

Miners' Strike (Pardons) (Scotland) Bill

Groupings of Amendments for Stage 2

This document provides procedural information which will assist in preparing for and following proceedings on the above Bill. The information provided is as follows:

- the list of groupings (that is, the order in which amendments will be debated). Any procedural points relevant to each group are noted;
- a list of any amendments already debated;
- the text of amendments to be debated on the day of Stage 2 consideration, set out in the order in which they will be debated. **THIS LIST DOES NOT REPLACE THE MARSHALLED LIST, WHICH SETS OUT THE AMENDMENTS IN THE ORDER IN WHICH THEY WILL BE DISPOSED OF.**

At introduction the Presiding Officer determined that a financial resolution was not required for this Bill. Under Rule 9.12.6C, it is for the Presiding Officer to determine whether an amendment either individually or in combination with other amendments, causes (or might cause) the Bill, to which they relate, to require a financial resolution which it would not otherwise require. The Presiding Officer has determined that amendment 16, if agreed to, would change the Bill in a way that makes the costs likely to arise from the Bill exceed the “significant” threshold of £500,000 or more in any single financial year and therefore would require it to have a financial resolution. Amendment 16 may be debated, but may not be agreed to in the absence of a financial resolution.

Groupings of amendments

Qualifying individual

1, 4, 4A, 4B, 13, 6, 7, 14, 8

Qualifying conduct

2, 3, 3A, 9, 10, 11, 15, 12, 17, 5

Notes on amendments in this group

Amendment 3 pre-empts amendments 9, 10, 11, 15 and 12

Compensation scheme

16, 18

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Amendments in debating order

Qualifying individual

Keith Brown

- 1 In section 1, page 1, line 4, leave out <miner> and insert <qualifying individual>

Keith Brown

- 4 After section 1, insert—

<Pardons: qualifying individuals

In section 1, “qualifying individual” means an individual, including a deceased individual, who—

- 5 (a) was a miner, or
(b) was, at the time of the commission of the offence, a member of the same household as a miner.>

Pam Duncan-Glancy

- 4A As an amendment to amendment 4, line 6, leave out <member of the same household as> and insert <family member of>

Pam Duncan-Glancy

- 4B As an amendment to amendment 4, line 7, at end insert <, or
<() a supporter of a miner.>

Pam Duncan-Glancy

- 13 In section 4, page 2, line 11, at end insert—
<“family member” includes an individual, who at the time of the conviction was—
(a) married to, or in a civil partnership with, a miner,
(b) living with a miner as though they were married,
(c) a sibling of a miner,
(d) a parent or step-parent of a miner,
(e) a grandparent of a miner,
(f) a child or step-child of a miner,
(g) a grandchild of a miner,
(h) a cousin of a miner.>

Keith Brown

- 6 In section 4, page 2, line 11, at end insert—

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<“household” means a group of people living together as a family or other unit (whether or not related) in a private dwelling, who—

- (a) have the dwelling as their only or main residence, and
- (b) share living accommodation and cooking facilities,>

Keith Brown

- 7 In section 4, page 2, line 12, leave out <a person, including a deceased person,> and insert <an individual>

Pam Duncan-Glancy

- 14* In section 4, page 2, line 19, at end insert—

<“supporter” includes a trade union representative, member of a political party or friend of a miner.>

Keith Brown

- 8 In the long title, leave out <miners> and insert <certain individuals>

Qualifying conduct

Keith Brown

- 2 In section 1, page 1, leave out line 8 and insert—

<() in relation to—

- (i) an offence listed in section 2(a) to (c), meets condition A or condition B, or
- (ii) the offence of theft, meets condition C.>

Keith Brown

- 3 In section 1, page 1, line 9, leave out subsections (2) and (3) and insert—

<() Condition A is that the conduct—

(a) occurred while the individual was engaged or participating in—

- (i) activity (whether or not organised) supporting or opposing the miners’ strike,
5 or

- (ii) activity ancillary to such activity (for example, assembling before or after or travelling to or from such activity), and

(b) did not occur for a reason unrelated to the miners’ strike (for example, a disagreement about a personal matter).

10 () Condition B is that the conduct—

(a) occurred in response to conduct that meets condition A, and

(b) did not occur for a reason unrelated to the miners’ strike.

() Condition C is that the conduct occurred because of economic hardship arising from participation (whether by the individual or another person) in the miners’ strike.>

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Pam Duncan-Glancy

- 3A As an amendment to amendment 3, line 4, leave out <supporting or opposing> and insert <relating to>

Alexander Stewart

- 9 In section 1, page 1, line 10, leave out <or other similar gathering>

Alexander Stewart

- 10 In section 1, page 1, line 12, leave out <or other similar gathering>

Alexander Stewart

- 11 In section 1, page 1, line 16, leave out <or other similar gathering>

Pam Gosal

- 15 In section 1, page 1, line 17, leave out <intended participation, or>

Alexander Stewart

- 12 In section 1, page 1, line 18, leave out <or other similar gathering>

Richard Leonard

- 17 In section 2, page 1, line 23, at end insert—

<() an offence under section 7 of the Conspiracy and Protection of Property Act 1875,>

Keith Brown

- 5 In section 2, page 1, line 25, at end insert—

<() theft.>

Compensation scheme

Richard Leonard

- 16 After section 1, insert—

<Pardons: compensation scheme

- (1) The Scottish Ministers must make a scheme or schemes for the making of payments by them to provide financial redress to a miner, or the legal representative of any deceased miner, who has been convicted in terms of section 1.
- (2) A scheme under subsection (1) may make provision including—
 - (a) requiring an application to be made for a payment under the scheme,
 - (b) about the persons by whom applications may be made,
 - (c) about how applications may be made,
 - (d) about information and evidence to be provided with, or in relation to, applications,

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- (e) about the persons to whom payments may be made.
- (3) The Scottish Ministers must, as soon as reasonably practicable after making a scheme under subsection (1)—
 - (a) lay a copy of the scheme before the Scottish Parliament, and
 - (b) publish the scheme in such way as they consider appropriate.>

Richard Leonard

- 18** In section 3, page 2, line 4, at beginning insert <subject to section (*Pardons: compensation scheme*),>

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