Thank you for your letter inviting the Education and Culture Committee to respond to your review of the EU rules in Standing Orders.

Our responses to your specific questions are set out below—

**Rule 10A.2 – Referral to lead committee**

1. How often has your committee considered an EU legislative proposal under this rule and what have the outcomes been?

Response:

The European Union does not have legislative competence in relation to education and culture and, therefore, the Education and Culture Committee has not considered any EU legislative proposals in relation to its remit.

2. What the implications of the requirement to consider EU legislative proposals have been for your committee?

Response:

N/A

3. How has your committee influenced outcomes at a UK and EU level as a result of this rule?

Response:

N/A

4. How practicable is Rule 10A.2.2 (designation of lead committee where the subject matter of an EU legislative proposal falls within the remit of more than one committee) given time constraints?

Response:

N/A

**Rule 10A.3 – Consideration of proposal for European Union legislation**

5. Under Rule 10A.3.1 committees are obliged to consider an EU legislative proposal where it has been referred to the Committee in terms of Rule 10A.2. Is this rule sufficiently flexible to allow a committee to decide which proposals it wishes to consider? Specifically, is it necessary for a lead committees to consider
all proposals where the UK Government, UK Parliament or Scottish Government has brought to the attention of the Parliament a subsidiarity concern?

Response:

The Education and Culture Committee has not considered an EU legislative proposal and so does not have any direct experience of the application of this Rule.

6. Under Rule 10A.3.2, where the lead committee considers that an EU legislative proposal does not comply with the principle of subsidiarity, the Convener shall by motion propose that the Parliament agrees that the proposal does not comply with the principle of subsidiarity, and the Parliamentary Bureau shall allocate time for debate. How often has your committee applied this rule? Are there any issues around timing, given the constraints of the 8-week period and competing demands on parliamentary time?

Response:

N/A

7. Under Rule 10A.3.3 where an EU legislative proposal is referred to a lead committee and the lead committee decides that there is an insufficient period remaining for report and debate, the Presiding Officer shall notify the UK Parliament of any concerns that the lead committee has that the proposal does not comply with the principle of subsidiarity. How often has this rule been invoked in the context of your committee’s consideration of an EU legislative proposal? How effective this process is?

Response:

Never

8. How often Rule 10A.3.4 (making special arrangements for recess periods) has been used?

Response:

Never
9. On how many occasions has your EU Reporter brought to the committee’s attention any EU issue, proposal for EU legislation, or implementation of European Communities or EU legislation, as provided for in this rule?

Response:

The Education and Culture Committee EU Reporter regularly highlights EU issues that are relevant to the Committee’s work programme. The Committee has recently considered its work programme and is in the process of agreeing its EU priorities for the coming year ahead of the EERC debate in the Chamber in February. Although the detail of the work programme has not yet been agreed, a number of areas are likely to have particular EU angles, which will be incorporated in future approach papers for the Committee’s consideration.

I hope this response provides a useful contribution to your Committee’s review.

STEWART MAXWELL MSP
CONVENER
EDUCATION AND CULTURE COMMITTEE
SCOTTISH PARLIAMENT
10 JANUARY 2014