



The Scottish Parliament  
Pàrlamaid na h-Alba

## SUBORDINATE LEGISLATION COMMITTEE

### MINUTES

29th Meeting, 2012 (Session 4)

Tuesday 11 December 2012

Present:

Nigel Don (Convener)	Jim Eadie
Mike MacKenzie	Hanzala Malik
John Pentland	John Scott
Stewart Stevenson (Deputy Convener)	

The meeting opened at 10.45 am.

1. **Decision on taking business in private:** The Committee agreed to take item 5 in private.
2. **Instruments subject to affirmative procedure:** The Committee agreed that no points arose on the following—

[Knife Dealers \(Licence Conditions\) \(Scotland\) Order 2012 \[draft\];](#)  
[Planning etc. \(Scotland\) Act 2006 \(Supplementary and Consequential Provisions\) Order 2013 \[draft\];](#)  
[Public Services Reform \(Planning\) \(Pre-application consultation\) \(Scotland\) Order 2013 \[draft\];](#)  
[Public Services Reform \(Planning\) \(Local Review Procedure\) \(Scotland\) Order 2013 \[draft\];](#)

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

[Energy Performance of Buildings \(Scotland\) Amendment \(No. 3\) Regulations 2012 \(SSI 2012/315\);](#)  
[Materials and Articles in Contact with Food \(Scotland\) Regulations 2012 \(SSI 2012/318\);](#)  
[Council Tax Reduction \(State Pension Credit\) \(Scotland\) Regulations 2012 \(SSI 2012/319\);](#)

[Welfare of Animals at the Time of Killing \(Scotland\) Regulations 2012 \(SSI 2012/321\);](#)

and that no points arose on the following—

[Civic Government \(Scotland\) Act 1982 \(Metal Dealers' Exemption Warrants\) Order 2012 \(SSI 2012/324\);](#)

[Plant Health \(Scotland\) Amendment \(No. 2\) Order 2012 \(SSI 2012/326\);](#)

[Crofting Register \(Scotland\) Amendment Rules 2012 \(SSI 2012/327\);](#)

[Crofting Register \(Fees\) \(Scotland\) Amendment Order 2012 \(SSI 2012/328\);](#)

In relation to the Council Tax Reduction (Scotland) Regulations 2012, the Convener proposed that the Committee accept the Scottish Government's view that the Regulations are intra vires and not draw them to the attention of the Parliament on the basis that they may raise a devolution issue. The proposal was agreed to by division (For 4, Against 3, Abstentions 0).

Furthermore, again in relation to the Council Tax Reduction (State Pension Credit) (Scotland) Regulations 2012 (SSI 2012/319), Hanzala Malik proposed that the Committee agree to publish a minority view in relation to the Regulations. The proposal was disagreed to by division (For 3, Against 4, Abstentions 0).

4. **Public Body Consent Memorandum:** The Committee agreed that no points arose on the following—

[The Public Bodies \(Abolition of British Shipbuilders\) Order \[2013\].](#)

5. **High Hedges (Scotland) Bill (in private):** The Committee agreed the contents of a report to the Local Government and Regeneration Committee.

The meeting closed at 11.23 am.

Euan Donald  
Clerk to the Subordinate Legislation Committee  
Room T1.01  
Tel: 0131 348 5212  
Email: euan.donald@scottish.parliament.uk