



OFFICIAL REPORT
AITHISG OIFIGEIL

Meeting of the Parliament

Tuesday 23 September 2025

Session 6



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Tuesday 23 September 2025

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Scottish Parliament

Tuesday 23 September 2025

*[The Presiding Officer opened the meeting at
14:00]*

Time for Reflection

The Presiding Officer (Alison Johnstone): Good afternoon. The first item of business is time for reflection, and our time for reflection leader today is Paul Rand of the Church of Jesus Christ of Latter-day Saints.

Paul Rand (Church of Jesus Christ of Latter-day Saints): Good afternoon. It is an honour to be invited to give this time for reflection.

I have three children and all of them, at various points, can be guilty of doom scrolling, which is the habit of scrolling through videos or other social media on their phones for inordinate amounts of time. I would love to say that I am completely innocent of the habit, but I sometimes find myself getting sucked in and losing time to my screen.

I am a member of the Church of Jesus Christ of Latter-day Saints. One of the prominent leaders of the church, Dallin H Oaks, said:

“The number of good things we can do far exceeds the time available to accomplish them. Some things are better than good, and these are the things that should command priority attention in our lives. As we consider various choices, we should remember that it is not enough that something is good. Other choices are better, and still others are best.”

So it is with our time. I have a busy life; I am a husband and father, and I have a full-time job and a time-consuming leadership role as a local church leader. There are not many days when there is not a meal to be made, a lift to be given, a student to speak to or a meeting to attend. I am constantly juggling and negotiating that struggle with what are the good, better and best uses of my time.

However, in among that wrestling with calendars and syncing up schedules, I find that I need to start off my day in a quiet contemplative way, spending some time to study things of my faith that are of the most importance to me. That helps to centre me. It does not always guarantee that my day does not get crazy after that, but it starts me off in the right way.

I am aware that many of you will have busy lives. You will have meetings and commitments that take up large chunks of your time. If I may give you an invitation, it would be to consider how you use your time and determine what are the good, better and best uses of it. Whatever your

belief, give yourself regular time to quietly contemplate, serve others and spend quality time with the people you love. Thank you.

Point of Order

14:02

Jamie Hepburn (Cumbernauld and Kilsyth) (SNP): On a point of order, Presiding Officer. I promise not to detain colleagues for too long; I know that we will be busy this evening.

Thank you, Presiding Officer, for allowing me to make this point of order. As you are aware, we spoke yesterday and you said that it would be okay for me to do so.

I rise to refer to my conduct last week, which precipitated my standing down from ministerial office. I have apologised directly to Mr Ross. I reiterate that apology now. I have apologised to the First Minister and, yesterday, I apologised to you, Presiding Officer.

I think that it is appropriate, though, that I also apologise to the chamber and to all colleagues. To those of us who love this institution, it is important that we all act in a manner that does not bring it into disrepute. I regret that lapse in my normal conduct last week—I hope that people would recognise that I would not normally conduct myself in such a fashion—and I apologise to all colleagues.

The Presiding Officer (Alison Johnstone): Thank you, Mr Hepburn. I note your remarks. Members know the responsibilities that are placed on all of us, and I expect all members to take those obligations under the code of conduct seriously, both within and outwith the chamber.

Business Motion

14:04

The Presiding Officer (Alison Johnstone): The next item of business is consideration of business motion S6M-19021, in the name of Graeme Dey, on behalf of the Parliamentary Bureau, on changes to the business programme.

Motion moved,

That the Parliament agrees to the following revisions to the programme of business for—

(a) Tuesday 23 September 2025—

after

followed by Topical Questions (if selected)

insert

followed by Appointment of Junior Scottish Minister

delete

10.00 pm Decision Time

and insert

9.00 pm Decision Time

(b) Wednesday 24 September 2025—

after

2.00 pm Portfolio Questions:
Deputy First Minister Responsibilities,
Economy and Gaelic;
Finance and Local Government

insert

followed by Ministerial Statement: Improving
Provision and Access to Residential
Outdoor Education for Children and
Young People in Scotland

delete

followed by Scottish Government Debate: Improving
Literacy in Scotland's Schools

delete

5.00 pm Decision Time

followed by Members' Business

and insert

8.00 pm Decision Time

(c) Thursday 25 September 2025—

after

followed by Financial Resolution: Tertiary Education
and Training (Funding and Governance)
(Scotland) Bill

insert

followed by Appointment of Commissioners to the
Scottish Fiscal Commission.—[*Graeme
Dey*]

Motion agreed to.

Topical Question Time

14:04

Charities (Closures)

1. Alexander Stewart (Mid Scotland and Fife)

(Con): To ask the Scottish Government what its response is to reports that more than 1,000 Scottish charities are closing every year. (S6T-02674)

The Cabinet Secretary for Social Justice (Shirley-Anne Somerville): The third sector plays a vital role in supporting communities across Scotland, and we recognise the pressures that it is facing. We are committed to fairer funding and we have launched a multiyear funding pilot that is worth £130 million over 2025-27, which builds on areas where multiyear funding was already established.

All arms of Government have a responsibility to ensure the sustainability of the sector. We continue to work constructively within the Scottish Government with the Scottish Council for Voluntary Organisations, and we will carefully consider its proposals. We also continue to press the United Kingdom Government to reconsider its decision to increase employer national insurance contributions for the third sector and for recompense following those changes.

Alexander Stewart: State funding has gone down by 5 per cent since 2021, at a cost of about £177 million. The rise in employer national insurance contributions has cost the sector £78 million. At a time when demand for support from the voluntary sector is rising, it is unsustainable to expect the voluntary sector to fund the shortfall.

Taking this essential sector for granted will be devastating for families and communities across Scotland. Will the Government commit to providing the funding that is necessary to support those charities, which are lifelines for families and communities across the whole of Scotland?

Shirley-Anne Somerville: I agree with some of Alexander Stewart's points about the important work that the third sector does across Scotland, and in all our communities, on a variety of issues.

I held a round-table meeting with third sector representatives during the summer so that we could talk about the challenges that they face—in the short, medium and long term—and work together to devise solutions. Some of those solutions will be in the gift of the Scottish Government and others will lie elsewhere, but, as I said at that round table, I am committed to working with the SCVO and others from the third sector to find a way through their challenges.

Alexander Stewart is quite right to point out that, for many in the third sector, demand for their services is increasing. That points to the important role that they play, and that is exactly why the Scottish Government is determined to work with them to ensure that we can support the third sector in everything that it does.

Alexander Stewart: A joint letter from 240 charities, including the Scottish Huntington's Association, not only highlights why there are so many alarming closures but sets out some solutions—an immediate cash injection, a medium-term recovery plan and a commitment for multiyear funding, with uplifts that reflect inflation.

Will the cabinet secretary commit to implementing those measures? Does she accept that those organisations will otherwise face an uncertain future?

Shirley-Anne Somerville: The exact reason why I have had the many discussions that I have had—most recently the round-table discussion that I mentioned—is so that we can talk about what the Government could do.

Alexander Stewart is also well aware—because we met, I think, just last week—of the importance of the work that I undertake on behalf of the Government on child poverty as well as on the third sector. I discussed with him the importance of the process that we are about to embark on for our next Scottish Government budget.

He makes a number of requests for the Scottish Government to deliver higher funding for the third sector. I look forward to working with him when he brings forward costed proposals for, I presume, not just my portfolio but other portfolios, given that the third sector covers every part of Government and, therefore, every portfolio. When I receive a costed proposal, which I am sure will arrive on my desk during the budgetary discussions, I look forward to getting into that detail with him.

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): Is not the real story here the increase in national insurance contributions for employers? As an example—I declare an interest as a member of the Scottish Society for the Prevention of Cruelty of Animals—that increase will cost the Scottish SPCA £400,000 extra every year. Is that not the real story of why charities are in such difficulties?

Shirley-Anne Somerville: Christine Grahame is absolutely right to point out the challenge that third sector organisations faced when they were, quite frankly, blindsided by the UK Government. Only a matter of days after many third sector organisations were invited to Downing Street to discuss a covenant and an agreement with the third sector, they found out about the increase in employer national insurance contributions. My

understanding is that the impact of that on the third sector in Scotland will be around £75 million. The Scottish SPCA, which Christine Grahame mentioned, is part of that—it is also suffering from those challenges.

That is exactly why I said in my first answer that we in the Scottish Government will do what we can and work with the third sector. That other arm of Government must do the same and must respond to the criticism that it has quite rightly received for the very difficult circumstances in which it has placed the third sector.

Commission on School Reform (Recommendation)

2. Willie Rennie (North East Fife) (LD): To ask the Scottish Government what its response is to the recommendation made by the commission on school reform report, “Behaviour in Schools”, that teachers should be able to suspend or exclude pupils who exhibit persistent behaviour issues. (S6T-02680)

The Cabinet Secretary for Education and Skills (Jenny Gilruth): We all want our schools to be safe places for children and young people to learn in and for our staff to work in. Our national guidance on preventing and managing exclusions and our recent guidance on consequences are clear that exclusion is an option that is open to schools where that is appropriate. Exclusion should be the last resort and, when used, it should be as a proportionate response where there is no appropriate alternative.

Exclusion alone is unlikely to lead to behavioural change, and therefore the space provided by exclusions should be used to develop a plan to provide appropriate support to address the child’s behaviour.

Willie Rennie: I agree with much of that. It must be clear that schools have the right to exclude or suspend pupils, but councils also have a responsibility to provide support and education for pupils when they are out of school. The big question is whether the minister is confident that that is actually happening in local authorities and schools.

Jenny Gilruth: The member is absolutely correct that schools and teachers in particular have the right and the power to exclude or suspend children and young people because of behaviour. We have been working closely with the Convention of Scottish Local Authorities on our national action plan on behaviour and relationships. That plan is jointly owned by the Scottish Government and local government, which is imperative because, as the plan sets out, local government holds the statutory responsibility for the delivery of education. I have been really clear

in my engagement with local government on that. Further, earlier this year, Councillor Tony Buchanan and I wrote to all directors of education to ensure that the action plan is making a difference at the chalk face. The points that Mr Rennie has rightly raised this afternoon are being addressed by local government.

Willie Rennie: The commission on school reform is heavily critical of the guidance that the minister has just referred to. The commission’s report states that the guidance

“has not reassured teachers”,

that it

“has provoked widespread public criticism”,

and that it is

“fundamentally misguided.”

The cabinet secretary often seeks the advice of the commission on school reform, so will she take its advice today and issue new national guidance that clearly asserts the right of every young person to an education that is not disrupted by others and that recognises that dealing effectively and quickly with bad behaviour requires sanctions?

Jenny Gilruth: I often engage with the commission on school reform and I listen to it intently, and I am more than happy to give a commitment today that I will continue to do that on this issue.

I remind Mr Rennie that the guidance did not come from me as cabinet secretary or from officials; it came from the teaching profession. It was an ask from the teaching profession on the back of the behaviour in Scottish schools research, and we responded to that ask with very clear national guidance. The bodies that were involved in the commissioning of the published guidance were the Educational Institute of Scotland, the NASUWT, School Leaders Scotland, educational psychologists and local authorities. I ask Mr Rennie to reflect on the fact that the guidance has come from the profession and has been written by the experts in our classrooms.

I am, of course, more than happy to listen to the commission on a range of educational issues. Its report, which is relatively short—I think that it is seven or eight pages in length—cites a number of things. For example, it talks about support for teachers not being as strong as it has been in the past. That is an international trend that we have seen across Europe and the world post-pandemic, whereby the role of the teaching profession has diminished somewhat. It is really important that we work with our teaching trade unions and others, including the commission, on how we can help to restore the relationship between school and home. The report goes on to talk about some of the

challenge in that regard. I give a commitment to Mr Rennie that I will engage with the commission on the substantive points in its report.

George Adam (Paisley) (SNP): The behaviour of children and young people does not become unacceptable overnight. Does the cabinet secretary agree that factors such as wider societal impacts, poverty and deprivation do not help when it comes to behaviour in the classroom and that they can create many of the challenges? Will the cabinet secretary provide further details of the continued work to narrow the poverty-related attainment gap and how that contributes to pupils having a more positive classroom experience?

Jenny Gilruth: I note that the report, quite rightly, makes a number of references to the pandemic and its impact on behaviour and relationships, but the impact of poverty seems to be omitted. Austerity has harmed the outcomes of some of Scotland's most vulnerable families, including children.

Previously, I have spoken about the normalisation of food banks and clothing banks in our schools. Our teachers are stepping up to meet what is now a societal need, but they should not have to do so. That is one of the reasons why I have commissioned independent advice on school funding, which is being led by John Wilson, a very experienced former headteacher. He will look at, for example, what comes next after the Scottish attainment challenge and the pupil equity fund. I encourage all members to engage with Mr Wilson's review and to contribute their ideas accordingly.

Stephen Kerr (Central Scotland) (Con): Let me take a different tack with the cabinet secretary. Will she now accept the report's call to reassert parental responsibility, as set out in the Education (Scotland) Act 1980, so that schools are not left to carry the burden alone and parents are made to feel accountable for supporting discipline and their children's regular attendance?

Jenny Gilruth: Mr Kerr and I have debated that issue on many occasions. He talked about parental responsibility and accountability, which he is quite right to do, and his points are not at odds with our national guidance. It is not only mums and dads who have a role to play. I spent the weekend with my five-year-old niece, and aunts, uncles and the extended family also have a role in the teaching of behaviours.

One of the other points that the report makes is that it cannot always be about only the school. We need wider consideration of support for the behaviours that we think are appropriate in our schools. The reassertion of parental responsibility is not necessarily at odds with the current national

guidance, but I am happy to engage with Mr Kerr on the substantive point that he has made today.

Pam Duncan-Glancy (Glasgow) (Lab): Care-experienced pupils are six times more likely to be excluded than others, and that does not count informal exclusions that are due to part-time timetabling. How does that reconcile with the stated aims of the cabinet secretary's behaviour plan for a calm and consistent education, and what specific interventions will she implement to ensure that care-experienced young people have access to the education that they deserve?

Jenny Gilruth: I am conscious that there is a read-across between my responsibilities as cabinet secretary and my being recused from the Promise because my wife sits on the oversight board, which engages with the issue of support for care-experienced young people. I will ask the Minister for Children, Young People and the Promise, if she is content to answer the substantive point, to write directly to Pam Duncan-Glancy.

More broadly, we know from the chief inspector of education's school reports that there is an increasing reliance on a differentiated approach to timetabling. That might be in place for lots of good reasons, but it is important that the educational needs of all children and young people, including those who are care experienced, are met.

Miles Briggs (Lothian) (Con): The cabinet secretary has stated that the findings come from the profession. I agree, and one of the most concerning aspects of the findings is that—this is what teachers say—the current national guidance “disempowers teachers”.

Does the cabinet secretary accept that and does she accept that there is an association between falling standards, poor attendance and poor behaviour? Does she think that the plans that the Scottish Government has set out will turn the situation around?

Jenny Gilruth: I accept that, in education, there will always be a range of different views on what the Government undertakes. To give the member an alternative view, the NASUWT said that the guidance

“has the potential to support positive improvement in managing pupil behaviour in schools.”

Mike Corbett of the NASUWT said:

“We have been actively engaged in working with the government to produce this guidance and its publication is an important step forward in our continued focus on driving down levels of disruption”.

As a Government, we have to work in partnership with our teaching trade unions. I accept that there is a range of views on the issue, but the teaching unions have broadly welcomed the guidance. To

go to the point that Mike Corbett has consistently raised with me, it is now imperative that the guidance informs better practice in our schools. I will continue to work with COSLA to that end.

The Presiding Officer (Alison Johnstone):
That concludes topical question time.

Junior Minister

The Presiding Officer (Alison Johnstone):
The next item of business is a debate on motion S6M-19015, in the name of John Swinney, on the appointment of a junior Scottish minister. I remind members that, under rule 11.3.1 of standing orders, the question on the motion will be put immediately after the debate.

14:19

The First Minister (John Swinney): The ministerial changes that I am making today arise from the resignation on Friday of Jamie Hepburn as Minister for Parliamentary Business. Jamie Hepburn did not behave as he believed he should have done in the Parliament last Wednesday, so he tendered his resignation to me. A few moments ago, he offered an apology to the Parliament, which, along with his decision to resign, demonstrates the strength of character that he brings to his parliamentary service. I thank him for his service as a member of the Government in a number of different portfolios, and especially for the way in which he has worked with other parties in taking forward the parliamentary business programme in a collaborative and consultative way throughout his time as Minister for Parliamentary Business.

I am pleased that Graeme Dey, who is widely respected across the Parliament, will now take up the role of Minister for Parliamentary Business. His formidable experience in working with others to create common ground will be invaluable to us all as we complete the business of this parliamentary session. I have also asked him to continue his excellent work as Minister for Veterans.

I am pleased to welcome Ben Macpherson to the role of Minister for Higher and Further Education, subject to the Parliament's approval this afternoon, to build on Graeme Dey's work. Ben Macpherson was a valued minister between 2018 and 2023, when he served under my predecessors in a variety of positions, including as Minister for Europe, Migration and International Development, Minister for Public Finance and Migration, and Minister for Social Security and Local Government. To each role, he brought a constructive approach, building coalitions to deliver the Government's ambitious and shared agenda.

As a back bencher, Ben Macpherson has brought a collaborative approach to the Parliament. Most recently, he served as a member of the Criminal Justice Committee—indeed, he took my place on that committee—and as convener of the SPCB Supported Bodies Landscape Review Committee, which included

leading the committee debate on the review last week.

The role of Minister for Higher and Further Education is crucial in ensuring that our education institutions can play a full part in delivering an agenda of dynamic economic growth that will benefit all the people of Scotland, and in ensuring that individuals in Scotland—especially our young people—have access to higher and further education opportunities that will meet their needs and provide the foundations for their later life. I know that Ben Macpherson will give energetic commitment to advancing that important work and to taking forward the Government's skills agenda, through which we must ensure that we have all the skills and talent in our economy to support the developments that the Government wishes to see in place.

With pleasure, I move,

That the Parliament agrees that Ben Macpherson be appointed as a junior Scottish Minister.

14:22

Miles Briggs (Lothian) (Con): I am pleased to speak on behalf of the Scottish Conservatives about the appointment of Ben Macpherson as Minister for Higher and Further Education. For many people in Edinburgh, Ben first came to our attention in the summer of 2004, when he walked from Edinburgh to London to raise awareness of the annual international day of peace. After the events of the past week, perhaps the Government could, indeed, do with the qualities of spreading peace and love, which I know Mr Macpherson will bring to the role.

Those who follow politics will know that two notable ministers decided to leave the Scottish Government under Humza Yousaf in March 2023—Ben Macpherson and the First Minister—so it is not surprising that both have returned to the Government.

In 2016, I was elected alongside Ben Macpherson to represent constituents in Edinburgh. I know that members across the chamber have always recognised him as a good friend, and he is an MSP who is both respected and rated by all in the chamber.

I am sure that Ben, as a proud George Heriot's boy, will be at the forefront of making the case in the Scottish Government for continued support for our independent schools in Edinburgh.

Ben Macpherson is a keen supporter of apprentices. Members might not know this, but he served his own apprenticeship in his youth, when he was involved in the Edinburgh Labour Party and did work experience with the local MSP for Edinburgh Northern and Leith, Malcolm Chisholm.

Like all good apprentices, he decided to do what many do and went on to take his job in 2016.

As the First Minister has stated, Ben Macpherson returns to the Government with significant ministerial experience. On a personal note, I hope that this will, indeed, be his last junior ministerial apprenticeship. The Conservatives wish him well in his role in the Government.

14:24

Pam Duncan-Glancy (Glasgow) (Lab): I warmly congratulate Ben Macpherson on his appointment as Minister for Higher and Further Education and welcome him to that vital role. I look forward to working with him again and to enjoying lively discussion, as we did previously when he and I were serving in the social security briefs.

I also put on the record my thanks to his predecessor, Graeme Dey, for his service and engagement and, in particular, for meeting disabled people recently to discuss access to apprenticeships. I hope that Mr Macpherson will continue to pursue that endeavour.

This ministerial role is crucial to Scotland's future. It needs focus and leadership, and I hope that the new minister will rise to that challenge. When he does so, and when he does the right thing for students, staff and institutions, I assure him that he will find constructive common ground and partners on the Labour benches.

The challenges that are faced are urgent. Colleges saw real-terms funding reductions of 17 per cent between 2021 and 2025, with some closing campuses and student and staff numbers reducing. According to Universities Scotland, universities face a perfect storm, as they are receiving 19 per cent less per Scottish student than they received a decade ago, and they are shedding staff while students are faced with fewer options and, in some cases, less support. The pressures on institutional sustainability are unprecedented. On that, I ask for the new minister's early commitment to on-going discussions with Universities Scotland and the sector, working to develop a more sustainable long-term financial model and to involve institutions, trade unions, staff and students for the greater good of Scotland and a brighter and more prosperous future for the sector.

We in the Labour Party look forward to engaging with Mr Macpherson in good faith, because Scotland's learners and education providers deserve no less. I congratulate him again on his appointment, and I look forward to working with him in due course.

14:26

Lorna Slater (Lothian) (Green): On behalf of the Scottish Green Party, I welcome Ben Macpherson's appointment as Minister for Higher and Further Education. It is a critical appointment at a time when Scotland's tertiary education system stands on the cusp of significant reform. I also recognise Graeme Dey's power of work and leadership in that area, which has gotten us to this point.

The Tertiary Education and Training (Funding and Governance) (Scotland) Bill presents an opportunity to reshape how we support learners, educators and institutions. We welcome the bill's intention to simplify the funding landscape and strengthen the role of the Scottish Funding Council. The proposed statutory framework for apprenticeships and work-based learning is a step forward, but it must be matched by a commitment to fair work, inclusive access and climate-conscious skills development. We are particularly focused on ensuring that the bill delivers for learners who have been historically underserved, such as those in rural communities, disabled students and those from low-income backgrounds.

The Scottish Green Party will continue to advocate for robust student support mechanisms and for a system that prioritises public good over market forces. We note the bill's provisions on governance reform, including the creation of an apprenticeship committee and new expectations for council membership. Those changes must embed transparency and ensure that learners, staff and communities have a meaningful voice in decision making.

Ben Macpherson brings experience and a thoughtful approach to the role. We look forward to working constructively with him to ensure that the legislation delivers a tertiary education system that is fairer, greener and more resilient.

14:28

Liam McArthur (Orkney Islands) (LD): I start by acknowledging the apology that Jamie Hepburn made to the chamber earlier, which I thank him for. I also join other members in congratulating Ben Macpherson on his appointment. I have known him for his entire time in the Parliament, and he has always been committed to working across parties. He took that approach into Government during his previous time as a minister, and I am sure that he will continue that in this role. As other members have observed, the college and university sector is not without significant—some might say existential—challenges, and such an approach will be all the more important to the work. Again, I congratulate Ben Macpherson and wish him well in this crucial role.

The Presiding Officer: That concludes the debate on the appointment of a junior Scottish minister.

The question is, that motion S6M-19015, in the name of John Swinney, on the appointment of a junior Scottish minister, be agreed to.

Motion agreed to,

That the Parliament agrees that Ben Macpherson be appointed as a junior Scottish Minister.

Urgent Question

14:29

Visitor Levy

Murdo Fraser (Mid Scotland and Fife) (Con):

To ask the Scottish Government whether it will clarify its position regarding whether local authorities will be given powers to introduce a visitor levy on a flat charge basis, as an alternative to a percentage.

The Minister for Public Finance (Ivan McKee): The existing legislation enables councils to introduce a levy based on a percentage of the cost of overnight accommodation. There is no barrier to local authorities that wish to proceed on that basis, and there is already flexibility in the system to tailor the charge to local circumstances. Some councils would like the option to apply a different basis of charge, and we have no in-principle objection to having that added layer of flexibility, so we are giving the matter active consideration.

A change of the nature that is suggested would require an amendment to primary legislation and, as such, would be subject to appropriate consultation, parliamentary scrutiny and the identification of an appropriate legislative vehicle, all of which would of course take time to work through.

Murdo Fraser: I thank the minister for his response, but this is an absolute shambles from the Government. On Friday, he wrote to the Economy and Fair Work Committee and said that the Scottish Government was

“now actively extending powers to local authorities, including the option to introduce a single flat rate or tiered flat rate model alongside the existing percentage-based approach.”

That is entirely clear, and it was warmly welcomed by the Scottish Conservatives, who have been campaigning on the issue for many months. Indeed, it was warmly welcomed by industry representatives. Yesterday, however, we had a U-turn on the U-turn. Yesterday afternoon, we found out in another letter from Mr McKee that he had missed out a vital word from his original communication, and that word was “considering”. Can we at last get some clarity on what exactly is going to change and, crucially, when it is going to change—given that local authorities are actively consulting on the visitor levy, when they do not even know what powers they are going to have and when?

Ivan McKee: As Murdo Fraser knows fine well, there was an error in that letter, and it was not consistent—*[Interruption.]* That is the reality of it.

It was not consistent with the letter that had been sent—*[Interruption.]*

The Presiding Officer (Alison Johnstone): Let us hear one another.

Ivan McKee: It was not consistent with the letter that had been sent to industry and other stakeholders at the same time.

Our position is that we absolutely recognise that there is a request for more flexibility from the sector and, indeed, from some local authorities. We have long recognised that. We are minded to bring forward changes to enable that, but, of course, we need to identify a suitable legislative vehicle. The member will be as well aware as anyone else that the legislative programme in the run-up to March is extremely busy, and finding a slot for making such changes will be very difficult—*[Interruption.]*

The Presiding Officer: Let us hear the minister.

Ivan McKee: We have committed to considering taking this matter forward, should we be in government, early in the next parliamentary session.

It is also important to recognise that, although Murdo Fraser and the Conservatives are making a lot of noise about this matter, when the Visitor Levy (Scotland) Bill went through, none of them produced any amendments that would have allowed local authorities that flexibility. They complain about it now, but they did not take that option, and they should reflect on that.

Murdo Fraser: The minister says that there was an error. It took him three days to notice that error and correct it. In the meantime, there was press coverage at the weekend saying that the Scottish Government had changed its mind, and there was no correction from the Government at the time.

Councils across Scotland are actively considering the introduction of a visitor levy. Some have gone quite far down that track, including the City of Edinburgh Council. Others have consulted and are still to take a decision. Others are still consulting through open consultations. No councils can take a final decision on what they will do if they do not know when they are going to be given the powers—if they are going to be given them at all. Does the minister agree that we now need a moratorium on any councils introducing a visitor levy until this shambles is sorted out?

Ivan McKee: I know that Murdo Fraser and Conservative members are getting very excited about this, but the reality is that, if we talk to the sector or to local authorities—

Douglas Lumsden (North East Scotland) (Con): Talk to business.

Ivan McKee: That is exactly what we have done, and that is why we are making the change—

Jamie Halcro Johnston (Highlands and Islands) (Con): Listen to business.

The Presiding Officer: If I might stop you for a second, minister. I have several requests for questions, and I will not be able to take any more if we have constant interruptions. Please continue, minister.

Ivan McKee: As I have made very clear, the legislation allows authorities such as the City of Edinburgh Council that want to proceed on a percentage basis to continue to do so. It already allows local authorities considerable flexibility to bring forward other proposals. The changes that we are looking to make are to enable a tiered flat-rate system to be brought in, in addition to the existing system.

That is our clear position. We have been clear for quite a period of time that we are interested in listening to the sector; we want to introduce flexibility and to enable local authorities to have that. We will take that forward when a legislative vehicle allows us to do so.

Bill Kidd (Glasgow Anniesland) (SNP): The visitor levy is a local tax, so it is appropriate that local authorities can set a rate that meets the needs of their area and residents. Can the minister confirm that any local authority that wishes to introduce a levy under the existing system would be supported to do so?

Ivan McKee: That is absolutely the case. The visitor levy is a local tax, and it is right that local authorities are empowered to set a rate that reflects the needs and priorities of their area and its residents. I can confirm that any local authority that wishes to introduce a visitor levy under the existing system will be fully supported to do so.

The Scottish Government, through VisitScotland, has published statutory guidance and is working closely with local authorities to ensure that the tools and support that are required to design and implement a levy work for their communities. We are committed to ensuring that the introduction of any visitor levy is locally driven and transparent and delivers benefits for residents and visitors alike.

Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con): I draw members' attention to my entry in the register of members' interests.

This is an embarrassing omnishambles by the Scottish National Party. It is once again punishing businesses that have already been punished by its not passing on business rates relief, and now it is delivering a botched visitor levy scheme. My colleague Murdo Fraser is absolutely right. Minister, will you admit that you got it wrong, that

this is unworkable and that you will call a moratorium on this ridiculous scheme?

The Presiding Officer: Always speak through the chair, please.

Ivan McKee: I remind members on the Conservative benches that they did not lodge any amendments to the Visitor Levy (Scotland) Bill, which was passed by this Parliament, that would have offered the flexibility that we are now proposing to offer the industry, which local authorities are calling for. Conservative members need to answer the question why, at that time, they did not think that it was a good idea to make the change that we are now considering making.

Miles Briggs (Lothian) (Con): On a point of order, Presiding Officer. During the passage of the bill, I lodged amendments 22 and 26 and a package of amendments that would have allowed local authorities to set a flat rate for the visitor levy. I believe that the minister is misinforming the Parliament.

The Presiding Officer: That is a debating point, Mr Briggs.

Ivan McKee: On the contrary, Presiding Officer. Miles Briggs has been very clear. He lodged amendments that would have changed the basis of charge from a percentage to a flat rate. They would not have allowed a percentage rate or, indeed, a tiered flat rate, which is what the industry is largely calling for now. We are talking about allowing all those options to be available to provide flexibility. My point remains that at no point did any member lodge an amendment that would have allowed the flexibility of all those options being implemented.

Daniel Johnson (Edinburgh Southern) (Lab): The move from the Government to simplify the scheme is welcome. However, the minister has stated that the Government's position has been clear for a period of time. Unfortunately, that period of time is just a matter of days, and local authorities are proceeding to implement the scheme in the coming weeks. I would like clarification on the following points. Will the legislative change that the minister has set out be in addition to the existing legislation, and, therefore, will current schemes be able to proceed? Will that be a legislative change in the coming parliamentary session—will he clarify that remark? There was also some discussion of a regulatory change through secondary legislation. Has that now been ruled out?

Ivan McKee: The regulatory change is a separate issue. It is to put in place regulations that will allow the percentage scheme to be taken forward. Those are listed in the response that I sent back to the committee. I am very happy to engage, and for my officials to engage, further with

Daniel Johnson to go through the details of that, which is quite a complicated technical area.

Current schemes can absolutely continue—I have been very clear about that. The City of Edinburgh Council, or any other council that is bringing forward a proposed scheme on a percentage basis, is absolutely able to continue to do that to the current timescales. We are proposing to make changes that will broaden out the scope, so that a tiered flat-rate scheme can also be introduced.

With regard to timing, as I have made clear, we are looking for a legislative vehicle that will allow that change. Daniel Johnson will be well aware of the number of bills that are working their way through the Parliament over the coming weeks and months—indeed, we are staying very late tonight to take a bill through stage 3—so finding a slot is the challenge. We would like to do this earlier, but, realistically, I think that it will happen after May next year.

Liam McArthur (Orkney Islands) (LD): I am afraid that the shambles has created greater uncertainty for local authorities. Perhaps it is no surprise, therefore, that, today, Orkney Islands Council—following the same approach as Shetland Islands Council took last week—voted not to introduce a visitor levy. I understand that Western Isles Council has similarly paused its plans.

In Orkney, the local tourism sector has proposed introducing a point of entry levy. Can the minister update members on when the Government plans to take a view on such proposals?

Ivan McKee: All that we are doing through the legislation is responding to requests from industry and local authorities to give them more flexibility over the type of visitor levy that they can use. We have indicated that we would seek ways to provide such flexibility, if that is what they want. It is right for the Government to listen to stakeholders and give them more flexibility, and not to prevent them from doing anything that they are already empowered to do.

The member's other point, about the possibility of a levy that could be charged when someone enters a local authority area, presents different challenges. We are not actively pursuing that idea at the moment, but I am keen to have conversations with members and others who have proposals in that space, so that we can understand more specifically what they are suggesting.

The Presiding Officer: It is extremely important that we protect time for the next item of business, so it would be helpful if members could be concise.

Fergus Ewing (Inverness and Nairn) (Ind):

The minister has said that he is considering taking measures to allow the flaw in the bill to be changed, to allow local authorities to choose a flat-rate tax should they so wish. Is it not the case that the minister has already taken steps to try to do that, by lodging an amendment to the Housing (Scotland) Bill to have the measure dealt with in that bill, as I have heard; but that—not surprisingly, to those of us who have studied the bill—that request was declared incompetent by yourself, Presiding Officer? If that is the case, why has that decision not been explained to the Parliament, in the interest of transparency?

Moreover, surely tourism issues are sufficiently important to merit time for amendment by way of primary legislation—and surely such amendment must be done.

Ivan McKee: I again reflect on the fact that the Parliament passed the legislation as it was—I reiterate that, at that point, no one lodged any amendments to broaden the basis of charge. I have been clear that we are seeking a legislative vehicle to enable the change to be made. The member can make a point about how we do that, and I am open to suggestions about it. However, all members are aware of the challenges presented by the amount of legislation that the Parliament is due to consider in the coming weeks and months. The Government is exploring mechanisms whereby we can deliver change, while listening to what industry and local authorities have asked for and responding by delivering what they want to see.

Stephen Kerr (Central Scotland) (Con): The minister can dead-bat questions all the day long if he wishes to—he is very capable of doing that. The reality is that Murdo Fraser is right: the situation is a complete shambles. The whole reason for putting an urgent question is that the minister issued two contradictory letters in the space of four days. How on earth does that happen in a Government office—the office of the minister? The minister should take the time to explain to members how such contradictory statements were issued in his name. Who, precisely, proofread those letters? Who signed them off? If it was the minister, I am afraid that the charge of incompetence rests with him.

Ivan McKee: As I have already explained, unfortunately, there was a typographical error in one of the letters that was sent out. That letter was reissued so as to provide clarification. If Conservative members are still getting so excited about one typographical error—one misplaced word—it is a shame that they have not got more important things to worry about.

I have been very clear with anyone who has engaged with me—*[Interruption.]*

The Presiding Officer: Let us hear one another.

Ivan McKee: We should listen to the industry and its perspective on the situation. Industry representatives are comfortable that we are seeking to make the change in question. We listen to them and to local authorities. As I have said, we recognise the importance of having additional flexibility in the legislation that was passed, which is why we are making a change at this time.

The Presiding Officer: Thank you. That concludes the urgent question.

Fergus Ewing: On a point of order, Presiding Officer. I seek your guidance, please. A moment ago, I asked the minister whether, instead of there being attempts in the future to tackle the problem with the legislation, such steps might already have been taken, as has been brought to my attention—namely, attempts to amend the Housing (Scotland) Bill through wording that would have also altered a provision in the visitor levy legislation. Will you share with the Parliament whether such a move was proposed, submitted or made? If so, in your judgment, was that amendment attempt irrelevant?

This is an important matter: if the Government tried to make that amendment, it clearly thinks that it must be done. If it is now saying that it cannot do so because there is not enough time, even though we will still be here for about two thirds of a year, what does that say about the importance of tourism to this Government?

The Presiding Officer: Thank you, Mr Ewing. I do not generally share information with regard to admissibility and selection decisions.

Business Motion

14:46

The Presiding Officer (Alison Johnstone): The next item of business is consideration of business motion S6M-19014, in the name of Graeme Dey, on behalf of the Parliamentary Bureau, setting out a timetable for stage 3 consideration of the Housing (Scotland) Bill. I ask any member who wishes to speak to the motion to press their request-to-speak button.

Motion moved,

That the Parliament agrees that, during stage 3 of the Housing (Scotland) Bill, debate on groups of amendments shall, subject to Rule 9.8.4A, be brought to a conclusion by the time limits indicated, those time limits being calculated from when the stage begins and excluding any periods when other business is under consideration or when a meeting of the Parliament is suspended or otherwise not in progress:

Groups 1 to 3:	2 hours
Groups 4 to 6:	3 hours 30 minutes
Groups 7 to 9:	5 hours
Groups 10 to 11:	6 hours 30 minutes
Groups 12 to 14:	7 hours 50 minutes
Groups 15 to 17:	8 hours 45 minutes
Groups 18 to 20:	10 hours 35 minutes
Groups 21 to 24:	12 hours
Groups 25 to 27: [Graeme Dey]	13 hours 45 minutes.—

Motion agreed to.

Housing (Scotland) Bill: Stage 3

14:47

The Presiding Officer (Alison Johnstone):

The next item of business is stage 3 proceedings on the Housing (Scotland) Bill. In dealing with the amendments, members should have the bill as amended at stage 2—that is, Scottish Parliament bill 45A—the marshalled list and the groupings of amendments. The division bell will sound and proceedings will be suspended for around five minutes for the first division. The period of voting for the first division will be 30 seconds. Thereafter, I will allow a voting period of one minute for the first division after a debate. Members who wish to speak in the debate on a group of amendments should press their request-to-speak buttons or enter “RTS” in the chat as soon as possible after the group has been called.

Members should now refer to the marshalled list of amendments.

Section 1—Periodic assessment of rent conditions

The Presiding Officer: Group 1 is on student tenancies and accommodation. Amendment 123, in the name of the Cabinet Secretary for Housing, is grouped with amendments 124, 137, 150, 179 to 191, 220 to 222, 105, 239, 370 to 374, 258, 116 and 388 to 390.

The Cabinet Secretary for Housing (Màiri McAllan): I am pleased to begin our stage 3 consideration of the Housing (Scotland) Bill with group 1. Amendment 105, in the name of Pam Duncan-Glancy, seeks to provide for tenants in student residential tenancies to be able to give notice to quit their tenancy in specified circumstances to be laid out in regulation. Amendment 372, in the name of Ross Greer, also seeks to provide for tenants to be able to quit their student residential tenancy, but with the category of tenant to be specified by regulations.

I agree that there will be very good reasons for students to seek to give notice to leave their tenancies, but I am also aware that allowing that in all circumstances could have a significant impact on the management of, investment in and supply of student accommodation in Scotland. Specifying the circumstances in which a student may end their tenancy, as we would under amendment 105, would ensure that that could occur only where it was appropriate for them to do so.

Vacancies in purpose-built student accommodation can be filled only by students, and that is difficult in the middle of the academic year. Enabling the termination of all student residential tenancies mid-year could have a substantial

impact on the operation of student accommodation, with potential risks of higher costs and a worsening in affordability. We can imagine how the situation could quickly become completely unmanageable.

Although amendment 372 and its consequential amendment 388 also provide for students to end their tenancy, they do not provide for specific circumstances; rather, they would allow ministers to specify the category of tenant.

Ross Greer (West Scotland) (Green): Will the cabinet secretary take an intervention?

Màiri McAllan: I will finish this point, and then I will be glad to do so.

It is not appropriate to specify that certain groups of students can end a tenancy whereas others who may be in similar circumstances are unable to do so. I therefore cannot support Ross Greer’s amendments 372 and 388. However, I will certainly take his intervention.

Ross Greer: For the sake of time, I clarify to the cabinet secretary that, given that we all agree on the outcome, I am happy not to move my amendments 372 and 388 and for the Green group to support amendment 105.

Màiri McAllan: I, too, believe that amendment 105 and its consequential amendment 116, in the name of Pam Duncan-Glancy, present the best, most balanced approach to the issue of ending student tenancies, which includes a duty to consult. I therefore support amendments 105 and 116.

Amendments 123, 124 and 137, in my name, seek to reverse amendments that were agreed to at stage 2 in relation to rent control and student tenancies. I believe that it was a significant error to have agreed to those amendments in the first place. We have always been clear that student tenancies are not part of the mainstream private rented sector and should not be included in rent controls in the bill. The fact that the stage 2 amendments that were agreed to have caused significant confusion and concern in the sector has been reflected clearly in our engagement with student housing providers since stage 2.

Meghan Gallacher (Central Scotland) (Con): Does the cabinet secretary understand that introducing rent controls in the way that the Scottish National Party Government has done in recent years has left the purpose-built student accommodation sector as the only fruitful market for investment? That is why the SNP Government should be extremely cautious in how it proceeds with rent control legislation.

Màiri McAllan: My amendments seek to remove an erroneous Conservative amendment that was agreed to at stage 2, which immediately

caused considerable upset and concern in the sector. A little humility would therefore go a long way.

In addition, the rent controls that we seek to pass in the bill are evidence led and locally led, and will give sufficient protection to tenants; however, I have also been clear on exemptions, which I know are critical for investment. The amendments in my name will remove reference to student tenancies from part 1 of the bill, and I urge members to support them.

Amendment 150, in the name of Maggie Chapman, is very similar to Graham Simpson's stage 2 amendment 59, in that it seeks to allow for student tenancies to be covered by rent control. I reiterate that I do not consider that to be appropriate. Student tenancies should not be covered by rent control, and I cannot support amendment 150.

Amendments 179 to 191 and amendment 258, in the name of Edward Mountain, are similar to his amendments that were lodged at stage 2. They seek to replicate the regulatory requirements in relation to rent increases in the private rented sector for student tenancies. Ultimately, they appear to create a rent increase process and a means by which rent increase could be challenged.

As I have said, the student accommodation sector operates very differently from the mainstream private rented sector, and rent increases in student tenancies do not generally take place mid-tenancy; instead, they are for a fixed-term duration, which is aligned with the academic year. Edward Mountain's amendments seek to treat student tenancies the same as tenancies in the PRS when it comes to restrictions on in-tenancy rent increases, and they do not take account of the inherent differences. In addition, as far as I understand it, there has been no consultation with the sector. I therefore cannot support those amendments.

Amendment 220, in the name of Maggie Chapman, is identical to an amendment that was considered and disagreed to at stage 2. It seeks to gather additional information on non-United Kingdom students and tenancy deposits, which I understand would support the use of a proposed regulatory power that is also provided for in the amendment.

As we set out previously, there are significant practical issues with obtaining that data in the way that is proposed, which lacks a clear remit or purpose. The tenancy deposit schemes do not currently collect information from tenants that would enable them to establish whether a tenancy deposit was for a non-UK domiciled student. Placing a requirement on the schemes to do that

would be a significant change, which would have resource and cost implications. I therefore cannot support amendment 220.

Amendment 221, in the name of Edward Mountain, would increase the maximum limit for tenancy deposits from two months to three months for international students, where they are not required to provide a guarantor. I understand that, for international students, there can be barriers to accessing the private rented sector, such as difficulty with providing a United Kingdom-based guarantor. However, I do not think that the introduction of an increased deposit amount in place of the guarantor requirement would be sufficient to address some of the concerns of landlords. Indeed, we can envisage a scenario in which that could arguably make matters worse for international students, by requiring them to provide even larger deposits to satisfy landlords.

In addition, I must flag up the fact that treating different groups of people differently on account of their national origin could amount to discrimination under the Equality Act 2010 and article 14 of the European convention on human rights. I am absolutely committed to further work on guarantor support, but I cannot support the formulation of amendment 221.

Amendment 222, in the name of Maggie Chapman, was also lodged at stage 2 and was not agreed to. It would require ministers to establish a public body, through regulations, to act as guarantor for non-UK domiciled students. I cannot support the amendment, given the on-going financial implications that it would necessarily have.

We committed to considering how existing avenues of support could be strengthened as a more cost-effective alternative, and I would like to update members on that. My officials are carrying out a mapping exercise to increase our understanding of guarantor support, which will help us to identify gaps in provision, barriers to access and any possible solutions. Once completed, I would like the exercise to form the basis of more detailed work with local authorities, student housing providers in particular and members on how we can formulate a more consistent approach, whether that is a national framework or guidance. For that reason, I ask Maggie Chapman not to move amendment 222 but to work with me on a comprehensive and detailed piece of work.

Amendment 239, in the name of Graham Simpson, and amendment 370, in the name of Pam Duncan-Glancy, seek to amend current legislation in respect of local housing strategies by making specific reference to students when local authorities are assessing housing provision and related services in their area. Amendment 370

would also require ministers to produce specific guidance on purpose-built student accommodation and local authorities to have regard to that.

I understand the intention behind the amendments, but I do not believe that there is a need to specify that in primary legislation, because the existing legislative requirements on authorities are clear that they relate to the housing needs of all people in the area. I cannot support the introduction of legislation that would target support for one specific group over another, recognising that, in meeting local housing needs, local authorities will require to balance the needs of a much fuller range of priority groups, as informed by their housing need and demand assessment. Therefore, although I understand the intention, I cannot support the amendments.

Pam Duncan-Glancy (Glasgow) (Lab): I appreciate the minister's point. However, on that basis, can she comment on the fact that, for example, since 2015, 28 per cent of approvals for accommodation in Glasgow have been for purpose-built student accommodation when only 18.5 per cent of the city's population are students?

Màiri McAllan: I absolutely take note of the point and the statistics that Pam Duncan-Glancy puts to me, and I do not doubt for a second that there are pressures to be worked through, but I remain committed to ensuring that all groups, including students, are appropriately reflected in local housing strategy guidance and to supporting local authorities to consider their demographics and how they change on an on-going and flexible basis. The work that is under way allows us to do that.

Amendment 371, in the name of Ms Duncan-Glancy, would require the publication of a purpose-built student accommodation charter. Again, I understand the intention, but I cannot support the amendment. The charter would cover matters, including complaints, that are already included in the Unipol codes, which the majority of PBSA providers are members of. The codes are regularly reviewed, enjoy the support of the sector, including the National Union of Students, and will cover issues such as standards, the rights and responsibilities of landlords and tenants, and the process for dispute resolution.

Along with Unipol and review group members, the Scottish Government has reviewed the codes to ensure that they apply equally to Scotland and can be further amended as required. Our PBSA recommendations are being progressed by the Scottish Government and review group members. Therefore, given that that work is under way and is well progressed, I ask Ms Duncan-Glancy not to move her amendments but to work with me, officials and review group members to finalise that

work, which has been a number of years in the making.

I am trying to move as swiftly as I can through the amendments, Presiding Officer—I do not have long to go.

15:00

Amendments 373 and 374 and the consequential amendments 389 and 390, in the name of Ross Greer, would require the Scottish Government to publish model terms and conditions for students and a model complaints procedure. Again, I appreciate the intention behind the amendments—I want to ensure that students have full information on the terms and conditions of their accommodation contracts and details of how to make a complaint—but I cannot support them.

In respect of amendment 373, work on terms and conditions to ensure consistency between providers is on-going. Guidance on tenancy agreements that is similar to the guidance that is provided in the private rented sector has been drafted and is currently with all stakeholders for comment by the end of October. Following that, an information pack, including information relating to tenancy agreements and tenants' rights, will be drafted. Student representatives are involved in that process.

Ross Greer: I am glad that the cabinet secretary mentioned that much of the work on drafting model terms and conditions is already under way. That is why amendment 373 is clear that the on-going work can form the model terms and conditions that the amendment would put a compulsion on ministers to produce. The key thing is that it would give ministers the power, if they so choose at a later date, to put those model terms and conditions—and the model complaints procedure in the subsequent amendment—on a statutory footing.

Given that the work is already under way to produce those documents, why would ministers not want to have the power to put them on a statutory footing in the future, given that, as the minister has already acknowledged, only a majority of—not all—PBSA providers are signed up to the Unipol standards as they currently stand?

Màiri McAllan: First, it is not necessary to do so. The work is well under way—it is well progressed. A range of experts have been involved in its formulation and the work will progress to its conclusion without statutory underpinning. A secondary reason is that there is a degree of flexibility that comes with guidance and a degree of rigidity that comes with primary

legislation. Therefore, as it is not necessary, it would not be right to go down that road.

I will just cover some of the concerns that have been raised about affordability. This is a complex issue; affordability is very difficult to define. It will arise very differently for different students across the board. Moreover, rental costs in PBSA include more than just rent. As I made clear previously, I am open to working with members, representatives of the sector and students to look at long-term solutions on affordability. In particular, I commit to work on that with Ross Greer and Pam Duncan-Glancy, who have raised such matters with me.

I will move to the final amendments in the group, before allowing others to come in. Amendment 374 relates to complaints procedures for student tenants. As far as I can see, having looked at the provision, robust processes are already in place. However, I accept, as the review group did, that those processes can be complicated to navigate, particularly given that different processes are in place for private PBSA and university halls of residence. Detailed guidance is being developed on which process to follow, who to contact and what to expect if a complaint is made, and the guidance will be included in the information that is provided to students. Given the collaborative and well-developed work that is on-going with the sector and with students, I ask Ross Greer not to move those amendments.

For those reasons, in respect of this group of amendments as a whole, I urge members to support my amendments 123, 124 and 137 and Pam Duncan-Glancy's amendments 105 and 116, and to reject the other amendments in the group.

I move amendment 123.

The Deputy Presiding Officer (Liam McArthur): Thank you, cabinet secretary. I point out to members that if amendment 136, in the group on rent conditions and designation of rent control areas, is agreed to, I will not be able to call amendment 137, as a result of a pre-emption.

I call Maggie Chapman to speak to amendment 150 and other amendments in the group.

Maggie Chapman (North East Scotland) (Green): I will just take a wee moment to thank everyone on the legislation team for all their meticulous work, over many, many months, on this bill. I thank the cabinet secretary and her predecessors for their engagement on various issues. Most of all, I thank the organisations, the campaigners and activists who have got us to this point.

At various points over the past four years, it has felt like this day would never come. However, we are here discussing the final amendments to the

Housing (Scotland) Bill, which was introduced by Patrick Harvie as part of the Scottish Greens' commitment to a new deal for tenants.

That is the point of the legislation: to shift the balance of power away from a system that is rigged against renters to one that sees homes as places for living in, not for profiteering from. We have the chance to make living more affordable, healthier and happier for renters; to make renting safe and secure for those who choose to rent as well as those who have to rent; and to ensure that renting is a viable, non-stigmatising and genuinely valued part of our housing system.

It is for those renters that the bill exists. It aims to tackle the unchecked soaring rents to which they have been subjected for far too long; to give them the rights that will make their home really feel like their home; to provide protections against homelessness; and to give specific groups of tenants protections against rip-off rents and make housing fairer for them.

It is with those renters in mind that I speak to the amendments that I have lodged at stage 3. My amendments 150, 220 and 222 in this group are all about enabling better support for students. Amendment 150 would give ministers the power to subject student residential accommodation to rent controls. It does not mandate such controls, nor does it define their terms or constrain the Government in terms of timescale; it simply sets out the important principle that students deserve the same protections as anyone else who is renting a roof over their heads. That is important, because we know that the purpose-built student accommodation sector is getting out of control. Students in Vita Fountainbridge in Edinburgh, for example, are being charged £554—not per month, but per week. That just lines the pockets of private developers and property owners at the expense of students, at a time when we know that student homelessness is on the rise.

My amendments 220 and 222 are both the result of direct asks from the National Union of Students Scotland and others, and address a different set of issues. International students who come to Scotland to study are crucial to our higher education sector, and are important and valued members of our communities, yet they are often the targets of unfair practices. Those may include the demand for a deposit of several months' rent in advance or the requirement for a guarantor, which, given that many international students will not have a network of support or family in Scotland, places many suitable properties way beyond their reach.

Fergus Ewing (Inverness and Nairn) (Ind): What would the member say to my constituent, who wrote to me this week to say that she has one flat with a tenant who has not paid rent for six

months, with arrears of £3,150, and she has incurred mortgage maintenance payments of nearly £2,000? She has proceeded to the First-tier Tribunal for Scotland and, due to there being a backlog of more than three months, the arrears are likely to be £4,800 by the time that the matter is settled.

That person is not rich; she is an ordinary person. What advice would the Green Party give to people like that? How can they be expected to continue to rent out properties if that is the treatment that they must suffer in Scotland?

Maggie Chapman: I thank the member for that intervention—maybe. Later in the bill process—probably not today, but tomorrow or next week—we will come to comment specifically on how to deal with such situations. However, today, I am talking about international student renters. The fact that the member seeks to derail my comments on international students, who are—to be frank—left to the wolves of the private rented sector, speaks to his concern, or lack thereof, for their wellbeing and welfare.

My amendment 220 simply asks for a review of the deposits for which international students are asked—nothing more. I would have liked to go further—as I did in my proposed amendments at stage 2—and restrict the level of the deposit demand possible. However, I think that this amendment would represent a middle ground, and I hope that the Scottish Government will recognise the value of having the information that such a review would provide.

Amendment 222 would require the establishment of a guarantor body for international students. We know that the vast majority of students pay their rents on time, and it is not fair that a section of the student population has limited access to guarantors simply because they are not from this country. We can, and should, be doing better to support our international students in Scotland.

I will let Ross Greer and others speak to their amendments in this group. Finally, I state that we will not support amendments that would remove students from the bill.

Edward Mountain (Highlands and Islands) (Con): Every time that we discuss the bill, I will remind members of my entry in the register of members' interests. To be perfectly clear, and so that there is no dubiety, I state that I let houses under private residential tenancy agreements—those are long-term lets—and I give houses to employees as part of their employment contract. I have been in the house-letting industry for more than 30 years, and have let houses under the Housing (Scotland) Act 1998 and the subsequent housing acts that were passed in 2006, 2010 and

2014. I am a qualified surveyor and I let houses on behalf of clients prior to my time as a member of the Scottish Parliament. Given all that, I believe that I come here with some experience.

My amendments 179 to 191, and amendment 258, which is a technical amendment, seek to enable students to query their rents. We all know, particularly those of us who have had children go through university, that the rent that they pay is a huge burden on them and one that they will take through to later life.

The purpose of my amendments, which I lodged on the back of requests from various student bodies that approached me, is to place checks and controls on the rents that are set for student accommodation.

The cabinet secretary was right to say that I lodged similar amendments at stage 2, which were pushed on my behalf. I wanted to bring them back, because I want to ensure that students understand that this Parliament understands the pressure that they face with the rents that they are charged as a result of being at university. The amendments attempt to do that—they are probing amendments, maybe—and I have the support of the students in seeking to make those changes.

I would also like to talk about amendment 221, which is about deposits for non-UK domiciled students. I do not take the point that the cabinet secretary made that it is discriminatory. The fact that such students are charged greater fees than anyone else might be viewed as discriminatory. The amendment is a way to help those students to get accommodation for the simple reason that being a guarantor for somebody is a very difficult and onerous condition to take on. It is very difficult for landlords to accept guarantors if they are outwith the country.

My aim with the amendment is to make it easier for non-UK domiciled students to get a flat by paying more of the rent up front. That would give the landlord more confidence, and it would mean that students would not have to rely on trying to find a guarantor. I would ask the cabinet secretary to consider that carefully, because the amendment is meant to work in the favour of students, not work against them.

On Maggie Chapman's amendment 220, having been in the industry for 30 years, I take grave exception to the general characterisation that she makes of landlords. That is not my view of landlords. Maybe it is just that I work in the Highlands and in more rural areas, but landlords are not out to make life difficult for tenants. In fact, long-term tenants are much better for landlords than short-term tenants.

Maggie Chapman's characterisation does the industry a vast injustice. I point out to her that

there are 300,000 let properties in Scotland. If we demonise all landlords and get rid of all that accommodation, it will just exacerbate the housing crisis that we face.

Maggie Chapman: What does Edward Mountain think happens if a landlord sells a property because they no longer wish to continue being a landlord? Does he not accept that that property is then available for other people to live in?

Edward Mountain: That is a wonderful idea, Ms Chapman—just come up to the Highlands and have a look round. I am sure that other members in this chamber, such as Ms Forbes, will tell you that what happens to a lot of the houses that become available is that they are bought up as second homes, which does not help anyone in the local community to find housing. I do not accept that argument.

Moving on, I am not sure that amendment 222, which sets up a public body to act as a guarantor, will be helpful. I think that it might saddle that public body with a huge amount of debt.

15:15

Without going through all the amendments, I can say that, bizarrely, I find myself in the position of agreeing with much of what Ross Greer suggests regarding the power to bring tenancies to an end and the model terms and regulations for landlords to apply when it comes to student lets. I look forward to Ross Greer talking about those amendments. I think that we are both, in different ways, trying to protect students and make sure that they find it easier to get accommodation in Scotland.

Pam Duncan-Glancy: I thank the cabinet secretary for her indication that the Government will support my amendments 105 and 116, which will provide for the creation of regulations to set out the circumstances in which students in residential tenancies can terminate their lease.

Amendment 105 will add a new section to the bill that gives a power to Scottish ministers to set out in regulations a process for tenants in student residential tenancies to terminate their tenancy, in specific circumstances and subject to specific requirements. It will require ministers to consult stakeholders before laying draft regulations and require those regulations to be subject to the affirmative procedure.

I lodged those two amendments because students have spoken of having significant challenges with notice periods in certain circumstances and, in some cases, they encounter substantial barriers to ending their tenancy early. For example, students who are on an interruption

of study do not have the choice to end their lease without incurring costs or being required to find a replacement student tenant. The same is the case for students who withdraw from their studies. For those reasons, I would welcome Parliament's support for amendment 105.

Amendment 116 is consequential to amendment 105. It will amend section 52 to provide that regulations on termination of student tenancies that are laid under the power that is conferred by amendment 105 will be subject to the affirmative procedure. I would welcome Parliament's support for both those amendments.

I turn to my amendment on a strategy for purpose-built student accommodation. Amendment 370 would require local authorities to take account of the needs of students when preparing their local housing strategies. It would also place a duty on the Scottish ministers to issue guidance to local authorities on the development of strategies for purpose-built student accommodation—a call that was supported by NUS Scotland in a motion to its conference as far back as 2021.

The guidance may include

“aims for the ratio of student residential tenancies to other types of tenancy”,

views

“on the role of purpose-built student accommodation within the available housing stock”,

approaches

“to engaging with landlords and tenants of student residential tenancies in decision making”,

and

“advice on how to collect data on student residential tenancies to support decision making.”

The amendment would require ministers, in preparing the guidance, to consult

“higher education institutions ... local authorities”,

those who

“represent the interests of residents who are not students, and ... students' associations”.

I said earlier to the cabinet secretary that, since 2015, purpose-built student accommodation has made up 28 per cent of the approvals for accommodation in Glasgow alone, despite the fact that students make up only 18.5 per cent of the city's population. Students and residents across all areas, cities and regions in Scotland need accommodation. However, not all students want purpose-built student accommodation, and residents need a wide range of affordable housing options available to them. The purpose of the amendment is to ensure that a more strategic

approach is taken to the provision of different housing tenures in local authority areas.

I am disappointed to hear that the cabinet secretary does not think that intervention is necessary in this space. The NUS believes that a strategy is needed, and local residents believe that it is necessary. Without a strategy, and without taking a strategic approach at the local level, students and others in our communities could be done out of appropriate housing, which the Government must provide to meet the needs of all Scotland's people.

Therefore, I ask members to support amendment 370 and I ask the Government to kindly reconsider its position when it comes to making a decision on it.

My final amendment in the group, amendment 371, would require the Scottish ministers to prepare a purpose-built student accommodation charter within 12 months of the act coming into force. The charter would set out a summary of

- “(a) the purpose of purpose-built student accommodation,
- (b) the rights and responsibilities of landlords and tenants under a student residential tenancy,
- (c) the process for dispute resolution between landlords and tenants under a student residential tenancy.”

The amendment states:

“The Charter may also include standards and outcomes which landlords should aim to achieve”.

In preparing the charter, the Scottish ministers would have to consult higher education institutions, local authorities, those who represent the interests of residents who are not students and, of course, student associations.

The need for the amendment has been made clear to me and others across the chamber by students and NUS Scotland, who argue—and I agree—that students can find it difficult at times to address damage, mould, pests and so on, and to get support when they need to address those issues. Many students find it difficult to individually challenge them.

It is crucial that the Government recognises the importance of all students having access to the best level of support to ensure that they have somewhere safe, comfortable, affordable and accessible to live while they study. That is why I lodged the amendments. At stage 2, the minister said that the purpose-built student accommodation review group made a specific recommendation on the development of model terms and conditions for the sector to support improvements in the consistency of the rights that students can expect from all providers, and that work is under way in the sector to implement that recommendation by developing tenancy agreements alongside a model complaints procedure.

I welcome all that work, and I would be grateful if the Government could involve us in that development as it goes forward, as the cabinet secretary has set out. I also welcome the work on the code that the cabinet secretary has set out, which NUS Scotland and others support. However, I have to say that I disagree with the comments that action is not needed. Not all accommodation providers adhere to the code. That alone implies that action is in fact needed. I have often wondered about the approach that is taken when ministers say that something is already happening so we do not need to legislate. Surely that simply means that the thing is implementable and that putting it on a statutory footing can do nothing other than reassure.

I therefore ask the Government to rethink its position on amendment 371 in order to reassure students as well as developers and providers, most of whom are doing the right thing, that the Government is on their side. My amendment would build on that on-going work and provide in legislation a statutory responsibility to produce a charter to reaffirm the protections that good practice providers already have in place and that students who are not lucky enough to live in those places need. I hope that members can support my amendment.

Graham Simpson (Central Scotland (Reform)): I have just one amendment in the group, which is amendment 239. At the moment, councils do not have to factor in the needs of students when producing local housing strategies; they do not have to mention student housing at all, which is a rather bizarre situation. At stage 2, I proposed that we rectify that, but I agreed to hold off from pressing an amendment, as the cabinet secretary at the time said that she would work with me on the issue. I have discussed it with the current cabinet secretary, and she sympathises, but that has not translated into out-and-out support. She sympathises with a number of my other amendments but cannot quite bring herself to back them. The amendment is an easy fix that would mean that councils could not overlook the needs of students when writing their housing strategies. I intend to press it.

As we have heard, Pam Duncan-Glancy's amendment 370 builds on that, with a call for guidance on the strategies. She has my support on that, as she often does, and I will also support her other amendments in the group.

I turn to some of the other amendments in the group. Maggie Chapman raised the issue of deposits for foreign students and called for a review, which does not seem unreasonable. We debated the issue at some length at stage 2, and it definitely needs to be tackled.

Maggie Chapman also calls for the Scottish Government to set up a guarantor scheme. I wonder about the cost of that. I sympathised with the proposal, but one of the advantages of being in my current position is that I can change my mind during debates, as I have done already, so I will probably not support that proposal.

I was struck by the comments of Edward Mountain, who also raised the issue of guarantors and has proposed a scheme in which landlords could increase the level of deposit. That seems to me to be a neat solution that should not be dismissed out of hand, so I will support it, too.

Ross Greer: The issues that are raised by amendments 372 and 388 have been covered, so I will not move those amendments.

Amendment 373 and the consequential amendment 389 would simply mandate that ministers must publish a model terms and conditions document for student tenancies that covers private and institutional providers. They would also empower ministers to make the model Ts and Cs binding at a later date via regulation if they think that it is necessary to do so. Let us be honest: there is little point in producing a document of very good quality if it then disappears on to gov.scot/publications, because it is not enforceable, and those who want to forget it will simply decide to do so.

Voluntary guidance will be followed by providers that already provide a good service. The cabinet secretary referred to Unipol guidance, which is a voluntary accreditation scheme for PBSA providers. By definition, if a provider is uninterested in good practice, it will not get accreditation and will not be bound by the guidance. The providers that do not get accreditation will need to be compelled to meet the standards that we expect of them, so ministers should retain the option of being able to compel them. Amendment 373 does not require ministers to do that; it simply gives them a regulation-making power. It does so for no other reason than that the threat of potential regulation would be an incentive for providers to comply now voluntarily.

The cabinet secretary has not given the Parliament a reason to vote against amendment 373. She has argued that work is already under way, which I am glad about. The amendment would ensure that that work has its desired effect. It would do three things: ensure that the work must be completed and that the document must be published, specify that the terms and conditions should address affordability, and give ministers the power to put the model on a statutory basis in the future, if they believe that to be necessary. It would make the model comparable to the existing model tenancy agreement that the Parliament agreed for the private rental sector years ago. If

nothing else, retaining that option, as I said, should push providers to accept the standards voluntarily.

The cabinet secretary has not yet explained why the Government believes that a voluntary code is sufficient. Indeed, she acknowledged that many PBSA providers do not sign up to the existing voluntary standards—most do, but far from all of them. Writing guidance for those that already provide high-standard accommodation seems to be a bit of a pointless exercise. Some of the biggest providers—Vita, Student Roost and IQ—are not signed up to Unipol, at least according to its website. Why does a Vita tenant deserve less protection than a Unite Students tenant?

The biggest issue that student tenants face is cost, as evidenced by the campaigning on it by the NUS and student unions across Scotland. As I said, amendment 373 would mandate that affordability must be reflected in the model terms and conditions. It does not specify how, because doing so in primary legislation would be too restrictive. The exercise is on-going, so the amendment simply sets out that that is one point that needs to be covered.

We can all acknowledge that the likely outcome of the stage 3 proceedings is that PBSA will not be covered by the general rent control provisions. Amendment 373 is an alternative way to tackle the issue of extortionate costs in the sector, which all parties have acknowledged. It comes from a frustration about the pace of delivery on student tenancy reform. Crucially, it would also deliver on a PBSA review group recommendation.

Amendment 373 offers the best of both approaches: it would let the Government's on-going work continue while allowing the Government to retain the power to go further if it is required in the future. I am disappointed that the cabinet secretary is opposing it without specifying why. She believes that voluntary guidance is sufficient, but we already have voluntary guidance that has proven insufficient, which is why we are engaged in the exercise.

I urge the Parliament to support amendment 373. It would not mandate anything beyond what is already happening, but it would give us the option to return to the matter and enforce the guidance that will be produced anyway if providers do not voluntarily adhere to it.

Amendment 374 and consequential amendment 390 deliver on another PBSA review group recommendation. They recognise that a lot of student tenants feel unable to have their concerns and issues reliably addressed by their providers. They are often simply ignored or left in limbo for months on end, and they have little option for redress or resolution.

Similar to the approach to the model terms and conditions, amendment 374 would require ministers to publish a model complaints procedure—that is, the one that is already being progressed, as the cabinet secretary has acknowledged—and would give ministers the optional power to make compliance binding at a later date.

All that my amendments would require ministers to do is what they have already committed to. The amendments would simply give them the option to take further action, if it is necessary, at a later point. A model terms and conditions document and a model complaints procedure are being produced, so let us give ourselves the option of ensuring that they are enforced in future. That is why I will move amendments 373, 374, 389 and 390.

15:30

Willie Rennie (North East Fife) (LD): I want to discuss drawing purpose-built student accommodation into the rent control measures. I attended the Local Government, Housing and Planning Committee when that issue was being discussed. It was an important example of clear communications from Government ministers being essential in giving the committee confidence and avoiding frustration that leads to decisions that have a knock-on effect on not only the purpose-built student accommodation sector but the wider housing sector. I am glad that the cabinet secretary has given absolute clarity, as her predecessor did, on the Government's policy on purpose-built student accommodation. Trust in the Government on housing was slowly being restored after quite a few rocky years, but lack of clarity in the direction of travel of not only the Government but the Parliament knocked the confidence of the PBSA sector and the wider housing sector.

Having clarity from, and trust in, the Government is essential if people who are planning to invest are to follow through on investment decisions. Overnight, investors decided to put projects on hold as a result of one vote in the committee that day. Therefore, I am pleased that we have clarity that purpose-built student accommodation should not be subject to rent controls, because that sector is very different. It is institutionally managed, and the accommodation is purpose built, with wraparound services and enhanced safety and security.

Throughout discussion on the bill, I have been clear that we can have the best standards in the world but, if we do not have people to build the houses, we will not have houses for people to live in. We can cast our minds back a couple of years, when there was a crisis in student accommodation. People at the University of St

Andrews were living in Dundee, and people at the University of Glasgow were unable to get a home near that institution. We cannot afford to go back to that position, but we cannot do this by ourselves. We must have the support of the private sector, as well as the state providers of accommodation, if we are to deal with the housing emergency. That is why I am in favour of having a regime that builds confidence among investors and that sets good standards for tenants, whether they are students or private tenants.

Ross Greer: As I have acknowledged, it is clear that Graham Simpson's stage 2 amendment will be undone, by majority, today. However, given what Mr Rennie has said, how do the Liberal Democrats believe that we can address affordability in the PBSA sector? Does he believe, as the cabinet secretary seems to believe, that we can do that on a voluntary basis, despite the fact that we have been taking that approach up until now, which has led us to this point of unaffordability?

Willie Rennie: I do not think that the voluntary scheme has been scrutinised effectively. Graham Simpson's amendment has brought greater Government focus on trying to get the sector into a better position. However, we must increase supply in order to deal with the price of accommodation. Fundamentally, we have seen the adverse effect that rent controls can have on the supply of housing across the wider sector, not just that for students. I am not in favour of a rent control regime for purpose-built student accommodation, because of the side effects that I have set out.

We will support the Government's amendments and Pam Duncan-Glancy's amendments 105 and 116, but we are not in favour of the other amendments in the group.

The Deputy Presiding Officer: I call the cabinet secretary to wind up.

Màiri McAllan: In the interest of time, I will be brief. I associate myself with Willie Rennie's contribution, particularly in relation to the balance that he is seeking to strike between investment and actions to support tenants and address affordability. I agree with him entirely on that.

I am pleased to hear that members across the chamber will support Pam Duncan-Glancy's amendments, which represent a big step forward in facilitating opportunities to end tenancies in certain circumstances.

Edward Mountain asked me to comment on his amendment 221. I am afraid that extending or increasing the maximum deposit could make it more difficult for those who are seeking to satisfy a landlord's deposit requirements, despite the fact that his intention is to make it easier.

In respect of Ross Greer's comments, I have spoken to the fact that expert-led work is well advanced and I do not require the rigidity of primary legislation to make this work. I invite Ross Greer and other members to work with me on it.

I therefore urge members to support my amendments, which are absolutely essential to removing a flawed stage 2 amendment from the bill.

The Deputy Presiding Officer: The question is, that amendment 123 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division. There will be a five-minute suspension to allow members to log into the digital voting system.

15:35

Meeting suspended.

15:41

On resuming—

The Deputy Presiding Officer: We move to the vote on amendment 123, in the name of the cabinet secretary. Members should cast their votes now.

The vote is closed.

The Cabinet Secretary for Education and Skills (Jenny Gilruth): On a point of order, Presiding Officer. My app would not connect. I would have voted yes.

The Deputy Presiding Officer: Thank you, Ms Gilruth. I will make sure that that is recorded.

The First Minister (John Swinney): On a point of order, Presiding Officer. I would just like to check: I voted yes, but my app does not seem to be recording that.

It is okay now—sorry.

The Deputy Presiding Officer: I can confirm that your vote was recorded.

For

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Boyack, Sarah (Lothian) (Lab)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burnett, Alexander (Aberdeenshire West) (Con)

Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dowey, Sharon (South Scotland) (Con)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Eagle, Tim (Highlands and Islands) (Con)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (North East Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Griffin, Mark (Central Scotland) (Lab)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 Lumsden, Douglas (North East Scotland) (Con)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Regan, Ash (Edinburgh Eastern) (Alba)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Simpson, Graham (Central Scotland) (Reform)

Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP) [Proxy vote cast by Fulton MacGregor]
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Sweeney, Paul (Glasgow) (Lab)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Balfour, Jeremy (Lothian) (Ind)
 Burgess, Ariane (Highlands and Islands) (Green)
 Chapman, Maggie (North East Scotland) (Green)
 Greer, Ross (West Scotland) (Green)
 Harvie, Patrick (Glasgow) (Green)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Villalba, Mercedes (North East Scotland) (Lab)

The Deputy Presiding Officer: The result of the division is: For 101, Against 9, Abstentions 0.

Amendment 123 agreed to.

Section 2—Report to Scottish Ministers following periodic assessment

Amendment 124 moved—[Màiri McAllan].

The Deputy Presiding Officer: The question is, that amendment 124 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

The vote is closed.

Jackie Baillie (Dumbarton) (Lab): On a point of order, Presiding Officer. My app did not refresh. I would have voted yes.

The Deputy Presiding Officer: Thank you, Ms Baillie. I will make sure that that is recorded.

For

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Ind)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)

Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dowey, Sharon (South Scotland) (Con)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Eagle, Tim (Highlands and Islands) (Con)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (North East Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Griffin, Mark (Central Scotland) (Lab)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 Lumsden, Douglas (North East Scotland) (Con)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP) [Proxy vote cast by Fulton MacGregor]
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Regan, Ash (Edinburgh Eastern) (Alba)
 Rennie, Willie (North East Fife) (LD)

Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Simpson, Graham (Central Scotland) (Reform)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Sweeney, Paul (Glasgow) (Lab)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Burgess, Ariane (Highlands and Islands) (Green)
 Chapman, Maggie (North East Scotland) (Green)
 Greer, Ross (West Scotland) (Green)
 Harvie, Patrick (Glasgow) (Green)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Villalba, Mercedes (North East Scotland) (Lab)

The Deputy Presiding Officer: The result of the division is: For 103, Against 8, Abstentions 0.

Amendment 124 agreed to.

The Deputy Presiding Officer: Group 2 is on rent conditions and designation of rent control areas. Amendment 125, in the name of the minister, is grouped with amendments 126 to 135, 60, 61, 136, 62 to 64 and 270. I note that, if amendment 136 is agreed to, I cannot call amendment 62 or amendment 137, which is in the group on student tenancies and accommodation, as a result of a pre-emption. If amendment 64 is agreed to, I cannot call amendment 270, as a result of a pre-emption.

15:45

Màiri McAllan: Amendment 125, in my name, addresses concerns about amendments agreed to at stage 2 that require that, where a local authority recommends that an area be designated as a rent control area, that area must be specified by reference to the street or ward, in addition to the existing requirement to delineate the boundary of the area on a plan. I note the committee's support for that amendment at stage 2, and I recognise the importance of the intention behind it, which is to

ensure that rent control areas are clearly defined. However, I am concerned that the current wording limits local authorities' flexibility to set boundaries in a way that best reflects local circumstances.

To address that, I have lodged amendment 125, which will enable a local authority, where it considers it to be appropriate, to specify the area by reference to a street, ward or appropriate boundary. I believe that that approach retains the intent of stage 2 while providing essential flexibility to councils.

Amendments 126 and 127, in the name of Edward Mountain, would require local authorities to submit a report when they voluntarily undertake an interim assessment under section 3(2), and they would have to do so within three months. Where the Scottish ministers have directed a local authority to carry out an interim assessment, the amendments would require it to be submitted as soon as reasonably practicable, but no later than three months after the direction. Carrying out an assessment under section 3(2) is entirely at the discretion of the local authority, and there is no timescale provided for completion. For an interim assessment being carried out after one has been directed by ministers, it would be very unhelpful to add such a restricted timeframe to local authorities, as that is likely to severely hinder their ability to carry out a thorough and robust process, which I think we would all agree is essential to the proper functioning of the rent control process. As such, I cannot support amendments 126 and 127, because they would undermine robust assessment and reporting.

Likewise, amendment 128, in Edward Mountain's name, would require ministers to consider a report from local authorities within three months of receipt. Although I agree with the need to avoid unnecessary delays in reporting, it is likely that reporting by local authorities, which will happen on a cyclical basis, will result in the bulk of reports being received simultaneously. It is essential that each report is scrutinised carefully to ensure that any decision to implement rent controls is clearly evidenced as being necessary and based on local data. Imposing a time limit of three months, particularly if all reports are received at the same time, is not a measured approach or one that I would wish to see. As such, I cannot support amendment 128.

Amendments 129 and 130, in Edward Mountain's name, would remove the ability of ministers to specify the timing for an assessment report when directing a local authority to carry out further assessment. Instead, local authorities would have to submit the report within three months, which would create an unnecessary restriction. If assessment reports contain insufficient detail for ministers to make an

informed decision about the need for rent controls, or if we are given insufficient time to scrutinise reports, that could impact on our ability to conduct rent controls and to conduct them well. Therefore, I do not support the amendments.

Amendment 131, in my name, addresses concerns around amendments that were agreed at stage 2 that modified the requirement on ministers to consult before issuing guidance to local authorities on carrying out assessments of rental conditions in their area. That amendment to the bill at stage 2 requires ministers to

“consult ... persons who appear to them to understand the impact of rent increases on rural areas.”

As a rural MSP, I recognise that circumstances in rural areas are often very different from those in other parts of Scotland. However, I have concerns about the wording, because, as currently drafted, the provision would be interpreted as requiring ministers to consult every person who understands the impact of rent increases on rural interests, which is clearly completely impractical. It is also not clear how those persons would be identified. Such consultation would be more extensive than, for example, the consultation that is required with other groups, such as landlords and tenants, where the requirement is to consult those whom we consider to represent the interests of the group. I have therefore lodged amendment 131, which makes it clear that consultation is required with those who represent the interests of rural stakeholders.

Amendment 132, in my name, relates to an amendment that we supported in principle at stage 2, which required ministers to issue guidance to local authorities about reports to be prepared after their assessment of local rent conditions. That support in principle was given on the basis that, at stage 3, we would seek to amend the duty to allow time for consultation before any such guidance is issued. Amendment 132 sets a deadline of nine months to issue that guidance, beginning on the date on which the relevant provision comes into force. I am content that that meets the intention of the stage 2 amendment while allowing that crucial time for consultation and engagement with local authorities.

Amendment 133, in my name, addresses concerns about amendments agreed at stage 2 that would require the Scottish ministers to include in guidance to local authorities eligible reasons for recommending rent control when reporting on rent conditions.

I agree that there is a need for clear guidance for local authorities to make their assessments and recommendations—not least, to ensure a consistent approach across Scotland. I recognise why the committee voted in support of that at

stage 2. However, local authorities may be reluctant to recommend rent control when their reasons for doing so do not align with the eligible reasons that, under that stage 2 amendment, we would have to set out in guidance. There is a risk that that could inadvertently impact on the ability to impose rent control well, when it is needed to protect tenants. It would unnecessarily fetter the discretion of the local authority, which, ultimately, is best placed to determine such matters. As we set out at stage 2, an exhaustive list

“would be restrictive and might not support consideration of local factors.”—[*Official Report, Local Government, Housing and Planning Committee*, 6 May 2025; c 9.]

For that reason, I lodged amendment 133.

Amendment 134 provides that guidance that is issued under section 7(1) may include provision about the reasons for recommending the designation of an area for rent control. Again, that is different from requiring alignment with the eligible criteria, which could be restrictive.

Amendment 135, in the name of Edward Mountain, would require reports by ministers on proposals for rent control to include detailed reasons for their decision, rather than just reasons. That does not create any meaningful duty on the ministers beyond what is already in the bill—[*Interruption.*]

Apologies, Presiding Officer—I thought that Mr Mountain was making an intervention.

Edward Mountain: Will the cabinet secretary take an intervention?

Màiri McAllan: Yes—I am sorry, I thought that that was what was happening before.

Edward Mountain: Thank you. “In detail” does mean something, actually—it certainly means something to people outside the Parliament. I am not sure why the Government would object to having the word “detailed” instead of having nothing in there at all. Maybe if I put in the word “flimsy”, you would object to that as well.

The Deputy Presiding Officer: Always speak through the chair.

Màiri McAllan: Certainly, I would reject “flimsy” as well as “detailed”. It does not have any legal application. All reasons specified in law have to be detailed. Amendment 135 must be rejected on that basis.

My amendments 60 to 62 address concerns about amendments agreed to at stage 2 that removed ministers’ discretion to designate rent control areas, instead requiring designation where that is recommended by a local authority. That change could lead to unintended consequences because it would oblige ministers to lay regulations to designate rent control areas, even

where evidence does not support the need for that or where it may be disproportionate.

Maggie Chapman: Will the cabinet secretary take an intervention?

Màiri McAllan: I will, in a second.

I do not think that that fits well with the evidence-led approach in the bill as introduced. I believe that amendments 60 to 62 are necessary to ensure that rent control is introduced only where it is necessary and proportionate.

I will take Ms Chapman's intervention.

Maggie Chapman: The changes that were made at stage 2 do not require ministers to make regulations for rent control without any other checks. It is clearly stipulated in section 9(1A) that there can be checks to allow ministers to say, "Actually, no—these are not proportionate or appropriate." Given that the protections are there to give ministers that power, I do not understand why the cabinet secretary is trying to overrule the will of the committee at stage 2 in this way.

Màiri McAllan: I assure Ms Chapman that in no way am I trying to overrule the committee's intentions. All that I am trying to do is reinstate ministerial discretion, as it applies in the normal way in such circumstances. The formulation of the subsection as it stands would oblige ministers to implement the recommendations of local authorities, rather than requiring them to receive the recommendation from local authorities and to apply their discretion on its application. It is for those reasons that I lodged amendments 60 to 62, which will reinstate that discretion and simply bring us into line with the normal approach and the appropriate checks and balances that normally operate.

Maggie Chapman's amendment 136 would remove the provision that a rent control area may be designated only where it is necessary and proportionate. I am clear that we really must designate an area for rent control only if the evidence shows that it is necessary and proportionate in the local circumstances. I am not sure on what other basis we could make such a decision. I cannot therefore support amendment 136.

My amendment 63 addresses concerns about an amendment that was agreed to at stage 2, which provides that the amount that is specified under regulations in section 9(1), which is related to the setting of the rent cap, must be calculated by reference to the quality, state of repair and energy efficiency of the property. I acknowledge the concerns around those factors, which were raised by a number of members during that discussion.

I want to be clear that we are committed to tackling disrepair in housing and we are continuing to drive a culture in which good maintenance is non-negotiable. A number of measures to tackle poor-quality properties in the private rented sector, including through the requirements that are set out in the repairing standard, are already in place under separate legislation.

However, I strongly believe that tenants in the private rented sector should be afforded the protection of Awaab's law. That is why I committed to bringing Awaab's law into force across the whole of the rented sector from March next year, starting with damp and mould, subject of course to Parliament's agreement.

In relation to the powers in section 9, the committee agreed to our suite of stage 2 amendments that set out a uniform, fixed rent cap to apply to all rent control areas. That was brought forward in response to calls for greater certainty on how rent controls will be implemented. As part of that suite of amendments, the references to an "amount specified" in regulations were removed from section 9. To avoid confusion, I lodged amendment 63 to remove that obsolete reference, which resulted from the stage 2 process.

I am getting there, Presiding Officer.

I turn to Mark Griffin's amendment 270. An amendment was agreed to at stage 2 that provides a definition of "rent payable" that excludes utility charges from being considered as part of the rent in relation to some of the rent control provisions in the bill. Amendment 270 would expand the list of exclusions in that definition to include amounts payable for broadband or district heating.

I appreciate the concerns that were raised at stage 2 about the collection of accurate data regarding what may be included as part of the rent for a property in order to facilitate a fair comparisons of rents across the private rented sector. I think that that is what led members to support that amendment at stage 2.

However, the committee agreed to our stage 2 amendments to section 15, which, as amended, now allows local authorities or the Scottish ministers to collect specific information on whether the rent payable for a property includes any costs associated with the property and what those costs are, as part of their data gathering on rents.

In addition—I expect that this point will resonate with Mark Griffin, because I am sure that this was not his intention—excluding utilities from the definition in this part of the bill has potential to create confusion in the sector, because the definition that was inserted at stage 2 would create a distinction between, on the one hand, the definition of "rent payable" for the purposes of

designating rent control and, on the other, the definition of that term for the operation of rent control. That would allow any unscrupulous landlord to increase costs for such utilities at any time and to any level outwith the protections that would otherwise be afforded if it was part of the definition of rent.

Meghan Gallacher: In many rural properties, landlords supply those services via private infrastructure and there is no alternative provider in the area. Utility costs are, therefore, often included as part of the rental change. There needs to be fairness in relation to geography. Does the cabinet secretary understand that not every area will be the same and that these issues have been brought to Parliament in order to create fairness in the sector?

Màiri McAllan: I absolutely understand the point that Meghan Gallacher puts to me, and it is something that I discussed with Scottish Land & Estates before stage 3. Despite agreeing and understanding the different nature of the situations in rural and urban Scotland, I cannot have a situation where we have different definitions of “rent payable” for the designation of rent control and for the operation of rent control, and I cannot have a situation where utilities are taken outwith the definition of “rent payable” and can therefore be increased outwith the protections that would otherwise be afforded to the tenant. However, I commit to continuing to work with Scottish Land & Estates on the nuances there.

16:00

For all the reasons that I have set out, I have lodged amendment 64 to remove the confusing definition that was added at stage 2, so that the operation is seamless and there is continuity between definitions.

For all those reasons, I urge members to support my amendments in the group and to reject the amendments in the names of Edward Mountain, Maggie Chapman and Mark Griffin.

I move amendment 125.

Edward Mountain: At the outset, I state for the record—I am sure that it will not surprise anyone—that I do not like rent control areas. They are a blunt instrument to achieve the aim.

The purpose of my amendments 126 to 130 is to make people get a move on when they detail out and make reports. I do not believe that three months is too tight a timescale. In the real world, people provide reports much more quickly. It is therefore unfair to give the reason that “three months is too quick” and to excuse councils and the Government from making decisions in that period. For every month in which there is some

dubiety, problems are caused in the rented sector—for tenants and landlords—and disagreement could be caused. That is why I want the process to be done in three months.

I will also draw to the attention of the cabinet secretary the fact that, although there may be no legal definition of “detailed” that she is prepared to accept, the “Oxford English Dictionary”—always a good place to start—says:

“having many details or facts”

and

“showing attention to detail”.

That is what I was asking for in the report. It is not a big ask. I am slightly disappointed that the cabinet secretary does not think that that is a useful addition to the points that she has made.

Amendments 60, 61 and 62, in the name of the cabinet secretary, are of concern to me because they take power from local authorities and invest it in the Government. I am not sure that that is democracy at local level.

I am disappointed with the cabinet secretary’s amendment 63, which, let us be clear, would remove an amendment that I moved at stage 2 and that was accepted by the Government when it was discussed at committee, which was to take into account the quality, state of repair and energy efficiency of a property. There is no doubt in my mind that properties that have high standards of insulation and the highest-quality furnishings demand a different rent to that of properties that do not have those things. It seems entirely appropriate that that was agreed to by the committee, which considered it in great detail. It is disappointing that the Government now thinks that it is appropriate to wade in.

Again, I am disappointed with the cabinet secretary’s amendment 64, which would remove the definition of “rent”. Meghan Gallacher made the point about district heating and heating infrastructure; however, it is not just about that. A lot of private rental properties in rural communities have private water supplies, which are incredibly onerous to check and maintain each year. Such properties might also have private sewerage supplies, which, as the cabinet secretary will know, do not appear on council tax bills. It therefore seems right and proper that the landlord should, if they choose, charge the equivalent amount to Scottish Water for maintaining adequate and wholesome supplies that we all want them to provide. I am disappointed that removing what is defined as “rent” could mean that the rent for a property that included those was considered to be too high. That would be a mistake, and I urge the cabinet secretary to reflect.

For the same reason, I have looked carefully at Mark Griffin's amendment 270, which would extend the charges that are excluded from the rent that is payable to include broadband and district heating. That is a sensible amendment for a lot of reasons that I have just given, and I hope that the cabinet secretary will support it, leave in the effect of my previous stage 2 amendment and not move her amendment 64, which seeks to squash the committee's considered decision at stage 2.

The Deputy Presiding Officer (Annabelle Ewing): Thank you, Mr Mountain. I call Maggie Chapman to speak to amendment 136 and other amendments in the group.

Maggie Chapman: Edward Mountain will be surprised to hear that I agree with virtually everything—not quite all but nearly everything—that he said and that we will be supporting his amendments in this group. At stage 2, I was very pleased to get the committee's support to strengthen local democratic decision making on rent controls. As a result, section 9 obliges the Scottish Government to introduce rent controls, where a local authority has submitted a valid application for a rent control area. Before, it could simply refuse to produce the secondary legislation to introduce a rent control area.

My amendment 136 would do some tidying up after that welcome change. It would remove the ability of the Scottish Government to veto a rent control area application on the grounds that it is neither necessary nor proportionate. However, let me be clear: that does not prevent an inappropriate rent control area application from being stopped. If the Parliament is not convinced that an application is necessary or proportionate or feels that it is inappropriate for any other reason, subsection (1A), which I introduced into the bill at stage 2, allows it to refuse. Crucially, however, that takes the decision out of the hands of a minister and respects the rights of local authorities and of the Scottish Parliament to oversee crucial policy decisions.

The Scottish Government's amendments 60 to 62 to remove my amendments that were made at stage 2 are deeply troubling. First, they go back on a fairly well-established principle that the Scottish Government accepts the will of committees and the Parliament. That new approach was voted through at stage 2. The legislation team has certified that the amendment was then, and remains, technically competent. There is absolutely no reason to reverse that, other than that the Scottish Government does not want to give that power to local authorities.

Secondly, an absolute right of veto violates the Verity house agreement to which the Scottish Government is a signatory. The agreement says:

"The powers held by local authorities shall normally be full and exclusive. They may not be undermined or limited by another, central or regional, authority".

Why should local authorities think that the agreement is worth the paper that it is written on if the Scottish Government wishes to give itself a veto over one of the most important new powers for local government in many years? I urge the cabinet secretary to reconsider and I ask her to reflect on the words that she used in her remarks on group 1 earlier, when she talked about rent control areas needing to be "locally led". Let local authorities lead.

The Deputy Presiding Officer: I call Mark Griffin to speak to amendment 270 and other amendments in the group.

Mark Griffin (Central Scotland) (Lab): Amendment 270, in my name, would allow broadband and district heating schemes to be included in the list of services that may be supplied privately, where there is no publicly available infrastructure. I recognise that including those essential services in the legislation will encourage the development of more district heating networks, supporting our energy efficiency and decarbonisation goals; future proof the legislation for a time when heat networks become commonplace, ensuring that any charges are clearly identified and kept separate from rent; bring clarity and consistency to how privately provided essential services are treated, especially and crucially in rural and off-grid areas, where public provision is often lacking; and provide greater transparency for tenants in relation to service provision and costs.

I support the principle of rent control, especially given the background of ever-increasing rents and the urgent need to protect tenants. However, for those rent controls to be effective and workable, it is absolutely vital that rent is clearly defined as rent only, with the central utilities and services, such as broadband and district heating, identified and charged for separately, where appropriate. That approach ensures that tenants are not paying for hidden or bundled costs and that the system is transparent and fair for everyone. Attempts to remove the amendment that clarified that definition risk undermining the clarity and fairness that tenants deserve. We also cannot afford to lose much-needed homes from the sector, particularly in rural Scotland, at this time of housing emergency. I have therefore lodged amendment 270 to ensure that the amendment that was passed at stage 2 is future proofed to include the wider definitions of district heating and broadband. I ask members to support the amendment.

Meghan Gallacher: Similar to my colleague Edward Mountain, I am concerned about amendments 60 and 61, in the name of the

cabinet secretary. That concern is around the need for scrutiny, given the unpredictable nature of rent controls and what we have seen happen across the country in relation to the loss of investment when rent controls have been placed in certain areas.

I absolutely understand the point that Maggie Chapman is trying to make about local authorities and localism—about local authorities being able to make decisions about what is right in their own area—but this decision will impact whether more homes are built across the country, which is something that we, as MSPs, should be kept up to date on and be able to scrutinise. However, it seems that the Government will attempt to remove that from the bill this afternoon. I was reassured to hear that the cabinet secretary would not support amendment 136, in the name of Maggie Chapman. Again, I think that it is appropriate that the provision about the requirement for rent controls includes the point about it being “necessary and proportionate”. I believe that that is the right terminology when we are looking at this particular area of the bill.

We need to look at the full picture when it comes to rent controls and make sure that decisions are fully evidence based so that there are no unintended consequences for the rental market. I believe that, if Maggie Chapman’s amendment was passed, what would be implemented would be the opposite of the aims that she is trying to achieve on the back of this amendment. We need to look at everything as a whole.

On amendment 63, in the name of Màiri McAllan, again, I have raised the issue of fairness in terms of rent controls and the need to make sure that the bill is proportionate. Parliament has been waiting for the heat in buildings bill. Should extensive costs be associated with the current bill, I believe that landlords will find it harder to keep pace with rising costs, as rent increases would no longer be directly linked to improvements or specific features of their property.

I have raised with the cabinet secretary, when we have met, the need to incentivise landlords to keep them in the housing market to ensure that we have homes available for people to live in. I believe that landlords have faced significant financial losses and many, as we know, have left the market due to temporary rent controls. Increased regulation and hostility towards landlords will not result in ensuring that the supply of homes meets demand. For example, a Scottish Association of Landlords report revealed concerns that increasing regulation has led to a loss of more than 50,000 homes in the private rented sector. The decisions that we make on this bill will have a

direct impact on our housing market in the private rented sector.

On amendment 64, the cabinet secretary took an intervention on this from me moments ago, but I go back to our argument in relation to rural properties and the comments that Edward Mountain made. I believe that if we do not back amendment 270, in the name of Mark Griffin, we will be creating a huge disparity between urban areas and rural areas when we look at the differences in how rent is collated. That would show that the Government is not standing up for rural areas. I therefore urge members to back amendment 270, in the name of Mark Griffin, and not to support amendment 64, in the name of the cabinet secretary.

Màiri McAllan: Despite the time constraints, I will take a bit of time to wind up, because there are some really important provisions in this section. I appeal to members to think very carefully about them, as I know they will. In the past, decisions have been taken on this bill that have proven to be the wrong decisions, so I ask members to think carefully, first, about amendments 60, 61 and 62, in respect of rent control. This is an absolutely critical provision about when rent control will or will not come into play in Scotland.

The application of rent control is not a power for local authorities; it is a power for Scottish ministers, with parliamentary scrutiny. Therefore, Maggie Chapman’s formulation of ministers having a veto over local authorities’ powers is completely wrong. The effect of Ms Chapman’s amendment would be that ministers would be forced to designate a rent control area—which is not a small action—even where we considered it to be disproportionate. We would be in that position because a very unusual constitutional approach had been taken in the formulation of the power that was passed in Maggie Chapman’s amendment at stage 2. I ask Maggie Chapman to consider a situation in which a local authority is ideologically or politically against rent controls. That would prevent ministers from having any say on whether rent controls were put in place in that local authority.

16:15

Similarly, I ask those members who are more sceptical about rent controls to consider the effect if a council was disproportionately seeking to apply a rent control. Members who do not vote for amendments 60, 61 and 62 would be completely taking out the Scottish Government’s role in assessing the proportionality in that regard, and I ask them to think extremely carefully about doing so.

Meghan Gallacher: Does that not highlight the problems with rent controls in their entirety? The fact that we are arguing about whether the power should lie with the Scottish Government or with local councils, and about the political make-up and political ideologies, shows that rent controls are going to have an impact on the sector and that, regardless of which way members vote this evening, there are going to be problems with rent controls.

Màiri McAllan: I am afraid that there is no way of backing out of rent controls in Scotland, regardless of the way that members vote on this particular issue, but the decision will have a considerable impact on their operation. Rent controls are being taken forward—they are the right thing to do where the evidence suggests that that is the case in a local area, where the local authority has gathered that information and referred it to ministers, and where ministers have made our assessment that it is proportionate to accept the proposal. I stress again, therefore, the vital importance of members across the chamber considering amendments 60, 61 and 62 very carefully.

Similarly, with regard to the definition of “rent payable”, I stress again to members that the effect of not voting for my amendment 64 would be that, in a rent control area, landlords would be able to raise utility payments—perhaps exorbitantly—outwith the controls that would otherwise apply to rent. Again, members have to think carefully about that.

Edward Mountain: I may have jumped the gun a bit, as the cabinet secretary may be about to tell me that she believes that things such as private water supplies and private drainage ought to be considered. Nevertheless, by taking that definition out of the bill, is she not creating more problems? Should she not have taken a sensible approach to the matter and defined what could be included in rent, rather than just saying what cannot be included?

Màiri McAllan: The definitions of rent in the bill are clear, but they were separated at stage 2. I am saying that we need to undo that separation, because one of its effects is that, in a rent control area, a tenant will not be afforded protections for utilities that they would otherwise be afforded for rent. I simply ask members to think carefully about how they vote on that question, as well as on amendments 60, 61 and 62.

Amendment 125 agreed to.

Section 3—Interim assessment and reports by local authorities

Amendments 126 and 127 moved—[Edward Mountain].

Section 4—Scottish Ministers to review local authority report

Amendment 128 moved—[Edward Mountain].

Section 5—Further assessment of rent conditions and report by local authority

Amendments 129 and 130 moved—[Edward Mountain].

The Deputy Presiding Officer: Does any member object to a single question being put on amendments 126 to 130?

As no member objects, the question is, that amendments 126 to 130 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

The vote is now closed.

The Cabinet Secretary for Constitution, External Affairs and Culture (Angus Robertson): On a point of order, Presiding Officer. My apologies—I could not connect to the voting app. I would have voted no.

The Deputy Presiding Officer: Thank you, cabinet secretary. Your vote will be recorded.

For

Balfour, Jeremy (Lothian) (Ind)
 Briggs, Miles (Lothian) (Con)
 Burgess, Ariane (Highlands and Islands) (Green)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Maggie (North East Scotland) (Green)
 Dowe, Sharon (South Scotland) (Con)
 Eagle, Tim (Highlands and Islands) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Greer, Ross (West Scotland) (Green)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harvie, Patrick (Glasgow) (Green)
 Kerr, Stephen (Central Scotland) (Con)
 Lumsden, Douglas (North East Scotland) (Con)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 McCall, Roz (Mid Scotland and Fife) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Regan, Ash (Edinburgh Eastern) (Alba)
 Ross, Douglas (Highlands and Islands) (Con)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Simpson, Graham (Central Scotland) (Reform)
 Slater, Lorna (Lothian) (Green)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Choudhury, Foyso (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Griffin, Mark (Central Scotland) (Lab)
 Harper, Emma (South Scotland) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mochan, Carol (South Scotland) (Lab)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP) [Proxy vote cast by Fulton MacGregor]
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Sweeney, Paul (Glasgow) (Lab)
 Swinney, John (Perthshire North) (SNP)

Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Villalba, Mercedes (North East Scotland) (Lab)
 Whitfield, Martin (South Scotland) (Lab)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Abstentions

Ewing, Fergus (Inverness and Nairn) (Ind)

The Deputy Presiding Officer: The result of the division is: For 32, Against 77, Abstentions 1.

Amendments 126 to 130 disagreed to.

Section 6—Ministerial guidance on assessments of rent conditions

Amendment 131 moved—[Màiri McAllan]—and agreed to.

Section 7—Ministerial guidance on reports following assessments of rent conditions

Amendments 132 to 134—[Màiri McAllan]—and agreed to.

Section 8—Scottish Ministers' duty to report

Amendment 135 moved—[Edward Mountain].

The Deputy Presiding Officer: The question is, that amendment 135 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

The vote is closed.

Murdo Fraser (Mid Scotland and Fife) (Con): On a point of order, Presiding Officer. I do not think that I was able to connect to the app. I would have voted yes.

The Deputy Presiding Officer: Thank you, Mr Fraser. Your vote will be recorded.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Ind)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Briggs, Miles (Lothian) (Con)
 Burgess, Ariane (Highlands and Islands) (Green)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Maggie (North East Scotland) (Green)
 Choudhury, Foyso (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Dowey, Sharon (South Scotland) (Con)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Eagle, Tim (Highlands and Islands) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)

Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harvie, Patrick (Glasgow) (Green)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lumsden, Douglas (North East Scotland) (Con)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 McCall, Roz (Mid Scotland and Fife) (Con)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Regan, Ash (Edinburgh Eastern) (Alba)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Simpson, Graham (Central Scotland) (Reform)
 Slater, Lorna (Lothian) (Green)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Harper, Emma (South Scotland) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)

Maguire, Ruth (Cunninghame South) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP) [Proxy vote cast by Fulton MacGregor]
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Abstentions

Ewing, Fergus (Inverness and Nairn) (Ind)

The Deputy Presiding Officer: The result of the division is: For 51, Against 59, Abstentions 1.

Amendment 135 disagreed to.

Section 9—Power to designate rent control area

Amendment 60 moved—[Màiri McAllan].

The Deputy Presiding Officer: The question is, that amendment 60 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)

Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Griffin, Mark (Central Scotland) (Lab)
 Harper, Emma (South Scotland) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mochan, Carol (South Scotland) (Lab)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Simpson, Graham (Central Scotland) (Reform)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP) [Proxy vote cast by Fulton MacGregor]
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Sweeney, Paul (Glasgow) (Lab)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Villalba, Mercedes (North East Scotland) (Lab)
 Whitfield, Martin (South Scotland) (Lab)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Balfour, Jeremy (Lothian) (Ind)
 Briggs, Miles (Lothian) (Con)
 Burgess, Ariane (Highlands and Islands) (Green)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Maggie (North East Scotland) (Green)
 Dowey, Sharon (South Scotland) (Con)

Eagle, Tim (Highlands and Islands) (Con)
 Ewing, Fergus (Inverness and Nairn) (Ind)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Greer, Ross (West Scotland) (Green)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harvie, Patrick (Glasgow) (Green)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lumsden, Douglas (North East Scotland) (Con)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 McCall, Roz (Mid Scotland and Fife) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Ross, Douglas (Highlands and Islands) (Con)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whittle, Brian (South Scotland) (Con)

The Deputy Presiding Officer: The result of the division is: For 78, Against 32, Abstentions 0.

Amendment 60 agreed to.

Amendment 61 moved—[Màiri McAllan].

The Deputy Presiding Officer: The question is, that amendment 61 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)

Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Griffin, Mark (Central Scotland) (Lab)
 Harper, Emma (South Scotland) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mochan, Carol (South Scotland) (Lab)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Simpson, Graham (Central Scotland) (Reform)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP) [Proxy vote cast by Fulton MacGregor]
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Sweeney, Paul (Glasgow) (Lab)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Villalba, Mercedes (North East Scotland) (Lab)
 Whitfield, Martin (South Scotland) (Lab)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Balfour, Jeremy (Lothian) (Ind)
 Briggs, Miles (Lothian) (Con)
 Burgess, Ariane (Highlands and Islands) (Green)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Maggie (North East Scotland) (Green)
 Dowey, Sharon (South Scotland) (Con)
 Eagle, Tim (Highlands and Islands) (Con)
 Ewing, Fergus (Inverness and Nairn) (Ind)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Greer, Ross (West Scotland) (Green)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harvie, Patrick (Glasgow) (Green)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)

Kerr, Stephen (Central Scotland) (Con)
 Lumsden, Douglas (North East Scotland) (Con)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 McCall, Roz (Mid Scotland and Fife) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Regan, Ash (Edinburgh Eastern) (Alba)
 Ross, Douglas (Highlands and Islands) (Con)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whittle, Brian (South Scotland) (Con)

The Deputy Presiding Officer: The result of the division is: For 77, Against 33, Abstentions 0.

Amendment 61 agreed to.

The Deputy Presiding Officer: I remind members that, if amendment 136 is agreed to, I cannot call amendments 62 and 137 due to pre-emption.

Amendment 136 moved—[Maggie Chapman].

The Deputy Presiding Officer: The question is, that amendment 136 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

The vote is now closed.

Sarah Boyack (Lothian) (Lab): On a point of order, Presiding Officer. I tried to vote no, but it went as a yes. I just want to check that my vote is recorded properly.

The Deputy Presiding Officer: Ms Boyack, what I can say is that the record will show how you voted.

Sarah Boyack: Can I clarify? I initially voted yes, then I double-checked and did vote no, and it would not let me go from yes to no within the time of the vote. I think that it is important to log that. I did try to vote no.

The Deputy Presiding Officer: All that I can say at this point, Ms Boyack, is that the vote is recorded as a yes. That is the process.

For

Boyack, Sarah (Lothian) (Lab)
 Burgess, Ariane (Highlands and Islands) (Green)
 Chapman, Maggie (North East Scotland) (Green)
 Greer, Ross (West Scotland) (Green)
 Harvie, Patrick (Glasgow) (Green)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Ind)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Choudhury, Foysol (Lothian) (Lab)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dowe, Sharon (South Scotland) (Con)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Eagle, Tim (Highlands and Islands) (Con)
 Ewing, Fergus (Inverness and Nairn) (Ind)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (North East Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Griffin, Mark (Central Scotland) (Lab)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 Lumsden, Douglas (North East Scotland) (Con)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mochan, Carol (South Scotland) (Lab)

Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Regan, Ash (Edinburgh Eastern) (Alba)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Simpson, Graham (Central Scotland) (Reform)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP) [Proxy vote cast by Fulton MacGregor]
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Sweeney, Paul (Glasgow) (Lab)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Villalba, Mercedes (North East Scotland) (Lab)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 8, Against 101, Abstentions 0.

Amendment 136 disagreed to.

16:30

Amendment 62 moved—[Màiri McAllan].

The Deputy Presiding Officer: The question is, that amendment 62 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

The vote is closed.

Sarah Boyack: On a point of order, Presiding Officer. I refreshed the app, and it would not let me vote. I would have voted yes.

The Deputy Presiding Officer: Thank you, Ms Boyack. Your vote will be recorded.

For

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bibby, Neil (West Scotland) (Lab)

Boyack, Sarah (Lothian) (Lab)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Griffin, Mark (Central Scotland) (Lab)
 Harper, Emma (South Scotland) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mochan, Carol (South Scotland) (Lab)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Simpson, Graham (Central Scotland) (Reform)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP) [Proxy vote cast by Fulton MacGregor]
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Sweeney, Paul (Glasgow) (Lab)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Villalba, Mercedes (North East Scotland) (Lab)
 Whitfield, Martin (South Scotland) (Lab)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)

Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Balfour, Jeremy (Lothian) (Ind)
 Briggs, Miles (Lothian) (Con)
 Burgess, Ariane (Highlands and Islands) (Green)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Maggie (North East Scotland) (Green)
 Doney, Sharon (South Scotland) (Con)
 Eagle, Tim (Highlands and Islands) (Con)
 Ewing, Fergus (Inverness and Nairn) (Ind)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Greer, Ross (West Scotland) (Green)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harvie, Patrick (Glasgow) (Green)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lumsden, Douglas (North East Scotland) (Con)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 McCall, Roz (Mid Scotland and Fife) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Regan, Ash (Edinburgh Eastern) (Alba)
 Ross, Douglas (Highlands and Islands) (Con)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whittle, Brian (South Scotland) (Con)

The Deputy Presiding Officer: The result of the division is: For 78, Against 32, Abstentions 0.

Amendment 62 agreed to.

Amendment 137 moved—[Màiri McAllan].

The Deputy Presiding Officer: The question is, that amendment 137 be agreed to. Are we agreed?

Members indicated agreement.

The Deputy Presiding Officer: The Parliament is agreed—

Maggie Chapman: No.

The Deputy Presiding Officer: There was a late no there. I ask members to try to follow the process as we do it, or perhaps to speak more loudly, because I did not hear the member say that.

There will be a division.

For

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)

Balfour, Jeremy (Lothian) (Ind)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dowey, Sharon (South Scotland) (Con)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Eagle, Tim (Highlands and Islands) (Con)
 Ewing, Fergus (Inverness and Nairn) (Ind)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (North East Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Griffin, Mark (Central Scotland) (Lab)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 Lumsden, Douglas (North East Scotland) (Con)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Rennie, Willie (North East Fife) (LD)

Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Simpson, Graham (Central Scotland) (Reform)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP) [Proxy vote cast by Fulton MacGregor]
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Sweeney, Paul (Glasgow) (Lab)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Villalba, Mercedes (North East Scotland) (Lab)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Abstentions

Burgess, Ariane (Highlands and Islands) (Green)
 Chapman, Maggie (North East Scotland) (Green)
 Greer, Ross (West Scotland) (Green)
 Harvie, Patrick (Glasgow) (Green)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)

The Deputy Presiding Officer: The result of the division is: For 103, Against 0, Abstentions 7.

Amendment 137 agreed to.

Amendment 63 moved—[Màiri McAllan].

The Deputy Presiding Officer: The question is, that amendment 63 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

The vote is closed.

Katy Clark (West Scotland) (Lab): On a point of order, Presiding Officer. I could not vote. I would have voted no.

The Deputy Presiding Officer: Thank you, Ms Clark. Your vote will be recorded.

For

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)

Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Harper, Emma (South Scotland) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Simpson, Graham (Central Scotland) (Reform)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP) [Proxy vote cast by Fulton MacGregor]
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Caitness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Ind)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Briggs, Miles (Lothian) (Con)
 Burgess, Ariane (Highlands and Islands) (Green)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Maggie (North East Scotland) (Green)
 Choudhury, Foyso (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Dowey, Sharon (South Scotland) (Con)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Eagle, Tim (Highlands and Islands) (Con)

Ewing, Fergus (Inverness and Nairn) (Ind)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harvie, Patrick (Glasgow) (Green)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lumsden, Douglas (North East Scotland) (Con)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 McCall, Roz (Mid Scotland and Fife) (Con)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Regan, Ash (Edinburgh Eastern) (Alba)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Slater, Lorna (Lothian) (Green)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whittle, Brian (South Scotland) (Con)

The Deputy Presiding Officer: The result of the division is: For 58, Against 51, Abstentions 0.

Amendment 63 agreed to.

The Deputy Presiding Officer: I remind members that, if amendment 64 is agreed to, I cannot call amendment 270 due to pre-emption.

Amendment 64 moved—[Màiri McAllan].

The Deputy Presiding Officer: The question is, that amendment 64 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)

Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Harper, Emma (South Scotland) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP) [Proxy vote cast by Fulton MacGregor]
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Ind)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Briggs, Miles (Lothian) (Con)
 Burgess, Ariane (Highlands and Islands) (Green)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Maggie (North East Scotland) (Green)
 Choudhury, Foyso (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Dowey, Sharon (South Scotland) (Con)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Eagle, Tim (Highlands and Islands) (Con)
 Ewing, Fergus (Inverness and Nairn) (Ind)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Greer, Ross (West Scotland) (Green)

Griffin, Mark (Central Scotland) (Lab)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harvie, Patrick (Glasgow) (Green)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lumsden, Douglas (North East Scotland) (Con)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 McCall, Roz (Mid Scotland and Fife) (Con)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Regan, Ash (Edinburgh Eastern) (Alba)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Simpson, Graham (Central Scotland) (Reform)
 Slater, Lorna (Lothian) (Green)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whittle, Brian (South Scotland) (Con)

The Deputy Presiding Officer: The result of the division is: For 59, Against 52, Abstentions 0.

Amendment 64 agreed to.

The Deputy Presiding Officer: As I indicated, because amendment 64 has been agreed to, I cannot call amendment 270 due to pre-emption.

Section 14—Properties exempt from or subject to modified restrictions

The Deputy Presiding Officer: Group 3 is on exempt properties. Amendment 138, in the name of Maggie Chapman, is grouped with amendments 65, 153, 154, 66, 156, 157, 67 to 69, 158 to 161, 278, 279, 162 to 164, 70, 172, 267, 268, 122 and 269.

I draw members' attention to the procedural notes on the amendments in the group, which are set out in the groupings.

Maggie Chapman: The Greens oppose exemptions to rent control. To work for renters and to work for landlords, the system needs to be simple and transparent. Adding various exemptions for different types of landlords or different types of properties will make the system excessively complicated.

Many renters are already unfamiliar with their rights. Bringing in a system of rent controls but taking it away again from significant numbers of tenants will only add to that problem and to their confusion. We do not believe that there should be

such a wide-ranging scope for exemptions. Renters need clarity, and landlords should not be able to weasel their way out of rent controls. Therefore, my amendments in this group remove exemption provisions, and I want to say a little about two specific areas that are much talked about.

Willie Rennie: I regret some of the language that is being used in the debate about landlords and property investors. To say that they are able to “weasel” out of rent controls is unfortunate, because we cannot solve the housing crisis without everybody being involved, whether that is the state, councils, registered social landlords, charities or the private sector. To describe landlords as weaselling out sums up exactly the problem that we have got ourselves into: we are deterring investment. Please, let us tone down the language and respect everybody who has a role to play in investing in properties.

Maggie Chapman: I thank Willie Rennie for his intervention, but he will not be surprised that I disagree with him. The hundreds of tenants, renters and activists who gathered outside the Parliament last night would echo the concern that rogue landlords have got away with really poor practice for far too long.

That is why we cannot support exemptions in two specific areas. First, we cannot support them for the build-to-rent sector. That is seen by many as a way to increase private investment in housing supply, and it is attractive to investors if they can be sure of high rental yields. However, because of the requirement for high rental yields, the accommodation tends to be high-end luxury housing or at least to be priced at the higher end of the private rented sector. Such developments do not sit well with the desire for mixed communities or for an affordable element of large-scale housing developments.

Kevin Stewart (Aberdeen Central) (SNP): I suggest that Ms Chapman and other colleagues might wish to visit build-to-rent developments in the likes of Liverpool that have been built by very socially aware companies and that involve mixed housing, including semi-detached and detached homes. Again, we should not be painting everyone with the same brush. I would welcome such investment in Scotland.

Maggie Chapman: I thank Kevin Stewart for that intervention, but, again, we disagree. Renters tell us that, in their experience, properties that have been supported by build-to-rent schemes are high end and expensive. They do not sit well with the desire for mixed community living.

From a Green point of view, there is no reason in principle why a build-to-rent landlord should be exempt from rent controls, and there is no reason

in principle why a build-to-rent tenant should not have the same package of tenancy protections as any other tenant. We want consistency for tenants, regardless of the type of property that they live in. The argument for the exemption holds only if build-to-rent accommodation is seen as a positive form of housing development compared with other types. We contend that it is not viewed so positively across the board.

We also cannot support exemptions for the mid-market rent sector. Even so-called mid-market levels are unaffordable to many. The Scottish Government’s own housing strategy identifies inconsistency in how mid-market rents reflect affordability. We remain concerned that investment in the mid-market rent sector would cause it to grow at the expense of genuinely affordable homes, such as those in the social rented sector. Exempting the mid-market rent sector from rent controls will not help us to tackle the housing emergency or our homelessness crisis; it will only exacerbate the crises that we face.

Tenants and renters need clarity. A no-exemption principle would provide that clarity.

I move amendment 138.

Màiri McAllan: My amendments 65 to 70 and 122 will provide the Scottish ministers with the power to set a process by which a property is confirmed as an exempt property. The intention is to enable tenants to be notified about the exempt status of a property and to verify that a property is exempt from rent controls. That is important in ensuring that tenants are protected from attempts to circumvent any rent control measures in the bill, and it is also important for landlords to have absolute assurance on their status.

As part of our consultation, we asked questions about what the process might look like. My amendments will give ministers the power to set out the process in regulations once we have had the opportunity to fully consider the responses to our consultation from across the sector, and I ask members to support them.

Together, Maggie Chapman’s amendments 138, 153, 154, 156, 157, 163, 164, 172 and 267 to 269 would remove any possibility of properties being exempted from rent control measures in the bill. She has been quite clear that that is her intention—she does not support exemptions.

Amendment 157 would remove the power of the Scottish ministers to define by regulations properties that are exempt, and other amendments would variously remove references to “exempt properties”. The removal of that power would make it impossible to exempt any private rental property from rent control, which is key in

ensuring that there can be a balanced regime of controls.

Removing the power would impact on the ability of the Scottish ministers to impose rent control at all. We must be able to demonstrate that that can be done in a necessary and proportionate manner that balances the property rights of landlords with protections for tenants.

16:45

Amendment 164 would remove references to exempt properties from modifications to the Private Housing (Tenancies) (Scotland) Act 2016 that determine the application of rent controls to private residential tenancies. That would substantially alter the application of rent controls to capture every private residential tenancy in a rent control area without exception.

I fully acknowledge Maggie Chapman's opposition to rent control exemptions, but I simply cannot support the amendments. It is crucial that we carefully define the scope of any exemptions so that they can serve their intended purpose of balancing the rights of landlords and tenants. We will continue to work with stakeholders to refine the definitions in the coming months, with a view to introducing regulations, subject to parliamentary approval, after royal assent.

As at stage 2, a number of amendments have been lodged that seek to stipulate that regulations should include specific exemptions from rent control. Before I turn to the other amendments in the group, I confirm that I have already set out that it is my intention that, where appropriate, mid-market rent properties and build-to-rent properties will be exempt from the rent control measures in the bill.

In light of the housing emergency, it is vital that we prioritise expanding housing stock in Scotland, and where exempting certain categories of property is appropriate, that will support supply in those areas. Our recent consultation included questions on how mid-market rent and new properties that are built for rent should be defined in any exemption. That is not straightforward, and we are still considering those issues and the responses that we have received from across the sector.

John Mason (Glasgow Shettleston) (Ind): I have quite a lot of mid-market rentals in my constituency, and my constituents are contacting me about the huge increases that they are facing. It is not just inflation; it is a lot more than that. How can the cabinet secretary deal with that?

Màiri McAllan: I understand that, within the affordable sector, we have social rented homes and mid-market homes, and that mid-market rents

might increase. However, we should remember that, to a large extent, it is about social landlords using rents to drive improvements and expansion in the existing stock. We need only look at the homelessness statistics and the strain on supply and demand in housing in Scotland to know that we cannot take action that will stifle investment in all tenures of housing.

Amendment 158, in the name of Graham Simpson, would require any regulations to define an exempt property to include a specific exemption for build-to-rent property, as defined in the amendment. Amendment 159 would also require any regulations to define an exempt property to include a specific exemption for properties where the rent payable is less than half the open market rent, and where the landlord has incurred significant costs by improving and repairing the property. As it is drafted, amendment 159 would not provide the Scottish ministers with the power to define "open market rent" or "significant costs" for the purposes of the regulations, and it is not clear how the amendment would operate without those definitions being clearly set out.

Amendment 160 would require any regulations to define an exempt property to include a specific exemption for property for which the landlord is a registered social landlord or a subsidiary of a registered social landlord.

Amendment 161, in the name of Edward Mountain, would require any regulations to define an exempt property to include a specific exemption for any property where the tenant is an employee of the landlord and the rent is below the market rate. No definition is included of what is meant by "market rate" or how it would be determined what the "market rate" is, so it is unclear how such an exemption would operate. It is also not clear how or why a tenant who happens to be an employee ought not to be afforded protection.

I am keen to ensure that the circumstances of individual landlords are taken into account. As part of delivering a rent control system that is capable of balancing the interests of tenants with those of landlords, the bill includes regulation-making powers to allow for rent increases above the cap where that is necessary to achieve that balance.

However, as with other exemptions, it is essential that decisions in relation to such increases are informed by full and open consultation, allowing all of those who may be affected by rent control to have their say. For that reason, our recent consultation included specific questions about cases where the landlord has consistently charged a rent below the market rates or has made significant improvements to the let property, as well as other questions about cases

where a rent increase above the cap may be appropriate.

Analysis of the consultation responses is still ongoing. However, I am minded in principle to take forward the possibility of regulations that would allow for such increases where the rent has been consistently held below market rent, or where there has been investment in improvements to the quality of the rented property, where that is appropriate. Further work and engagement with stakeholders will be necessary to consider the detail of where, and in what circumstances, such exceptions may be appropriate and how they could be defined, and I look forward to working with stakeholders on that. As I have said, however, it is crucial that we consider the responses and always seek to take a balanced and informed approach.

Meghan Gallacher's amendment 278 would require any regulations defining an exempt property to include specific exemptions for any property for as long as works are

"being undertaken by the landlord to eliminate or mitigate risks"

connected with building materials including cladding and reinforced autoclaved aerated concrete—RAAC.

It is not clear from the amendment how the

"risks to human life that are (directly or indirectly) created"—

as the amendment puts it—are to be measured, and it is concerning that the amendment would allow rent increases to open market rates in buildings where there is a risk to the tenant's life. It is also not clear that that would necessarily offer a benefit to landlords, as the exemption would appear to apply only for the duration of any works, which may not align with the point at which rent can be increased. For those reasons, I cannot support amendment 278.

Meghan Gallacher's amendment 279 would require any regulations defining an exempt property to include specific exemptions for the duration of time that the landlord is taking steps to improve the energy performance certificate—EPC—rating

"from less than C to C or above."

That would exempt from rent control properties where the landlord is "taking action to improve" the EPC rating. The amendment does not specify what would constitute "action" to improve that rating, or why it would be reasonable to exempt the property from controls for the entire duration of that action—which does not appear to be limited in any way. It is not clear that that would necessarily offer a benefit to the tenant or to the landlord, and I cannot support the proposal.

As I have set out, I believe that any exemptions should be set out in regulations and should have been consulted on, and I cannot support anything that does not pursue that.

Edward Mountain's amendment 162 would require the Scottish ministers to lay draft regulations setting out properties that are exempt from rent control within six months of the act receiving royal assent. As I have said, I agree that it is vital to give certainty, and I intend to do that as soon as possible. I have already committed to bring forward secondary legislation on these matters at the earliest opportunity following royal assent. However, as I am sure all members would agree, it is critical that we get the provisions absolutely right and that those affected have a chance to have their say, so allowing time to consult on the regulations is necessary. I do not consider that setting a legislative timescale is the best way to achieve the aim.

The Deputy Presiding Officer: I advise members that, as we are nearing the agreed time limit, under rule 9.8.4A(c), I consider it necessary to allow the debate on this group of amendments to continue beyond the limit, in order to avoid the debate being unreasonably curtailed.

Graham Simpson: We have already heard that, at stage 2, I moved an amendment that would have included purpose-built student accommodation in rent control arrangements. For anyone who was at that committee meeting or who was watching it, it would have been perfectly obvious that I did that merely as a tactic to get the Government to the table. To some degree, that has worked—although it caused quite a hullabaloo.

The cabinet secretary has successfully reversed the position. However, that leaves us in a position in which PBSA is exempt from rent controls but build-to-rent and mid-market rent properties are not, which was the Government's original intention. If the situation stays like that, investment will go into student flats and not into the other sectors, which is a completely incoherent position.

The new Cabinet Secretary for Housing has said that she agrees that build-to-rent and mid-market rent properties should be exempt, which is good. My amendments 158 and 160 should, therefore, make her very happy. However, she has already argued that we do not, after all, need anything in primary legislation and she will consult instead. The Government loves to consult—who knows, there might be a pilot or a task force, if we are lucky. I cannot help thinking that, if she had lodged the amendments before I did, her thinking might have been different.

The sector is strongly in favour of amendment 160. The Scottish Federation of Housing Associations has said:

“We have consistently called for mid-market rent homes to be excluded from private sector rent controls under the housing bill. We’re therefore pleased that the Scottish Government announced their intention to do so in the housing emergency action plan. This mirrors what the Local Government, Housing and Planning Committee have already called for, as well as the housing investment task force. However, to provide certainty as soon as practically possible, we would like to see an exemption for MMR on the face of the bill.”

“Certainty”—the cabinet secretary has used that word several times already today. The SFHA continued:

“We’re already seeing less MMR development among our members due to the uncertainty caused by the potential introduction of further regulation and its impact on investor confidence. MMR rents rise slower than typical PRS rents, and our sector does not raise rents above the levels required for business planning and viability. We are therefore strongly in favour of amendment 160.”

That position is backed by the Glasgow and West of Scotland Forum of Housing Associations, which wants that amendment made to the bill, as it said,

“in case there is a change of approach (for example, from a new government next year).”

Amendment 160 has the backing of the people in the sector, who are the people on the ground. I know that nobody is listening to me, but they should listen to the people in the sector. Actually, I know that Mr Rennie will be listening to this, and I am sure that he will back these amendments.

Amendment 159 deals with another issue that I raised at stage 2, which is where a landlord has been charging below-market rent or where they have incurred significant costs to improve a property. In both those cases, they should be able to have exemption from rent controls. It is news to me that the cabinet secretary thinks that there is a drafting issue with the amendment. She has had time to raise that with me, yet this afternoon is the first that I have heard of it, which is a disappointment.

Meghan Gallacher’s amendment 278 on cladding and amendment 279 on meeting energy performance certificate regulations deal with broadly similar themes. She will have my support for those amendments.

Edward Mountain: I want to disprove something that Maggie Chapman said to members earlier about landlords weaselling out by exempting properties. I am not doing that. I am not doing it through cunning and deceit; I am doing it quite openly. Amendment 161 would mean that, where a tenant is an employee of the landlord and

the property’s rent is below the market rent, the property would be exempt from rent controls.

The reason why I am making this point—I will be interested to hear the cabinet secretary’s response to this—is that she will be aware of the Agricultural Wages (Scotland) Order (No 72) 2025 and how much one can charge for properties that are supplied to people who are agricultural workers: it is a very low market rent. There might be times when, due to a shift in their employment, they move from one property to another and, therefore, it might be appropriate to increase the rent because they are no longer in one place—for example, they might have been given a reduced rent for working full-time on a farm.

17:00

That is one aim of amendment 161. The other relates to property given to people whose work requires them to be in the location—that is the only reason why there can be an exemption under the benefits in kind system. Should the position change, the property would probably end up having a very low market rent, and if it was within a rent control area, there would be restrictions on how much the rent could be increased. I ask the cabinet secretary to consider that and perhaps to speak to it when she sums up.

I turn to amendment 162. Throughout the proceedings I have made the point that, when there is uncertainty in the market, the market will react to it. Through amendment 162, I aim to get the cabinet secretary to make draft regulations within six months of the bill being passed. The cabinet secretary is seeing the legislation through the Parliament, but it might not be the cabinet secretary herself who is in a position to lay those draft regulations. [*Interruption.*] The cabinet secretary thinks that it will be her. Let us wait until the election, when the people of Scotland will decide.

The Minister for Parliamentary Business and Veterans (Graeme Dey): You are looking forward to that.

Edward Mountain: I will give way to Mr Dey if he wants say something, Presiding Officer.

The Deputy Presiding Officer: I do not think that Mr Dey is seeking to intervene. I ask members to allow the member who has the floor to carry on.

Edward Mountain: What I am trying to do with amendment 162 is to get the draft regulations laid early. I agree with the aim of the cabinet secretary’s amendment 155 that when a property is advertised, it should be declared whether it is exempt.

Meghan Gallacher still has to speak to her amendments. I will be interested to hear her address the point that often, when properties are taken on for which substantial works are required, such as works for EPCs and the removal of RAAC, the rent will be at a reduced level. If they were in a rent control area, when that work had been completed and the property brought up to a much higher standard, there would be limits on how much the rent could be increased. That causes me concern, because it is this Government—and this Parliament—that is telling landlords across Scotland that they must improve the condition of their rental properties. Therefore, if the rent was low while such work was being undertaken, it would be self-defeating not to allow landlords to put it up when they had completed the work.

Those are my points. I look forward to hearing from the cabinet secretary, and from Meghan Gallacher about her amendments.

Meghan Gallacher: Following on from where Edward Mountain left off, although my amendments 278 and 279 are probing amendments they raise incredibly important points. The amendments that I speak to today I also lodged earlier, at stage 2. However, many landlords up and down the country still face a great deal of uncertainty about properties that they own that contain combustible cladding or RAAC. As we have discussed previously, like many homeowners, a lot of those landlords are in limbo over whether the Government will be able to provide them with financial support or remuneration and about what they can do to remediate their properties.

Edward Mountain is correct to say that when works are being undertaken while a tenant is living in a property, the rent is usually lowered. If rent control is brought into an area, the ways in which the landlord could bring the rent back up to market value will be limited. My amendment 278 seeks to probe the Government on how it will address that issue, should it arise if the bill passes at stage 3.

On the point about energy efficiency of properties, we still await a heat in buildings bill—we do not know what it might contain. I am concerned that, for landlords, extra costs will be associated with bringing their properties up to the standard that I assume will be set out in that piece of legislation. The Government must understand such associated costs, including the fact that it is even more expensive for landlords in rural areas, and for those with more complex properties, to bring their properties up to EPC level C or above. That absolutely should be considered.

I will touch on Maggie Chapman's amendments 156 and 157. Removing exemptions would be a disaster for the housing industry, and especially

for future investment opportunities. We are in a housing emergency, and the whole Parliament is agreed on what we need to do to address it. The solution that will get us out of that emergency is to build more homes. If we vote through legislation that prevents investment opportunities from coming through and homes from being built, we will not address the problems that we have all agreed exist up and down the country. It is essential to have clarity about exemptions to rent controls to ensure that we protect the supply of rented housing, given the diverse nature of the private rented sector.

John Mason: Will the member give way?

Meghan Gallacher: I will give way when I have finished this point. Landlords are not always as they are often characterised. This afternoon, we have heard unfortunate language being used in relation to landlords. There are accidental landlords, landlords with a single property that they intend to let to self-employed individuals, and landlords who hold properties as part of pension arrangements. There is a whole landscape of landlords, which is why we need to look at any exemptions carefully.

On that point, I will give way to John Mason.

John Mason: I agree with Meghan Gallacher that we need more housing, but does she accept that there is not much point in having new houses if people cannot afford to rent them?

Meghan Gallacher: I hope that John Mason agrees that, in order to lower rents, we need to build more homes so that we have more supply to meet the demand across the country. That is the only way that we will get out of the housing emergency. We must learn the various forms of housing tenure that we need in order to determine the stock that we will require to have up and down the country. I note how diverse our communities are—

John Mason: Will Meghan Gallacher give way again?

Meghan Gallacher: Okay—we will have a debate. I will take one more intervention.

John Mason: I thank the member for being generous. I do not want to extend this discussion for too long. If her aim is to lower rents, that would imply that they are too high at the moment. I accept that they might be too high because there is not enough housing, but she seems to be saying that rents are generally too high at the moment.

Meghan Gallacher: John Mason has not pointed out what he would determine high rents to be. I am simply saying that, if we want to drive rents down, we have to make sure that there is a more ample supply of mixed-tenure housing up

and down the country. That is a sensible and pragmatic point, and it explains the current state of the housing economy more generally. I hope that John Mason will look at that in relation to housing demand in his area, including how many people are looking for mid-market rent properties or for social housing, the latter of which we know has incredibly long waiting lists. I hope that that explains the position that I am trying to lay out.

Ross Greer: Will the member take an intervention?

Meghan Gallacher: I have more amendments to speak to in other groups, but I say to Mr Greer that I hope that we can debate those when we reach them.

I return to the point about removing exemptions. I have no idea how we will get out of the housing emergency if we do not build more homes. I welcome the announcement that confirmed that MMR and BTR properties will be exempt from rent controls. I hope that Maggie Chapman will also welcome that announcement, even if she does so solely because we need homes to tackle the housing emergency. However, I understand that the Greens have quite defined stances on exemptions and rent controls in general.

I will touch on Graham Simpson's amendments 158 to 160. He will be aware that Scottish Conservatives support the exemptions to rent controls. We would prefer to see them in the bill, but the Scottish Government has announced that MMR and BTR properties will be exempt from such controls once the secondary legislation has been approved. Given that the stage 3 proceedings on the bill are planned to take place over several days, I hope that at some point in the process we will be able to tease out from the Government what further exemptions could be included as part of the consultation process, because it is hugely important that we provide the required certainty and clarity.

I will finish on this point: we have to be incredibly careful about what we put in the bill. It is important that we have debates on exemptions; however, it is also important to note that if we put in some but not others, we could harm investment opportunities and, therefore, the people whom we are trying to help by passing the bill.

Willie Rennie: I get really depressed when I meet my constituents who are desperate for a home. I am fed up with the Parliament not being able to deliver an environment that incentivises investment and encourages the construction of more homes. It is important that we get the exemptions criteria right, because I want more homes to be built. To do that, we need to involve everyone—RSLs, councils, charities, those in the private rented sector and institutional investors.

We must consider them all as partners, not enemies. We must work together to make this work.

We saw what happened with the emergency rent cap. Mid-market rented properties were not exempt, as the social landlords went with social homes instead. The result was a massive decline in housing association investment in mid-market rent.

Not everybody can get into a social home—people will not have enough points and will not be in sufficient housing need to get into those properties. They need other properties of an affordable rent in their community. We need housing associations to use the opportunity to invest. We agree, I think—we should agree—that an exemption is needed for housing association mid-market rented properties. If we agree that exemption, we need to consider what other exemptions would also be appropriate.

This is not about whether we have exemptions—we saw what happens if we do not have an exemption for housing association mid-market rented properties. The issue is the types of exemption and how we exempt properties.

I lodged amendments at stage 2 because I wanted exemptions in the bill for build-to-rent properties and for mid-market properties. I also wanted an exemption for a certain period of time for landlords who invest significantly in their properties, so that they could recoup that investment.

I thought that that approach was reasonable, but I was persuaded by the cabinet secretary when she was before the committee that the best way of doing this was through consultation leading to regulation, for the reason that the Government wanted a legally robust approach, given that this is an area where there could be legal challenge. We need it to be as robust as possible.

Secondly, we need flexibility, because we will need to learn as we progress. We will need to understand what exemptions work, and the particular ways in which they work. Putting the exemptions in regulation allows us to have flexibility to have different types of exemption, and maybe take out certain exemptions as we progress and learn. I am persuaded by the need to have consultation and regulation, rather than having provisions in the bill.

I agree with everything that Graham Simpson said—other than the process. If we proceed with his method, there is a danger that we will have a rigid system that is perhaps not legally robust.

Graham Simpson: I hear what Willie Rennie says. However, at stage 2, he was arguing for the

issue to be in the bill—and I think that he agrees with me that it should be in the bill.

I read out words from the Scottish Federation of Housing Associations, which wants amendment 160 in particular to be agreed to. As the SFHA points out, things can change, and Governments can change. We might have a change of Government next year—some of us hope for that.

In addition, as Willie Rennie knows fine well, if we leave things to regulation, there is less scrutiny; with regulation, the Parliament just does not have the chance to shape things that it has at this point.

Willie Rennie: As always, Graham Simpson makes very fair points. It is a balancing act between the different ways of dealing with exemptions. I would love to have had them in the bill itself. I would love to be absolutely certain that the provisions would last for ever. I would love to have had a consultation well in advance so that the committee could have fully looked at exemptions for its stage 1 report. However, we know that the policy has evolved over time and that the Government has changed its approach midstream. That change is welcome, but the result is that we are now having to play a bit of catch-up and do a consultation in order to consider regulation. Regulations have the advantage of flexibility over time, as we learn, but I fully accept what Graham Simpson said. At stage 2, I lodged probing amendments to try to get the Government to tell us a bit more, which the minister did when she gave her statement to the Parliament earlier. She made it clear that mid-market rent and build-to-rent properties will be excluded, and I take her at her word.

However, this area is complicated, and we will need to consider how the system runs in the long term and what particular areas of the investment that I would like to see work in practice—and how long the exemptions would run, how much that would cost and what types of investment would be required to meet the criteria. It is appropriate that that is done through consultation and then regulation, and I urge the chamber to support the Government's approach of doing that to get it right for the longer term.

Mark Griffin: I will be brief, given that I do not have an amendment in this group.

On the principle of exemptions, at stage 1, the committee had two big concerns about clarity in the bill: one was about how rent controls would operate—that was settled at stage 2—and the second was about exemptions. In particular, given that we are dealing with a housing bill in the middle of a housing emergency, I had a real concern that the bill would not contribute to the building of a single house and would actually—if

we did not develop the work on exemptions—lead to fewer houses being built during a housing emergency than would have been built ordinarily.

I support the work that the Government, stakeholders and others have done on exemptions in relation to MMR in particular but also build-to-rent properties and other areas of construction and expansion in the housing stock, which we could see, but which we would not otherwise see without the exemptions in the bill.

The Presiding Officer: I invite Maggie Chapman to wind up and to press or withdraw amendment 138.

Maggie Chapman: We believe that all renters should have the same rights, protections and securities, regardless of the type of property that they live in. That is the principle that underpins our position on exemptions. I have spoken about specific types of properties, especially build-to-rent and mid-market rent properties. However, I also stress that exempting from rent controls properties that do not meet basic standards for healthy living really sends out the wrong message. Landlords who do not maintain their properties or who take far too long to remedy serious issues should not be rewarded with the ability to hike rents.

I appreciate that the Scottish Greens' view is a minority view in the chamber, even though it is the same as the view of Living Rent and other tenant campaign groups, so I do not expect my amendments to be agreed to. However, I will engage closely on the forthcoming discussions about exemption regulations. We must ensure that renters and their rights and ability to live safely and securely are at the heart of the regulations.

I wish to press amendment 138.

The Presiding Officer: I remind members that, if amendment 138 is agreed to, I will not be able to call amendment 65, due to pre-emption.

The question is, that amendment 138 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Burgess, Ariane (Highlands and Islands) (Green)
 Chapman, Maggie (North East Scotland) (Green)
 Greer, Ross (West Scotland) (Green)
 Harvie, Patrick (Glasgow) (Green)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Mason, John (Glasgow Shettleston) (Ind)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)

Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Ind)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Choudhury, Foyso (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dowey, Sharon (South Scotland) (Con)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Eagle, Tim (Highlands and Islands) (Con)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (Ind)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Griffin, Mark (Central Scotland) (Lab)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 Lumsden, Douglas (North East Scotland) (Con)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)

Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Regan, Ash (Edinburgh Eastern) (Alba)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Simpson, Graham (Central Scotland) (Reform)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP) [Proxy vote cast by Fulton MacGregor]
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Sweeney, Paul (Glasgow) (Lab)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Villalba, Mercedes (North East Scotland) (Lab)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division is: For 8, Against 103, Abstentions 0.

Amendment 138 disagreed to.

Amendment 65 moved—[Màiri McAllan].

The Presiding Officer: The question is, that amendment 65 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

The vote is closed.

Richard Leonard (Central Scotland) (Lab): On a point of order, Presiding Officer. My yes button would not work, but I would have voted yes.

The Presiding Officer: Thank you, Mr Leonard. We will ensure that your vote is recorded.

For

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)

Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Choudhury, Foysof (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dowey, Sharon (South Scotland) (Con)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Eagle, Tim (Highlands and Islands) (Con)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (Ind)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (North East Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Griffin, Mark (Central Scotland) (Lab)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 Lumsden, Douglas (North East Scotland) (Con)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Simpson, Graham (Central Scotland) (Reform)
 Somerville, Shirley-Anne (Dunfermline) (SNP)

Stevenson, Collette (East Kilbride) (SNP) [Proxy vote cast by Fulton MacGregor]
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Sweeney, Paul (Glasgow) (Lab)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Villalba, Mercedes (North East Scotland) (Lab)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Balfour, Jeremy (Lothian) (Ind)

Abstentions

Burgess, Ariane (Highlands and Islands) (Green)
 Chapman, Maggie (North East Scotland) (Green)
 Greer, Ross (West Scotland) (Green)
 Harvie, Patrick (Glasgow) (Green)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)

The Presiding Officer: The result of the division is: For 103, Against 1, Abstentions 7.

Amendment 65 agreed to.

The Presiding Officer: I suggest that we have a comfort break for 15 minutes, colleagues. I would be grateful if members could be back in the chamber for just before 17:40.

17:22

Meeting suspended.

17:41

On resuming—

Section 15—Information that may be sought by local authority

The Presiding Officer (Alison Johnstone): Group 4 is on information gathering and reporting in relation to rent control areas. Amendment 139, in the name of Maggie Chapman, is grouped with amendments 271 to 275, 140 to 142, 276, 143, 277, 144 to 147, 30, 31, 148, 32, 33, 149, 151, 39, 40, 262, 263 and 393.

Maggie Chapman: I have a number of amendments in this group on different issues. Amendments 139, 275 and 140, along with my amendments in other groups, address a technical but important issue. Currently, challenges to rent

increases are based on open market rent, as understood largely through advertised rent and not the actual rents being paid. Since the majority of advertised rents are set at the maximum that the market will bear, open market comparison always drags rent upwards. Real rent comparison would ensure that rental data that is collected can be used for determining the open market rent, which would slow the ever-upward creep of the open market rent that happens when that real value is not used.

Amendments 30 to 33 would increase the £1,000 fines for non-provision of information and provision of false information to a minimum of £2,000 and would allow them to be increased with rising rents. The amendments underline the importance of getting the necessary and correct information, which was the issue that made rent pressure zones unworkable. At the moment, the bill's £1,000 fine, which may not even be one month's rent, is not a sufficient disincentive, and the incentive will become weaker over time if the fines are not updated. It is clear that rents continue to rise and that, therefore, the penalties that landlords face for providing incorrect information or not providing information should also rise.

I support the principle of Edward Mountain's amendments 141 and 142 and Graham Simpson's amendment 151, which would require the publication of the information that is gathered and would help to improve transparency. However, I note the concerns about the implication for resourcing that at local government level, so I ask those members to provide assurances on that in their contributions.

I move amendment 139.

Meghan Gallacher: Amendments 271 to 277 and 393 would introduce a clear and consistent definition of a "relevant" landlord across all housing-related legislation, including the bill. The aim is to ensure clarity over responsibilities for compliance, particularly where residential tenancies exist in agricultural holdings or other arm's-length ownership arrangements. The proposal addresses an issue that Scottish Land & Estates has raised repeatedly since the introduction of the landlord registration regulations. The bill is a vital opportunity to fix a long-standing problem to the benefit of all parties.

Current housing law, such as the Antisocial Behaviour etc (Scotland) Act 2004, does not recognise landlord-tenant relationships that are created under agricultural holdings legislation. That causes confusion, especially when tenant farmers sublet housing under private residential tenancy—PRT—arrangements. The workarounds that are set out in Government guidance are flawed because tenant farmers are currently advised to register as agents on the landlord

register. However, that is inappropriate, because the agents are meant to act on behalf of the owner, whereas tenant farmers are not required to do so under agricultural holdings law. That ambiguity creates uncertainty about who is responsible for compliance with data collection, rent control, energy efficiency and housing standards.

17:45

Although the bill has been amended to address some areas that relate to data collection—I believe that we will have further discussions on that—it does not resolve issues of compliance with or enforcement of other regulations.

My amendment has benefits for all sectors involved. It gives local authorities accurate landlord registration and enforcement, and it ensures that the correct person is held responsible without penalising owners for actions that are beyond their control. It provides tenant farmers with clarity on their responsibilities and rights without compromising the entitlement to compensation that is payable to them by the owner for any improvements that are made to enable subletting. For residential tenants, the amendment provides clearer information about who is responsible for compliance and a straightforward route to consider any required remedies. For owners, it will increase confidence in allowing subletting, because they will know that the compliance status is protected.

Amendments 144 to 148, which are consequential amendments to amendments 271 and 277, would remove potential confusion from the bill about such matters.

I understand what Maggie Chapman is trying to achieve with amendments 275 and 140, but there are unanswered questions on their potential consequences. For example, amendment 275 sets out that the council may ask for data on a landlord's property to allow an order maker to determine the open market rent. However, the big question is what happens if the landlord does not respond to the request, because the bill will say only that the council "may" request the data. That point is still very open to interpretation, so the amendments do not clearly set out her intent.

The Scottish Conservatives will support amendment 149, in the name of Emma Roddick, because it gives the Government the ability to look at legislation that would give councils and the Government the power to require landlords to provide information. I believe that there will be further consultation on the details, which will need to be set out via regulation. However, the proposal seems reasonable and should be explored.

In response to amendment 151, in the name of Graham Simpson, I agree that data collection is a vital part of the bill. However, there was an opportunity to attend a round-table discussion with the cabinet secretary. I was pleased to receive correspondence from the cabinet secretary about the measures that the Government will take on data. We should continue to engage with the Government to ensure that we get data collection in the bill right. If we do not get it right, it will have negative consequences for rent controls and our housing stock in general.

Edward Mountain: I will speak to my amendments first. Amendment 141 would require the information requested by a local authority and supplied by the landlord to be entered on to the landlord register. It is vital that we do not continue to ask for the same information time after time. That is an easy and slovenly way to keep a register and would be a failure. I want to see local authorities entering such information on the roll and for landlords to have the ability to update it as and when they see it as appropriate to do so. If we are asking landlords to provide information to local authorities, providing that information should not come at any cost to them. If we are going to fine them for not providing information, it seems odd to charge them for providing it in the first place.

I have no problems with Maggie Chapman's amendment 139 and Meghan Gallacher's amendments.

I have a slight concern about Maggie Chapman's amendments 275 and 140, given the way in which she spoke about them. I am not convinced that she understands the definition of "open market rent". It is clearly laid out that an open market rent is the price that is achieved with a willing landlord and a willing tenant, without there being any obligations on either. That is my definition of "open market rent". It is not, as Maggie Chapman suggests, the highest rent that the landlord can achieve. Those are two very different things. Technically speaking, the open market rent for a property is as I have described it.

Maggie Chapman's amendments 30 to 33, which would increase from £1,000 to £2,000 the fine for landlords for not providing data, are absolutely unnecessary. Would that mean that £2,000 would be added every time that a landlord failed to provide any information? Where would it stop? The amendments are not clear about that.

I look forward to hearing Emma Roddick's explanation for amendments 149 and 262. My gut tells me that we should support those amendments, but I would just like to ensure that there is nothing more to them than what is set out in them.

I also look forward to hearing Graham Simpson's explanation for amendment 151. I am probably more comfortable with his amendment 263.

Màiri McAllan: Amendment 139, in the name of Maggie Chapman, would amend section 15 of the bill to oblige a local authority to request the information that is included in section 15(2). That would remove a local authority's discretion to ask for the information in the manner and at the times that it considers to be necessary. For that reason, I cannot support amendment 139.

Amendments 271 to 274, in the name of Meghan Gallacher, would amend section 15 to change references to

"persons from whom information may be sought"

to the "relevant person". In addition, amendment 276 would add a definition of "relevant person" to section 15. It states that the term "relevant person"

"is to be construed in accordance with section 83(8) of the Antisocial Behaviour etc (Scotland) Act 2004".

I listened carefully to what Meghan Gallacher said, and the intention behind the amendment appears to be that information should be requested only from a person who is registered in the landlord register. I had discussions about that with Scottish Land & Estates, but that would not be the effect of amendment 276. The effect would be that information could be requested from anyone who was not from a local authority, a registered social landlord or from Scottish Homes. I am afraid that that would be an unnecessary change—perhaps the amendment has the wrong framing—and it would serve only to confuse section 15, so I cannot support it.

Meghan Gallacher: Does the cabinet secretary recognise that there is an issue with the legislation as it stands, given that some small dwellings holders are being put out because of the way in which the legislation is being enforced? Does she have any intention to further consider such issues and rectify them through the bill or secondary legislation?

Màiri McAllan: As I said, I had a conversation with Scottish Land & Estates about the issue, particularly the implications for agricultural holdings, so I understand its concerns. Taking a broad-brush approach by changing a definition is not the way to address the need for a nuanced position for agricultural holdings, but I am not undermining the importance of the issue. I commit to continuing to discuss the matter with Meghan Gallacher, Scottish Land & Estates and others, perhaps including the Cabinet Secretary for Rural Affairs, Land Reform and Islands, who, I am sure, will have an interest in it.

On amendment 140 and related amendment 275, in the name of Maggie Chapman, I have concerns about using the powers to collect information that are designed to assist in the implementation of rent control for a separate purpose, as is proposed. There has been no consultation with landlords, tenants, local authorities or rent officers about the proposal, and there has been no opportunity to consider the rationale, impacts and unintended consequences of such a change, so I cannot support the amendments.

Amendment 141, in the name of Edward Mountain, would require information requested on a private rented property be added to the local authority landlord register. I should say from the outset that the amendment has a slight drafting defect and I presume that it means the information that is received following a request by a local authority or the Scottish ministers.

The amendment does not specifically apply the terms of part 8 of the Antisocial Behaviour etc (Scotland) Act 2004 to that information. For that reason, it is unclear what status it would have on the landlord register and what the local authority's duties in relation to it would be. However, it is our intention that the landlord register has a key role to play in facilitating the long-term collection of data on rent levels, while acknowledging, as I do, that it gives us the capacity to build on an existing platform that is already familiar to landlords. That would involve using the landlord register's digital platform as a vehicle to collate the data.

It is important to stress that the Government does not intend to change the landlord registration requirements but rather to use the information technology infrastructure that supports registration. Although I believe that that is the optimum approach, it will require significant upgrade of the IT infrastructure to build the necessary functionality. I cannot therefore support Edward Mountain's amendment 141 but I reassure him of my intentions in relation to data handling, namely that I agree that, with upgrades, the landlord register appears to be the appropriate repository for information.

Amendment 142, in the name of Edward Mountain, would add that a person must not be charged any fees, as he has explained. Given that the terms of the 2004 act do not apply to this information, it is not clear how a local authority would be able to charge a fee and, as a result, amendment 142 is unnecessary and I cannot support it.

Edward Mountain: My concern is that, if you are suggesting in one breath that local authorities can make entries in the landlord register, every time an entry is made, the council applies another charge, and it seems to go up exponentially. The

principle of charging for making entries in the landlord register is there, but I am concerned that if you are going to design a whole new system to bolt on to that, there will be charges. Can you not just agree that no one should be charged for providing information to allow you to do your job?

The Presiding Officer: Always speak through the chair, please.

Màiri McAllan: The principle of charging will vary from issue to issue. I am not going to say definitively how I think that local authorities ought to handle what will ultimately be their job in respect of data collection. However, I want to be clear to Mr Mountain that, although his amendment responds to the 2004 act, it does not apply here and it will not be possible to charge a fee, so we cannot accept the amendment, which would reverse that.

Amendment 277, in the name of Meghan Gallacher, would require Scottish ministers to provide for the information that is gathered by local authorities

“to be published in a single data system.”

Although I agree with the principle of making data available, we have not been able to consider how that would be delivered and, more importantly, whether there are any data protection concerns around sharing such information. I want us to understand the relevant issues—as I am sure Meghan Gallacher does—not least in respect of the general data protection regulations and landlord privacy. At this stage, therefore, I cannot support an amendment that is about publicising that data.

Meghan Gallacher: I lodged the amendment at stage 3 as a result of discussions with the Chartered Institute of Housing, which said:

“If the Scottish Government decides that a rent cap system should be introduced, it must ensure that the rent system is viable and adequately resourced. This includes provision for robust data collection.”

That is perhaps what the cabinet secretary alludes to with regard to the work that she is going to undertake as part of creating a good data system in which information can be collected.

Does the cabinet secretary agree, however, that the system needs to be streamlined; the information has to be contained within a single data system; and it has to be easy for landlords to feed into that without—as Edward Mountain said—there being extravagant costs attached when they are simply doing their job?

18:00

Màiri McAllan: I agree with that, and that is why I consider that the landlord register might be a suitable repository for the information.

I went into the decision-making process on the issue with the thought in mind that, if I were a landlord and rent controls were imposed in the area where I was letting, I would want to know that that was based on the most accurate and up-to-date data. At the same time, however, I should not want that to give rise to an unduly onerous process.

At stage 2, the Government lodged an amendment, which was agreed to, to allow for the publication of statistics and other information in relation to the information that ministers will obtain. That will allow us to publicise information about rent levels that will not involve the publication of a landlord's personal information. I hope that Meghan Gallacher would agree that that is the best way to proceed.

Amendments 144, 145, 146, 147 and 148, which are also in Meghan Gallacher's name, would change the references to "relevant person" in section 16A of the bill to "relevant applicant". My position is similar to what I outlined in my previous discussion with Meghan Gallacher in respect of the implications for agricultural holdings. I am afraid, once again, that the amendments are confusing and would make section 16A unworkable, so I cannot support them.

Amendments 30, 31 and 39, in the name of Maggie Chapman, would replace the maximum £1,000 penalty where a landlord fails to provide information in response to a request under section 15 with a fixed penalty to be defined in regulations. That fixed penalty can be set at no less than £2,000 and must be

"adjusted annually with reference to average rent levels".

Ms Chapman lodged a similar amendment at stage 2, fixing a higher penalty of £10,000. Although amendments 30, 31 and 39 would impose a lower penalty, which I welcome, it would still be a fixed sum, rather than, as is currently the case, a sliding scale with a maximum sum of £1,000. The current maximum sum is aligned with financial penalties for similar non-compliance in other regimes, and I remain convinced that it represents a proportionate maximum penalty. I am not prepared to abandon uniformity across the penalty system, and I seek proportionality in this respect.

Maggie Chapman: Will the cabinet secretary take an intervention?

Màiri McAllan: I will take an intervention, and then I want to make some progress.

Maggie Chapman: I thank the cabinet secretary for taking my intervention, and I hear what she says about consistency across the board. Is it not slightly odd, however, that while landlords can benefit from increasing rents regularly—above the consumer prices index, if the Government's position stands—in a rent control area, the penalty that they face for not providing correct information, or providing incorrect information, is flat, which surely makes it increasingly beneficial for the landlord to break the rules?

Màiri McAllan: I certainly agree that nobody ought to flout or break the rules in respect of law or public policy. That is exactly why we have provision for a penalty to be in place, so I do not dispute that principle whatsoever. I think that Maggie Chapman and I simply disagree on whether there ought to be a fixed sum or a sliding scale with the First-tier Tribunal able to apply discretion. I have to look across the piece at other penalties in the system and ensure that we retain proportionality, and that is why I cannot accept the amendment.

Similarly, amendments 32, 33 and 40 would make the same changes to section 17A, which currently enables the tribunal to impose a maximum penalty of £1,000 where a landlord provides false information. I believe that a penalty on a sliding scale up to £1,000 represents a proportionate response.

Amendments 149 and 262, in Emma Roddick's name, would add a new section to the bill empowering Scottish ministers, via regulations, to prescribe a process whereby a landlord can be required to provide relevant information about their property or tenancy to

"the Scottish Ministers, or ... the local authority (but not both)."

I thank Emma Roddick for her engagement on that following stage 2. Although the measures that are set out in the bill allow for the collection of the data that is needed to support implementation of rent control, having the flexibility to mandate automatic provision of that data is appropriate. That goes back to my earlier point to Meghan Gallacher when I said that, if we were landlords and we were to have rent control imposed on us, we would want that to be part of a predictable system. An annual requirement to provide that data could provide that predictability.

I am nearly there, Presiding Officer.

Amendments 151 and 263, in the name of Graham Simpson, would require the Scottish ministers to make provision requiring

"each local authority to publish information on the amount of rent payable under relevant tenancies, broken down by each postcode sector for each period of 12 months."

Although I understand the principle of making data available, there has not been any consideration of how that would be delivered, and I would want us to understand the relevant issues, including the potential administrative burden that that would place on local authorities, before I could support such an amendment. Therefore, I cannot support those amendments. However, as I said, we lodged an amendment at stage 2, which was agreed, that will allow for the publication of statistics and other information that is not personal data.

Amendment 393, in the name of Meghan Gallacher, seeks to amend section 83(1) of the Antisocial Behaviour etc (Scotland) Act 2004 to provide that an application for landlord registration must specify the name and address of the owner and the name and address of the relevant person.

I think that the amendment is attempting to require sub-landlords to apply for registration in the landlord register. However, I am afraid that the drafting is slightly defective and, taken literally, would require the application to include the address of each house in the local authority area that is subject to a lease or occupancy agreement whether or not the applicant owns it. I suspect that that was not Ms Gallacher's intention. However, it means that I cannot support the amendment.

Amendment 143, in my name, is a minor amendment correcting a cross-reference in section 15.

Emma Roddick (Highlands and Islands) (SNP): As anyone who took part in stage 2 knows, I have been really keen to see data collection strengthened. We, in this Parliament, often find ourselves—there are similar situations in councils across Scotland—debating private rented sector policy using data that has been scraped from Zoopla or estimated by people on either side of the debate, meaning that the data naturally differs wildly. That serves nobody, and we end up taking positions that are based on anecdotes and guesses when the information is out there to be captured. What are people charging tenants, and for what kind of property? I strongly believe that an accurate picture of that will lead to better policy and greater confidence in decisions that are taken, whether someone agrees with them or not.

There are examples of that in the debates about this bill. I know from Scottish Land & Estates that there are concerns about the system of rent caps not taking into account private landlords in rural areas who have protected their tenants for many years and are now renting below the market rate. I do not know how common that is, and we will never know if we do not ask and require answers to be given. We also do not know the full scale of the exorbitant rents that exist. We usually know of them only once they are challenged.

My amendment 149 would allow the Scottish ministers to set up a process, through regulations, requiring landlords to provide information about their property or tenancy either to ministers or to the local authority. Unlike the existing powers in the bill, that would make it an on-going duty for landlords, rather than being instigated through a request by the Scottish ministers or the council.

The requirement to provide the same information could not be imposed more than once a year, regardless of who was asking. The amendment outlines what the regulations could cover, such as when and how information is provided, how it is used and shared, and how the process is enforced, including an appeals process. That approach would give clarity about what is expected of landlords and would reduce the need for repeated requests from the Government and, therefore, repeated answers from landlords.

However, I recognise that that would be a significant new responsibility for landlords and could require more resources from the Government to manage the returns, which is why my more specific amendments at stage 2 were rejected. Therefore, I have brought this forward as a regulation-making power, which means that it could be used if considered necessary and after engagement with those affected.

My consequential amendment 262 would ensure that any regulations that were made under this section would be subject to the affirmative procedure, so that Parliament would have the opportunity to scrutinise them fully. I suspect that Edward Mountain would have disagreed with my initial proposals, just as the Government did, but I hope that that provides him with the reassurance that he was looking for.

Graham Simpson: I have just one question. I was not sure about the amendment before, but I am quite taken by it now—as I said, I can change my mind. Has Emma Roddick liaised with the Scottish Association of Landlords on the amendment? What is its view?

Emma Roddick: I do not believe that I have had correspondence with the association specifically. However, during stage 2, landlord and tenant round tables took place in the Parliament that discussed the much more forceful amendments that I had lodged at that point, and there was widespread support from both sides. Even back then, with those very different amendments on data collection, pretty much everyone agreed that, under the current system, in which we are guessing and people are having to put forward views, it is difficult for the Government to uphold the decisions that it has made. It is also difficult for people to challenge the Government when the data is not there to back up either side of the argument.

Edward Mountain: The member is right and has correctly construed that I would not have supported her amendment at stage 2.

I want to get an indication from you of where you are going with this. Are you—sorry, Presiding Officer. I will correct myself before you correct me. Is the member looking to do this on an annual basis or every few years? Would there be a standard form? I am looking for some guidance that she would expect the Government to follow when collecting that data.

Emma Roddick: It is a tough question, because I am not the Government and I do not know what the Government is going to do with this. My hope is that we would look at situations and localities where we can get a good picture of what is going on across the country by collecting that data. I imagine that, depending on the purpose and the reason for needing the data, it would be best to have it as an annual event—at least for a few years—to get that body of evidence. However, as I said, it would depend. The important part is that the process would be open for consultation, engagement and, importantly, parliamentary scrutiny.

I am grateful to the cabinet secretary for discussing the issue over the summer and reaching a position that gives ministers the power to design a process to collect better data in the future. I encourage members across the chamber to support my amendments and to do what they can to ensure that, down the line, these provisions result in real positive change in the data so that we, Government, landlords and lobby groups can rely on it when making better law and policy in the future.

Regardless of policy disagreements, we can surely agree that we need solid data and evidence to back up the decisions that we make.

The Presiding Officer: I call Graham Simpson to speak to amendment 151 and other amendments in the group.

Graham Simpson: Edward Mountain said that he is looking forward to getting an explanation of amendment 151. It states that ministers must, by regulation, make provisions that require councils to publish data on rent. Amendment 263 is a linked amendment. Data is a good thing.

However, when I lodged those amendments—first, in response to Meghan Gallagher—I had not been invited to the round table that she was invited to—which, I understand, did not actually take place, due to a lack of interest. I also had not had sight of the cabinet secretary's letter on data; I saw that only after I had lodged my amendment 151. Had that letter been sent to me, I would not have lodged the amendment. I will not be moving

it, because I have subsequently seen that letter and I am reassured by it.

On Emma Roddick's amendment 149, I am persuaded. Ms Roddick often manages to persuade me on things, and she has done so today.

The Presiding Officer: I call Maggie Chapman to wind up and to press or withdraw amendment 139.

Maggie Chapman: Fines should be a genuine disincentive to landlords to behave inappropriately. Fines cannot just be brushed off as an acceptable cost of doing business.

Provision of accurate information is vital for renters. They should have access to clear, accurate and up-to-date information.

To address the cabinet secretary's specific point about my amendments on fines, I note that they would not fix the fine level at £2,000. They clearly use the words

"an amount not less than £2,000",

so they could provide the sliding scale that she seems determined to maintain.

We should also use the bill to rebalance the ever-upward creep of open market rents and ensure that we collect and use real rental data to present a much more honest and reliable picture of the rent levels that tenants are exposed to. That ask comes directly from tenants and tenant organisations, given their experience and analysis of open market rents. To counter the points that Edward Mountain made earlier, I note that there is an ever-upward drag of open market rents because adverts will push as high as they possibly can.

I press amendment 139.

18:15

The Presiding Officer: The question is, that amendment 139 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

The vote is closed.

The Cabinet Secretary for Health and Social Care (Neil Gray): On a point of order, Presiding Officer. I could not connect to the app. I would have voted no.

The Presiding Officer: Thank you, Mr Gray. We will ensure that that is recorded.

For

Baillie, Jackie (Dumbarton) (Lab)
Baker, Claire (Mid Scotland and Fife) (Lab)
Bibby, Neil (West Scotland) (Lab)

Boyack, Sarah (Lothian) (Lab)
 Briggs, Miles (Lothian) (Con)
 Burgess, Ariane (Highlands and Islands) (Green)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Maggie (North East Scotland) (Green)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Dowey, Sharon (South Scotland) (Con)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Eagle, Tim (Highlands and Islands) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harvie, Patrick (Glasgow) (Green)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lumsden, Douglas (North East Scotland) (Con)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 McCall, Roz (Mid Scotland and Fife) (Con)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Slater, Lorna (Lothian) (Green)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Balfour, Jeremy (Lothian) (Ind)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and

Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Harper, Emma (South Scotland) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Regan, Ash (Edinburgh Eastern) (Alba)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Simpson, Graham (Central Scotland) (Reform)
 Stevenson, Collette (East Kilbride) (SNP) [Proxy vote cast by Fulton MacGregor]
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Caitness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division is: For 48, Against 63, Abstentions 0.

Amendment 139 disagreed to.

Amendments 271 to 274 moved—[Meghan Gallacher].

The Presiding Officer: Does any member object to a single question being put on amendments 271 to 274?

As no member objects, the question is, that amendments 271 to 274 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Ind)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)

Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Choudhury, Foyso (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Dowey, Sharon (South Scotland) (Con)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Eagle, Tim (Highlands and Islands) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lumsden, Douglas (North East Scotland) (Con)
 McCall, Roz (Mid Scotland and Fife) (Con)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Simpson, Graham (Central Scotland) (Reform)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Chapman, Maggie (North East Scotland) (Green)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Greer, Ross (West Scotland) (Green)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)

Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Stevenson, Collette (East Kilbride) (SNP) [Proxy vote cast by Fulton MacGregor]
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division is: For 43, Against 67, Abstentions 0.

Amendments 271 to 274 disagreed to.

Amendment 275 moved—[Maggie Chapman].

The Presiding Officer: The question is, that amendment 275 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

The vote is closed.

Keith Brown (Clackmannanshire and Dunblane) (SNP): On a point of order, Presiding Officer. I would have voted no.

The Presiding Officer: Thank you, Mr Brown. We will ensure that that is recorded.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Ind)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Briggs, Miles (Lothian) (Con)
 Burgess, Ariane (Highlands and Islands) (Green)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)

Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Maggie (North East Scotland) (Green)
 Choudhury, Foyso (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Dowey, Sharon (South Scotland) (Con)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Eagle, Tim (Highlands and Islands) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harvie, Patrick (Glasgow) (Green)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lumsden, Douglas (North East Scotland) (Con)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 McCall, Roz (Mid Scotland and Fife) (Con)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Slater, Lorna (Lothian) (Green)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Harper, Emma (South Scotland) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)

Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Regan, Ash (Edinburgh Eastern) (Alba)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Simpson, Graham (Central Scotland) (Reform)
 Stevenson, Collette (East Kilbride) (SNP) [Proxy vote cast by Fulton MacGregor]
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division is: For 48, Against 62, Abstentions 0.

Amendment 275 disagreed to.

Amendment 140 moved—[Maggie Chapman].

The Presiding Officer: The question is, that amendment 140 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Briggs, Miles (Lothian) (Con)
 Burgess, Ariane (Highlands and Islands) (Green)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Maggie (North East Scotland) (Green)
 Choudhury, Foyso (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Dowey, Sharon (South Scotland) (Con)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Eagle, Tim (Highlands and Islands) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)

Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harvie, Patrick (Glasgow) (Green)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lumsden, Douglas (North East Scotland) (Con)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 McCall, Roz (Mid Scotland and Fife) (Con)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Slater, Lorna (Lothian) (Green)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Balfour, Jeremy (Lothian) (Ind)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Harper, Emma (South Scotland) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McKee, Ivan (Glasgow Provan) (SNP)

McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Simpson, Graham (Central Scotland) (Reform)
 Stevenson, Collette (East Kilbride) (SNP) [Proxy vote cast by Fulton MacGregor]
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division is: For 46, Against 62, Abstentions 0.

Amendment 140 disagreed to.

Amendment 141 moved—[Edward Mountain].

The Presiding Officer: The question is, that amendment 141 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Ind)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Dowe, Sharon (South Scotland) (Con)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Eagle, Tim (Highlands and Islands) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Griffin, Mark (Central Scotland) (Lab)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lumsden, Douglas (North East Scotland) (Con)
 McCall, Roz (Mid Scotland and Fife) (Con)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)

Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Simpson, Graham (Central Scotland) (Reform)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Harper, Emma (South Scotland) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Stevenson, Collette (East Kilbride) (SNP) [Proxy vote cast by Fulton MacGregor]
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)

Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Abstentions

Burgess, Ariane (Highlands and Islands) (Green)
 Chapman, Maggie (North East Scotland) (Green)
 Greer, Ross (West Scotland) (Green)
 Harvie, Patrick (Glasgow) (Green)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)

The Presiding Officer: The result of the division is: For 42, Against 60, Abstentions 7.

Amendment 141 disagreed to.

Amendment 142 moved—[Edward Mountain].

The Presiding Officer: The question is, that amendment 142 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division. Members should cast their votes now.

For

Balfour, Jeremy (Lothian) (Ind)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Dowey, Sharon (South Scotland) (Con)
 Eagle, Tim (Highlands and Islands) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lumsden, Douglas (North East Scotland) (Con)
 McCall, Roz (Mid Scotland and Fife) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Regan, Ash (Edinburgh Eastern) (Alba)
 Ross, Douglas (Highlands and Islands) (Con)
 Simpson, Graham (Central Scotland) (Reform)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)

Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Griffin, Mark (Central Scotland) (Lab)
 Harper, Emma (South Scotland) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mochan, Carol (South Scotland) (Lab)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Stevenson, Collette (East Kilbride) (SNP) [Proxy vote cast by Fulton MacGregor]
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Sweeney, Paul (Glasgow) (Lab)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Villalba, Mercedes (North East Scotland) (Lab)
 Whitfield, Martin (South Scotland) (Lab)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Abstentions

Burgess, Ariane (Highlands and Islands) (Green)
 Chapman, Maggie (North East Scotland) (Green)

Greer, Ross (West Scotland) (Green)
 Harvie, Patrick (Glasgow) (Green)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)

The Presiding Officer: The result of the division is: For 26, Against 77, Abstentions 7.

Amendment 142 disagreed to.

Amendment 276 moved—[Meghan Gallacher].

The Presiding Officer: The question is, that amendment 276 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division. Members should cast their votes now.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Dowey, Sharon (South Scotland) (Con)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Eagle, Tim (Highlands and Islands) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Griffin, Mark (Central Scotland) (Lab)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lumsden, Douglas (North East Scotland) (Con)
 McCall, Roz (Mid Scotland and Fife) (Con)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Simpson, Graham (Central Scotland) (Reform)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)

Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Chapman, Maggie (North East Scotland) (Green)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Greer, Ross (West Scotland) (Green)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Regan, Ash (Edinburgh Eastern) (Alba)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Stevenson, Collette (East Kilbride) (SNP) [Proxy vote cast by Fulton MacGregor]
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division is: For 41, Against 68, Abstentions 0.

Amendment 276 disagreed to.

Amendment 143 moved—[Màiri McAllan]—and agreed to.

Amendment 277 not moved.

Section 16A—Information holder's failure to provide information sought

Amendments 144 to 147 moved—[Meghan Gallacher].

The Presiding Officer: Does any member object to a single question being put on amendments 144 to 147?

As no member objects, the question is, that amendments 144 to 147 be agreed to. Are we agreed?

Members: No.

18:30

The Presiding Officer: There will be a division.

The vote is closed.

The Minister for Equalities (Kaukab Stewart): On a point of order, Presiding Officer. My app would not connect. I would have voted no.

The Presiding Officer: Thank you, Ms Stewart. We will ensure that that is recorded.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Ind)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Dowey, Sharon (South Scotland) (Con)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Eagle, Tim (Highlands and Islands) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Griffin, Mark (Central Scotland) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lumsden, Douglas (North East Scotland) (Con)
 McCall, Roz (Mid Scotland and Fife) (Con)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Regan, Ash (Edinburgh Eastern) (Alba)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Simpson, Graham (Central Scotland) (Reform)

Stewart, Alexander (Mid Scotland and Fife) (Con)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Chapman, Maggie (North East Scotland) (Green)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Greer, Ross (West Scotland) (Green)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Stevenson, Collette (East Kilbride) (SNP) [Proxy vote cast by Fulton MacGregor]
 Stewart, Kaukab (Glasgow Kelvin) (SNP)

Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division is: For 43, Against 67, Abstentions 0.

Amendments 144 to 147 disagreed to.

Amendment 30 moved—[Maggie Chapman].

The Presiding Officer: The question is, that amendment 30 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Burgess, Ariane (Highlands and Islands) (Green)
 Chapman, Maggie (North East Scotland) (Green)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)
 Harvie, Patrick (Glasgow) (Green)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Mochan, Carol (South Scotland) (Lab)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Slater, Lorna (Lothian) (Green)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Whitfield, Martin (South Scotland) (Lab)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Balfour, Jeremy (Lothian) (Ind)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dowey, Sharon (South Scotland) (Con)

Dunbar, Jackie (Aberdeen Donside) (SNP)
 Eagle, Tim (Highlands and Islands) (Con)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (North East Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 Lumsden, Douglas (North East Scotland) (Con)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Regan, Ash (Edinburgh Eastern) (Alba)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ross, Douglas (Highlands and Islands) (Con)
 Simpson, Graham (Central Scotland) (Reform)
 Stevenson, Collette (East Kilbride) (SNP) [Proxy vote cast by Fulton MacGregor]
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division is: For 24, Against 85, Abstentions 0.

Amendment 30 disagreed to.

Amendments 31 and 148 not moved.

Section 17A—Information holder's provision of false information

Amendments 32 and 33 not moved.

After section 17B

Amendment 149 moved—[Emma Roddick]—and agreed to.

After section 18

Amendment 150 moved—[Maggie Chapman].

The Presiding Officer: The question is, that amendment 150 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Burgess, Ariane (Highlands and Islands) (Green)
 Chapman, Maggie (North East Scotland) (Green)
 Greer, Ross (West Scotland) (Green)
 Harvie, Patrick (Glasgow) (Green)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Villalba, Mercedes (North East Scotland) (Lab)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Ind)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Choudhury, Foyso (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dowey, Sharon (South Scotland) (Con)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Eagle, Tim (Highlands and Islands) (Con)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)

Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (North East Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Griffin, Mark (Central Scotland) (Lab)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 Lumsden, Douglas (North East Scotland) (Con)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Regan, Ash (Edinburgh Eastern) (Alba)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Simpson, Graham (Central Scotland) (Reform)
 Stevenson, Collette (East Kilbride) (SNP) [Proxy vote cast by Fulton MacGregor]
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Sweeney, Paul (Glasgow) (Lab)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Whittle, Brian (South Scotland) (Con)

Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division is: For 8, Against 101, Abstentions 0.

Amendment 150 disagreed to.

After section 18A

Amendment 151 not moved.

The Presiding Officer: Members will note that we will shortly reach the next time limit and there are two groups still to debate. I am minded to accept, under rule 9.8.5A, a motion without notice to propose that the time limit be extended by 30 minutes. I invite the Minister for Parliamentary Business and Veterans to move such a motion.

Motion moved,

That, under rule 9.8.5A, the second time limit be moved by up to 30 minutes.—[*Graeme Dey*]

Motion agreed to.

The Presiding Officer: Group 5 is on special and transitional rent control provisions. Amendment 1, in the name of Maggie Chapman, is grouped with amendments 2, 6, 22, 118, 23, 24 and 120.

Maggie Chapman: Amendments 1, 2 and 22 seek to introduce special rent control areas, which would work in much the same way as rent control areas but would allow rents to increase by a lower amount than specified in the central formula, to be frozen or to be cut. That is absolutely crucial. Rents have increased by grotesque amounts in some areas of Scotland—in some cases, by more than 100 per cent since 2010—and the central formula would do nothing to address that. In Glasgow, Lothian and some other areas with recent large rent increases, there is a very strong case for applying short-term controls that would allow much tighter limits on rent increases than the current proposed limit of retail prices index plus 1 percentage point, up to 6 per cent.

If we do not introduce such controls, we will essentially be endorsing the unacceptable increases that we have seen in recent years. Tighter controls require stronger safeguards, so I have already limited the lifetime of special rent control areas to one year. I hope that we can agree on the principle that tighter controls will be needed temporarily in some areas.

Amendments 24 and 120 seek to reinstate the transitional provisions that offered some protection to tenants ahead of rent control areas coming into force. Those were meant to act as a bridge to the bill's controls, and it makes no sense for them to have lapsed.

The Scottish Government, which supports rent controls, is allowing rents to soar in the two years

before the bill comes into force. In the time since the controls expired—which was only in March this year—Living Rent has documented cases of renters facing huge rent hikes far beyond market rate, with some landlords proposing rent increases of more than 30 per cent, and some proposing hikes of up to 88 per cent. A Living Rent member in Lanarkshire faced a 55 per cent rent increase this summer, and one member in Glasgow was hit by a £200 increase—that is an increase of £2,400 over a year. How is an average renter expected to be able to cope with such ludicrous rent hikes?

Allowing those controls to lapse does not make sense for a Government the official position of which is that it supports rent controls. It does not make sense for a Government that is seeking to reduce child poverty, when housing costs are one of the biggest contributors to that. It does not make sense for a Government that is committed to eradicating homelessness to allow years of a near free-for-all for landlords to hike rents beyond what some people will be able to afford.

My understanding is that the Scottish Government has been advised that it would likely lose a legal challenge on the issue. Before now, the Scottish Government has not been backward about coming forward when it comes to going to court to defend policies. The Government stood up for the rights of our trans siblings to be known by their preferred gender, and it stood up for Scotland's right to vote on its future as an independent country. I am asking the Government to do the same now: to stand up for renters and be prepared to defend their rights not to have exorbitant rent hikes before rent control areas come into force.

I move amendment 1.

Meghan Gallacher: I will speak to Maggie Chapman's amendments 1 and 2. The creation of a special rent control area where the permitted rate of increase would be even lower than that proposed elsewhere—potentially 0 per cent or less—would mean no increases or even a reduction in rent. The Scottish Greens have already made known their feelings. They do not believe that the scope of the rent controls goes far enough, which further highlights the fact that they do not understand the housing sector or the precarious situation that we find ourselves in with landlords leaving the market.

The anti-landlord rhetoric from politicians is partially to blame for landlords leaving the sector. The Scottish Association of Landlords has estimated that, since 2016, 35,591 landlords have exited the register, bringing numbers down to their lowest level in a decade. We need investment and we need landlords to stay in the market if we are to ensure that we have enough supply of homes to meet demand. That is why we need to be careful

about the amendments that we introduce at stage 3. To create special rent controls will lead only to more landlords exiting the market.

Introducing varying rent controls would not solve any of the issues that Maggie Chapman seeks to solve with her amendments. That would only create an uneven picture and deter developments from proceeding through future investment opportunities. For the reasons that I have outlined, the Scottish Conservatives will not support any amendments that would cause further harm to our housing sector.

Màiri McAllan: The issues that Maggie Chapman has raised in this group were debated at stage 2 and have been the subject of much wider discussion. I will start by reflecting on some of her comments.

From the outset, I say that the Government is absolutely determined to tackle what we entirely acknowledge have been unacceptably high and increasing rents. That is exactly why we are bringing in rent controls. We are also determined to tackle the housing emergency. That is exactly why, on 2 September, we brought forward a housing emergency action plan that is backed by nearly £5 billion and have launched a major house-building project over the next four years. We must be clear-eyed about what the Government is pursuing.

Amendments 1, 2 and 22 would provide for the introduction of special rent control areas. As has been set out, in those areas, a rent cap could be set for up to one year that would be below the level of the rent cap of the consumer prices index plus 1 percentage point, up to a maximum of 6 per cent, as agreed by the committee at stage 2. The amendments, which were also lodged at stage 2, would enable the rent cap in a special rent control area to be set at 0 per cent or a negative figure. That would require landlords to reduce rents in some circumstances. The policy intention is not that rent controls should act to require landlords to reduce rents; rather, it is that the system will act to stabilise rents in areas where market rents have been increasing particularly steeply.

Requiring the reduction of rent would be a significant interference in the property rights of landlords and would be very difficult to justify and enforce. Maggie Chapman spoke about the Government's willingness to be challenged and to end up in court, but taking that approach would not serve us in having rent controls operating in the country. The amendments would remove the clarity of the rent cap and would reintroduce the uncertainty that stakeholders called on us to address. For those reasons, I cannot support amendments 1, 2 and 22.

18:45

Amendments 6, 118, 23 and 24 would reintroduce the temporary modifications to rent adjudication that are set out in the Rent Adjudication (Temporary Modifications) (Scotland) Regulations 2024, which expired at the end of March.

I recognise the good intent behind the amendments, which were also lodged at stage 2, and the desire to protect tenants from unreasonable in-tenancy rent increases. However, I cannot support the provisions for a number of reasons. I must note that the circumstances that necessitated the introduction of the temporary changes no longer apply. The judicial review of the measures under the Cost of Living (Tenant Protection) (Scotland) Act 2022 emphasised their temporary nature as being a key factor in their proportionality.

The temporary modifications to the rent adjudication process, which the measures in question replicate, were developed specifically to support the transition away from the emergency rent cap. They were in place to prevent a return to market rents in a single step where a tenant sought a review. They were not designed to—and were not able to—operate until the new rent controls become operational under part 1 of the bill.

Mercedes Villalba (North East Scotland) (Lab): I thought that I heard the cabinet secretary say that the circumstances under which the emergency rent freeze came into force no longer apply, but that came into force because of the cost of living crisis. Is the cabinet secretary saying that the cost of living crisis has now passed?

Màiri McAllan: No, I am absolutely not saying that. I was referring to the fact that the process was developed specifically to support the transition away from the emergency rent cap. Those are the circumstances that I was suggesting no longer apply. I am absolutely aware that the cost of living crisis continues and, in many cases, is getting worse, not least because of rising energy costs.

For all the reasons that I have set out, I cannot support Maggie Chapman's amendments, but I assure her that the existing mechanism for adjudicating rent increases under the 2016 act, which is based on an open market rent, will continue to operate as intended, thereby protecting tenants from unreasonable rent increases.

I turn quickly to amendment 120, which suggests an alternative approach to transitional rent control measures. Although those measures were necessary as part of the process of exiting previous emergency measures, I cannot support

replicating them and placing further temporary controls on rent, especially when we are trying to bring forward a long-term system. Although I appreciate that it would be up to the Scottish ministers to set out the detail of those regulations, as I said, the rationale that supported the development of the temporary changes no longer applies. We are no longer in that transitional period.

As I have stated and reiterate, those measures were temporary. There has been no engagement with the wider sector about reintroducing them, which might have wider legal implications.

Maggie Chapman's amendments, if they were agreed to, would cause further concerns about the negative impact on the supply of rented housing. In a housing emergency, I certainly could not support that, and I do not think that our housing system could withstand it.

I am sorry—I missed a spot, Presiding Officer; forgive me. We have listened to the views of landlords, tenants and investors in developing proposals for longer-term rent control. I believe that the focus should remain on delivering that, and that there is a risk that a change to that could undermine the progress that we are making.

I also want to be clear that we are already taking action to prevent a rent officer or tribunal from setting a rent above that proposed by the landlord. That concern has been shared with us, and it is being addressed in the bill. That is another reason why I cannot support the amendments in this group, and I urge members not to do so.

Maggie Chapman: This Parliament brought in emergency rent controls to provide tenants with protections during the cost of living crisis. As the cabinet secretary agreed in response to Mercedes Villalba's question, the cost of living crisis still exists. That is why we need provisions, in very clearly defined and time-limited circumstances, to reintroduce special rent controls that bring rents down. The formula in the bill means that rents will always increase more quickly than inflation. That will not make rents more affordable in the long term. Rents will increase at a greater rate than people's wages, and a greater rate than people's ability to pay. The special rent control area provisions would mean that we could deal with that in specific, limited and time-constrained circumstances.

On transitional protections, the cabinet secretary has said that it is the Scottish Government's intent to stabilise rents. We have seen anything but stabilisation in the months since the end of March. We have seen rents being increased by up to almost 90 per cent. That is not stabilisation. It makes those rents grossly unaffordable and it

means that, when rent control areas come in, they will already be unaffordable in some places.

The cabinet secretary also referred to rent adjudication and tribunals. That requires tenants to know that that is a possible route, and we still do not have clarity on exactly how renters will get that information.

It is important that we have the ability to introduce special rent control areas and to reintroduce the transitional protections to ensure that renters do not pay the price for the fact that the bill has been so woefully delayed.

I press amendment 1.

The Deputy Presiding Officer (Annabelle Ewing): The question is, that amendment 1 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Burgess, Ariane (Highlands and Islands) (Green)
 Chapman, Maggie (North East Scotland) (Green)
 Greer, Ross (West Scotland) (Green)
 Harvie, Patrick (Glasgow) (Green)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Villalba, Mercedes (North East Scotland) (Lab)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Carlaw, Jackson (Eastwood) (Con)
 Clark, Katy (West Scotland) (Lab)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Eagle, Tim (Highlands and Islands) (Con)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (North East Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)

Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Griffin, Mark (Central Scotland) (Lab)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 Lumsden, Douglas (North East Scotland) (Con)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Regan, Ash (Edinburgh Eastern) (Alba)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Simpson, Graham (Central Scotland) (Reform)
 Stevenson, Collette (East Kilbride) (SNP) [Proxy vote cast by Fulton MacGregor]
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Sweeney, Paul (Glasgow) (Lab)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 8, Against 96, Abstentions 0.

Amendment 1 disagreed to.

Amendment 2 not moved.

Section 20—Prospective landlords' duty to include information about rent in advertisements

The Deputy Presiding Officer: We turn to group 6, on rent controls within rent control areas. Amendment 152, in the name of the cabinet secretary, is grouped with amendments 155, 165 to 171, 280, 173 to 175, 72, 281, 282, 34, 35, 73, 36, 74, 41 to 43 and 121.

I point out that, if amendment 165 is agreed to, I cannot call amendment 166 because of pre-emption.

Màiri McAllan: Ahead of stage 3, I have engaged with members across the parties and am grateful for their input. As a result, I have lodged amendments to enhance the rights of tenants in the private rented sector.

Amendment 155, along with amendment 152, will require certain information to be included in an advertisement when an exempt property is advertised for let. That will ensure that, before they take on a tenancy in a rent control area, prospective tenants will be aware that their rent will not be governed by the rent cap. Analysis of our recent consultation is still on-going, but the interim partial analysis that we published recently notes that a substantial majority of respondents thought that the landlord of an exempt property should be required to communicate to tenants and prospective tenants about the exemption, and that is exactly what amendment 155 does.

Amendments 74 and 121, which are also in my name, will allow the creation of a process via regulations whereby the First-tier Tribunal for Scotland may impose either a financial penalty or a compensation payment, which will be payable to the tenant, in cases where a landlord is found to have not complied with the requirements of the rent cap. The regulation-making powers will allow the First-tier Tribunal full discretion as to whether to impose a penalty or compensation payment on the landlord and, if so, at what level to set it. As a matter of principle, it is important to have repercussions for breaches of public policy and law. From exchanges at stage 2 and subsequently, I know that many members agree. I believe that those measures will help to protect tenants, and I urge members to support them.

I turn to members' amendments in the group. Maggie Chapman's amendments 165 and 167 would amend the rent cap formula that was introduced to the bill at stage 2. If amendment 165 is agreed to, the permitted rate of rent increase specified in the legislation would be the lower of the CPI percentage, the annual survey of hours

and earnings percentage and the average weekly earnings percentage. That modified formula would replace the one that the committee agreed to.

Amendment 167 provides that the Scottish ministers may set an alternative lower percentage "in specified circumstances" under new powers conferred by amendment 171, and amendment 169 would provide a definition of those "specified circumstances". Ms Chapman's amendment 168 provides definitions of the terms that are used in amendment 165. The ASHE percentage is defined as the difference in the median weekly earnings and the AWE percentage is defined as the difference in the average weekly earnings over the preceding 12 months.

As was set out at stage 2, wage growth is not a direct measure of changes in household income as it excludes changes in hours worked and income from self-employment, social security and other assets. In addition, there are other complexities relating to those measures. For example, the data from the annual survey of hours and earnings is published only once a year, with a significant lag. Although average weekly earnings data is published monthly, the headline measure, which includes bonus payments, can be volatile.

Maggie Chapman: Will the cabinet secretary take an intervention?

Màiri McAllan: I want to cover the rest of my points on these amendments first, because I want to get the information on the record. When I have done that, I will take the member's intervention.

Furthermore, it is not a measure of rates of pay, as it can be affected by changes in the composition of an enterprise's workforce, such as the proportion who work full time and the proportion who work part time.

We therefore do not consider that the wage growth indicators whose use is proposed in the amendments are robust enough to provide a reliable link between wages and tenants' income, to sufficiently reflect the costs of maintaining a household, or to provide clarity on the costs that tenants are likely to face. Measures of wage growth are also unlikely to fully reflect costs that landlords may face.

Against all of that—I am just about to take the intervention—the consumer prices index is published monthly and it reflects the price increases that have been experienced up to the previous month. It is a well-understood measure that has widespread use and it correlates with price pressures that are faced by both tenants and landlords. It is therefore a transparent, easy-to-understand formula, and I believe that we should stick with it.

Maggie Chapman: I am grateful to the cabinet secretary for taking my intervention and for running through her rationale for that. She said that wage inflation is not a reliable measure of household income. Does she think that CPI is a reliable indicator of either household expenditure or household income? It is not.

Màiri McAllan: I think that I have been clear on the strengths, as I see them, of CPI versus the other indicators that Maggie Chapman has proposed. One of the most important strengths is the frequency with which CPI is published and the fact that it reflects price increases up to very recently—the month before. It is well understood and it correlates with price pressures that not only tenants but landlords face. For all those reasons, I believe that it remains the appropriate measurement. It was also voted on at stage 2. For those reasons, I cannot support Maggie Chapman's amendments 165, 167 to 169 and 171.

Amendment 170, which is also in Maggie Chapman's name, would remove the provision that will prevent the rent cap from dropping below 0 per cent and remove the Scottish ministers' power to substitute the percentage values in the rent cap. That would be replaced with a power for us to specify a lower percentage than that which is specified in the fixed formula, and to specify the circumstances in which that percentage should apply.

As it would mean that the percentage that was specified could be less than 0 per cent, amendment 170 would open up the possibility of rent decreases. As we have discussed, that is not the intention of rent controls, which are about stabilising rents that are rising too quickly.

Amendments 72 and 73, which are also in the name of Maggie Chapman, seek to extend the deadlines, from 21 to 30 days, for a tenant in a rent control area to notify a landlord that they consider a proposed rent increase to be in excess of the rent cap.

19:00

At stage 2, members lodged amendments that sought to increase the amount of time that tenants would have to make a notification in those circumstances. The timescale set out in those amendments offers the best balance between protecting tenants and ensuring that there is clarity for all parties. Therefore, I am happy to support amendments 72 and 73.

I turn to amendments 281 and 282. The bill includes a power for the Scottish ministers to prescribe a fee to be charged when a tenant refers a proposed rent increase to a rent officer for a determination on whether the increase would be

above the cap. Those amendments, in the name of Maggie Chapman, would remove the power for the Scottish ministers to prescribe such a fee for rent verification within a rent control area.

The inclusion of that power is intended to provide the Scottish ministers with the flexibility to prescribe a fee if, once the provisions are in operation, that becomes necessary to support their operation. The power is about facilitating that process. A similar power exists in the Private Housing (Tenancies) (Scotland) Act 2016 in relation to rent adjudication, although that has never been used.

I cannot support the amendments, but I hope that Ms Chapman will be reassured by that rationale and by the fact that similar powers have not been used.

Amendments 34 to 36 and 41 to 43 are in the name of Maggie Chapman. Several of those are substantially similar to amendments that were lodged at stage 2 and would not be required if my amendments 74 and 121 are agreed to.

Although Ms Chapman's amendments would require a rent officer to issue an order for a landlord to pay compensation to a tenant where it is determined that a proposed rent increase is above the cap, the power that amendment 74 confers offers a more flexible approach that will allow for financial penalties and compensation to be provided for in cases where that might be appropriate and proportionate, following consultation with landlords and tenants.

I hope that my amendment 74 gathers support as a proportionate way of addressing much of what Maggie Chapman had been intending through her amendments.

Amendment 166, in the name of Edward Mountain, alters the rent cap formula from the consumer prices index plus one percentage point to CPI plus two percentage points.

We have discussed the CPI percentage a lot. The formulation of CPI plus one percentage point is in line with stakeholders in the sector have been calling for. Stakeholders, including the Scottish Property Federation and the Association for Rental Living, welcomed the clarity that we provided in our statement last October and the agreement that was reached at stage 2 in committee.

We set out at stage 2 that allowing some margin over inflation would give investors assurance. I still consider that to be the best approach, and that keeping the margin at 1 percentage point does what I have been seeking to do throughout: it balances proportionality and affordability. I cannot support those amendments.

Amendment 175, in the name of Edward Mountain, would remove the requirement that rent

increase notices for private residential tenancies in rent control areas should set out the reasons for the proposed rent increase. That provision was inserted at stage 2.

As we made clear at stage 2, we believe that requiring all landlords of relevant tenancies in rent control areas to provide such information to tenants when increasing the rent is an unnecessary intrusion into the landlord's privacy, with no obvious benefit to the tenant.

Although tenants in a rent control area can challenge a proposed rent increase on the basis that it does not comply with the cap, the reason for the rent increase ought not to be a factor. Such information would therefore not be helpful to the tenant; it would largely be irrelevant and have no bearing on the decision at the end of the day.

Mark Griffin's amendment 280 is similar to a stage 2 amendment that would have changed the definition of "rent" for the purposes of rent increases in a rent control area. We have discussed the issue previously. That would exclude from the definition of rent any amounts payable to the landlord in respect of various utilities. The member knows that my principal concern is that that approach would take the cost of utilities outwith the protection that it would otherwise be afforded were that still within the definition of rent.

As such, I have significant concerns about amendment 280 and its potential to undermine tenant protections. I am sure that Mark Griffin would not want to pursue that. I cannot support his amendment and would ask him not to move it.

I urge members to support my amendments in the group, along with Maggie Chapman's amendments 72 and 73, and Edward Mountain's amendment 175, and to reject the other amendments in their names and the amendment in the name of Mark Griffin.

Maggie Chapman: In many ways, this is the most important part of the bill. If the bill is passed, the provisions in this part of it will introduce the first rent controls in Scotland for almost four decades. Another Maggie took them away, but I am proud to be a Maggie in a team of people who are bringing back rent controls.

Their introduction could not come a moment too soon. Since 2010, rent for a two-bedroom property has increased by 61 per cent across Scotland, by 82 per cent in Glasgow and by a staggering 104 per cent in Lothian. Has the quality of properties soared to match those rent increases? No. Have people's wages in Lothian gone up by 104 per cent? No. That is a sign of a fundamentally out-of-control private rented sector.

Amendment 165 and its consequential amendments would change the formula that the Scottish Government has proposed, which will cap rent increases at CPI plus 1 percentage point, up to a maximum of 6 per cent. My alternative is to cap rent increases at the lowest of CPI or earnings growth, up to the same maximum of 6 per cent. That is an important principle.

I asked the Scottish Parliament information centre to model both those formulae. The Green version would have made a small but significant difference to rents in most areas, although it would have made a bigger difference in others. In Glasgow, had that formula been applied since 2019, rents would have been, on average, £19 a month lower than they would have been had the Scottish Government's formula been in place. However, in Aberdeen and Aberdeenshire, rents would have been £66 per month lower. For many renters on low incomes who are struggling with the rising cost of living, that would have represented a huge help to them.

Importantly, my amendments would establish a critical principle: rents should match people's ability to pay. If the earnings and living standards of renters are not increasing, neither should those of landlords. If landlords' incomes rise more quickly than renters' incomes, that is nothing more than a pure extraction of wealth from those on lower incomes by those with the privilege of owning property.

That is not something that Greens have made up. Shelter England has proposed precisely the same system for England. Raising rents by 1 percentage point above the cost of living is simply not acceptable, and the 2 percentage point increase proposed by Edward Mountain is even more unacceptable. We should not lock in above-inflation increases, which is what the Scottish Government and the Conservatives are trying to do.

Amendments 169 and 171 would allow ministers to specify exemptions to the formula to allow lower increases, a freeze or a decrease. I have already spoken about that principle in a debate on an earlier group of amendments. However, I highlight that I have lodged amendments 169 and 171 to recognise that rents in some areas of Scotland have gone up by as much as 100 per cent in the past 15 years, so even a small increase would simply pile misery on top of that. In those cases, a smaller increase, a freeze or a cut would be essential.

Amendment 282 would ensure that a fee could not be required for challenging a rent notice. I appreciate that there might not be any intention to do that at the moment, but a fee would be a barrier to challenging a rent increase, so we must remove the possibility of that happening in the future. The

amendment is about future proofing our legislation.

Amendments 72 and 73, for which I am pleased to have the Scottish Government's support, will extend from 21 to 30 days the deadline for tenants to challenge a rent increase. My earlier amendments set a much longer deadline, and I would, in truth, have preferred that, but the increase to 30 days is an improvement, and I am grateful for the work that I have been able to do with the Scottish Government in that regard.

Taken together, this section of the bill and my amendments are crucial to making rents more affordable for people everywhere in Scotland. We cannot rely on the good will of others to bring down rents. Sometimes, we have to legislate.

Edward Mountain: Some of the language that I am hearing is not representative of what, I believe, happens in the rented sector. I do not believe that it is out of control. It might be in areas that Ms Chapman knows, but it is certainly not in the areas that I represent.

Many landlords are trying desperately hard to improve the standard of their housing stock; I do not think that people give landlords enough credit in respect of the amount of work that needs to be done. For example, the cost of trying to upgrade a 1950s stone house may be up to £40,000. If rents for those types of houses—which are not uncommon in the Highlands—are around £600 per calendar month, it will take a huge amount of time to pay those costs back.

I accept the point that Ms Chapman makes—I see owning property as a huge privilege. However, I also see it as a huge responsibility and—as many landlords do—I take my responsibility to my tenants extremely seriously.

It might amuse Ms Chapman to know that the only house that I own that has no double glazing is my own, because I cannot afford to put it in, but I have made sure that every single one of my tenants' properties has double glazing. I think that a lot of landlords would react in that way.

I turn to the amendments in this group, starting with amendment 166 in my name. The reason that I suggest an increase of two percentage points is that there are huge costs—as I have just alluded to—coming down the line. The requirement to replace oil or gas boilers—if that is all that a property has—with air-source heat pumps will be a huge cost. I have argued about that with the industry, but I think that we all agree that it is probably going to be a minimum of £15,000. If we add on top of that the painting of the house and the rewiring that may be required, it is clear that there will be considerable costs. I remember—*[Interruption.]*

Mr Harvie may shake his head, but I remember showing him, when he was Minister for Zero Carbon Buildings, Active Travel and Tenants' Rights, the costs of the EPC upgrade that he was looking for. I provided evidence for those costs, which I know that he discounted, but they were based on my experience as a surveyor and as a landlord.

There are huge costs, which why I wanted to see whether the bill could be amended to allow landlords to go to two percentage points where they are doing improvements.

Mercedes Villalba: Why does the member feel that the cost of improving, and increasing the value of, a privately held asset should fall on tenants?

Edward Mountain: Well, where does the cost lie? The cost may be £40,000 for a property. Let us say that my proposed increase of two percentage points above RPI would add 5 per cent on a rent of £700 per calendar month. As I am sure that the member will be able to work out, that would be £35—that is all that the landlord would be looking for as a contribution each calendar month, when that landlord may have just put £40,000 into doing up the house. There is some benefit to the tenant. I am not saying that the tenant needs to pay for it all—far from it—but I am saying that some contribution can be made.

I agree with the cabinet secretary that CPI is the right indicator to use. It is well recognised throughout the industry—in all sectors, in fact. It took me a bit of time to look up what the other indicators that Ms Chapman suggests in her amendment 168 actually are, so I agree with the cabinet secretary on that.

I am not sure that I heard the cabinet secretary speak to amendments 173 and 174; she might have skipped over them accidentally. Nevertheless, my point in respect of those amendments, which the cabinet secretary might want to address in summing up, is that the tenancy can be ended in the first year or with six months' notice. I am therefore suggesting that if a reduced rent has been given, there ought to be the ability to reconfigure it after six months if the tenant leaves early. I think that that would make sense.

I welcome the cabinet secretary's acceptance of my amendment 175—that is the first one that she has accepted today. There is always a bit of cheer when you get your first amendment through. I agree with some of the other amendments from the cabinet secretary.

On amendments 170 and 171, lodged by Ms Chapman, I am unclear whether what is being suggested is that the rent should actually go down—*[Interruption.]* I have seen a nod, so that is

what is being suggested. I am not sure whether that is ever going to be realistic, because I am not sure that prices go down year on year. They never seem to have done that since I have been alive, but that has only been 64 years—it will be 65 years next year. I am not sure that I have ever seen prices come down. I could say a lot more, but I will leave it at that as I already have one win and, given that the cabinet secretary missed out two of my amendments, I hope that I may yet get three.

19:15

Mark Griffin: Amendment 280 seeks to clarify the fact that charges for domestic services, such as water, sewerage, gas, electricity, broadband and district heating, are not premiums and should be treated separately from rent. To ensure clarity and fairness in Scotland's rental market, it is essential that the service charges are explicitly excluded from the definition of a premium. That would provide complete transparency for rent officers, letting agents and—most important—tenants themselves, clearly separating occupancy costs from service charges. That also addresses a gap, whereby published market rents often obscure whether utilities are included, making comparisons unreliable and undermining the effectiveness of rent control.

The crucial point about amendment 280 is that it was lodged to align with existing provision in section 9(5A) of the bill. However, given that the cabinet secretary's amendment 64 removes that section from the bill, I do not intend to move amendment 280.

Willie Rennie: Setting the formula for rent controls is about moderation, because we are seeking a balance between fairness for tenants and certainty for investors, and, as I have set out, I want investors in the sector. CPI plus 1 percentage point is a reasonable way to do it. You could argue for the use of other formulas, but the cabinet secretary has set out a reasonable case in that monthly or more regular reporting on the CPI means that we can get a more accurate figure for setting the formula. That seems a reasonable way to proceed, and, together with the exemptions that we discussed earlier, it will provide the certainty for investors that we want.

We have been debating this issue for a long time—going all the way back to the temporary rent controls that we put in place. That has created a lot of instability for investors, and we have seen the effect of that, not just with housing associations pulling out of the mid-market rent sector but in relation to the potential investment in other areas. Therefore, I would argue that the sooner that we pass the bill, the sooner we can get the exemptions in place and the sooner we

can create a stable political and regulatory environment for investors. Having spoken to many investors, I know that they are keen to get on. They think that the environment to invest and build is potentially there, and, as I said earlier, I am desperate to get new homes built so that, in Scotland, we can get homes for people who are desperate for them.

Alexander Stewart (Mid Scotland and Fife)

(Con): On amendments 165 and 167 to 170, in the name of Maggie Chapman, Scottish Land & Estates has advised that linking rent caps with wages and earnings is not suitable for Scotland's diverse private rented sector, and I fully agree. The sector has a wide range of property types, tenancy arrangements and landlord profiles, and rents are usually determined by factors such as location and the condition of the property. That is especially important in rural areas.

Tying the rent increase to median earnings, as set out in amendment 168, risks creating distorted assessments of the market and penalising landlords who let below the market value. I hope that Maggie Chapman does not wish to increase regional inconsistencies and that she seeks to create a system that, at the very least, reflects conditions that are not based on income. Therefore, I pose the question to Maggie Chapman whether she wishes supply, in particular in rural areas, to reduce further—because amendment 168 would do exactly that.

Amendment 72, in the name of Maggie Chapman, refers to the situation in which a tenant receives written notice of a rent increase from their landlord. The amendment would change the notice period from 21 to 30 days.

Amendment 73 refers to situations in which a tenant receives a rent increase and may apply to the tribunal for determination of whether the previous rent increase took place less than 12 months previously. However, they must first notify their landlord in writing of the reasons why they consider the rent increase to be unfair within 30 days of receiving the increase notice, rather than within 21 days. My question is this: how did Maggie Chapman arrive at 21 days as opposed to 30? What discussion took place between private rented sector stakeholders and tenant rights groups to ensure that such a period was proportionate and reasonable?

Amendments 34, 35 and 36, in the name of Maggie Chapman, would introduce increased penalties for landlords, which risk driving good landlords out of the sector. The continued cumulative burden of regulations and financial risks on the sector would lead to property sales and a reduction in the number of available rented homes. The impact would be felt most acutely by tenants, because their housing options would

shrink and competition for remaining properties would increase. Rather than focusing on penal measures that would lead to a reduction in the number of rental properties, we should support enforcement for compliance and uphold standards without undermining supply.

Màiri McAllan: I am conscious that it is taking me some time to get through my opening remarks, so I will keep my closing remarks brief.

I neglected to mention Edward Mountain's amendments 173 and 174, which I am sorry about. The bill currently sets out that, where a rent control is in place, rent increases will be limited to one increase in 12 months, even if the tenant changes. As Mr Mountain said, his amendments would reduce the period to six months. I am afraid to disappoint him, but I cannot agree to that. I do not support rent increases between tenancies, nor a shortening of those important periods.

I urge members to support my amendments. I am pleased to support Maggie Chapman's amendments 72 and 73 and Edward Mountain's amendment 175, but I ask members to reject the others.

Amendment 152 agreed to.

Amendment 153 moved—[Maggie Chapman].

The Deputy Presiding Officer: The question is, that amendment 153 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

The vote is closed.

Gordon MacDonald (Edinburgh Pentlands) (SNP): On a point of order, Presiding Officer. My phone would not connect. I would have voted no.

The Deputy Presiding Officer: Thank you, Mr MacDonald. Your vote will be recorded.

For

Burgess, Ariane (Highlands and Islands) (Green)
 Chapman, Maggie (North East Scotland) (Green)
 Greer, Ross (West Scotland) (Green)
 Harvie, Patrick (Glasgow) (Green)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Mason, John (Glasgow Shettleston) (Ind)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Ind)

Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dowe, Sharon (South Scotland) (Con)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Eagle, Tim (Highlands and Islands) (Con)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (North East Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Griffin, Mark (Central Scotland) (Lab)
 Harper, Emma (South Scotland) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Regan, Ash (Edinburgh Eastern) (Alba)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)

Simpson, Graham (Central Scotland) (Reform)
 Stevenson, Collette (East Kilbride) (SNP) [Proxy vote cast by Fulton MacGregor]
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Sweeney, Paul (Glasgow) (Lab)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Villalba, Mercedes (North East Scotland) (Lab)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 8, Against 98, Abstentions 0.

Amendment 153 disagreed to.

Amendment 154 not moved.

Amendment 66 moved—[Màiri McAllan].

The Deputy Presiding Officer: The question is, that amendment 66 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

The vote is closed.

Gordon MacDonald: On a point of order, Presiding Officer. My phone still would not connect. I would have voted yes.

The Deputy Presiding Officer: Thank you, Mr MacDonald. Your vote will be recorded.

Katy Clark: On a point of order, Presiding Officer. My vote is yes.

The Deputy Presiding Officer: Thank you, Ms Clark. Your vote will be recorded.

For

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)

Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dowey, Sharon (South Scotland) (Con)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Eagle, Tim (Highlands and Islands) (Con)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (North East Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Griffin, Mark (Central Scotland) (Lab)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Simpson, Graham (Central Scotland) (Reform)
 Stevenson, Collette (East Kilbride) (SNP) [Proxy vote cast by Fulton MacGregor]
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Sweeney, Paul (Glasgow) (Lab)

Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Villalba, Mercedes (North East Scotland) (Lab)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Burgess, Ariane (Highlands and Islands) (Green)
 Chapman, Maggie (North East Scotland) (Green)
 Greer, Ross (West Scotland) (Green)
 Harvie, Patrick (Glasgow) (Green)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)

The Deputy Presiding Officer: The result of the division is: For 98, Against 7, Abstentions 0.

Amendment 66 agreed to.

Amendment 155 moved—[Màiri McAllan]—and agreed to.

Section 19—Setting and variation of rent

Amendment 156 not moved.

The Deputy Presiding Officer: I remind members that, if amendment 157 is agreed to, I cannot call amendments 67 to 69, 158 to 161, 278, 279 and 162, due to pre-emption.

Amendment 157 not moved.

Amendments 67 to 69 moved—[Màiri McAllan].

The Deputy Presiding Officer: The question is, that amendments 67 to 69 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Carlaw, Jackson (Eastwood) (Con)

Carson, Finlay (Galloway and West Dumfries) (Con)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dowey, Sharon (South Scotland) (Con)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Eagle, Tim (Highlands and Islands) (Con)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (North East Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Griffin, Mark (Central Scotland) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kerr, Stephen (Central Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 Lumsden, Douglas (North East Scotland) (Con)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Simpson, Graham (Central Scotland) (Reform)
 Stevenson, Collette (East Kilbride) (SNP) Proxy vote cast by Fulton MacGregor
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)

Sturgeon, Nicola (Glasgow Southside) (SNP)
 Sweeney, Paul (Glasgow) (Lab)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Villalba, Mercedes (North East Scotland) (Lab)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Burgess, Ariane (Highlands and Islands) (Green)
 Chapman, Maggie (North East Scotland) (Green)
 Greer, Ross (West Scotland) (Green)
 Harvie, Patrick (Glasgow) (Green)
 Mackay, Gillian (Central Scotland) (Green) Proxy vote cast by Ross Greer
 Regan, Ash (Edinburgh Eastern) (Alba)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)

Abstentions

Balfour, Jeremy (Lothian) (Ind)

The Deputy Presiding Officer: The result of the division is: For 99, Against 8, Abstentions 1.

Amendments 67 to 69 agreed to.

Amendment 158 moved—[Graham Simpson].

The Deputy Presiding Officer: The question is, that amendment 158 be agreed to. Are we agreed?

Members: No.

19:30

The Deputy Presiding Officer: There will be a division.

The vote is closed.

The Cabinet Secretary for Finance and Local Government (Shona Robison): On a point of order, Presiding Officer. My app would not connect. I would have voted no.

The Deputy Presiding Officer: Thank you, Ms Robison. Your vote will be recorded.

For

Baillie, Jackie (Dumarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Ind)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Choudhury, Foyso (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Dowey, Sharon (South Scotland) (Con)

Duncan-Glancy, Pam (Glasgow) (Lab)
 Eagle, Tim (Highlands and Islands) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Griffin, Mark (Central Scotland) (Lab)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lumsden, Douglas (North East Scotland) (Con)
 McCall, Roz (Mid Scotland and Fife) (Con)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Regan, Ash (Edinburgh Eastern) (Alba)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Simpson, Graham (Central Scotland) (Reform)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Sweeney, Paul (Glasgow) (Lab)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Chapman, Maggie (North East Scotland) (Green)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Greer, Ross (West Scotland) (Green)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)

Maguire, Ruth (Cunninghame South) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Stevenson, Collette (East Kilbride) (SNP) [Proxy vote cast by Fulton MacGregor]
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Villalba, Mercedes (North East Scotland) (Lab)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 41, Against 67, Abstentions 0.

Amendment 158 disagreed to.

Amendment 159 not moved.

Amendment 160 moved—[Graham Simpson].

The Deputy Presiding Officer: The question is, that amendment 160 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Ind)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Dowey, Sharon (South Scotland) (Con)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Eagle, Tim (Highlands and Islands) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Griffin, Mark (Central Scotland) (Lab)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Johnson, Daniel (Edinburgh Southern) (Lab)

Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lumsden, Douglas (North East Scotland) (Con)
 McCall, Roz (Mid Scotland and Fife) (Con)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Regan, Ash (Edinburgh Eastern) (Alba)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Simpson, Graham (Central Scotland) (Reform)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Sweeney, Paul (Glasgow) (Lab)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Chapman, Maggie (North East Scotland) (Green)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Greer, Ross (West Scotland) (Green)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)

Minto, Jenni (Argyll and Bute) (SNP)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Stevenson, Collette (East Kilbride) (SNP) [Proxy vote cast by Fulton MacGregor]
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Villalba, Mercedes (North East Scotland) (Lab)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 41, Against 67, Abstentions 0.

Amendment 160 disagreed to.

Amendment 161 moved—[Edward Mountain].

The Deputy Presiding Officer: The question is, that amendment 161 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

The vote is closed.

Colin Beattie (Midlothian North and Musselburgh) (SNP): On a point of order, Presiding Officer. I could not connect. I would have voted no.

The Deputy Presiding Officer: Thank you, Mr Beattie. Your vote will be recorded.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Ind)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Dowey, Sharon (South Scotland) (Con)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Eagle, Tim (Highlands and Islands) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Griffin, Mark (Central Scotland) (Lab)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)

Kerr, Stephen (Central Scotland) (Con)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lumsden, Douglas (North East Scotland) (Con)
 McCall, Roz (Mid Scotland and Fife) (Con)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Regan, Ash (Edinburgh Eastern) (Alba)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Simpson, Graham (Central Scotland) (Reform)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Sweeney, Paul (Glasgow) (Lab)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Chapman, Maggie (North East Scotland) (Green)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Greer, Ross (West Scotland) (Green)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)

Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Stevenson, Collette (East Kilbride) (SNP) [Proxy vote cast by Fulton MacGregor]
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Villalba, Mercedes (North East Scotland) (Lab)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 41, Against 67, Abstentions 0.

Amendment 161 disagreed to.

Amendments 278 and 279 not moved.

Amendment 162 moved—[Edward Mountain].

The Deputy Presiding Officer: The question is, that amendment 162 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Ind)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Dowey, Sharon (South Scotland) (Con)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Eagle, Tim (Highlands and Islands) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Griffin, Mark (Central Scotland) (Lab)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lumsden, Douglas (North East Scotland) (Con)
 McCall, Roz (Mid Scotland and Fife) (Con)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Regan, Ash (Edinburgh Eastern) (Alba)

Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Simpson, Graham (Central Scotland) (Reform)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Chapman, Maggie (North East Scotland) (Green)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Greer, Ross (West Scotland) (Green)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)

Stevenson, Collette (East Kilbride) (SNP) [Proxy vote cast by Fulton MacGregor]

Stewart, Kaukab (Glasgow Kelvin) (SNP)

Stewart, Kevin (Aberdeen Central) (SNP)

Sturgeon, Nicola (Glasgow Southside) (SNP)

Swinney, John (Perthshire North) (SNP)

Todd, Maree (Caithness, Sutherland and Ross) (SNP)

Torrance, David (Kirkcaldy) (SNP)

Tweed, Evelyn (Stirling) (SNP)

Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)

Wishart, Beatrice (Shetland Islands) (LD)

Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 42, Against 66, Abstentions 0.

Amendment 162 disagreed to.

Amendment 163 not moved.

The Deputy Presiding Officer: I remind members that, if amendment 164 is agreed to, I cannot call amendment 70, because of pre-emption.

Amendment 164 not moved.

Amendment 70 moved—[Màiri McAllan]—and agreed to.

The Deputy Presiding Officer: I remind members that, if amendment 165 is agreed to, I cannot call amendment 166, because of pre-emption.

Amendment 165 moved—[Maggie Chapman].

The Deputy Presiding Officer: The question is, that amendment 165 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Burgess, Ariane (Highlands and Islands) (Green)

Chapman, Maggie (North East Scotland) (Green)

Greer, Ross (West Scotland) (Green)

Harvie, Patrick (Glasgow) (Green)

Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]

Ruskell, Mark (Mid Scotland and Fife) (Green)

Slater, Lorna (Lothian) (Green)

Villalba, Mercedes (North East Scotland) (Lab)

Against

Adam, George (Paisley) (SNP)

Adam, Karen (Banffshire and Buchan Coast) (SNP)

Adamson, Clare (Motherwell and Wishaw) (SNP)

Allan, Alasdair (Na h-Eileanan an Iar) (SNP)

Arthur, Tom (Renfrewshire South) (SNP)

Baillie, Jackie (Dumarton) (Lab)

Baker, Claire (Mid Scotland and Fife) (Lab)

Balfour, Jeremy (Lothian) (Ind)

Beattie, Colin (Midlothian North and Musselburgh) (SNP)

Bibby, Neil (West Scotland) (Lab)

Boyack, Sarah (Lothian) (Lab)

Briggs, Miles (Lothian) (Con)

Brown, Keith (Clackmannanshire and Dunblane) (SNP)

Brown, Siobhian (Ayr) (SNP)

Burnett, Alexander (Aberdeenshire West) (Con)

Callaghan, Stephanie (Uddingston and Bellshill) (SNP)

Carlaw, Jackson (Eastwood) (Con)

Carson, Finlay (Galloway and West Dumfries) (Con)

Choudhury, Foysol (Lothian) (Lab)

Clark, Katy (West Scotland) (Lab)

Cole-Hamilton, Alex (Edinburgh Western) (LD)

Constance, Angela (Almond Valley) (SNP)

Dey, Graeme (Angus South) (SNP)

Don-Innes, Natalie (Renfrewshire North and West) (SNP)

Doris, Bob (Glasgow Maryhill and Springburn) (SNP)

Dornan, James (Glasgow Cathcart) (SNP)

Dowey, Sharon (South Scotland) (Con)

Dunbar, Jackie (Aberdeen Donside) (SNP)

Duncan-Glancy, Pam (Glasgow) (Lab)

Eagle, Tim (Highlands and Islands) (Con)

Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)

Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)

Fraser, Murdo (Mid Scotland and Fife) (Con)

Gallacher, Meghan (Central Scotland) (Con)

Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)

Golden, Maurice (North East Scotland) (Con)

Gougeon, Mairi (Angus North and Mearns) (SNP)

Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)

Gray, Neil (Airdrie and Shotts) (SNP)

Greene, Jamie (West Scotland) (LD)

Griffin, Mark (Central Scotland) (Lab)

Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)

Harper, Emma (South Scotland) (SNP)

Haughey, Clare (Rutherglen) (SNP)

Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)

Hyslop, Fiona (Linlithgow) (SNP)

Johnson, Daniel (Edinburgh Southern) (Lab)

Halcro Johnston, Jamie (Highlands and Islands) (Con)

Kerr, Stephen (Central Scotland) (Con)

Kidd, Bill (Glasgow Anniesland) (SNP)

Lennon, Monica (Central Scotland) (Lab)

Leonard, Richard (Central Scotland) (Lab)

Lochhead, Richard (Moray) (SNP)

Lumsden, Douglas (North East Scotland) (Con)

MacDonald, Gordon (Edinburgh Pentlands) (SNP)

MacGregor, Fulton (Coatbridge and Chryston) (SNP)

Mackay, Rona (Strathkelvin and Bearsden) (SNP)

Macpherson, Ben (Edinburgh Northern and Leith) (SNP)

Maguire, Ruth (Cunninghame South) (SNP)

Mason, John (Glasgow Shettleston) (Ind)

Matheson, Michael (Falkirk West) (SNP)

McAllan, Màiri (Clydesdale) (SNP)

McArthur, Liam (Orkney Islands) (LD)

McCall, Roz (Mid Scotland and Fife) (Con)

McKee, Ivan (Glasgow Provan) (SNP)

McLennan, Paul (East Lothian) (SNP)

McMillan, Stuart (Greenock and Inverclyde) (SNP)

McNair, Marie (Clydebank and Milngavie) (SNP)

Minto, Jenni (Argyll and Bute) (SNP)

Mochan, Carol (South Scotland) (Lab)

Mountain, Edward (Highlands and Islands) (Con)

Mundell, Oliver (Dumfriesshire) (Con)

Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)

Regan, Ash (Edinburgh Eastern) (Alba)

Rennie, Willie (North East Fife) (LD)

Robertson, Angus (Edinburgh Central) (SNP)

Robison, Shona (Dundee City East) (SNP)

Roddick, Emma (Highlands and Islands) (SNP)

Ross, Douglas (Highlands and Islands) (Con)

Rowley, Alex (Mid Scotland and Fife) (Lab)

Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)

Simpson, Graham (Central Scotland) (Reform)

Stevenson, Collette (East Kilbride) (SNP) [Proxy vote cast

by Fulton MacGregor]
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Sweeney, Paul (Glasgow) (Lab)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 8, Against 100, Abstentions 0.

Amendment 165 disagreed to.

Amendment 166 not moved.

Amendment 167 moved—[Maggie Chapman].

The Deputy Presiding Officer: The question is, that amendment 167 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division. Members should cast their vote now.

The vote is closed.

Colin Beattie: On a point of order, Presiding Officer. Things are a bit dodgy here, so I was wondering whether my vote has registered.

The Deputy Presiding Officer: I can confirm that your vote has been recorded.

For

Burgess, Ariane (Highlands and Islands) (Green)
 Chapman, Maggie (North East Scotland) (Green)
 Greer, Ross (West Scotland) (Green)
 Harvie, Patrick (Glasgow) (Green)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Villalba, Mercedes (North East Scotland) (Lab)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Ind)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)

Burnett, Alexander (Aberdeenshire West) (Con)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dowe, Sharon (South Scotland) (Con)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Eagle, Tim (Highlands and Islands) (Con)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (North East Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Griffin, Mark (Central Scotland) (Lab)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 Lumsden, Douglas (North East Scotland) (Con)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Regan, Ash (Edinburgh Eastern) (Alba)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Simpson, Graham (Central Scotland) (Reform)
 Stevenson, Collette (East Kilbride) (SNP) [Proxy vote cast

by Fulton MacGregor]
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Sweeney, Paul (Glasgow) (Lab)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division is: For 8, Against 100, Abstentions 0.

Amendment 167 disagreed to.

Amendment 168 not moved.

Amendments 169 to 171 moved—[Maggie Chapman].

The Deputy Presiding Officer: The question is, that amendments 169 to 171 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Burgess, Ariane (Highlands and Islands) (Green)
 Chapman, Maggie (North East Scotland) (Green)
 Greer, Ross (West Scotland) (Green)
 Harvie, Patrick (Glasgow) (Green)
 Mackay, Gillian (Central Scotland) (Green) Proxy vote cast by Ross Greer
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Villalba, Mercedes (North East Scotland) (Lab)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Ind)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Choudhury, Foyso (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)

Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dowey, Sharon (South Scotland) (Con)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Eagle, Tim (Highlands and Islands) (Con)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (North East Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Griffin, Mark (Central Scotland) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kerr, Stephen (Central Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 Lumsden, Douglas (North East Scotland) (Con)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Regan, Ash (Edinburgh Eastern) (Alba)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Simpson, Graham (Central Scotland) (Reform)
 Stevenson, Collette (East Kilbride) (SNP) Proxy vote cast by Fulton MacGregor
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Sweeney, Paul (Glasgow) (Lab)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)

Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 8, Against 100, Abstentions 0.

Amendments 169 to 171 disagreed to.

Amendments 172 and 280 not moved.

Amendment 173 moved—[Edward Mountain].

The Deputy Presiding Officer: The question is, that amendment 173 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Balfour, Jeremy (Lothian) (Ind)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Dowey, Sharon (South Scotland) (Con)
 Eagle, Tim (Highlands and Islands) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lumsden, Douglas (North East Scotland) (Con)
 McCall, Roz (Mid Scotland and Fife) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Ross, Douglas (Highlands and Islands) (Con)
 Simpson, Graham (Central Scotland) (Reform)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Chapman, Maggie (North East Scotland) (Green)

Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mochan, Carol (South Scotland) (Lab)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Slater, Lorna (Lothian) (Green)
 Stevenson, Collette (East Kilbride) (SNP) [Proxy vote cast by Fulton MacGregor]
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Sweeney, Paul (Glasgow) (Lab)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Villalba, Mercedes (North East Scotland) (Lab)
 Whitfield, Martin (South Scotland) (Lab)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)

Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 24, Against 83, Abstentions 0.

Amendment 173 disagreed to.

Amendment 174 not moved.

19:45

The Deputy Presiding Officer: Before we move to the next group, members will note that we have passed the agreed time limit for the debate on group 6 to finish. I exercise my power under rule 9.8.4A(c) to allow debate on the group to continue beyond the limit, in order to avoid the debate being unreasonably curtailed.

Group 7 is on repairs and standards. Amendment 3, in the name of Maggie Chapman, is grouped with amendments 71, 71A, 5, 78, 78A, 228, 294 to 297, 231, 230, 298 to 301, 348 to 350, 244, 115, 375, 259, 380, 381, 117, 28 and 29.

Maggie Chapman: Amendments 71, 71A, 78 and 78A set an important principle: that rent should not be increased if minimum standards are not met. Many landlords in the private rented sector provide high-quality homes; however, some do not, and improvement is required.

Fifty-five per cent of homes in the private sector have wall insulation compared to 69 per cent in the social sector. That is why almost 70 per cent of social homes—almost 20 per cent higher than in the private rented sector—have an EPC rating of C or higher. Levels of disrepair to critical elements such as heating and water supply are higher in the private sector than in any other.

When it comes to overall quality, 40 per cent of private sector dwellings failed the Scottish housing quality standard in 2023, compared with 30 per cent in the social sector. In the private sector, around twice the proportion of properties as in the social sector fail in three or more criteria.

In some parts of the private rented sector, there are clear problems with poor energy efficiency, damp and other things. If we freeze rents when minimum standards are not met, landlords will have little choice but to bring their properties up to scratch.

I have listened to previously expressed concerns, and amendments 71A and 78A make it clear that I do not intend to bring in new standards. Existing tolerable and repairing standards can be used.

To do some further tidying up, I note that amendments 3 and 5 are older versions of amendments 71 and 78 respectively, so I will not press amendment 3 or move amendment 5.

I welcome Mark Griffin's group of amendments on damp and mould. Better defining mould and damp and ensuring that inspectors are properly qualified to detect it are good steps towards better tackling poor-quality accommodation. I also support his amendment 299, which seeks to modify the repairing standard with a view to speeding up repairs.

Paul Sweeney's amendment 115, which would allow tenants to refer a property to the local authority for it to consider purchasing and improving it, is also welcome. Given that relatively few inspections are done—an issue that my colleague Lorna Slater will speak to on behalf of Ariane Burgess—councils will not necessarily be aware of where the poor-quality properties are, and amendment 115 addresses that. Given that the Scottish Government has just launched an £80 million scheme to enable councils to buy properties and get people out of temporary accommodation, amendment 115 appears to be in line with the Scottish Government's approach.

Jamie Halcro Johnston's amendment 244 would require a presumption in favour of enabling direct-emission heating systems in rural areas and island areas. Although I appreciate the challenges that are faced by rural and island communities, green technologies are improving all the time and, given the fact that time is running out for tackling the climate crisis, we cannot encourage the installation of polluting heating systems in perpetuity. We need to change how we do things.

Jamie Halcro Johnston (Highlands and Islands) (Con): I respect that there are improvements in some heating systems, but does Maggie Chapman not accept that, for many communities and homes across the Highlands and Islands region, in particular, such a secondary direct-emission system is a real life saver when bad weather hits?

Maggie Chapman: Yes. As somebody who represents the north-east, I, too, am familiar with the consequences of bad weather. However, we need to future proof our legislation. Mechanisms that we can use in the short term do not require primary legislation. Putting that provision in the bill is problematic.

All in all, there are important principles in many of the amendments in the group. Accommodation needs to meet standards, and we should do whatever we can to drive up those standards. My amendments in the group would do that.

I move amendment 3.

Graham Simpson: The idea behind amendment 228 was that we could keep a lifetime record of a property and the work that had been done to it. On reflection, the way that the

amendment is worded is perhaps too onerous, so I will not move it.

I will move quickly on to amendments 230 and 231, which deal with damp and mould. At stage 2, there was a lot of debate about Awaab's law. I am grateful that the cabinet secretary has said that she wants to bring in Awaab's law in Scotland. Amendments 230 and 231 would do that in a tougher way than the one that applies in England. That is not necessarily a bad thing.

I attempted to lodge a manuscript amendment, to mirror what will be the situation in England when the UK Government lays regulations. Sadly, it was rejected. That was a missed opportunity; it would have been good for the Parliament to have the chance to vote on that. In his amendments, Mark Griffin tackles the same problem. He has my support—I hope that he moves his amendments.

Paul Sweeney's amendment 115 would establish a system whereby, if someone were in a substandard property, they could ask their council to buy it and transfer it to a housing association. I am not clear on what the cost of all that would be or even whether councils or housing associations would want such properties. I suspect that they would not.

Paul Sweeney (Glasgow) (Lab): Perhaps I can provide some clarity on the point that Graham Simpson makes. That activity has already been undertaken in the city of Glasgow, and my idea is to provide a better system of allowing tenants to express their desire for their property to be considered for such a scheme. It would create a better demand signal or understanding about substandard properties that might be eligible for the compulsory purchase order activity that is already undertaken in Glasgow. Other local authorities do not have such a scheme. In Glasgow, the need for it is significant.

It might be worth considering a scheme to offset the cost of making good dilapidations against the value of the property. There are provisions for that in relation to listed buildings, although, unfortunately, those provisions have been exercised on only one occasion—in Dundee—in the 25-plus years for which the legislation has been in force. There are behavioural issues with local authorities, but it is worth testing the idea and trying to put it on the statute book. It would be a useful mechanism.

Graham Simpson: That was quite an intervention. We probably do not need to hear from Mr Sweeney again, because he has explained it all. I will study the wording of the amendment—I think that it is too onerous, but if Mr Sweeney wants to add to what he has already said, I look forward to hearing it. I will end my comments there.

Mark Griffin: I welcome the Scottish Government's commitment to full implementation of Awaab's law for both private and social landlords. That will help some of my constituents who are trying to ensure that their homes are not putting the lives of their children in danger because of damp and mould.

However, we can go further to ensure that people have confidence that issues of damp and mould will be identified correctly and acted on quickly. My amendments 294 to 297 are designed to strengthen the Government's commitment by tightening up the conditional language and ensuring robust and enforceable standards for tackling damp and mould in Scotland's homes.

Like other amendments in the group, my amendments seek to tighten timescales for dealing with damp and mould when it is found in homes. I have stipulated that ministers must publish statutory guidance, approved by the Parliament through the affirmative procedure, on the timescale in which a landlord must respond to a resident's complaint of damp or mould and on the timescale for effectively dealing with damp or mould when it is found.

Clear, enforceable timescales are essential for protecting tenants' health and wellbeing. Linking that to statutory guidance that is subject to parliamentary approval would ensure the accountability and transparency of that process. Voting in favour of the amendments would close any loopholes in the current wording and guarantee that action is not left to landlords' discretion.

Amendment 295 would require ministers to publish statutory guidance—again, to be approved by Parliament—defining what constitutes a significant level of damp and mould that would trigger the legal requirement for landlords to act. The current wording provides that, as long as a property is substantially free from damp and mould, it meets the tolerable standard. However, one person's view of something that is substantially free from damp and mould will vary wildly from another's. The amendment would give tenants and landlords clarity on when action is required.

I accept that there is current guidance on levels of damp and mould in homes, but amendment 295 would allow ministers to ensure that the law is robust and that tenants are not left in unsafe or unhealthy conditions due to that threshold being perceived to be vague.

Amendment 294 stipulates that ministers must publish statutory guidance—again, to be approved by Parliament—setting out the required level of qualification for inspectors who determine the presence and severity of damp and mould. That

would ensure that inspections would be carried out by competent, qualified professionals, and it would protect tenants from inadequate or inconsistent assessments.

We have heard over and over from tenants—I am sure that many MSPs will have heard this at their surgeries—about those who come to assess damp or mould in people's homes. The tenants are told to spray it with disinfectant, open a window or cover it up with damp-proof paint as if, all of a sudden, that will fix what are real, substantive, structural issues related to dampness. Specifying the required level of qualification for inspectors would go some way towards giving residents the reassurance that they need that their complaints about damp and mould will be treated appropriately.

My group of amendments come as a package, and they represent practical steps to ensure that Awaab's law is implemented in full with clear standards and robust protections for tenants. They would help to deliver safe, healthy homes for everyone in Scotland and ensure that our legislation is both effective and enforceable. They would help my constituents and tenants throughout Scotland to have confidence in the laws that are designed to protect them and their children from ill health simply because of the homes that they happen to live in.

Lorna Slater (Lothian) (Green): I am speaking to Ariane Burgess's amendments because she is currently unable to attend the chamber.

Amendments 300 and 301 would revamp the rules on local authority inspections of private rented accommodation. Amendment 300 would allow local authorities to routinely inspect homes. Amendment 301 would give them the power to undertake spot checks of private lets at any time as long as they had the prior consent of the tenant. Both amendments would build on existing powers in supporting tenants and pushing standards higher by cracking down on the minority of rogue landlords who do not meet their obligations to provide good-quality housing.

I underline that many private landlords are good landlords who do their best to meet their tenants' needs and fulfil their obligations to them. Those landlords are let down by a minority, and it is that minority whose behaviour and practice we are trying to change.

It is pleasing to note that the amendments have support from stakeholders representing both landlords and tenants, including Scottish Land & Estates and Living Rent. We believe that that reflects the fact that we have listened to and acted on the feedback on amendments that we lodged at stage 2. There was a concern that imposing a £10,000 fine on landlords would deter investment

in the private rented sector. We have taken that on board and have modified the amendments so that ministers would have powers to determine the level of fine that private rented landlords may face.

Likewise, we have stated that ministers must set out a timescale within which private landlords may resolve issues before they face a fine. Ministers would also be able to determine the standards that landlords would be held to by local authorities.

Those changes maintain the spirit of the amendments that Ariane Burgess lodged along those lines at stage 2. They put rogue landlords on notice that it is not okay to provide dangerous, substandard housing and that, if they persist in not fixing problems with the homes that they rent, they will face a penalty.

Amendments 380 and 381 are consequential to amendments 300 and 301.

The Scottish Greens welcome Richard Leonard's move to bring back the seasonal worker accommodation standards amendment that we lodged at stage 2. We believe that his amendments 348 to 350 would provide an often-exploited group with valuable protections and rectify a glaring gap in accommodation standards that the Scottish Government has thus far been slow to act on.

20:00

Richard Leonard (Central Scotland) (Lab): My three amendments in this group are three different means, but each to the same end: to close the current legal loophole that allows for the exploitation of seasonal migrant workers on farms across Scotland, and so to end the national scandal of these farm workers who have no protection whatsoever—none—over the standard of their accommodation.

There are 6,000 to 7,000 migrant workers on six-month-long seasonal visas in Scotland, mostly coming from central Asia. Ninety-five per cent of them are tied into accommodation with their employer. That accommodation, in almost all cases—caravans, portakabins and even containers; windowless metal boxes—are all exempt from regulation, exempt from standards and exempt from inspections. There is no national law, no local byelaw, no national inspection and no local inspection.

I have met these workers a number of times over the last year and a half to hear their experiences at first hand. When I met them again just a few weeks ago, they told me that as long as this Parliament fails to legislate, fails to act and fails to enforce, nothing will change. Even with an exposé on national television by ITN, nothing has changed—oh, except their rent. That changed—it

has gone up again this year from £70 a week to £74 a week. That is £11,000 per caravan per season. Those workers are on £12.21 an hour.

I have to ask, as I have asked in Parliament before, where does all that money go? Where does all that rental income go, because it is not reinvested in improving the standard of accommodation? When the president of the National Farmers Union Scotland tells us at the weekend:

“Profitability must be front and centre if we are serious about sustainable farming”,

he needs to reflect on this.

When I met those workers just last month, they showed me photographs, played video evidence and gave me personal testimony of caravans in the middle of fields, dangerously perched on bricks, with gaps in the walls and ceilings so wide that the workers freeze at night; of dampness and mould; of containers with no windows or ventilation; of caravans with windows that will not close; of overcrowding, with caravans that are designed for four commonly sleeping six. Poignantly, they spoke of the safety risks that they face, including the risk of fire.

Let me also put on the record that I am talking here about the living conditions of both men and women workers. I cannot help feeling, because much of this accommodation is out of sight and because these are migrant workers who feel unable to speak out publicly for fear of being blacklisted, that they have been abandoned and expected to survive not just in squalor but in slave-like conditions.

Following amendments that I lodged to the Agriculture and Rural Communities (Scotland) Bill last year, and thanks to agitation inside and outside Parliament by the highly effective Worker Support Centre, which is an outstanding advocate for these workers, the Government set up a working group, which has been carrying out a scoping exercise, looking at what can be done. I raised this in questions in Parliament back in May to the then Minister for Housing as a call to action. But I repeat: nothing has changed.

The First Minister told ITN over a year ago that he found the pictures that he was shown by the journalist Peter Smith “completely unacceptable” and “troubling”, and that he would take a personal interest. But I repeat: one year later, nothing has changed.

I say to the First Minister today: three out of the six biggest areas of employment of seasonal migrant labourers are in Scotland—in Angus, in Fife and in Perth and Kinross. This is rightly troubling for the First Minister—it should be rightly troubling for all of us—but there is no one more

troubled than those workers sleeping out in those fields tonight.

Amendment 348 requires inspectors in the Scottish Agricultural Wages Board to ensure that this seasonal workers accommodation is fit for human habitation. It is similar to an amendment that I lodged last year to the Agriculture and Rural Communities (Scotland) Bill. At stage 2 of the Housing (Scotland) Bill, Ariane Burgess also lodged a similar amendment but did not move it.

The cabinet secretary said in response at stage 2:

“I absolutely recognise the point that you are making, and I would be happy to provide that information in writing to you and the committee following today’s discussions.”—*[Official Report, Local Government, Housing and Planning Committee, 20 May 2025; c 26.]*

But when a note was sent to the committee after the cabinet secretary’s appearance before it, as far as I can see, nothing was included that addressed this.

My view is that the Agricultural Wages Board, which enforces the accommodation rate on these seasonal workers, should also be the board that enforces the accommodation standards for these seasonal workers. Twenty-one Scottish Government employees currently carry out inspections as part of their work, and they work in the rural payments and inspections division. That is the division that pays out £660 million a year in farm payments on our behalf, so I would argue that that gives them—and it gives us—some leverage.

Amendment 349 is another way of breaking the impasse and closing the exemptions and loopholes in the current legal framework. Under the Housing (Scotland) Act 1987, local authorities have a duty to ensure that houses meet a “tolerable standard” and, if they do not, to close or demolish them. The tolerable standard applies to every house in a local authority area, but it does not apply to this accommodation. Under the 1987 act, mobile homes are not considered houses, so they fall outwith the scope of the tolerable standard. That is what we need to address. There are provisions through byelaws, so I sent a freedom of information request to every local authority in Scotland last year, and not one of the 27 that responded had any such byelaw. Amendment 349 seeks to bring them within scope.

Finally, amendment 350 is yet another route to simply end the exemption of seasonal workers’ accommodation from the provisions of the law—in this case, the Caravan Sites and Control of Development Act 1960.

Graham Simpson: Richard Leonard has outlined a disgraceful situation in which people in this country are having to live in such substandard

conditions. Nobody should have to do that. My understanding of what he is telling us is that there are no rules that protect those people. There seem to be no inspections of the accommodation or the standard of it. Is that his understanding, too?

Richard Leonard: Yes, it is. I got a parliamentary answer from Paul McLennan on 12 November 2024 in which he said:

“Caravans and static homes provided by employers through a Service Occupancy Agreement are not subject to housing standards. Where agricultural land is used for the accommodation of people involved in farming operations on a seasonal basis, a site licence for a caravan is not required.”—[*Written Answers*, 12 November 2024; S6W-30998.]

So, I am asking for these loopholes to be closed, because how can it possibly be justified—how can it possibly be right—that, if you stay in a caravan for a week’s holiday, you are entitled to certain tolerable housing standards, but, if you work on the land for six months, helping to bring the harvest home, stocking our supermarket shelves and generating export earnings, you are not entitled to any housing standards whatsoever? I will move the amendments in my name.

The Deputy Presiding Officer (Liam McArthur): I advise members that, as they will be aware, we are well behind time in this debate, so I encourage members to be as brief as possible, without failing to do justice to the seriousness of the issues.

Jamie Halcro Johnston: My amendments 244 and 259 are similar to amendments that I lodged at stage 2. Together, they provide that, when the Scottish Government makes regulations relating to direct-emission heating systems, it must implement a presumption in favour of secondary direct-emission heating systems in homes in remote and rural areas and on our islands.

The amendments aim to ensure that, in homes in areas where essential connections might be less reliable or subject to increased risk of being lost—often, because of extreme weather—and where help or support is less readily available, facilities to heat, cook and provide hot water are maintained. There have been plenty of recent examples in which the extent of damage to energy distribution systems has caused major disruption to services to local homes, not only in my region, in the Highlands and Islands, but across the regions of many members in the chamber.

Having experienced being snowed in at my own home in Orkney for five days without power, but with access to heating and hot water that was provided by our wood-burning stove, and with the ability to cook hot meals in a house, parts of which were registering temperatures below 0°C, I know all too well how important resilience and having the appropriate backup can be. Only last year, in

response to proposed regulations in this area, I introduced a motion to Parliament that achieved cross-party support, including from several members on the SNP benches, on the importance of wood-burning stoves and other direct-emission heating in island and rural communities. That was followed by an excellent members’ business debate in which the topic was discussed in far more detail than we would be able to fit in today, and in which there was widespread recognition—again from across the parties, including the SNP—of the importance of direct-emission heating in remote and rural communities.

I am pleased that the Scottish Government U-turned on its proposed ban on secondary direct-emission heating devices, such as wood-burning stoves, in new-build homes at that time. However, despite that U-turn in November 2024, it has become clear that secondary heating should be protected in primary legislation, with a requirement that the Scottish Government have due regard to those issues into the future.

At stage 2, the Cabinet Secretary for Social Justice questioned the necessity of my amendments on this matter, indicating that the Scottish Government had no plans to bring forward further regulation in the area at this time. Shirley-Anne Somerville noted her concerns that those amendments

“could tie the hands of future Governments, particularly where there remains scope for technological advancement.”—[*Official Report*, 25 May 2025; c 29.]

Amendments 244 and 259 do attempt to tie the Government, and, if change is to be considered, require that it comes back and consults this Parliament. Had the provisions in those amendments already been law, that may well have saved ministers the time—and not a small amount of embarrassment—of U-turning.

It is important that remote, rural and island homes have access to viable and reliable secondary heating options. They are not luxury items in our homes or just something that looks nice in the corner of the room. They help to keep people safe, warm and alive in the worst of conditions. It is vital that regulations made here in Edinburgh take into account the needs of those communities—our communities across the Highlands and Islands and other parts of rural Scotland, where help is further away and takes longer to arrive. I urge members to support my amendments 244 and 259.

The Deputy Presiding Officer: I call Paul Sweeney to speak to amendment 115 and other amendments in the group.

Paul Sweeney: I rise to speak to amendment 115 and the associated amendment 117. As has been intimated by colleagues across the chamber,

the purpose of amendment 115 is to ensure that if a property in private let is deemed to be substandard by failing to meet either the repairing standard or the tolerable standard for a period of longer than 12 months, the tenant would have a right in statute to apply to the local authority to initiate action, in addition to the obligations of the local authority that already exist in statute, as was already discussed, in several housing acts going back to the 1980s.

In addition to the provisions that already exist for a local authority, such as for the issuing of closing orders, demolition orders, maintenance orders or repairing orders, the local authority could consider escalation to issuing a compulsory purchase order for the property. After doing so, it could transfer the property to an appropriate local registered social landlord, whether that be the local authority itself, in the case of local authorities that have council housing, or a third-party housing association, in the case of local authorities, such as Glasgow, where direct local authority operation of social housing no longer takes place.

The Government could underwrite that procedure and recover the costs of the purchase over a reasonable period—for example, 25 years from the receiving social landlord taking ownership of the property. That would have the effect of making the policy, in effect, cost neutral for the Government. It would also be a much more sustainable investment strategy than, for example, having to fund emergency temporary accommodation on a haphazard, ad hoc basis. It would allow for the established best practice of using CPOs to take over long-term vacant housing stock to be expanded to the takeover of housing stock that is generally in poor condition, although habitable. That approach has already been undertaken in Glasgow districts such as Govanhill. If that best practice were scaled up on a national basis, it would be more systematic in nature and lessons could be learned from it.

There is already such provision in legislation. For example, section 45 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 allows for

“a direction for minimum compensation”,

such that, when the local authority acquires a property, it can offset the costs of repairing the building against the property’s value. In that way the authority does not incur that full cost of acquisition—it can offset it.

There is reasonable scope in the bill to do something useful to improve the mechanisms that are available to local authorities to bring dilapidated housing stock back up to a reasonable standard for habitation.

20:15

As has been mentioned, Glasgow has been at the forefront of using compulsory purchase orders to tackle problems of long-term vacant properties, which has increased affordable housing supply and ensured the upkeep of pre-1919 tenement stock in particular, of which there was around 70,000 in the city, with an estimated repair backlog of £3 billion. The compulsory purchase order process has been a good way of responding to the blight that has been caused by derelict and abandoned flats and homes that have been left vacant for a variety of reasons, or properties that have previously been let out but are now below the tolerable standard.

With the Government’s recent announcement of an increase in the acquisitions fund from £40 million to £80 million, that would be a useful way of focusing that money into areas of priority need. Glasgow’s promotion of compulsory purchase orders has sent a message that the local authority is active in taking steps against private landlords or other individuals who fail to address problems with their property, although it is seen as a last-resort measure. Fifty-two homes across Glasgow have been pursued for compulsory purchases since 2019, and 34 of those cases have concluded with the acquisition of the property. In other cases, with the serving of the notice, 13 owners opted to sell voluntarily to housing associations, and a further two properties were sold or occupied by family members, which meant that the planned compulsory purchase order was not continued.

In all the cases to date in which compulsory purchase orders have been confirmed, once Glasgow City Council has invested in the property, it has entered into back-to-back agreements with local community-based housing associations, of which there are more than 60 in Glasgow, which have carried out the necessary repair works with support and grant funding to bring the property up to a tolerable standard and back into active use in order to provide affordable housing for those who need it.

Given the housing emergency in Glasgow and other parts of Scotland, that need is particularly acute, so it would be a useful tool to bring in now. We need not wait for the Government’s on-going consultation on wider CPOs, because the pace of change needs something to get ahead of it. That could be a useful mechanism for the Government to implement now and test how it works and performs with local authorities.

Some of the properties that have previously been targeted for CPOs have been lying empty for more than 14 years, while other properties have been designated as being below the tolerable standard for more than five years. All those empty properties, because they are generally tenemental

stock, create environmental blight and affect neighbours in the wider community and even in the same close. Therefore, the benefit that is derived from bringing those properties and other homes back into use is massive, particularly for tenants and owners who live in close proximity and who have suffered because of abandonment or the poor quality of maintenance.

Although there are budgetary constraints that limit how many CPOs a local authority can achieve, those steps are useful. They are, of course, complicated, time consuming, costly and resource intensive, but we can build a learning curve. In Glasgow's case, they are dependent on building a partnership with housing associations.

The Government should consider accepting the amendment, moving forward with the approach and testing how it could perform.

Meghan Gallacher: I appreciate that I have probably been rather cheeky in lodging my amendment, as I also did so at stage 2, and I understand that it probably does not encompass the exact intent of the bill. However, I have had several discussions with previous ministers regarding the publication of the Grenfell tower inquiry phase 2 report recommendations. In fact, I wrote to the previous minister, Paul McLennan, on the matter, and I thank him again for the time and engagement that he gave to the issue while he was in post.

Identifying buildings and remediation has been incredibly slow, and I am concerned that the method for testing fire performance, BS 8414, is still a route for buildings to fall within compliance. Buildings such as hospitals, care homes, boarding schools and hotels are, in effect, dwellings—they are buildings that people can stay in. For that reason, they need to be captured in the ban on combustible facade material. I lodged amendment 375 to continue to raise those concerns and to consult the Scottish Government to try to ascertain its position on including in the ban hotels, hostels, boarding schools and any other building that falls into that category.

Considering other amendments that we are discussing this evening, I do not know whether the cabinet secretary is in a position to set that out tonight but, if she is not able to do so, we would welcome her coming to the committee or providing a statement to give an update on where we are in relation to remediation of those types of buildings. In particular, I would like an update from the Government on where we are with regard to the recommendations in that report.

It was some time ago, but I believe that Graham Simpson said that he is not going to move his amendments in this group. Is that right? *[Interruption.]* I am sorry—I have caught him off

guard. I understand what Graham Simpson is attempting to do with his amendments. He has done a lot of work on issues of damp and mould in properties.

Graham Simpson: I will attempt to answer Ms Gallacher's question. I will not move amendment 228, and I will probably not move amendments 230 and 231, which relate to Awaab's law. I hope that that helps.

Meghan Gallacher: That is a helpful clarification. I asked the question because I believe that it would not always be practical for landlords to carry out repairs in 14 days, as would be required if amendments 230 and 231 came into force broadly. Things such as seasonal holidays, weather conditions and rurality could impact on landlords' ability to carry out repairs within that timeframe. However, I understand and agree that landlords must carry out repairs within a reasonable time and as soon as possible. I understand that we will soon vote on amendments that relate to damp and mould issues, which I hope will improve building standards for many people in the private and social rented sectors.

On amendments 300 and 301, which are in the name of Ariane Burgess, I am concerned that no permissions will be sought from the landlord directly even though they own the property. There are other processes that deal with concerns that tenants raise with rental properties, and I do not believe that it is appropriate for local authorities to effectively have more authority over landlords in respect of maintenance, safety and quality.

Although I do not believe that this was intended, I think that amendments 300 and 301 continue the rhetoric that I mentioned earlier regarding the demonisation of landlords, the vast majority of whom maintain their properties to the highest of standards. I welcome the member's tone, which was different from the tone that we have heard from other members this evening. However, for the reasons that I have set out, we will not support her amendments in this group.

The Deputy Presiding Officer: Members will be aware that, despite extending the previous time limit by 30 minutes, we will shortly reach the next time limit, and we have two more groups to debate. As a consequence, I am minded to accept a motion without notice to propose that the last sentence of rule 9.8.5A be suspended. I invite the Minister for Parliamentary Business and Veterans to move such a motion.

Motion moved,

That the last sentence of Rule 9.8.5A be suspended.—
[Graeme Dey]

Motion agreed to.

The Deputy Presiding Officer: Under rule 9.8.5A, I am minded to accept another motion without notice to extend the debate on amendments by 30 minutes. I ask the Minister for Parliamentary Business and Veterans to move such a motion.

Motion moved,

That, under rule 9.8.5A, the third time limit be moved by up to 30 minutes.—[*Graeme Dey*]

Motion agreed to.

Màiri McAllan: The overall condition of housing in Scotland has been steadily improving over the years. That has been driven principally by the tolerable standard, the Scottish housing quality standard and the repairing standard. Although I recognise that there is more to do, my starting point is about strengthening the existing powers and standards.

I have already confirmed this, but I reiterate my intention to bring forward Awaab's law across the rented sector in Scotland from March 2026, starting with damp and mould. The Scottish Government is currently hosting a series of round-table events this month to better understand the timescales for investigating and commencing repairs and their potential impact on tenants and landlords.

I turn to amendments in the name of Maggie Chapman. Amendment 3 would provide that rents in rent control areas would not be increased unless the property met minimum standards.

Amendments 71 and 71A are alternatives to amendment 3. They would, in addition, provide that standards may relate to repairs and safety. Under amendments 71 and 71A, the regulations would have to specify the method by which the landlord can demonstrate compliance with the standards, as well as the complaints procedure by which tenants can challenge the landlord's compliance. The amendments expand on what can be covered in the regulations by noting that the minimum standards may be defined with reference to the statutory tolerable standard and repairing standard.

Amendments 5, 28, 78 and 78A would replicate those amendments for non-rent control areas.

Although I agree on the importance of all rented properties complying with appropriate standards, a suite of statutory standards and enforcement measures is already in place for rented properties—the tripartite that I have mentioned. I re-emphasise that adding a further housing standard would create considerable confusion for landlords, tenants and local authorities as to which standards the landlord must comply with. There are already existing standards and, accompanying them, there are broad powers to amend the

existing standards where we need to, so I cannot support the amendments.

I turn to the amendments in the name of Mark Griffin. Amendment 294 seeks to amend the enabling power in the Housing (Scotland) Act 2001, adding to the non-exhaustive list of matters about which ministers may make provision so that it includes

“the qualifications required by an inspector to undertake an inspection”

relating to damp and mould in a house.

Although I understand why Mr Griffin is seeking to impose that, it is highly unlikely in the Government's view that any registered social landlord or local authority would use unskilled workers in any event, including for repairs and inspections. Social landlords are likely to have contracts with suitable, appropriately qualified tradespeople, and we therefore see the amendment as unnecessary.

Perhaps most importantly, there is a risk that making such a regulation could reduce the number of tradespeople who would be available to undertake remedial work; it could therefore extend the time required to complete repairs. That would run contrary to the intention to achieve timeous repairs that underpins Awaab's law, which I know Mark Griffin is supportive of.

Amendment 295 relates to statutory guidance that the Scottish ministers have the power to issue in connection with the tolerable standard, which is set out in the Housing (Scotland) Act 1987. The amendment would make it clear that such guidance

“may further specify the circumstances in which a house is to be considered to be substantially free from rising or penetrating damp”.

Ministers already have the power to issue guidance on such matters, and we were already planning to do so in connection with the implementation of Awaab's law. That will be done as part of our targeted engagement. I am therefore very much in agreement with Mark Griffin and am happy to agree to amendment 295.

Through amendments 296 and 297, Mr Griffin seeks to amplify any guidance on damp that is issued by the Scottish ministers for the private and social rented sectors. Although I support the reason behind that, the amendments are unnecessary additions to the statute book when ministers have extant powers to issue and vary or revoke guidance. Social and private landlords already have a statutory duty to have regard to guidance in connection with the tolerable standard and repairing standard. As I have explained, the Government has committed to implementing Awaab's law, and part of that process will involve

provision of guidance. Although that renders the amendments unnecessary, I will ensure that members are very closely engaged with that work.

Amendment 299 would amend the regulation power in connection with the repairing standard in the private rented sector. It would put in the bill certain factors that ministers may make provision in connection with, including the period within which a landlord is to respond to a notification from a tenant and the commencement and completion of that work. An amendment to the enabling power is not necessary to implement Awaab's law in the private rented sector, which I have already committed to doing. Although I appreciate the rationale behind the amendment, I offer further reassurance that existing plans are under way to implement Awaab's law. We can do so using existing powers, which are broad in their scope and, importantly, are appropriate.

Amendment 230, in the name of Graham Simpson, would amend the repairing standard in the private rented sector and require private landlords to complete work within 14 days rather than within "a reasonable time". That would have far-reaching consequences for landlords, including in connection with their property rights. A number of factors, which have already been alluded to, may prevent work from being completed within 14 days, such as sourcing appropriately skilled professional tradespeople, gaining access to the property or the scale of the works.

Graham Simpson: Will the minister take an intervention?

Màiri McAllan: I will finish this point and then I will happily take an intervention.

Creating a system whereby that is the inevitable outcome would be problematic and must be opposed. Awaab's law seeks to introduce timescales for the investigation and commencement of works, as opposed to timescales for the completion of works, which, depending on the scale of the work that is involved, could necessarily take more than 14 days.

20:30

Graham Simpson: I have accepted the cabinet secretary's points about my amendments, so she did not need to labour them. Can she tell us how she plans to introduce Awaab's law? Will she use regulations or some other means?

Màiri McAllan: I am quite sure that that has already been spelled out. The powers that we need to introduce Awaab's law in the social rented sector were agreed at stage 2, and the powers to implement it in the private rented sector already exist. I was giving members a courtesy by

responding to each of their amendments, but I will skip through Mr Simpson's remaining amendments, in case he thinks that I am labouring the point.

I will move to Mr Sweeney's amendments on the purchase of poor-quality housing. In amendment 115, he has brought back an amendment that he did not press at stage 2. Amendment 117 seeks to ensure that the regulations are subject to affirmative procedure. On 21 July, I wrote to Mr Sweeney to outline the reasons why the Government's position has not changed since stage 2. He has broadly explained his view, and his amendment would oblige ministers to

"provide for a process by which a tenant may apply to a local authority"

to buy the house that they rent if it does not comply with housing standards.

Although I absolutely support the principle behind that—namely, that private rented homes should be of good quality—the amendment as proposed could lead to the local authority purchasing a suite of substandard properties rather than enforcing housing standards, which is what it should do and what is currently the case. There is no need for a statutory right for a tenant to request that a local authority exercises powers of compulsory purchase. As Mr Sweeney pointed out, councils have that power and tenants can approach their local authority to make such a request. However, where a landlord has failed to comply with housing standards, it is more appropriate for standards to be enforced than to expect the local authority to purchase the property and move away from the ad hoc approach that is currently taken.

Paul Sweeney: It is unfortunate, because the Cabinet Secretary for Social Justice, who led the amendments process at stage 2, had offered to work with me to agree something at stage 3, but that conversation was not facilitated and never took place, so it seems that we have been unable to reach a compromise.

I am not trying to knock out existing provisions. Local authorities should be able to pick from a sliding scale of interventions, such as maintenance orders and obligations on landlords. However, if that approach is irreconcilable, the ultimate option would be to move towards compulsory purchase, which is already practised in Glasgow. My idea is about how we formalise that approach and move it beyond Glasgow to ensure that other local authorities do it. The amendment could be a mechanism to do it, but we need to hear whether the cabinet secretary has other proposals.

Màiri McAllan: My view is that it is not appropriate to formalise that approach. What is

appropriate is for substandard housing to be brought up to standard and for there to be the option to use compulsory purchase and do exactly what the member has described, which is what Glasgow City Council has done.

I highlight to the member that, on 19 September, we launched a substantial consultation on compulsory purchase reform, which includes provisions on sale and lease orders. I encourage Paul Sweeney to engage with that consultation, which is open until 19 December.

I will move as swiftly as I can to heating systems. Amendments 244 and 259, in the name of Jamie Halcro Johnston, are identical to amendments that he brought at stage 2. They seek to restrict policy making in any future attempt to regulate heating systems. As outlined, the Government already protects the use of direct emissions in secondary heating, including in rural properties, if required, for exactly the circumstances that have been referred to.

Jamie Halcro Johnston: Will the cabinet secretary take an intervention on that point?

Màiri McAllan: I will make a little more progress.

I point to the new-build heat standard, which already allows for secondary heating systems of the kind that are specified in the amendment. I point out to members that voting against this amendment is not a vote against wood-burning stoves or other secondary heating systems, because the amendment is not needed to protect their use—it is simply unnecessary.

Jamie Halcro Johnston: Will the cabinet secretary take an intervention on that point?

Màiri McAllan: I think that I should probably make progress, Presiding Officer, but I am happy—

The Deputy Presiding Officer: I can allow a brief intervention, but it must be brief.

Jamie Halcro Johnston: The problem with some of the regulations is that they put such requirements on secondary heating that it is almost impossible to put it in place, from both a financial and technical point of view. For example, if there is a requirement to turn off the secondary heating system the minute that power comes back on but someone is constantly losing power, back and forth, a lot of the systems simply cannot work. That means that, in essence, they are banned by a secondary means.

Màiri McAllan: I take on board those points, but my concern with regard to deliberation on primary legislation is that the ability to have secondary heating systems exists and that, as Mr Halcro Johnston pointed out, the Government made

provision for that in respect of the new-build heat standard rather recently.

Amendments 300 and 301 are alternative amendments that would create a power for local authorities to inspect a house that is entered in the landlord register and to impose a fine, to be set by the Scottish ministers, on the landlord if the house does not comply with the relevant safety, quality and energy efficiency standards. The provisions are not required.

There are enforcement mechanisms for the repairing standard under the Housing (Scotland) Act 2006 and for the tolerable standard under the 1987 act. The First-tier Tribunal for Scotland can already impose a repairing standard enforcement order under the 2006 act, if a property fails the repairing standard. A local authority can issue a work notice under section 30 of the 2006 act, if a property is considered to be substandard. That would include properties that fail the tolerable standard.

In the light of that, I ask Ms Burgess not to press these amendments, because there is a suite of existing measures that deal with the issues, and I feel that creating further legislative requirements will create a confusing regulatory landscape.

On Mr Leonard's contribution on seasonal workers and amendments 348 to 350 in his name, amendment 348 would empower ministers to

“delegate to such public body as they consider appropriate the function of providing officers under the Agricultural Wages (Scotland) Act 1949 with the ability to”

do certain things, which he took us through and which include the ability to inspect workers' accommodation and to notify concerns to the local authority.

From the outset, I want to be clear that I recognise the need—the imperative—to ensure that accommodation for agricultural workers is fit for habitation, and it is something that I absolutely agree with. However, I cannot agree that the amendment would provide the reassurance that Mr Leonard seeks. First, unfortunately, there are drafting problems, because the amendment creates a power to delegate a function of delegating, and it is not clear whether the amendment actually creates a function to be delegated. I know that that will be a frustration to Mr Leonard, and I am sorry to have to point that out.

On the more substantive issue, although they deal with routine or complaint-related inspections, members of the agricultural wages enforcement team already report concerns raised by employees about the condition of the accommodation to the appropriate local authority, and local authorities have powers under environmental law to carry out inspections. However, it is not clear to me that

agricultural wages enforcement teams would necessarily have the expertise with regard to inspections, given that wages are their remit. That is another matter that we would have to look into.

Richard Leonard: Does the cabinet secretary not accept that the only powers that local authorities have relate to the infrastructure, including the parking arrangements on the sites? They have no powers whatsoever over the state of the accommodation that these workers are living in.

Màiri McAllan: I highlight the powers that local authorities have alongside those that the agricultural wages enforcement team already has in respect of reporting concerns to illustrate the picture as it stands. I am not suggesting that the situation is as good as it should be, but I cannot accept the amendments, owing to the slight drafting problems and the fact that I am not clear that wages officers are the right trained people to carry out inspections.

Richard Leonard: But there are three quite distinct approaches to tackling this loophole: one is through the Agricultural Wages Board inspectors, but the other two are directly through local authority housing inspectors and are about introducing a tolerable standard for this accommodation, when it is currently exempt. Does the cabinet secretary not concede that there is a route in amendments 349 and 350 to tackle that situation?

Màiri McAllan: I am afraid that I cannot accept that. Amendment 349 includes a duty to make byelaws and, unfortunately, I do not think that it is appropriate to require ministers to make such byelaws. That should remain a discretionary matter, which should allow for consultation with the local authority should there be any concerns about the adequacy of the local authority's own byelaws. I note what the member says about his freedom of information request, and I would be glad to see the detail of that.

Amendment 350 seeks to remove the ability of agricultural landowners in Scotland to set up caravan sites to accommodate seasonal workers. I agree, ultimately, and the Scottish Government is fully committed to undertaking further engagement and development work to understand how we address the gap that amendment 350 is trying to address. Again, however, there is a problem, because we need to recognise that it needs to be addressed for all seasonal workers, not just for agricultural workers.

In totality, owing to drafting problems, the existing suite of laws as they stand and the fact that the work needs to be for everybody and not just for agricultural workers, I cannot accept—

Graham Simpson: Will the cabinet secretary take an intervention?

Màiri McAllan: I am not going to take an intervention from Graham Simpson.

I cannot accept the provisions that Mr Leonard has put to me, but I commit to working with him on the issue. I want to see the detail of the freedom of information request that he is talking about and the photographs to which he referred, on which the First Minister engaged with him, and then he and I, and the Cabinet Secretary for Rural Affairs, Land Reform and Islands, can sit down and work out what we need to do.

I move swiftly on to combustible cladding. While I recognise the intent behind amendment 375, I cannot support a proposed amendment that seeks to make changes to subordinate legislation without consultation.

The Building (Scotland) Regulations 2004 prevent the installation of combustible external wall cladding systems on “relevant buildings”. The relevant provision was made in 2022 following substantial consultation, and I will give Meghan Gallacher a little bit of detail. The amendment resulted in a move to a threshold height of 11m for non-combustible cladding on blocks of flats and other buildings within the scope from 1 June 2022. The 11m height was established by the expert group and supported through consultation, and it aligns with the ability to firefight from the ground without the need for high-reach appliances.

Amendment 375, as Meghan Gallacher has put it to me, would require non-combustible materials in the external walls of all new homes, regardless of height or type. That would exclude, for example, the use of timber cladding, which is common in many areas, and it would also prevent the use of thermally efficient insulation, thereby causing a risk to achieving good standards of energy performance.

As with everything in respect of cladding, the Government's core ambition is to protect life and safety, and we do that on the ability of the expert advice that we have. I already have—I think—a date to come to committee and update members on cladding, so I will look to discuss that further with them then.

To conclude, I will support Mark Griffin's amendment 295, and I ask members to reject the other amendments in the group.

The Deputy Presiding Officer: I call Maggie Chapman to wind up and say whether she wishes to press or withdraw amendment 3.

Maggie Chapman: Members will be delighted to know that I will simply seek to withdraw amendment 3.

Amendment 3, by agreement, withdrawn.

Amendment 71 moved—[Maggie Chapman].

Amendment 71A moved—[Maggie Chapman].

The Deputy Presiding Officer: The question is, that amendment 71A be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Burgess, Ariane (Highlands and Islands) (Green)
 Chapman, Maggie (North East Scotland) (Green)
 Greer, Ross (West Scotland) (Green)
 Harvie, Patrick (Glasgow) (Green)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Villalba, Mercedes (North East Scotland) (Lab)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Ind)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhan (Ayr) (SNP)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Choudhury, Foyso (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dowey, Sharon (South Scotland) (Con)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Eagle, Tim (Highlands and Islands) (Con)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (North East Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Griffin, Mark (Central Scotland) (Lab)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Haughey, Clare (Rutherglen) (SNP)

Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 Lumsden, Douglas (North East Scotland) (Con)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Regan, Ash (Edinburgh Eastern) (Alba)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Simpson, Graham (Central Scotland) (Reform)
 Stevenson, Collette (East Kilbride) (SNP) [Proxy vote cast by Fulton MacGregor]
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Sweeney, Paul (Glasgow) (Lab)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 8, Against 100, Abstentions 0.

Amendment 71A disagreed to.

20:45

The Deputy Presiding Officer: The question is, that amendment 71 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Burgess, Ariane (Highlands and Islands) (Green)
 Chapman, Maggie (North East Scotland) (Green)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)
 Harvie, Patrick (Glasgow) (Green)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Mochan, Carol (South Scotland) (Lab)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Slater, Lorna (Lothian) (Green)
 Sweeney, Paul (Glasgow) (Lab)
 Viallalba, Mercedes (North East Scotland) (Lab)
 Whitfield, Martin (South Scotland) (Lab)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Balfour, Jeremy (Lothian) (Ind)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dowey, Sharon (South Scotland) (Con)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Eagle, Tim (Highlands and Islands) (Con)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (North East Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)

Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 Lumsden, Douglas (North East Scotland) (Con)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Regan, Ash (Edinburgh Eastern) (Alba)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ross, Douglas (Highlands and Islands) (Con)
 Simpson, Graham (Central Scotland) (Reform)
 Stevenson, Collette (East Kilbride) (SNP) [Proxy vote cast by Fulton MacGregor]
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 24, Against 84, Abstentions 0.

Amendment 71 disagreed to.

Amendment 175 not moved.

Amendment 72 moved—[Maggie Chapman].

The Deputy Presiding Officer: The question is, that amendment 72 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)

Baker, Claire (Mid Scotland and Fife) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Chapman, Maggie (North East Scotland) (Green)
 Choudhury, Foyso (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mochan, Carol (South Scotland) (Lab)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Simpson, Graham (Central Scotland) (Reform)
 Slater, Lorna (Lothian) (Green)
 Stevenson, Collette (East Kilbride) (SNP) [Proxy vote cast by Fulton MacGregor]
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Sweeney, Paul (Glasgow) (Lab)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)

Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Villalba, Mercedes (North East Scotland) (Lab)
 Whitfield, Martin (South Scotland) (Lab)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Balfour, Jeremy (Lothian) (Ind)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Dowey, Sharon (South Scotland) (Con)
 Eagle, Tim (Highlands and Islands) (Con)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lumsden, Douglas (North East Scotland) (Con)
 McCall, Roz (Mid Scotland and Fife) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Ross, Douglas (Highlands and Islands) (Con)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whittle, Brian (South Scotland) (Con)

The Deputy Presiding Officer: The result of the division is: For 81, Against 27, Abstentions 0.

Amendment 72 agreed to.

Amendment 281 moved—[Maggie Chapman].

The Deputy Presiding Officer: The question is, that amendment 281 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Burgess, Ariane (Highlands and Islands) (Green)
 Chapman, Maggie (North East Scotland) (Green)
 Choudhury, Foyso (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)
 Harvie, Patrick (Glasgow) (Green)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]

Mochan, Carol (South Scotland) (Lab)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Slater, Lorna (Lothian) (Green)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Whitfield, Martin (South Scotland) (Lab)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Balfour, Jeremy (Lothian) (Ind)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dowey, Sharon (South Scotland) (Con)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Eagle, Tim (Highlands and Islands) (Con)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (North East Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 Lumsden, Douglas (North East Scotland) (Con)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mountain, Edward (Highlands and Islands) (Con)

Mundell, Oliver (Dumfriesshire) (Con)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Regan, Ash (Edinburgh Eastern) (Alba)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ross, Douglas (Highlands and Islands) (Con)
 Simpson, Graham (Central Scotland) (Reform)
 Stevenson, Collette (East Kilbride) (SNP) [Proxy vote cast by Fulton MacGregor]
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 24, Against 85, Abstentions 0.

Amendment 281 disagreed to.

Amendment 282 moved—[Maggie Chapman].

The Deputy Presiding Officer: The question is, that amendment 282 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Burgess, Ariane (Highlands and Islands) (Green)
 Chapman, Maggie (North East Scotland) (Green)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)
 Harvie, Patrick (Glasgow) (Green)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Mochan, Carol (South Scotland) (Lab)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Slater, Lorna (Lothian) (Green)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Whitfield, Martin (South Scotland) (Lab)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Balfour, Jeremy (Lothian) (Ind)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dowey, Sharon (South Scotland) (Con)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Eagle, Tim (Highlands and Islands) (Con)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (North East Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 Lumsden, Douglas (North East Scotland) (Con)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Regan, Ash (Edinburgh Eastern) (Alba)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ross, Douglas (Highlands and Islands) (Con)

Simpson, Graham (Central Scotland) (Reform)
 Stevenson, Collette (East Kilbride) (SNP) [Proxy vote cast by Fulton MacGregor]
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The vote is closed.

Monica Lennon (Central Scotland) (Lab): On a point of order, Deputy Presiding Officer. I could not connect—I would have voted yes.

The Deputy Presiding Officer: Thank you, Ms Lennon. I will make sure that that is recorded.

The result of the division is: For 24, Against 85, Abstentions 0.

Amendment 282 disagreed to.

Amendments 34 and 35 not moved.

Amendment 73 moved—[Maggie Chapman].

The Deputy Presiding Officer: The question is, that amendment 73 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Chapman, Maggie (North East Scotland) (Green)
 Choudhury, Foyso (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Duncan-Glancy, Pam (Glasgow) (Lab)

Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and
 Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast
 by Ross Greer]
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mochan, Carol (South Scotland) (Lab)
 Nicoll, Audrey (Aberdeen South and North Kincardine)
 (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Simpson, Graham (Central Scotland) (Reform)
 Slater, Lorna (Lothian) (Green)
 Stevenson, Collette (East Kilbride) (SNP) [Proxy vote cast
 by Fulton MacGregor]
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Sweeney, Paul (Glasgow) (Lab)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Villalba, Mercedes (North East Scotland) (Lab)
 Whitfield, Martin (South Scotland) (Lab)
 Whitham, Elena (Carrick, Cumnock and Doon Valley)
 (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Balfour, Jeremy (Lothian) (Ind)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Dowey, Sharon (South Scotland) (Con)
 Eagle, Tim (Highlands and Islands) (Con)

Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire)
 (Con)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lumsden, Douglas (North East Scotland) (Con)
 McCall, Roz (Mid Scotland and Fife) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Regan, Ash (Edinburgh Eastern) (Alba)
 Ross, Douglas (Highlands and Islands) (Con)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whittle, Brian (South Scotland) (Con)

The Deputy Presiding Officer: The result of the division is: For 83, Against 25, Abstentions 0.

Amendment 73 agreed to.

Amendment 36 not moved.

Amendment 74 moved—[Màiri McAllan].

The Deputy Presiding Officer: The question is, that amendment 74 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Chapman, Maggie (North East Scotland) (Green)
 Choudhury, Foyso (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and
 Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)

Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mochan, Carol (South Scotland) (Lab)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Slater, Lorna (Lothian) (Green)
 Stevenson, Collette (East Kilbride) (SNP) [Proxy vote cast by Fulton MacGregor]
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Sweeney, Paul (Glasgow) (Lab)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Villalba, Mercedes (North East Scotland) (Lab)
 Whitfield, Martin (South Scotland) (Lab)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Balfour, Jeremy (Lothian) (Ind)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Dowey, Sharon (South Scotland) (Con)
 Eagle, Tim (Highlands and Islands) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lumsden, Douglas (North East Scotland) (Con)
 McCall, Roz (Mid Scotland and Fife) (Con)
 Mountain, Edward (Highlands and Islands) (Con)

Mundell, Oliver (Dumfriesshire) (Con)
 Ross, Douglas (Highlands and Islands) (Con)
 Simpson, Graham (Central Scotland) (Reform)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whittle, Brian (South Scotland) (Con)

The Deputy Presiding Officer: The result of the division is: For 82, Against 25, Abstentions 0.

Amendment 74 agreed to.

After section 21

The Deputy Presiding Officer: Group 8 is on rent controls outwith rent control areas. Amendment 4, in the name of Maggie Chapman, is grouped with amendments 75 to 77, 176, 176A, 177 and 264.

Maggie Chapman: My amendments in the group cover a range of issues. In particular, they aim to prevent rent hikes between tenancies and provide for a definition of mid-market rent.

Section 19 contains a helpful provision whereby, if there is a change of tenancy and there has been a rent increase in the previous 12 months—*[Interruption.]*

The Deputy Presiding Officer: I am sorry to interrupt, Ms Chapman. I ask colleagues to keep their conversations either quiet or outwith the chamber. Please continue, Ms Chapman.

Maggie Chapman: Thank you, Presiding Officer.

Section 19 contains a helpful provision whereby, if there is a change of tenancy and there has been a rent increase in the previous 12 months, there cannot be another increase within the 12-month period. That vital provision means that changes of tenancy cannot be used to increase rents. Amendment 4 would apply that helpful change to properties outwith rent control areas, as there is no principled reason why tenants should not be protected in that way regardless of where they live.

Amendments 75 to 77 address a technical but very important issue for tenants who want to challenge their rent. At the moment, rent adjudication may result in a higher rent than the landlord has asked for. As a result, some tenants will not challenge a rent increase that they might otherwise successfully reduce on appeal. Living Rent has looked at all rent appeals that have been made since May this year, and in 22 per cent of cases—that is, more than one in five—the appeal resulted in an increase beyond what the landlord had asked for. That is clearly a huge disincentive to people challenging rent. The Scottish Government has said that the bill already rules out

such an outcome, but it has not provided the clarification that it has promised.

Given that there is some uncertainty here, amendments 75 to 77 represent a sensible precaution against confusion. Amendment 76 says:

“For the avoidance of doubt, an order under subsection (1) may not state a rent higher than the rent specified in the rent-increase notice.”

The amendments would make it 100 per cent clear to rent officers that the requested rent increase is the absolute most that can be approved.

I turn to amendment 176. The fact that Parliament has made clear its will that there will be mid-market rent exemptions makes it even more crucial that we finally get around to defining what “mid-market rent” means. There is inconsistency in how mid-market rents reflect affordability. As I said earlier, even the Scottish Government’s housing strategy, “Housing to 2040”, provides no definition of what “mid-market rent” means and understands that it is inconsistently applied. Amendment 176 would provide ministers with a power to define “mid-market rent” and to determine how it is to be used, such as for rent control exemptions and housing supply programmes. That would bring much-needed clarity and consistency.

Amendment 177 is part of the package of amendments that I have already spoken to, which seek to improve the way in which open market rents are worked out. I will leave it there, Presiding Officer.

I move amendment 4.

The Presiding Officer (Alison Johnstone): I call the cabinet secretary.

Màiri McAllan: Amendment 4 seeks to introduce further restrictions outwith rent controls to the extent that, where there has been a rent increase in the 12 months prior to the start of the tenancy, the landlord would not be able to increase the rent and the initial rent would require to be no more than the final rent under the previous tenancy. That proposal was contained in an amendment that was lodged at stage 2, and it was voted against. Although I support restricting rent increases in areas where rent controls have been deemed necessary, I cannot support placing restrictions on rent increases in areas outwith rent controls—that is, where they have not been considered necessary or proportionate.

Although I recognise concerns around the current rent adjudication process, where it is possible for the rent to be raised above the proposed rent increase, the changes that are proposed in amendments 75 to 77 are unnecessary. Sections 22 and 23 already make the very change that Maggie Chapman seeks to

institute and they will prevent the rent from being set above what is proposed in the rent increase notice. There is no ambiguity in the provisions in the bill, so I cannot support amendments 75 to 77.

Amendment 177 would require the rent officer or the First-tier Tribunal, when making a determination of an open market rent as part of a rent adjudication, to have regard to information that has been collected by local authorities under section 15. Similar amendments were lodged at stage 2 and the equivalent to amendment 177 was disagreed to. For the reasons that were set out then, I cannot support amendment 177. It is not clear why the provision would be needed, given that the rent officer and the tribunal are already able to make determinations of open market rent in line with the requirements of the 2016 act. Adjudicators have regard to all available data, regardless of whether there is a duty to do so. It is also unclear how such a process could operate and how often information would need to be collected for that purpose. It would amount to an additional unnecessary burden on local authorities and give them a new role in supporting rent officers and the First-tier Tribunal in the judicial process, which would not be appropriate.

I turn to the final amendments by Maggie Chapman in the group. Amendment 176 and consequential amendment 264 would add a new section into the bill enabling the Scottish ministers to define “mid-market rent” and the circumstances in which the definition must be used. Amendment 176A would convert amendment 176 into a requirement to make regulations

“within 1 year of Royal Assent”,

as opposed to including a power to do so. There is no clear reason as to why that power is needed or what it would be used for. As I have said, it is my intention to exempt, where appropriate, mid-market rent properties, but the power to define properties that are to be exempt already exists in the bill.

I ask Ms Chapman not to press amendment 4 or to move her other amendments in the group.

21:00

The Presiding Officer: I call Maggie Chapman to wind up and to press or withdraw amendment 4.

Maggie Chapman: I will press amendment 4.

The Presiding Officer: The question is, that amendment 4 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

The vote is closed.

Clare Haughey (Rutherglen) (SNP): On a point of order, Presiding Officer. I was unable to connect my app. I would have voted no.

The Presiding Officer: Thank you, Ms Haughey. We will ensure that that is recorded.

Fulton MacGregor (Coatbridge and Chryston) (SNP): On a point of order, Presiding Officer. I was unable to connect. I would have voted no. I also have a proxy vote for Collette Stevenson. She would have voted no, too.

The Presiding Officer: Thank you, Mr MacGregor. We will ensure that those votes are recorded.

The Cabinet Secretary for Justice and Home Affairs (Angela Constance): On a point of order, Presiding Officer. The digital voting connection could not be started. I would have voted no.

The Presiding Officer: Thank you, Ms Constance. We will ensure that that is recorded.

For

Burgess, Ariane (Highlands and Islands) (Green)
 Chapman, Maggie (North East Scotland) (Green)
 Harvie, Patrick (Glasgow) (Green)
 Slater, Lorna (Lothian) (Green)
 Villalba, Mercedes (North East Scotland) (Lab)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Ind)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Choudhury, Foyso (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dowey, Sharon (South Scotland) (Con)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (North East Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)

Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Griffin, Mark (Central Scotland) (Lab)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 Lumsden, Douglas (North East Scotland) (Con)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Regan, Ash (Edinburgh Eastern) (Alba)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Simpson, Graham (Central Scotland) (Reform)
 Stevenson, Collette (East Kilbride) (SNP) [Proxy vote cast by Fulton MacGregor]
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Sweeney, Paul (Glasgow) (Lab)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division is: For 5, Against 98, Abstentions 0.

Amendment 4 disagreed to.

**Section 22—Private residential tenancies:
capping of rent increase**

Amendment 75 moved—[Maggie Chapman].

The Presiding Officer: The question is, that amendment 75 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Briggs, Miles (Lothian) (Con)
Burgess, Ariane (Highlands and Islands) (Green)
Burnett, Alexander (Aberdeenshire West) (Con)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Chapman, Maggie (North East Scotland) (Green)
Dowey, Sharon (South Scotland) (Con)
Eagle, Tim (Highlands and Islands) (Con)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Golden, Maurice (North East Scotland) (Con)
Greer, Ross (West Scotland) (Green)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harvie, Patrick (Glasgow) (Green)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Lumsden, Douglas (North East Scotland) (Con)
Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
McCall, Roz (Mid Scotland and Fife) (Con)
Mountain, Edward (Highlands and Islands) (Con)
Mundell, Oliver (Dumfriesshire) (Con)
Ross, Douglas (Highlands and Islands) (Con)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Slater, Lorna (Lothian) (Green)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Baillie, Jackie (Dumbarton) (Lab)
Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Bibby, Neil (West Scotland) (Lab)
Boyack, Sarah (Lothian) (Lab)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Choudhury, Foysol (Lothian) (Lab)
Clark, Katy (West Scotland) (Lab)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Constance, Angela (Almond Valley) (SNP)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Duncan-Glancy, Pam (Glasgow) (Lab)
Ewing, Annabelle (Cowdenbeath) (SNP)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)

Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Griffin, Mark (Central Scotland) (Lab)
Harper, Emma (South Scotland) (SNP)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lennon, Monica (Central Scotland) (Lab)
Leonard, Richard (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Maguire, Ruth (Cunninghame South) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
Regan, Ash (Edinburgh Eastern) (Alba)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Simpson, Graham (Central Scotland) (Reform)
Stevenson, Collette (East Kilbride) (SNP) [Proxy vote cast by Fulton MacGregor]
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Swinney, John (Perthshire North) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)
Whitfield, Martin (South Scotland) (Lab)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Whittle, Brian (South Scotland) (Con)
Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division is: For 29, Against 81, Abstentions 0.

Amendment 75 disagreed to.

Amendment 76 not moved.

**Section 23—Assured tenancies: capping of
rent increase**

Amendment 77 not moved.

After section 23

Amendment 5 not moved.

Amendment 78 moved—[Maggie Chapman].

Amendment 78A moved—[Maggie Chapman].

The Presiding Officer: The question is, that amendment 78A be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Burgess, Ariane (Highlands and Islands) (Green)
 Chapman, Maggie (North East Scotland) (Green)
 Choudhury, Foyso (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)
 Harvie, Patrick (Glasgow) (Green)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Mochan, Carol (South Scotland) (Lab)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Slater, Lorna (Lothian) (Green)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Whitfield, Martin (South Scotland) (Lab)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Balfour, Jeremy (Lothian) (Ind)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dowey, Sharon (South Scotland) (Con)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Eagle, Tim (Highlands and Islands) (Con)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (North East Scotland) (Con)

Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 Lumsden, Douglas (North East Scotland) (Con)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ross, Douglas (Highlands and Islands) (Con)
 Simpson, Graham (Central Scotland) (Reform)
 Stevenson, Collette (East Kilbride) (SNP) [Proxy vote cast by Fulton MacGregor]
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division is: For 24, Against 85, Abstentions 0.

Amendment 78A disagreed to.

The Presiding Officer: Does Maggie Chapman wish to press amendment 78?

Maggie Chapman: Yes.

The Presiding Officer: The question is, that amendment 78 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Burgess, Ariane (Highlands and Islands) (Green)
 Chapman, Maggie (North East Scotland) (Green)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)
 Harvie, Patrick (Glasgow) (Green)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Mochan, Carol (South Scotland) (Lab)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Slater, Lorna (Lothian) (Green)
 Villalba, Mercedes (North East Scotland) (Lab)
 Whitfield, Martin (South Scotland) (Lab)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Balfour, Jeremy (Lothian) (Ind)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dowey, Sharon (South Scotland) (Con)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Eagle, Tim (Highlands and Islands) (Con)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (North East Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)

Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 Lumsden, Douglas (North East Scotland) (Con)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Regan, Ash (Edinburgh Eastern) (Alba)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ross, Douglas (Highlands and Islands) (Con)
 Simpson, Graham (Central Scotland) (Reform)
 Stevenson, Collette (East Kilbride) (SNP) [Proxy vote cast by Fulton MacGregor]
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division is: For 23, Against 86, Abstentions 0.

Amendment 78 disagreed to.

Amendment 176 moved—[Maggie Chapman].

Amendment 176A moved—[Maggie Chapman].

The Presiding Officer: The question is, that amendment 176A be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Briggs, Miles (Lothian) (Con)

Burgess, Ariane (Highlands and Islands) (Green)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Maggie (North East Scotland) (Green)
 Clark, Katy (West Scotland) (Lab)
 Dowey, Sharon (South Scotland) (Con)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Eagle, Tim (Highlands and Islands) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Griffin, Mark (Central Scotland) (Lab)
 Harvie, Patrick (Glasgow) (Green)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lumsden, Douglas (North East Scotland) (Con)
 McCall, Roz (Mid Scotland and Fife) (Con)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Slater, Lorna (Lothian) (Green)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Balfour, Jeremy (Lothian) (Ind)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Greer, Ross (West Scotland) (Green)
 Harper, Emma (South Scotland) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)

Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Regan, Ash (Edinburgh Eastern) (Alba)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Simpson, Graham (Central Scotland) (Reform)
 Stevenson, Collette (East Kilbride) (SNP) [Proxy vote cast by Fulton MacGregor]
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division is: For 43, Against 65, Abstentions 0.

Amendment 176A disagreed to.

The Presiding Officer: Does Maggie Chapman wish to press or withdraw amendment 176?

Maggie Chapman: I press.

The Presiding Officer: The question is, that amendment 176 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Briggs, Miles (Lothian) (Con)
 Burgess, Ariane (Highlands and Islands) (Green)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Maggie (North East Scotland) (Green)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Dowey, Sharon (South Scotland) (Con)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Eagle, Tim (Highlands and Islands) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)

Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harvie, Patrick (Glasgow) (Green)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lumsden, Douglas (North East Scotland) (Con)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 McCall, Roz (Mid Scotland and Fife) (Con)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Slater, Lorna (Lothian) (Green)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Balfour, Jeremy (Lothian) (Ind)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Harper, Emma (South Scotland) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)

Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Regan, Ash (Edinburgh Eastern) (Alba)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Simpson, Graham (Central Scotland) (Reform)
 Stevenson, Collette (East Kilbride) (SNP) [Proxy vote cast by Fulton MacGregor]
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division is: For 47, Against 63, Abstentions 0.

Amendment 176 disagreed to.

Amendment 177 moved—[Maggie Chapman].

The Presiding Officer: The question is, that amendment 177 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Burgess, Ariane (Highlands and Islands) (Green)
 Chapman, Maggie (North East Scotland) (Green)
 Choudhury, Foyso (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)
 Harvie, Patrick (Glasgow) (Green)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Mochan, Carol (South Scotland) (Lab)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Slater, Lorna (Lothian) (Green)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Whitfield, Martin (South Scotland) (Lab)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Balfour, Jeremy (Lothian) (Ind)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dowey, Sharon (South Scotland) (Con)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Eagle, Tim (Highlands and Islands) (Con)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (North East Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and
 Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire)
 (Con)
 Harper, Emma (South Scotland) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 Lumsden, Douglas (North East Scotland) (Con)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McKee, Ivan (Glasgow Provan) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Nicoll, Audrey (Aberdeen South and North Kincardine)
 (SNP)
 Regan, Ash (Edinburgh Eastern) (Alba)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)

Ross, Douglas (Highlands and Islands) (Con)
 Simpson, Graham (Central Scotland) (Reform)
 Stevenson, Collette (East Kilbride) (SNP) [Proxy vote cast
 by Fulton MacGregor]
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitham, Elena (Carrick, Cumnock and Doon Valley)
 (SNP)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the
 division is: For 24, Against 86, Abstentions 0.

Amendment 177 disagreed to.

The Presiding Officer: That concludes
 consideration of amendments for today.

Parliamentary Bureau Motion

21:13

The Presiding Officer (Alison Johnstone): The next item of business is consideration of Parliamentary Bureau motion S6M-19022, on committee membership. I ask Graeme Dey, on behalf of the Parliamentary Bureau, to move the motion.

Motion moved,

That the Parliament agrees that Jamie Hepburn be appointed to replace Ben Macpherson as a member of the Criminal Justice Committee.—[*Graeme Dey*]

The Presiding Officer: The question on the motion will be put at decision time.

Decision Time

21:13

The Presiding Officer (Alison Johnstone): There is one question to be put as a result of today's business. The question is, that motion S6M-19022, in the name of Graeme Dey, on committee membership, be agreed to.

Motion agreed to,

That the Parliament agrees that Jamie Hepburn be appointed to replace Ben Macpherson as a member of the Criminal Justice Committee.

Meeting closed at 21:14.

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

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