EXECUTIVE NOTE

THE SCOTTISH REGISTER OF TARTANS FEES ORDER 2009 SSI/2009/6

The above instrument was made in exercise of the powers conferred by section 14(1) and (4)(b) of the Scottish Register of Tartans Act 2008 (asp 7)("the 2008 Act"). This instrument is subject to negative resolution procedure.

Policy Objectives

This Order is made under section 14(1) of the 2008 Act which provides the Scottish Ministers with a power to specify by Order the fee payable in respect of matters mentioned in the 2008 Act. This Order is also made under section 14(4)(b) which provides the Scottish Ministers with the power to specify circumstances where no fee is payable.

The purpose of this Order is to set fees payable for services provided by the Keeper of the Scottish Register of Tartans ("the Keeper") under the 2008 Act, in relation to the Register of Tartans ("the Register").

The Order specifies the fee payable for inspection of any document or other physical thing relating to the Register, where not for personal use, and provision of information and carrying out of research in relation to the Register by the Keeper.

The Order also specifies the fee payable for an application to register a tartan, a request to reconsider a refused application and a request to amend the Register.

The Order further specifies the fee payable for a copy certificate of registration and amended certificate of registration, as well as for provision of a framed certificate of registration, a framed copy certificate of registration or a framed amended certificate of registration by the Keeper.

Consultation

The Scottish Ministers consulted the Keeper as required by section 14(3) of the Act and other officials at the National Archives of Scotland during the preparation of this instrument.

Financial Effects

The financial effects of setting up and running the Register were set out in the Financial Memorandum accompanying the Scottish Register of Tartans Bill (SP Bill 8)[1].

A Regulatory Impact Assessment has not been prepared as this instrument has no significant financial impact on the Scottish Government, local government or on business.

Scottish Government
January 2009

[1] Explanatory Notes - posted 26 March 2008