



The Scottish Parliament
Pàrlamaid na h-Alba

DELEGATED POWERS AND LAW REFORM COMMITTEE

MINUTES

22nd Meeting, 2013 (Session 4)

Tuesday 3 September 2013

Present:

Christian Allard	Nigel Don (Convener)
Mike MacKenzie	Hanzala Malik
John Pentland	John Scott
Stewart Stevenson (Deputy Convener)	

The meeting opened at 10.00 am.

1. **Decision on taking business in private:** The Committee agreed to take items 7 and 8 in private.
2. **Instruments subject to affirmative procedure:** The Committee agreed that no points arose on the following—

[Rosyth International Container Terminal \(Harbour Revision\) Order 2013 \[draft\].](#)

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

[Council Tax Reduction \(Scotland\) Amendment \(No. 2\) Regulations 2013 \(SSI 2013/218\);](#)
[Specified Products from China \(Restriction on First Placing on the Market\) \(Scotland\) Amendment Regulations 2013 \(SSI 2013/221\);](#)
[Landfill \(Scotland\) Amendment Regulations 2013 \(SSI 2013/222\);](#)
[Football Banning Orders \(Regulated Football Matches\) \(Scotland\) Order 2013 \(SSI 2013/228\);](#)
[Sports Grounds and Sporting Events \(Designation\) \(Scotland\) Amendment \(No. 2\) Order 2013 \(SSI 2013/229\);](#)

and that no points arose on the following—

[Public Health etc. \(Scotland\) Act 2008 \(Sunbed\) Amendment Regulations 2013 \(SSI 2013/201\);](#)
[Sale of Tobacco \(Prescribed Documents\) \(Scotland\) Regulations 2013 \(SSI 2013/202\);](#)
[Vulnerable Witnesses \(Giving evidence in relation to the determination of Children's Hearing grounds: Authentication of Prior Statements\) \(Scotland\) Regulations 2013 \(SSI 2013/215\);](#)
[Contaminants in Food \(Scotland\) Regulations 2013 \(SSI 2013/217\);](#)
[Council Tax Reduction \(Scotland\) Amendment \(No. 3\) Regulations 2013 \(SSI 2013/239\).](#)

In relation to both the Council Tax Reduction (Scotland) Amendment (No. 2) Regulations 2013 (SSI 2013/218) and the Council Tax Reduction (Scotland) Amendment (No. 3) Regulations 2013 (SSI 2013/239), the Convener proposed that the Committee considers that the Regulations are intra vires and should not be drawn to the attention of the Parliament on the basis that they may raise a devolution issue. The proposals were agreed to by division (For 4, Against 3, Abstentions 0).

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

[Criminal Justice and Licensing \(Scotland\) Act 2010 \(Commencement No. 11 and Saving Provision\) Order 2013 \(SSI 2013/214 \(C.15\)\).](#)

5. **Public Bodies (Joint Working) (Scotland) Bill:** The Committee considered the delegated powers provisions in this Bill at Stage 1 and agreed to seek further information from the Scottish Government.
6. **Scottish Independence Referendum Bill:** The Committee noted the Scottish Government's response to its Stage 1 report.
7. **Tribunals (Scotland) Bill (in private):** The Committee agreed a report to the Justice Committee.
8. **Marriage and Civil Partnership (Scotland) Bill (in private):** The Committee agreed its approach to the scrutiny of the delegated powers provisions in this Bill at Stage 1 and will take oral evidence at its next meeting on 10 September.

The meeting closed at 11.13 am.

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