



**OFFICIAL REPORT**  
AITHISG OIFIGEIL

# Delegated Powers and Law Reform Committee

**Tuesday 5 November 2019**

**Session 5**



The Scottish Parliament  
Pàrlamaid na h-Alba

© Parliamentary copyright. Scottish Parliamentary Corporate Body

Information on the Scottish Parliament's copyright policy can be found on the website - [www.parliament.scot](http://www.parliament.scot) or by contacting Public Information on 0131 348 5000

---

**Tuesday 5 November 2019**

**CONTENTS**

	<b>Col.</b>
<b>DECISION ON TAKING BUSINESS IN PRIVATE</b> .....	1
<b>INSTRUMENTS SUBJECT TO AFFIRMATIVE PROCEDURE</b> .....	2
Official Statistics (Scotland) Amendment Order 2019 [Draft] .....	2
Public Services Reform (The Scottish Public Services Ombudsman) (Healthcare Whistleblowing) Order 2020 [Draft] .....	2
<b>DRAFT LAID FOR APPROVAL</b> .....	3
Public Services Reform (The Scottish Public Services Ombudsman) (Healthcare Whistleblowing) Order 2020: Statement of Principles [Draft] .....	3
<b>INSTRUMENTS SUBJECT TO NEGATIVE PROCEDURE</b> .....	4
Council Tax Reduction (Scotland) Amendment (No 3) Regulations 2019 (SSI 2019/325) .....	4
Scottish Dental Practice Board Amendment Regulations 2019 (SSI 2019/346) .....	4
<b>INSTRUMENTS NOT SUBJECT TO PARLIAMENTARY PROCEDURE</b> .....	5
Act of Adjournal (Criminal Procedure Rules 1996 Amendment) (Miscellaneous) 2019 (SSI 2019/321) .....	5
Homelessness etc (Scotland) Act 2003 (Commencement No 4) Order 2019 (SSI 2019/316 (C 16)) .....	5
<b>NON-DOMESTIC RATES (SCOTLAND) BILL: STAGE 1</b> .....	6

---

**DELEGATED POWERS AND LAW REFORM COMMITTEE**

**29<sup>th</sup> Meeting 2019, Session 5**

**CONVENER**

\*Graham Simpson (Central Scotland) (Con)

**DEPUTY CONVENER**

\*Stuart McMillan (Greenock and Inverclyde) (SNP)

**COMMITTEE MEMBERS**

\*Tom Arthur (Renfrewshire South) (SNP)

\*Jeremy Balfour (Lothian) (Con)

Mary Fee (West Scotland) (Lab)

\*attended

**CLERK TO THE COMMITTEE**

Andrew Proudfoot

**LOCATION**

The Adam Smith Room (CR5)



## Scottish Parliament

### Delegated Powers and Law Reform Committee

*Tuesday 5 November 2019*

*[The Convener opened the meeting at 10:00]*

#### Decision on Taking Business in Private

**The Convener (Graham Simpson):** I welcome everyone to the 29th meeting in 2019 of the Delegated Powers and Law Reform Committee.

Under agenda item 1, it is proposed that the committee take item 7 in private. Do members agree to that?

**Members** *indicated agreement.*

## Instruments subject to Affirmative Procedure

10:01

**The Convener:** Agenda item 2 is consideration of two draft affirmative instruments, on which no points have been raised.

#### Official Statistics (Scotland) Amendment Order 2019 [Draft]

#### Public Services Reform (The Scottish Public Services Ombudsman) (Healthcare Whistleblowing) Order 2020 [Draft]

**The Convener:** The committee previously considered a draft of the healthcare whistleblowing order when it was laid for consultation, which it reported on the general reporting ground. The committee notes that the error that it identified has now been corrected.

Is the committee content with the instruments?

**Members** *indicated agreement.*

## Draft Laid for Approval

### **Public Services Reform (The Scottish Public Services Ombudsman) (Healthcare Whistleblowing) Order 2020: Statement of Principles [Draft]**

10:01

**The Convener:** Agenda item 3 is consideration of a document that has been laid for approval, on which no points have been raised. Is the committee content with the document?

**Members** *indicated agreement.*

## Instruments subject to Negative Procedure

10:01

**The Convener:** Agenda item 4 is consideration of two negative instruments, on which no points have been raised.

### **Council Tax Reduction (Scotland) Amendment (No 3) Regulations 2019 (SSI 2019/325)**

### **Scottish Dental Practice Board Amendment Regulations 2019 (SSI 2019/346)**

**The Convener:** Is the committee content with the instruments?

**Members** *indicated agreement.*

## Instruments not subject to Parliamentary Procedure

### Act of Adjournal (Criminal Procedure Rules 1996 Amendment) (Miscellaneous) 2019 (SSI 2019/321)

10:02

**The Convener:** Agenda item 5 is consideration of two instruments that are not subject to any parliamentary procedure, the first of which is SSI 2019/321, on which no points have been raised. Is the committee content with the instrument?

**Members** *indicated agreement.*

### Homelessness etc (Scotland) Act 2003 (Commencement No 4) Order 2019 (SSI 2019/316 (C 16))

**The Convener:** On SSI 2019/316, the committee will recall that, following its meeting last week, we wrote to the Scottish Government to seek further information on the delay in bringing into force sections 4 and 8 of the Homelessness etc (Scotland) Act 2003. Members will have seen the Minister for Local Government, Housing and Planning's response, which provides additional detail on the reasons for that delay.

I have a few questions to put. First, is the committee content with the response?

**Members** *indicated agreement.*

**The Convener:** Is the committee content with the instrument?

**Members** *indicated agreement.*

**The Convener:** Are members content to make the lead committee aware of the response?

**Members** *indicated agreement.*

## Non-Domestic Rates (Scotland) Bill: Stage 1

10:03

**The Convener:** Agenda item 6 is consideration of a response from the Scottish Government to its stage 1 report on the Non-Domestic Rates (Scotland) Bill, in which the committee made a series of recommendations in relation to delegated powers in the bill. In its response, the Scottish Government indicates its intention to lodge amendments at stage 2 to address, in whole or in part, a number of the committee's concerns.

Does the committee wish to note the Scottish Government's response?

**Members** *indicated agreement.*

10:03

*Meeting continued in private until 10:19.*



This is the final edition of the *Official Report* of this meeting. It is part of the Scottish Parliament *Official Report* archive and has been sent for legal deposit.

---

Published in Edinburgh by the Scottish Parliamentary Corporate Body, the Scottish Parliament, Edinburgh, EH99 1SP

---

All documents are available on  
the Scottish Parliament website at:

[www.parliament.scot](http://www.parliament.scot)

Information on non-endorsed print suppliers  
is available here:

[www.parliament.scot/documents](http://www.parliament.scot/documents)

For information on the Scottish Parliament contact  
Public Information on:

Telephone: 0131 348 5000

Textphone: 0800 092 7100

Email: [sp.info@parliament.scot](mailto:sp.info@parliament.scot)

---



The Scottish Parliament  
Pàrlamaid na h-Alba