

Parliamentary Bureau - Legislative Consent Memorandum

Employment Rights Bill (UK legislation)

Introduction

1. Under Rule 9B.3.5, the Parliamentary Bureau is required to refer any legislative consent memorandum (LCM) that has been lodged with the Parliament to the committee within whose remit the subject matter of the relevant provision falls.

Employment Rights Bill

2. This Bill was introduced in the House of Commons on 10 October 2024.
3. An LCM was lodged by Shona Robison MSP, Cabinet Secretary for Finance and Local Government on 11 December 2024. It is supported by Ivan McKee MSP, Minister for Public Finance.
4. The Bill makes provision on a range of matters relating to employment law. It is a relevant Bill under Rule 9B.3.3(b) as a result of proposed government amendments which would alter the executive competence of Scottish Ministers. The amendments are to clause 25 of the Bill which inserts a new section into the Procurement Act 2023, and which relates to the protection of workers involved in public sector outsourcing.
5. The LCM indicates that the Scottish Government intends to lodge a motion seeking the Scottish Parliament's consent to the relevant provision in this Bill.

Designation of lead committee

6. The relevant provision in the Bill falls within the remit of the Economy and Fair Work Committee.
7. The Bureau has previously agreed that committee remits will continue with the same subject matter responsibilities for the remainder of the session. Earlier in the session, the Economy and Fair Work Committee had the remit to consider and report on matters relating to the economy falling within the responsibility of the Cabinet Secretary for Finance and the Economy. The supporting Minister had responsibility for procurement and it therefore engaged the remit of the Committee. Despite a change in ministerial portfolios, the Economy and Fair Work Committee continue to hold responsibility for procurement and related matters. No other committee's remit includes procurement policy.
8. The LCM will also be considered by the Delegated Powers and Law Reform Committee in relation to any provisions in the Bill conferring powers on the Scottish Ministers to make subordinate legislation.

Recommendation

9. The Bureau is invited to refer, under Rule 9B.3.5, the LCM to the Economy and Fair Work Committee as lead committee.

Parliamentary Business Team
December 2024