



OFFICIAL REPORT
AITHISG OIFIGEIL

Delegated Powers and Law Reform Committee

Tuesday 8 May 2018

Session 5



The Scottish Parliament
Pàrlamaid na h-Alba

Tuesday 8 May 2018

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DELEGATED POWERS AND LAW REFORM COMMITTEE

16th Meeting 2018, Session 5

CONVENER

*Graham Simpson (Central Scotland) (Con)

DEPUTY CONVENER

*Stuart McMillan (Greenock and Inverclyde) (SNP)

COMMITTEE MEMBERS

*Tom Arthur (Renfrewshire South) (SNP)

Neil Findlay (Lothian) (Lab)

Alison Harris (Central Scotland) (Con)

*attended

THE FOLLOWING ALSO ATTENDED:

Neil Bibby (West Scotland) (Lab) (Committee Substitute)

Bill Bowman (North East Scotland) (Con) (Committee Substitute)

CLERK TO THE COMMITTEE

Andrew Proudfoot

LOCATION

The Adam Smith Room (CR5)

Scottish Parliament

Delegated Powers and Law Reform Committee

Tuesday 8 May 2018

[The Convener opened the meeting at 09:30]

Interests

The Convener (Graham Simpson): I welcome members to the 16th meeting in 2018 of the Delegated Powers and Law Reform Committee. Alison Harris has submitted her apologies.

Under item 1, I welcome Neil Bibby, who is attending as a substitute for Neil Findlay. As this is Mr Bibby's first appearance at the committee, I must formally ask him whether he has any interests to declare.

Neil Bibby (West Scotland) (Lab): Good morning, convener. I have no relevant interests to declare.

The Convener: Thank you.

Decision on Taking Business in Private

The Convener: Under agenda item 2, it is proposed that we take in private item 5, which is consideration of a draft report on the supplementary legislative consent memorandum on the European Union (Withdrawal) Bill. Do members agree to take that item in private?

Members *indicated agreement.*

Instruments subject to Affirmative Procedure

09:30

The Convener: Under agenda item 3, we have two Scottish statutory instruments to consider, on which no points have been raised by our legal advisers.

Community Care (Personal Care and Nursing Care) (Scotland) Amendment (No 2) Regulations 2018 [Draft]

Community Right to Buy (Abandoned, Neglected or Detrimental Land) (Eligible Land, Regulators and Restrictions on Transfers and Dealing) (Scotland) Regulations 2018 [Draft]

The Convener: Is the committee content with the instruments?

Members *indicated agreement.*

Instruments subject to Negative Procedure

National Health Service Pension Scheme (Scotland) (Additional Voluntary Contributions) Regulations 2018 (SSI 2018/124)

09:31

The Convener: The first instrument for consideration under agenda item 4 is SSI 2018/124, in which there are four errors, including a couple of cross-referencing errors and a missing word. The errors are referenced in the public papers for the meeting.

Does the committee wish to draw the instrument to the attention of the Parliament on the general reporting ground, in respect of four drafting errors?

Members *indicated agreement.*

The Convener: Does the committee wish to note that the Scottish Government intends to correct the errors—which is good—in the next set of amending regulations, which is scheduled for late summer?

Members *indicated agreement.*

The Convener: Does the committee wish to welcome the consolidation of the regulations?

Members *indicated agreement.*

The Convener: No points have been raised by our legal advisers on the following three instruments.

Plant Health (Export Certification) (Scotland) Order 2018 (SSI 2018/132)

Community Right to Buy (Abandoned, Neglected or Detrimental Land) (Compensation) (Scotland) Order 2018 (SSI 2018/137)

Community Right to Buy (Abandoned, Neglected or Detrimental Land) (Applications, Ballots and Miscellaneous Provisions) (Scotland) Regulations 2018 (SSI 2018/140)

The Convener: Is the committee content with the instruments?

Members *indicated agreement.*

Instruments not subject to Parliamentary Procedure

09:32

The Convener: Under agenda item 4, we have two instruments to consider, on which no points have been raised by our legal advisers.

Land Reform (Scotland) Act 2016 (Commencement No 8 and Saving Provision) Regulations 2018 (SSI 2018/138 (C11))

Community Empowerment (Scotland) Act 2015 (Commencement No 11) Order 2018 (SSI 2018/139 (C12))

The Convener: Is the committee content with the instruments?

Members *indicated agreement.*

09:33

Meeting continued in private until 10:40.

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