

POLICY NOTE

THE APOLOGIES (SCOTLAND) ACT 2016 (COMMENCEMENT AND TRANSITORY PROVISION) AMENDMENT REGULATIONS 2016

SSI 2016/395 (C. 40)

These Regulations amend the Apologies (Scotland) Act 2016 (Commencement and Transitory Provision) Regulations 2016, with the effect that the Apologies (Scotland) Act 2016 comes into force on 19th June 2017 in so far as not already in force.

Policy Objectives

The Scottish Government is committed to commencing the Apologies (Scotland) Act 2016 as soon as possible. When the Act was being considered by the Scottish Parliament, the then Minister for Community Safety and Legal Affairs, Mr Wheelhouse, made a commitment during stage 3 proceedings to use the power of Scottish Ministers outlined in section 2(3) of the Act to add an exception for proceedings held by health professional regulators. Work has been undertaken on this additional exception with key stakeholders, including consideration of evidence from regulators outwith the health sector, and with the member originally responsible for the Bill. It has been necessary to postpone commencement of the Act by 6 months in order to allow more time to work through outstanding issues with a view to building consensus in respect of the approach to be taken in the regulations excepting proceedings from the Act.

Scottish Government
Civil Law and Legal System Division

28 November 2016