



The Scottish Parliament Pàrlamaid na h-Alba

MINUTES OF PROCEEDINGS

Parliamentary Year 5, No. 58 Session 4

Meeting of the Parliament

Tuesday 8 December 2015

Note: (DT) signifies a decision taken at Decision Time.

The meeting opened at 2.00 pm.

1. Time for Reflection: Reverend George R. Fiddes, Minister, St Nicholas Parish Church, Prestwick led Time for Reflection.

2. Business Motion: Joe FitzPatrick, on behalf of the Parliamentary Bureau, moved S4M-15100—That the Parliament agrees to the following revision to the programme of business for

Tuesday 8 December 2015—

after

followed by Topical Questions

insert

followed by Ministerial Statement: Forth Road Bridge

delete

6.00 pm Decision Time

and insert

6.45 pm Decision Time

The motion was agreed to.

3. Business Motion: Joe FitzPatrick, on behalf of the Parliamentary Bureau, moved S4M-15086—That the Parliament agrees that, during stage 3 of the Criminal Justice (Scotland) Bill, debate on groups of amendments shall, subject to Rule 9.8.4A, be brought to a conclusion by the time limit indicated, that time limit 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 (other than a suspension following the first division in the stage being called) or otherwise not in progress:

Groups 1 to 4:	35 minutes
Groups 5 to 8:	1 hour 30 minutes
Groups 9 to 12:	2 hours
Groups 13 to 16:	2 hours 40 minutes.

The motion was agreed to.

4. Topical Questions: Questions were answered by a Cabinet Secretary and the Lord Advocate.

5. Ministerial Statement: The Minister for Transport and Islands (Derek Mackay) made a statement and answered questions on the Forth Road Bridge.

6. Criminal Justice (Scotland) Bill - Stage 3: The Bill was considered at Stage 3.

The following amendments were agreed to (without division): 5, 83, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 87, 65, 66, 67, 68, 69, 70, 71, 72, 73, 88, 89, 74, 75, 76, 77, 78, 79, 80, 81 and 82.

The following amendments were disagreed to (by division)—

1	(For 3, Against 103, Abstentions 4)
3	(For 6, Against 103, Abstentions 0)
86	(For 40, Against 75, Abstentions 0)
90	(For 50, Against 61, Abstentions 4).

The following amendments were not moved: 84, 2, 4, 85 and 91.

7. Criminal Justice (Scotland) Bill: The Cabinet Secretary for Justice (Michael Matheson) moved S4M-15087—That the Parliament agrees that the Criminal Justice (Scotland) Bill be passed.

After debate, the motion was agreed to (DT).

8. Motion without Notice: The Minister for Parliamentary Business (Joe FitzPatrick) moved without notice that, under Rule 11.2.4, Decision Time be brought forward to 6.38 pm. The motion was agreed to.

9. Decision Time: The Parliament took a decision on item 7 as noted above.

10. Marischal Square: The Parliament debated S4M-14804 in the name of Kevin Stewart—That the Parliament notes the concerns of the Reject Marischal Square Development campaign group (RMSD), who have published a report on what they believe to be a lack of openness and transparency regarding Aberdeen City Council’s decision to enter into a deal over Marischal Square, where, according to RMSD’s Facebook site, in the worst case scenario “Aberdeen tax payers will be underwriting the risk of under-occupancy of the development by guaranteeing £175 million to Aviva shareholders over 35 years”; understands that, in answer to a freedom of information request by campaigners dated 9 November 2015 asking for a copy of the business plan for Marischal Square, the council stated that “there is no business plan at this time”; is concerned that there seems to be no business plan for what it considers to be a complex financial deal, and understands with regret that many Aberdonians feel that their voices have been ignored on this issue.

The meeting closed at 7.24 pm.

P E Grice
Clerk of the Parliament
8 December 2015

Appendix
(Note: this Appendix does not form part of the Minutes)

Subordinate Legislation

Negative instruments

The following instrument was laid before the Parliament on 4 December 2015 and is subject to the negative procedure—

Food Information (Miscellaneous Amendments) (Scotland) Regulations 2015
(SSI 2015/410)
laid under section 48(1) of the Food Safety Act 1990

Laid only instruments

The following instrument was laid before the Parliament on 4 December 2015 and is not subject to any parliamentary procedure—

Act of Sederunt (Rules of the Court of Session 1994 Amendment) (No. 4)
(Protective Expenses Orders) 2015 (SSI 2015/408)
laid under section 30(2) of the Interpretation and Legislative Reform
(Scotland) Act 2010

The following instruments were laid before the Parliament on 7 December 2015 and are not subject to any parliamentary procedure—

Prisoners (Control of Release) (Scotland) Act 2015 (Commencement) Order
2015 (SSI 2015/409 (C.52))
laid under section 30(2) of the Interpretation and Legislative Reform
(Scotland) Act 2010

Procurement Reform (Scotland) Act 2014 (Commencement No. 2) Order
2015 (SSI 2015/411 (C.53))
laid under section 30(2) of the Interpretation and Legislative Reform
(Scotland) Act 2010

Other Documents

The following documents were laid before the Parliament on 4 December 2015 and are not subject to any parliamentary procedure—

Scottish Legal Complaints Commissioner Annual Report 1 July 2014 - 30
June 2015 SG/2015/144
laid under Paragraph 16 of Schedule 1 to the Legal Profession and
Legal Aid (Scotland) Act 2007

Scottish Legal Complaints Commission Annual Accounts year ended 30 June
2015 SG/2015/147

laid under Paragraph 15 of Schedule 1 to the Legal Profession and Legal Aid (Scotland) Act 2007 and Section 22(5) of the Public Finance and Accountability (Scotland) Act 2000

The following documents were laid before the Parliament on 7 December 2015 and are not subject to any parliamentary procedure—

Health and Social Care Integration: a report prepared for the Auditor General for Scotland and Accounts Commission Scotland (AGS/2015/10)
laid under the Public Finance and Accountability (Scotland) Act

Scottish Social Services Council Annual Report and Accounts 2014/2015: (SG/2015/196)
laid under paragraph 10(1) of schedule 2 to the Regulation of Care (Scotland) Act 2001 and section 22(5) of the Public Finance and Accountability (Scotland) Act 2000

Committee Reports

The following reports were published on 3 December 2015—

Delegated Powers and Law Reform Committee, 76th report 2015 (Session 4): Bankruptcy (Scotland) Bill at Stage 1 (SP Paper 844)

Delegated Powers and Law Reform Committee, 77th report 2015 (Session 4): Transplantation (Authorisation of Removal of Organs etc.) (Scotland) Bill at Stage 1 (SP Paper 846)

The following report was published on 8 December 2015—

Delegated Powers and Law Reform Committee, 79th Report 2015 (Session 4): Criminal Justice (Scotland) Bill as amended at Stage 2 (SP Paper 848)

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