

Parliamentary Bureau – Approval of UK Statutory and Scottish Statutory Instruments

Affirmative Instruments

UK Statutory Instruments

[Greenhouse Gas Emissions Trading Scheme \(Amendment\) Order 2026 \(SI 2026/Draft\)](#)

1. Under Rule 10.6.5, the Bureau is required to lodge the following motion—

Graeme Dey on behalf of the Parliamentary Bureau: That the Parliament agrees that the Greenhouse Gas Emissions Trading Scheme (Amendment) Order 2026 (SI 2026/Draft) be approved.

Purpose

2. This is a UK Statutory Instrument, subject to affirmative resolution of the Scottish Parliament. It makes various changes to the UK Emissions Trading Scheme (UKETS). The UK Government and devolved administrations announced in June 2020 that they would be introducing a UK ETS to replace the EU Emissions Trading Scheme (EU ETS) after the UK left the EU. The four administrations collectively constitute the UK-ETS Authority that oversee the UK-ETS. The UK ETS is a cap-and-trade emissions scheme, of similar design and with similar aims to the EU ETS.

Consideration by committee

3. At its meeting on 27 January 2026 the Net Zero, Energy and Transport Committee agreed to recommend that the Instrument be approved. The Committee's [report was published on 9 February 2026](#).

[Greenhouse Gas Emissions Trading Scheme \(Amendment\) \(Extension to Maritime Activities\) Order 2026 \(SI 2026/Draft\)](#)

4. Under Rule 10.6.5, the Bureau is required to lodge the following motion—

Graeme Dey on behalf of the Parliamentary Bureau: That the Parliament agrees that the Greenhouse Gas Emissions Trading Scheme (Amendment) (Extension to Maritime Activities) Order 2026 (SI 2026/Draft) be approved.

Purpose

5. This is a UK Statutory Instrument, subject to affirmative resolution of the Scottish Parliament. It makes various changes to the UKETS. The instrument will expand the UK ETS to the maritime sector from 1 July 2026. The policy note explains that the purpose of the change is to reduce greenhouse gases from large ships operating in UK waters. The instrument explains what the scheme covers, the rules it must follow, how emissions need to be monitored and reported, and how this information will be checked. It also sets out who is exempt and which organisation or person is legally responsible for reporting emissions and handing over the required allowances.

Consideration by committee

6. At its meeting on 3 February 2026 the Net Zero, Energy and Transport Committee agreed to recommend that the Instrument be approved. The Committee's [report was published on 11 February 2026](#).

Scottish Statutory Instruments

[Domestic Abuse \(Protection\) \(Scotland\) Act 2021 \(Consequential and Supplementary Amendments\) Regulations 2026 \(SSI 2026/Draft\)](#)

7. Under Rule 10.6.5, the Bureau is required to lodge the following motion—

Graeme Dey on behalf of the Parliamentary Bureau: That the Parliament agrees that the Domestic Abuse (Protection) (Scotland) Act 2021 (Consequential and Supplementary Amendments) Regulations 2026 (SSI 2026/Draft) be approved.

Purpose

8. To amend and update court and housing legislation to facilitate eviction of abusive joint tenants through appropriate procedures, protect victims and their families from removal, and ensure victims are recognised as qualifying occupiers with rights in eviction proceedings. The Policy Note states that the purpose of these Regulations is to ensure that the procedure by which a social landlord can evict an abusive tenant, and leave the tenancy in the name of the victim/survivor of the abuse, can operate as intended.

Consideration by committee

9. At its meeting on 29 January 2026 the Social Justice and Social Security Committee agreed to recommend that the Instrument be approved. The Committee's [report was published on 6 February 2026](#).

[Land and Buildings Transaction Tax \(Co-ownership Authorised Contractual Schemes\) \(Scotland\) Regulations 2026 \(SSI 2026/Draft\)](#)

10. Under Rule 10.6.5, the Bureau is required to lodge the following motion—

Graeme Dey on behalf of the Parliamentary Bureau: That the Parliament agrees that the Land and Buildings Transaction Tax (Co-ownership Authorised Contractual Schemes) (Scotland) Regulations 2026 (SSI 2026/Draft) be approved.

Purpose

11. To insert a new paragraph 7A into schedule 1 of the Land and Buildings Transaction Tax (Scotland) Act 2013 Act to provide that various transactions in connection with units in co-ownership authorised contractual schemes are exempt from Land and Buildings Transaction Tax. According to the Policy Note, the exemption “is intended to support investment in Scottish land and property by co-ownership authorised contractual schemes”.

Consideration by committee

12. At its meeting on 3 February 2026 the Finance and Public Administration Committee agreed (by division: For 5, Against 0, Abstain 1) to recommend that the Instrument be approved. The Committee's [report was published on 6 February 2026](#).

[Scottish Aggregates Tax \(Applicable Rate of Tax\) Regulations 2026 \(SSI 2026/Draft\)](#)

13. Under Rule 10.6.5, the Bureau is required to lodge the following motion—

Graeme Dey on behalf of the Parliamentary Bureau: That the Parliament agrees that the Scottish Aggregates Tax (Applicable Rate of Tax) Regulations 2026 (SSI 2026/Draft) be approved.

Purpose

14. To specify the first applicable rate of Scottish Aggregates Tax, as announced in the Scottish Budget 2026-27. The instruments sets, from 1 April 2026, the applicable rate of Scottish Aggregates Tax (SAT) at £2.16 per tonne of taxable aggregate.

Consideration by committee

15. At its meeting on 3 February 2026 the Finance and Public Administration Committee agreed to recommend that the Instrument be approved. The Committee's [report was published on 6 February 2026](#).

[Public Procurement \(India Trade Agreement\) \(Miscellaneous Amendment\) \(Scotland\) Regulations 2026 \(SSI 2026/Draft\)](#)

16. Under Rule 10.6.5, the Bureau is required to lodge the following motion—

Graeme Dey on behalf of the Parliamentary Bureau: That the Parliament agrees that the Public Procurement (India Trade Agreement) (Miscellaneous Amendment) (Scotland) Regulations 2026 (SSI 2026/Draft) be approved.

Purpose

17. To make amendments to Scottish public procurement regulations for the purpose of fulfilling international obligations and reflecting the Comprehensive Economic and Trade Agreement between the United Kingdom of Great Britain and Northern Ireland and India.

Consideration by committee

18. At its meeting on 4 February 2026 the Economy and Fair Work Committee agreed to recommend that the Instrument be approved. The Committee's [report was published on 6 February 2026](#).

[Social Security \(Residence and Presence Requirements\) \(Miscellaneous Amendment\) \(Scotland\) Regulations 2026 \(SSI 2026.Draft\)](#)

19. Under Rule 10.6.5, the Bureau is required to lodge the following motion—

Graeme Dey on behalf of the Parliamentary Bureau: That the Parliament agrees that the Social Security (Residence and Presence Requirements) (Miscellaneous Amendment) (Scotland) Regulations 2026 (SSI 2026.Draft) be approved.

Purpose

20. To provide a long-term solution for overseas crises to allow people who have had to flee emergencies abroad to access benefits quickly on arrival in Scotland, and to allow payments to continue to individuals who have been stranded abroad due to a crisis. These regulations will exempt specific individuals from the habitual residence and past presence tests for benefits where those apply, and amend temporary absence rules to allow a longer period of absence for individuals who have been stranded abroad because of a crisis.
21. Additionally, the Best Start Grant regulations are being amended to allow all individuals who have escaped a crisis, or have been granted leave for humanitarian reasons, to access the higher rate of Pregnancy and Baby Payment for second or subsequent children if their older child was born before the individual arrived in the UK.

Consideration by committee

22. At its meeting on 5 February 2026 the Social Justice and Social Security Committee agreed to recommend that the Instrument be approved. The Committee's [report was published on 10 February 2026](#).

[Care Leaver Payment \(Scotland\) Regulations 2026 \(SSI 2026/Draft\)](#)

23. Under Rule 10.6.5, the Bureau is required to lodge the following motion—

Graeme Dey on behalf of the Parliamentary Bureau: That the Parliament agrees that the Care Leaver Payment (Scotland) Regulations 2026 (SSI 2026/Draft) be approved.

Purpose

24. To provide for a new scheme called the Care Leaver Payment. The Care Leaver Payment will provide a one-off £2000 payment to young people moving on from care, with the intention of helping to reduce some of the financial barriers they face whilst moving into adulthood and more independent living.

Consideration by committee

At its meeting on 11 February 2026 the Education, Children and Young People Committee agreed to recommend that the Instrument be approved. The Committee's [report was published on 12 February 2026](#).

[Visitor Levy \(Local Authority Assessment\) \(Scotland\) Regulations 2026 \(SSI 2026/Draft\)](#)

25. Under Rule 10.6.5, the Bureau is required to lodge the following motion—

Graeme Dey on behalf of the Parliamentary Bureau: That the Parliament agrees that the Visitor Levy (Local Authority Assessment) (Scotland) Regulations 2026 (SSI 2026/Draft) be approved.

Purpose

26. To set out the process for local authorities to make an assessment of the amount of visitor levy payable where no return has been made, or where an inaccurate return has been made. The Regulations set out time limits for issuing notices and completing assessments, define circumstances in which assessments may be altered, and establish the relationship between assessments and review or appeal mechanisms. The Regulations permit notices and documents related to assessments to be issued electronically.

[Visitor Levy \(Reviews and Appeals\) \(Scotland\) Regulations 2026 \(SSI 2026/Draft\)](#)

27. Under Rule 10.6.5, the Bureau is required to lodge the following motion—

Graeme Dey on behalf of the Parliamentary Bureau: That the Parliament agrees that the Visitor Levy (Reviews and Appeals) (Scotland) Regulations 2026 (SSI 2026/Draft) be approved.

Purpose

28. To establish a statutory framework for reviews and appeals relating to decisions made by local authorities under the Visitor Levy (Scotland) Act 2024. The Policy Note says the instrument aims to "...ensure that those who are subject to the levy, or to related enforcement actions and penalties, have the opportunity challenge decisions where they consider that an error has occurred."

29. It further states that the purpose of the Regulation is:

- To set out the processes through which a person may request a review of a decision or conclusion of a local authority.
- To specify the manner in which local authorities must conduct such reviews.
- To set out the right of persons to bring an appeal before the First-tier Tribunal for Scotland.
- To detail the actions that local authorities must take following the disposal of an appeal.

[Visitor Levy \(Scotland\) Act 2024 Amendment Regulations 2026 \(SSI 2026/Draft\)](#)

30. Under Rule 10.6.5, the Bureau is required to lodge the following motion—

Graeme Dey on behalf of the Parliamentary Bureau: That the Parliament agrees that the Visitor Levy (Scotland) Act 2024 Amendment Regulations 2026 (SSI 2026/Draft) be approved.

Purpose

31. To amend section 14(1) of the Visitor Levy (Scotland) Act 2024 to expand the categories of person for whom a visitor levy scheme must provide an exemption

or reimbursement. The Regulations update the terminology of the 2024 Act so that exemptions apply where a person is entitled to, rather than in receipt of, particular benefits, payments or allowances. The Regulations will apply retrospectively, without the need for further consultation, to any visitor levy schemes prepared, publicised or consulted on prior to them coming into force.

Consideration by committee

32. At its meeting on 3 February 2026 the Local Government, Housing and Planning Committee agreed to recommend that the above Instruments be approved. The Committee's [report was published on 6 February 2026](#).

Decision

33. Business Managers are invited to note that the above motions will be lodged.

34. Business Managers should reserve their position if their party intends to speak against or oppose the motions.

Negative Instrument

[The Sea Fish \(Prohibition on Fishing\) \(Firth of Clyde\) Order 2026 \(SSI 2026/10\)](#)

Purpose

35. The policy note for the 2026 order states the order “maintains the same protections afforded by the previous closure, prohibiting all fishing activity within ... two areas of the Firth of Clyde from 14 February until 30 April, for 2026, 2027 and 2028”. 4. The policy note also states the order “prohibits fishing activity within ...[an] area of the Firth of Clyde for all vessels without a valid track record during 2026, 2027 and 2028 in order to prevent further increases in cod mortality”. The note states this area will also be subject to a targeted scientific programme (TSP).

36. The TSP would be a “collaborative programme [which] will take place throughout the year” and would “pave the way for future management of this stock where the impact of all fishing sectors on cod mortality, as well as the distribution and dynamics of spawning and juvenile cod are better understood and used to inform adaptive management”.

Consideration by committee

37. At its meeting on 11 February 2026 the Rural Affairs and Islands Committee agreed a motion to annul the instrument in the name of Tim Eagle (by division: For 5, Against 4, Abstentions 0). The Committee has until 23 February to publish its report and, once published, [it will be available on the Committee's webpage](#). The Committee has confirmed that it intends to publish its report in time for the motion to be considered by Parliament next week.

Consideration by committee

38. Where the lead Committee agrees a motion to annul, the Bureau is required under Rule 10.4.4 to lodge the following motion—

[Member] on behalf of the Parliamentary Bureau: That the Parliament agrees that the Sea Fish (Prohibition on Fishing) (Firth of Clyde) Order 2026 (SSI 2026/10) be annulled.

39. Standing Orders provide that the member moving the motion and the member of the Scottish Government or junior Scottish Minister in charge of the instrument may each speak in any debate for up to 3 minutes, or such greater time as may be allocated by the Parliamentary Bureau. The Bureau may also allocate such further time for open debate on such a motion as it considers appropriate.

40. As the 40-day date is 24 February, the motion will need to be scheduled for debate by no later than Tuesday 24 February 2026.

Decision

41. Business Managers are invited to note that the above motion will be lodged and consider which member of the Bureau's name the motion should be lodged in.

Parliamentary Business Team
February 2026