

## SCHEDULE 5 AMENDMENT OF AUTHORISATION

### *Consultation*

- 4 (1) The approved regulator has 28 days beginning with the date of receipt of the notice of intention (or such longer period as the approved regulator and the Scottish Ministers may agree) to make representations to the Scottish Ministers about the proposed amendments.
- (2) The Scottish Ministers must—
- (a) publish the notice of intention in such manner as they consider most appropriate for bringing it to the attention of any relevant person or body,
  - (b) give a copy of the notice of intention to—
    - (i) the OFT,
    - (ii) such other person or body as they consider appropriate,
  - (c) after the expiry of the period for representations—
    - (i) give the recipients under paragraph (b) a copy of any representations received from the approved regulator,
    - (ii) consult them accordingly in relation to the proposed amendments.
- (3) When consulted under sub-paragraph (2)(c), the Lord President is to—
- (a) give the Scottish Ministers such advice in respect of the proposed amendments as the Lord President thinks fit,
  - (b) in deciding what advice to give, have regard (in particular) to the likely impact of the proposed amendments on the operation of the Scottish courts.
- (4) For the purpose of sub-paragraph (3)—
- (a) the approved regulator, or
  - (b) any other person who holds information relevant in relation to proposed amendments,
- must provide the Lord President with such information about the proposed amendments (or their likely consequences) as the Lord President may reasonably require.