



The Scottish Parliament  
Pàrlamaid na h-Alba

## Official Report

# SUBORDINATE LEGISLATION COMMITTEE

Tuesday 13 November 2012

Session 4

---

© Parliamentary copyright. Scottish Parliamentary Corporate Body

Information on the Scottish Parliament's copyright policy can be found on the website - [www.scottish.parliament.uk](http://www.scottish.parliament.uk) or by contacting Public Information on 0131 348 5000

---

**Tuesday 13 November 2012**

**CONTENTS**

	<b>Col.</b>
<b>INSTRUMENTS SUBJECT TO NEGATIVE PROCEDURE</b> .....	589
Crofting Register (Notice of First Registration) (Scotland) Order 2012 (SSI 2012/296) .....	589
Crofting Register (Transfer of Ownership) (Scotland) Regulations 2012 (SSI 2012/297) .....	589
<b>INSTRUMENT NOT SUBJECT TO PARLIAMENTARY PROCEDURE</b> .....	589
Housing (Scotland) Act 2010 (Commencement No 8 and Saving Provision) Order 2012 (SSSI 2012/283) .....	589
<b>GROWTH AND INFRASTRUCTURE BILL</b> .....	590

---

**SUBORDINATE LEGISLATION COMMITTEE**  
**25<sup>th</sup> Meeting 2012, Session 4**

**CONVENER**

\*Nigel Don (Angus North and Mearns) (SNP)

**DEPUTY CONVENER**

\*Stewart Stevenson (Banffshire and Buchan Coast) (SNP)

**COMMITTEE MEMBERS**

Jim Eadie (Edinburgh Southern) (SNP)

\*Mike MacKenzie (Highlands and Islands) (SNP)

\*Hanzala Malik (Glasgow) (Lab)

\*John Pentland (Motherwell and Wishaw) (Lab)

\*John Scott (Ayr) (Con)

\*attended

**THE FOLLOWING ALSO PARTICIPATED:**

Bruce Crawford (Stirling) (SNP) (Committee Substitute)

**CLERK TO THE COMMITTEE**

Euan Donald

**LOCATION**

Committee Room 5



## Scottish Parliament

### Subordinate Legislation Committee

*Tuesday 13 November 2012*

[The Convener *opened the meeting at 10:30*]

### Instruments subject to Negative Procedure

#### **Crofting Register (Notice of First Registration) (Scotland) Order 2012 (SSI 2012/296)**

#### **Crofting Register (Transfer of Ownership) (Scotland) Regulations 2012 (SSI 2012/297)**

**The Convener (Nigel Don):** I welcome members to the 25th meeting in 2012 of the Subordinate Legislation Committee and ask that mobile phones be switched off. We have received apologies from Jim Eadie, so I again welcome Bruce Crawford as his substitute.

*The committee agreed that no points arose on the instruments.*

### Instrument not subject to Parliamentary Procedure

#### **Housing (Scotland) Act 2010 (Commencement No 8 and Saving Provision) Order 2012 (SSI 2012/283)**

10:31

*The committee agreed that no points arose on the instrument.*

## Growth and Infrastructure Bill

10:31

**The Convener:** The committee is invited to consider the powers to make subordinate legislation that are conferred on the Scottish ministers in the Growth and Infrastructure Bill, which is United Kingdom Parliament legislation. A briefing paper has been provided that sets out the relevant aspects of the bill and comments on their effect.

The committee is invited to find acceptable the powers in clauses 17, 18(5), 18(6) and 27(4), and the procedure to which they are subject.

The committee may wish to draw to the attention of the lead committee the fact that clause 27(5) of the bill confers the power on the Scottish ministers to make, by order, such transitional, transitory or saving provisions as they consider appropriate in connection with the coming into force of clauses 18(5) to 18(7). Clauses 18(5) to 18(7) concern the powers of the Scottish ministers to direct that planning permission may be deemed to be granted in connection with significant electricity generation or overhead line schemes. The committee considers that ancillary powers of such a nature, to make transitional, transitory or saving provisions on significant or potentially complex matters, would more usually be subject to scrutiny by the Parliament by means of the negative procedure.

Does the committee agree to report to the lead committee in those terms?

**Members** *indicated agreement.*

**The Convener:** Thank you very much, gentlemen. That brings us to the end of the agenda. Our next meeting will be on Tuesday 20 November.

*Meeting closed at 10:32.*



Members who would like a printed copy of the *Official Report* to be forwarded to them should give notice to SPICe.

---

Available in e-format only. Printed Scottish Parliament documentation is published in Edinburgh by APS Group Scotland.

All documents are available on  
the Scottish Parliament website at:

[www.scottish.parliament.uk](http://www.scottish.parliament.uk)

For details of documents available to  
order in hard copy format, please contact:  
APS Scottish Parliament Publications on 0131 629 9941.

For information on the Scottish Parliament contact  
Public Information on:

Telephone: 0131 348 5000  
Textphone: 0800 092 7100  
Email: [sp.info@scottish.parliament.uk](mailto:sp.info@scottish.parliament.uk)

e-format first available  
ISBN 978-1-4061-9951-2

Revised e-format available  
ISBN 978-1-4061-9966-6

---

Printed in Scotland by APS Group Scotland

---