



The Scottish Parliament
Pàrlamaid na h-Alba

DELEGATED POWERS AND LAW REFORM COMMITTEE

MINUTES

2nd Meeting, 2016 (Session 4)

Tuesday 12 January 2016

Present:

Nigel Don (Convener)
John Scott

John Mason (Deputy Convener)
Stewart Stevenson

The meeting opened at 11.31 am.

1. **Decision on taking business in private:** The Committee agreed to take item 6 in private.
2. **Instruments subject to affirmative procedure:** The Committee agreed to draw the attention of the Parliament to the following—

[Police Act 1997 and the Protection of Vulnerable Groups \(Scotland\) Act 2007 Remedial \(No. 2\) Order 2015 \(SSI 2015/423\);](#)
[Rehabilitation of Offenders Act 1974 \(Exclusions and Exceptions\) \(Scotland\) Amendment Order 2016 \[draft\];](#)

and that no points arose on the following—

[Welfare Funds \(Scotland\) Regulations 2016 \[draft\];](#)
[Advice and Assistance and Civil Legal Aid \(Financial Conditions and Contributions\) \(Scotland\) Amendment Regulations 2016 \[draft\];](#)
[Scottish Public Services Ombudsman Act 2002 Amendment Order 2016 \[draft\];](#)
[Bankruptcy and Debt Advice \(Scotland\) Act 2014 \(Consequential Provisions\) Order 2016 \[draft\];](#)
[Water Environment \(Amendment of Part IIA of the Environmental Protection Act 1990: Contaminated Land\) \(Scotland\) Regulations 2016 \[draft\].](#)

3. **Instruments subject to negative procedure:** The Committee agreed that no points arose on the following—

[Housing \(Scotland\) Act 2014 \(Commencement No. 5 and Consequential Provision\) Order 2015 \(SSI 2015/430 \(C.58\)\);](#)
[Management of Offenders etc. \(Scotland\) Act 2005 \(Specification of Persons\) Amendment Order 2015 \(SSI 2015/431\);](#)
[Public Bodies \(Joint Working\) \(Integration Joint Boards and Integration Joint Monitoring Committees\) \(Scotland\) Amendment \(No. 2\) Order 2015 \(SSI 2015/432\);](#)
[Food \(Scotland\) Act 2015 \(Consequential Provisions\) \(No. 2\) Order 2015 \(SSI 2015/433\);](#)
[Inshore Fishing \(Prohibition of Fishing and Fishing Methods\) \(Scotland\) Order 2015 \(SSI 2015/435\);](#)
[Inshore Fishing \(Prohibited Methods of Fishing\) \(Luce Bay\) Order 2015 \(SSI 2015/436\);](#)
[South Arran Marine Conservation Order 2015 \(SSI 2015/437\);](#)
[Waste \(Meaning of Recovery\) \(Miscellaneous Amendments\) \(Scotland\) Order 2015 \(SSI 2015/438\).](#)

With reference to the Management of Offenders etc. (Scotland) Act 2005 (Specification of Persons) Amendment Order 2015 (SSI 2015/431) and the Management of Offenders etc. (Scotland) Act 2005 (Commencement No. 8) Order 2015 (SSI 2015/429 (C.57)) (see below), the Committee agreed to write to both the Scottish Government and the Standards Procedures and Public Appointments Committee in connection with the instrument that these instruments replace.

4. **Instruments not subject to any parliamentary procedure:** The Committee agreed to draw the attention of the Parliament to the following—

[Act of Sederunt \(Rules of the Court of Session, Sheriff Appeal Court Rules and Sheriff Court Rules Amendment\) \(Sheriff Appeal Court\) 2015 \(SSI 2015/419\);](#)

and that no points arose on the following—

[Management of Offenders etc. \(Scotland\) Act 2005 \(Commencement No. 8\) Order 2015 \(SSI 2015/429 \(C.27\)\);](#)
[Act of Adjournal \(Criminal Procedure Rules Amendment No. 6\) \(Special Measures in the Justice of the Peace Court\) 2015 \(SSI 2015/443\).](#)

5. **Apologies (Scotland) Bill:** The Committee considered the delegated powers provisions in this Bill after Stage 2.
6. **Report on instruments considered during the second quarter of the parliamentary year 2015-16 (in private):** The Committee agreed its second quarterly report for the parliamentary year 2015-16.

The meeting closed at 11.53 am.

DPLR/S4/16/2/M

Euan Donald
Clerk to the Delegated Powers and Law Reform Committee
Room T1.01
The Scottish Parliament
Edinburgh
Tel: 0131 348 5212
Email: ewan.donald@scottish.parliament.uk