



The Scottish Parliament Pàrlamaid na h-Alba

MINUTES OF PROCEEDINGS

Parliamentary Year 5, No. 73 Session 4

Meeting of the Parliament

Tuesday 26 January 2016

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

The meeting opened at 2.00 pm.

1. Time for Reflection: Lauren Galloway and Brandon Low, pupils at Auchmuty High School, Glenrothes, Fife led Time for Reflection.

2. Topical Questions: Questions were answered by Ministers.

3. Pentland Hills Regional Park Boundary Bill: Christine Grahame moved S4M-15130—That the Parliament agrees to the general principles of the Pentland Hills Regional Park Boundary Bill.

After debate, the motion was disagreed to ((DT) by division: For 8, Against 105, Abstentions 0).

4. Trade Union Bill: The Cabinet Secretary for Fair Work, Skills and Training (Roseanna Cunningham) moved S4M-15414—That the Parliament unreservedly supports the report of the Devolution (Further Powers) Committee that reaffirms the Parliament's opposition to the UK Government's Trade Union Bill; notes that the Bill, if enacted, has the potential to significantly damage Scotland's good industrial relations record; welcomes the committee's recommendations that the Scottish Government continue to use all avenues to remove Scotland from the territorial extent of the Bill or, as a minimum, seek that the regulation-making powers relating to facility time and check off be conferred on the Scottish Ministers as they directly relate to public services in Scotland, and notes that the Scottish Government is working with the STUC, COSLA and others who oppose the Bill.

Neil Findlay moved amendment S4M-15414.1 to motion S4M-15414—

Insert at end—

“; further understands that the National Assembly for Wales will debate a legislative consent motion on this Bill and its impact on Wales and Welsh devolved public services on 26 January 2016, and calls on all parties represented in the Scottish Parliament to support the proposal from Mary Fee MSP to amend the Standing Orders to allow a similar process to take place here”.

After debate, the amendment was agreed to ((DT) by division: For 99, Against 14, Abstentions 0).

The motion, as amended, was then agreed to ((DT) by division: For 99, Against 14, Abstentions 0).

Accordingly, the Parliament resolved—That the Parliament unreservedly supports the report of the Devolution (Further Powers) Committee that reaffirms the Parliament’s opposition to the UK Government’s Trade Union Bill; notes that the Bill, if enacted, has the potential to significantly damage Scotland’s good industrial relations record; welcomes the committee’s recommendations that the Scottish Government continue to use all avenues to remove Scotland from the territorial extent of the Bill or, as a minimum, seek that the regulation-making powers relating to facility time and check off be conferred on the Scottish Ministers as they directly relate to public services in Scotland; notes that the Scottish Government is working with the STUC, COSLA and others who oppose the Bill; further understands that the National Assembly for Wales will debate a legislative consent motion on this Bill and its impact on Wales and Welsh devolved public services on 26 January 2016, and calls on all parties represented in the Scottish Parliament to support the proposal from Mary Fee MSP to amend the Standing Orders to allow a similar process to take place here.

5. Decision Time: The Parliament took decisions on items 3 and 4 as noted above.

6. Holocaust Memorial Day 2016: The Parliament debated S4M-15216 in the name of Stewart Maxwell—That the Parliament notes that 27 January 2016 marks Holocaust Memorial Day, the 71st anniversary of the liberation of Auschwitz-Birkenau and an opportunity for schools, colleges, faith groups and communities across Scotland to remember the six million men, women and children murdered by the Nazi regime in occupied Europe; further notes that the theme of Holocaust Memorial Day 2016 is Don’t Stand By; values the Holocaust Educational Trust’s Lessons from Auschwitz Project, which gives two post-16 students from every school and college in Scotland the opportunity to visit Auschwitz-Birkenau; applauds Lauren Galloway and Brandon Low, two students from Auchmuty High School in Fife, who took part in the project and will deliver the Parliament’s Time for Reflection message on 26 January 2016; celebrates the Holocaust survivors who have enriched Scotland as a nation, and recommits to ensuring that racism, sectarianism and bigotry are never allowed to go unchallenged in Scotland.

The meeting closed at 5.38 pm.

P E Grice
Clerk of the Parliament
26 January 2016

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

Subordinate Legislation

Affirmative instruments

The following draft affirmative instrument was withdrawn and subsequently re-laid before the Parliament on 22 January 2016—

Public Services Reform (Social Work Complaints Procedure) (Scotland) Order 2016 [draft]
laid under section 25(2)(b) of the Public Services Reform (Scotland) Act 2010

The timetable for consideration of this draft SSI remains unchanged

The following instrument was laid before the Parliament on 22 January 2016 and is subject to the affirmative procedure—

Budget (Scotland) Act 2015 Amendment Regulations 2016 [draft]
laid under section 7(2) of the Budget (Scotland) Act 2015

The following draft affirmative instruments were withdrawn and subsequently re-laid before the Parliament on 25 January 2016—

Assessment of Energy Performance of Non-domestic Buildings (Scotland) Regulations 2016 [draft]
laid under section 96(4) of the Climate Change (Scotland) Act 2009

Local Authority (Capital Finance and Accounting) (Scotland) Regulations 2016 [draft]
laid under section 165(5) of the Local Government etc. (Scotland) Act 1994

The timetable for consideration of these draft SSIs remains unchanged

Negative instruments

The following instruments were laid before the Parliament on 22 January 2016 and are subject to the negative procedure—

Local Government Pension Scheme (Scotland) Amendment Regulations 2016 (SSI 2016/32)
laid under section 12(6) of the Superannuation Act 1972 and section 24(2) of the Public Service Pensions Act 2013

Less Favoured Area Support Scheme (Scotland) Amendment Regulations 2016 (SSI 2016/33)

laid under paragraph 2(2) of Schedule 2 to the European Communities Act 1972

The following instruments were laid before the Parliament on 25 January 2016 and are subject to the negative procedure—

Nature Conservation (Scotland) Act 2004 (Authorised Operations) Order 2016 (SSI 2016/38)

laid under section 53(4) of the Nature Conservation (Scotland) Act 2004

Pollution Prevention and Control (Scotland) Amendment Regulations 2016 (SSI 2016/39)

laid under paragraph 2(2) of Schedule 2 to the European Communities Act 1972

Waste Management Licensing (Scotland) Amendment Regulations 2016 (SSI 2016/40)

laid under section 2(7) of the Pollution Prevention and Control Act 1999

Laid only instruments

The following instrument was laid before the Parliament on 22 January 2016 and is not subject to any parliamentary procedure—

Local Government etc. (Scotland) Act 1994 (Commencement No. 9) Order 2016 (SSI 2016/31 (C.6))

laid under section 30(2) of the Interpretation and Legislative Reform (Scotland) Act 2010

The following instrument was laid before the Parliament on 25 January 2016 and is not subject to any parliamentary procedure—

Specified Diseases (Notification) Amendment (Scotland) Order 2016 (SSI 2016/41)

laid under section 30(2) of the Interpretation and Legislative Reform (Scotland) Act 2010

Other Documents

The following document was laid before the Parliament on 22 January 2016 and is not subject to any parliamentary procedure—

Scotland's Budget Documents: The 2015-16 Spring Budget Revision to the Budget (Scotland) Act for the year ending 31 March 2016 (SG/2016/2)

laid before the Scottish Parliament at the request of a member of the Scottish Government and not under any laying power

Committee Reports

The following reports were published on 26 January 2016—

Economy, Energy and Tourism Committee, 3rd Report, 2016 (Session 4):
Legislative Consent Memorandum: Enterprise Bill (SP Paper 891)

Delegated Powers and Law Reform Committee, 8th Report 2015 (Session 4):
Subordinate Legislation (SP Paper 888)

Delegated Powers and Law Reform Committee, 9th Report 2015 (Session 4):
Education (Scotland) Bill as amended at Stage 2 (SP Paper 889)

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