid, unless the Parliament resolves that it be annulled.