



# The Scottish Parliament Pàrlamaid na h-Alba

## MINUTES OF PROCEEDINGS

**Vol. 2, No. 13 Session 4**

**Meeting of the Parliament**

**Wednesday 27 June 2012**

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

The meeting opened at 9.30 am.

**1. Time for Reflection:** Reverend Gordon Craig, the UK Oil and Gas Chaplain led Time for Reflection.

**2. Business Motion:** Bruce Crawford, on behalf of the Parliamentary Bureau, moved S4M-03499—That the Parliament agrees the following revision to the programme of business for—

(a) Wednesday 27 June 2012—

delete

2.30 pm Continuation of Stage 3 Proceedings: Police and Fire Reform (Scotland) Bill

*followed by* Standards Procedures and Public Appointments Committee Debate: 4th Report 2012, Scotland Act: Standing Order Rule Changes

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

*followed by* Members' Business

and insert

2.45 pm Continuation of Stage 3 Proceedings: Police and Fire Reform (Scotland) Bill  
*followed by* Standards, Procedures and Public Appointments Committee Debate: 4th Report 2012, Scotland Act: Standing Order Rule Changes  
*followed by* Legislative Consent Motion: Electoral Registration and Administration Bill – UK Legislation  
*followed by* Legislative Consent Motion: Local Government Finance Bill – UK Legislation  
*followed by* Business Motions  
*followed by* Parliamentary Bureau Motions  
5.15 pm Decision Time  
*followed by* Members' Business

(b) Thursday 28 June 2012—

after

9.15 am Parliamentary Bureau Motions

insert

*followed by* Ministerial Statement: Rio+20 Earth Summit

and after

2.55 pm Stage 3 Proceedings: Welfare Reform (Further Provision) (Scotland) Bill

insert

*followed by* Legislative Consent Motion: Crime and Courts Bill – UK Legislation

The motion was agreed to.

**3. Business Motion: Police and Fire Reform (Scotland) Bill:** Bruce Crawford, on behalf of the Parliamentary Bureau, moved S4M-03495—That the Parliament agrees that, during stage 3 of the Police and Fire Reform (Scotland) Bill—

(a) debate on the groups of amendments specified below in relation to the morning and afternoon shall, subject to Rule 9.8.4A, be brought to a conclusion by the time limits indicated;

(b) each time limit specified in relation to the morning shall be calculated from the beginning of proceedings in the morning and each time limit specified in relation to the afternoon shall be calculated from the beginning of proceedings in the afternoon; and

(c) all time limits shall exclude any period when other business is under consideration or when a meeting of the Parliament is suspended (other than a

suspension following the first division in each of the morning and the afternoon being called) or otherwise not in progress:

#### Morning

Groups 1 to 3:	40 minutes
Groups 4 to 6:	1 hour 20 minutes
Groups 7 to 9:	1 hour 55 minutes
Groups 10 and 11:	2 hours 25 minutes

#### Afternoon

Groups 12 to 14:	30 minutes
Groups 15 and 16:	1 hour
Groups 17 and 18:	1 hour 30 minutes.

The motion was agreed to.

**4. Ministerial Statement:** The Cabinet Secretary for Finance, Employment and Sustainable Development (John Swinney) made a statement and answered questions on the Budget Outturn 2011/2012.

**5. SPCB Questions:** Questions were answered by members of the Scottish Parliamentary Corporate Body.

**6. Police and Fire Reform (Scotland) Bill - Stage 3:** The Bill was considered at Stage 3.

The following amendments were agreed to (without division): 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 40, 43, 15, 16, 1, 17, 18, 19, 20, 64, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33 and 34.

Amendment 67 was agreed to (by division: For 113, Against 7, Abstentions 0).

The following amendments were disagreed to (by division):

35	(For 40, Against 77, Abstentions 0)
36	(For 36, Against 81, Abstentions 0)
37	(For 54, Against 63, Abstentions 0)
38	(For 34, Against 81, Abstentions 0)
39	(For 54, Against 63, Abstentions 0)
41	(For 54, Against 63, Abstentions 0)
42	(For 40, Against 77, Abstentions 0)
44	(For 54, Against 64, Abstentions 0)
45	(For 54, Against 64, Abstentions 0)
46	(For 55, Against 64, Abstentions 0)
47A	(For 53, Against 64, Abstentions 0)
47	(For 54, Against 63, Abstentions 0)
48	(For 40, Against 76, Abstentions 0)
49	(For 55, Against 62, Abstentions 0)
50	(For 55, Against 62, Abstentions 0)

- 2 (For 55, Against 62, Abstentions 0)
- 15A (For 55, Against 65, Abstentions 0)
- 52 (For 40, Against 78, Abstentions 0)
- 53 (For 54, Against 65, Abstentions 0)
- 54 (For 38, Against 79, Abstentions 0)
- 56 (For 40, Against 79, Abstentions 0)
- 57 (For 42, Against 78, Abstentions 0)
- 58 (For 38, Against 82, Abstentions 0)
- 59 (For 42, Against 78, Abstentions 0)
- 62 (For 56, Against 64, Abstentions 0)
- 63 (For 56, Against 64, Abstentions 0)
- 65 (For 56, Against 63, Abstentions 0)
- 66 (For 55, Against 64, Abstentions 0)
- 21A (For 56, Against 64, Abstentions 0)
- 68 (For 41, Against 77, Abstentions 0)
- 3 (For 55, Against 64, Abstentions 0)
- 69 (For 55, Against 63, Abstentions 0)
- 70 (For 42, Against 78, Abstentions 0)
- 71 (For 55, Against 64, Abstentions 0)
- 72 (For 38, Against 82, Abstentions 0)
- 73 (For 55, Against 63, Abstentions 0)
- 74 (For 54, Against 63, Abstentions 0)
- 75 (For 51, Against 62, Abstentions 0)
- 76 (For 54, Against 62, Abstentions 0)
- 77 (For 54, Against 63, Abstentions 0).

The following amendments were not moved: 60, 61 and 4.

**7. Police and Fire Reform (Scotland) Bill - Stage 3:** The Cabinet Secretary for Justice (Kenny MacAskill) moved S4M-03407—That the Parliament agrees that the Police and Fire Reform (Scotland) Bill be passed.

After debate, the motion was agreed to ((DT) by division: For 101, Against 6, Abstentions 14).

**8. Scotland Act: Standing Order Rule Changes:** Dave Thompson, on behalf of the Standards, Procedures and Public Appointments Committee, moved S4M-03309—That the Parliament notes the Standards, Procedures and Public Appointments Committee's 4th Report 2012 (Session 4), *Scotland Act: Standing Order Rule Changes* (SP Paper 157), and agrees that changes to Standing Orders set out in Annexe A to the report be made with effect from the date of commencement of section 12 of the Scotland Act 2012.

The motion was agreed to (DT).

**9. Electoral Registration and Administration Bill – UK Legislation:** The Cabinet Secretary for Finance, Employment and Sustainable Development (John Swinney) moved S4M-03481—That the Parliament agrees that the relevant provisions of the Electoral Registration and Administration Bill, introduced in the House of Commons on 10 May 2012, relating to individual electoral registration and absent voting and

rejected postal votes, so far as these matters fall within the legislative competence of the Scottish Parliament, should be considered by the UK Parliament.

The motion was agreed to (DT).

**10. Local Government Finance Bill – UK Legislation:** The Cabinet Secretary for Finance, Employment and Sustainable Growth (John Swinney) moved S4M-03480—That the Parliament agrees that the relevant provisions of the Local Government Finance Bill, introduced in the House of Commons on 19 December 2011, which relates to the establishment of a data sharing gateway for purposes relating to council tax liability, in so far as these matters fall within the executive competence of the Scottish Ministers, should be considered by the UK Parliament.

The motion was agreed to (DT).

**11. Approval of SSI:** Bruce Crawford, on behalf of the Parliamentary Bureau, moved S4M-03500—That the Parliament agrees that the Legal Services (Scotland) Act 2010 (Ancillary Provision) Regulations 2012 [draft] be approved.

The motion was agreed to (DT).

**12. Approval of SSI:** Bruce Crawford, on behalf of the Parliamentary Bureau, moved S4M-03501—That the Parliament agrees that the Licensed Legal Services (Specification of Regulated Professions) (Scotland) Regulations 2012 [draft] be approved.

The motion was agreed to (DT).

**13. Committee Membership:** Bruce Crawford, on behalf of the Parliamentary Bureau, moved S4M-03502—That the Parliament agrees that—

Jackson Carlaw be appointed to replace Nanette Milne as a member of the Public Petitions Committee;

Hanzala Malik be appointed to replace Michael McMahon as a member of the Subordinate Legislation Committee;

Jackie Baillie be appointed to replace Drew Smith as a member of the Welfare Reform Committee;

Fiona McLeod be appointed to replace Bob Doris as a member of the Standards, Procedures and Public Appointments Committee; and

Sandra White be appointed to replace Fiona McLeod as a member of the Health and Sport Committee.

The motion was agreed to (DT).

**14. Substitution on Committee:** Bruce Crawford, on behalf of the Parliamentary Bureau, moved S4M-03503—That the Parliament agrees that Jackson Carlaw be appointed to replace Nanette Milne as the Scottish Conservative and Unionist Party substitute on the Health and Sport Committee.

The motion was agreed to (DT).

**15. Decision Time:** The Parliament took decisions on items 7, 8, 9, 10, 11, 12, 13, 14 as noted above.

**16. Scottish Government Cuts Threaten Creativity:** The Parliament debated S4M-03226 in the name of Patricia Ferguson—That the Parliament notes the package of voluntary severances and the possibility of potential redundancies that it understands are being made at North Glasgow College and other colleges across the country; regrets that these cuts might impact on the number and range of courses offered including music production; understands that the cuts, which are being proposed by the Scottish Government, will require the North Glasgow College management to save £823,000 in 2012-13 on top of what it sees as the swingeing cuts of £1 million that the college experienced in 2011-12, considers that these cuts will have an impact on both the level of skill in the workplace and on opportunities for young people, and finds this extremely unhelpful at a time of high youth unemployment when it considers that further education colleges should be able to equip tomorrow's workers with the skills to help Scotland emerge from the recession.

The meeting closed at 6.02 pm.

**P E Grice**  
Clerk of the Parliament  
27 June 2012

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

**Subordinate Legislation**

**Affirmative instruments**

The following instrument was laid before the Parliament on 26 June 2012 and is subject to the affirmative procedure—

Population (Statistics) Act 1938 Modifications (Scotland) Order 2012 [draft]  
laid under section 44(5) of the Family Law (Scotland) Act 2006 and  
section 259(8)(b) of the Civil Partnership Act 2004

**Negative instruments**

The following instruments were laid before the Parliament on 22 June 2012 and are subject to the negative procedure—

Trade in Animals and Related Products (Scotland) Amendment Order 2012  
(SSI 2012/198)  
laid under section 33(4) of the Animal Health Act 1981 and paragraph  
2(2) of Schedule 2 to the European Communities Act 1972

Bluetongue (Scotland) Order 2012 (SSI 2012/199)  
laid under section 91 of the Animal Health Act 1981 and paragraph 2(2)  
of Schedule 2 to the European Communities Act 1972

The following instruments were laid before the Parliament on 25 June 2012 and are subject to the negative procedure—

Wildlife and Countryside Act 1981 (Exceptions to section 14) (Scotland)  
Amendment Order 2012 (SSI 2012/205)  
laid under section 26 of the Wildlife and Countryside Act 1981

Wildlife and Countryside Act 1981 (Keeping and Release and Notification  
Requirements) (Scotland) Amendment Order 2012 (SSI 2012/206)  
laid under section 26 of the Wildlife and Countryside Act 1981

**Other Documents**

The following documents were laid before the Parliament on 26 June 2012 and are not subject to any Parliamentary procedure—

Statistical Bulletin: Recorded Crime in Scotland, 2011-12 (SG/2012/117)  
laid under section 47(2) of the Police (Scotland) Act 1967

Education Scotland Annual Report 2011-2012 (SG/2012/89)

The following documents were laid before the Parliament on 27 June and are not subject to any Parliamentary procedure—

Franchising Statement under Section 26(4a) of the Railways Act 1993 (SG/2012/116)

laid under section 26 of the Railways Act 1993

General Pharmaceutical Council Annual Report: Annual Fitness to Practise Report: Annual Accounts 2011/2012 (SG/2012/118)

laid under paragraphs 7 and 8 of schedule 1 to the Pharmacy Order 2010

Security Industry Authority Annual Report and Accounts 2011/12 (SG/2012/93)

laid under paragraphs 17(2) and 16(4)(b) of schedule 1 to the Private Security Industry Act 2001

### **Legislative Consent Memoranda**

The following memoranda were lodged on 26 June 2012—

Kenny MacAskill: Legislative Consent Memorandum on the Defamation Bill (UK Parliament Legislation) (LCM(S4) 13.1)

John Swinney: Legislative Consent Memorandum on the Enterprise and Regulatory Reform Bill (UK Parliament Legislation) (LCM(S4) 14.1)

### **Committee Reports**

The following report was published on 22 June 2012—

Local Government and Regeneration Committee, 8th Report, 2012 (Session 4): Public Services Reform and Local Government – Strand 1: Partnerships and Outcomes (SP Paper 170)

The following report was published on 25 June 2012—

Health and Sport Committee, 9th Report, 2012 (Session 4): NHS Boards Budget Scrutiny (SP Paper 171)

The following reports were published on 27 June 2012—

Education and Culture Committee, 8th Report, 2012 (Session 4): Subordinate legislation (SP Paper 172)

Rural Affairs, Climate Change and Environment Committee, 8th Report, 2012 (Session 4): Subordinate legislation and guidance subject to approval (SP Paper 173)



European and External Relations Committee, 4th Report, 2012 (Session 4):  
The EU's Horizon 2020 Programme for Research and Innovation (SP Paper  
175)

Subordinate Legislation Committee, 38th Report, 2012 (Session 4): Scottish  
Civil Justice Council and Criminal Legal Assistance Bill (SP Paper 176)

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