



OFFICIAL REPORT
AITHISG OIFIGEIL

Delegated Powers and Law Reform Committee

Tuesday 19 June 2018

Session 5



The Scottish Parliament
Pàrlamaid na h-Alba

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DELEGATED POWERS AND LAW REFORM COMMITTEE
22nd Meeting 2018, Session 5

CONVENER

*Graham Simpson (Central Scotland) (Con)

DEPUTY CONVENER

*Stuart McMillan (Greenock and Inverclyde) (SNP)

COMMITTEE MEMBERS

*Tom Arthur (Renfrewshire South) (SNP)

*Neil Findlay (Lothian) (Lab)

Alison Harris (Central Scotland) (Con)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Bill Bowman (North East Scotland) (Con)

CLERK TO THE COMMITTEE

Andrew Proudfoot

LOCATION

The Adam Smith Room (CR5)

Scottish Parliament
**Delegated Powers and Law
Reform Committee**

Tuesday 19 June 2018

[The Convener opened the meeting at 10:02]

**Decision on Taking Business in
Private**

The Convener (Graham Simpson): I welcome members to the 22nd meeting in 2018 of the Delegated Powers and Law Reform Committee. We have received apologies from Alison Harris.

Under agenda item 1, it is proposed that we take item 5, which is consideration of the delegated powers provisions in the Health and Care (Staffing) (Scotland) Bill, in private. Does the committee agree to do so?

Members indicated agreement.

**Instruments subject to
Affirmative Procedure**

10:02

The Convener: Under agenda item 2, no points have been raised on the following instruments.

Public Appointments and Public Bodies etc (Scotland) Act 2003 (Amendment of Specified Authorities) Order 2018 [Draft]

Registered Social Landlords (Repayment Charges) (Scotland) Regulations 2018 [Draft]

The Convener: Is the committee content with the instruments?

Members indicated agreement.

Instruments subject to Negative Procedure

10:03

The Convener: Under agenda item 3, no points have been raised on the following instruments.

Act of Sederunt (Fees of Solicitors in the Court of Session, Sheriff Appeal Court and Sheriff Court) (Amendment) 2018 (SSI 2018/186)

Sheriff Court Fees Amendment Order 2018 (SSI 2018/194)

The Convener: Is the committee content with the instruments?

Members *indicated agreement.*

The Convener: With regard to SSI 2018/194, does the committee welcome the fact that the Scottish Government has taken the opportunity to revoke an article from the Sheriff Court Fees Order 2018 (SSI 2018/81) that the committee reported under the general reporting ground when it scrutinised that order?

Members *indicated agreement.*

Scottish Crown Estate Bill

10:04

The Convener: Agenda item 4 is consideration of the Scottish Government's response to the stage 1 report on the Scottish Crown Estate Bill. Do members have any comments to make?

Bill Bowman (North East Scotland) (Con): I would like to ask a question. In paragraph 27, on page 10 of our papers, it is stated:

"The Committee considered that the terms of directions issued by the Scottish Ministers under section 4 should be laid before the Parliament and published, although commercially sensitive or commercially confidential information may be withheld."

Do we know the basis on which such information may be withheld? Will that be scrutinised by someone to ensure that any information that is withheld does not include information that, if we were aware of it, might change our view?

The Convener: I do not have the answer to that question, Mr Bowman, but we could write to the Government, seeking clarity on the matter. Would that be acceptable?

Bill Bowman: Certainly. Thank you.

The Convener: Does the committee agree to our taking that approach?

Members *indicated agreement.*

The Convener: As members have no further points to make—aside from the matter that Mr Bowman has raised—does the committee wish to note the Scottish Government's response?

Members *indicated agreement.*

10:05

Meeting continued in private until 10:27.

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