



The Scottish Parliament  
Pàrlamaid na h-Alba

## SUBORDINATE LEGISLATION COMMITTEE

### MINUTES

27th Meeting, 2012 (Session 4)

Tuesday 27 November 2012

Present:

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

The meeting opened at 10.38 am.

1. **Instruments subject to affirmative procedure:** The Committee agreed that no points arose on the following—

[Pollution Prevention and Control \(Scotland\) Regulations 2012 \[draft\];  
Judicial Pensions and Retirement Act 1993 \(Scottish Land Court\) Order  
2013 \[draft\].](#)

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

[Council Tax Reduction \(Scotland\) Regulations 2012 \(SSI 2012/303\);  
Housing \(Scotland\) Act 2001 \(Assistance to Registered Social Landlords  
and Other Persons\) \(Grants\) Amendment Revocation Regulations 2012  
\(SSI 2012/306\);](#)

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 5, Against 2, Abstentions 0).

The Committee agreed that no points arose on the following—

[Criminal Legal Aid \(Scotland\) \(Fees\) Amendment \(No. 2\) Regulations 2012 \(SSI 2012/305\);](#)

[Rural Development Contracts \(Rural Priorities\) \(Scotland\) Amendment Regulations 2012 \(SSI 2012/307\);](#)

[Diligence against Earnings \(Variation\) \(Scotland\) Regulations 2012 \(SSI 2012/308\).](#)

3. **Marine Navigation (No 2) Bill (UK Parliament legislation):** The Committee considered the powers to make subordinate legislation conferred on Scottish Ministers in the Marine Navigation (No 2) Bill (UK Parliament legislation) and agreed to take evidence from Scottish Government officials at its next meeting.
4. **High Hedges (Scotland) Bill:** The Committee considered its approach to the delegated powers provisions in this Bill at Stage 1 and agreed to seek further information in writing from Mark McDonald MSP, the Member in charge of the Bill.

The meeting closed at 11.07 am.

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