



The Scottish Parliament
Pàrlamaid na h-Alba

DELEGATED POWERS AND LAW REFORM COMMITTEE

MINUTES

23rd Meeting, 2014 (Session 4)

Tuesday 5 August 2014

Present:

Richard Baker	Nigel Don (Convener)
Mike MacKenzie	Margaret McCulloch
Stuart McMillan (Deputy Convener)	John Scott
Stewart Stevenson	

The meeting opened at 11.32 am.

1. **Decision on taking business in private:** The Committee agreed to take item 7 in private.
2. **Instruments subject to affirmative procedure:** The Committee agreed that no points arose on the following—

[Scotland Act 1998 \(Transfer of Functions to the Scottish Ministers etc.\) Order 2014 \[draft\];](#)

[Public Appointments and Public Bodies etc. \(Scotland\) Act 2003 \(Treatment of Historic Environment Scotland as Specified Authority\) Order 2014 \[draft\];](#)

[Public Appointments and Public Bodies etc. \(Scotland\) Act 2003 \(Treatment of the Convener of the School Closure Review Panels as Specified Authority\) Order 2014 \[draft\];](#)

[Pollution Prevention and Control \(Scotland\) Amendment Regulations 2014 \[draft\];](#)

[Legal Profession and Legal Aid \(Scotland\) Act 2007 \(Membership of the Scottish Legal Complaints Commission\) Amendment Order 2014 \[draft\].](#)

3. **Instruments subject to negative procedure:** The Committee agreed to draw the attention of the Parliament to the following—

[Town and Country Planning \(General Permitted Development\) \(Scotland\) Amendment \(Amendment\) Order 2014 \(SSI 2014/184\);](#)

and that no points arose on the following—

[Protection of Seals \(Designation of Haul-Out Sites\) \(Scotland\) Order 2014 \(SSI 2014/185\);](#)

[Local Authority Accounts \(Scotland\) Regulations 2014 \(SSI 2014/200\);](#)

[Scotland Act 1998 \(Agency Arrangements\) \(Specification\) Order 2014 \(SI 2014/1892\).](#)

4. **Instruments not subject to any parliamentary procedure:** The Committee agreed that no points arose on the following—

[Bankruptcy and Debt Advice \(Scotland\) Act 2014 \(Commencement No. 1 and Saving\) Order 2014 \(SSI 2014/172 \(C.13\)\);](#)

[Tribunals \(Scotland\) Act 2014 \(Commencement No. 1\) Order 2014 \(SSI 2014/183 \(C.15\)\);](#)

[Act of Sederunt \(Rules of the Court of Session and Sheriff Court Rules Amendment\) \(Miscellaneous\) 2014 \(SSI 2014/201\);](#)

[Public Bodies \(Joint Working\) \(Scotland\) Act 2014 \(Commencement No.1\) Order 2014 \(SSI 2014/202 \(C.16\)\).](#)

In relation to the Public Bodies (Joint Working) (Scotland) Act 2014 (Commencement No.1) Order 2014 (SSI 2014/202 (C.16)), the Committee agreed to write to the Scottish Government asking for an explanation as to why the instrument could not have been laid prior to recess, thereby affording the Committee the opportunity to scrutinise it in advance of the instrument coming in to force.

5. **Legal Writings (Counterparts and Delivery) (Scotland) Bill:** The Committee considered the delegated powers provisions in this Bill at Stage 1.
6. **Mental Health (Scotland) Bill:** The Committee agreed its approach to the delegated powers provisions in this Bill at Stage 1.
7. **Welfare Funds (Scotland) Bill:** The Committee considered further the delegated powers provisions in this Bill at Stage 1.

The meeting closed at 11.52 am.

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