



OFFICIAL REPORT
AITHISG OIFIGEIL

Delegated Powers and Law Reform Committee

Tuesday 24 May 2022

Session 6



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Pàrlamaid na h-Alba

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DELEGATED POWERS AND LAW REFORM COMMITTEE

17th Meeting 2022, Session 6

CONVENER

*Stuart McMillan (Greenock and Inverclyde) (SNP)

DEPUTY CONVENER

*Bill Kidd (Glasgow Anniesland) (SNP)

COMMITTEE MEMBERS

Craig Hoy (South Scotland) (Con)
*Graham Simpson (Central Scotland) (Con)
*Paul Sweeney (Glasgow) (Lab)

*attended

CLERK TO THE COMMITTEE

Andy Proudfoot

LOCATION

The Adam Smith Room (CR5)

Scottish Parliament

Delegated Powers and Law Reform Committee

Tuesday 24 May 2022

[The Convener opened the meeting at 10:00]

Decision on Taking Business in Private

The Convener (Stuart McMillan): Good morning, and welcome to the Delegated Powers and Law Reform Committee's 17th meeting in 2022. We have received apologies from Craig Hoy MSP.

Before we move to the first item on the agenda, I remind everyone present to switch their mobile phones to silent.

The first item of business is to decide whether to take items 4 to 6 in private. Is the committee content to take those items in private?

Members indicated agreement.

Instruments subject to Affirmative Procedure

10:00

The Convener: Under agenda item 2, we are considering two instruments. Issues were raised with the Scottish Government on the following instrument.

Disability Assistance for Working Age People (Transitional Provisions and Miscellaneous Amendment) (Scotland) Regulations 2022 [Draft]

The Convener: The instrument sets out provisions for transferring specified individuals in Scotland who are currently in receipt of disability living allowance to become entitled to adult disability payment, and makes miscellaneous amendments to specified legislation.

In correspondence with the Scottish Government, which has been published alongside the agenda for this meeting, the committee highlighted errors that have been identified in regulations 2, 5(1) and 19(10). The Scottish Government confirmed that it intends to correct the errors in regulations 2 and 19(10) by way of a correction slip. It will correct the error in regulation 5(1) at the next legislative opportunity.

Does the committee wish to draw the instrument to the attention of the Parliament on the general reporting ground, in respect of errors in regulations 2, 5(1) and 19(10)?

Members indicated agreement.

The Convener: At the same time, does the committee wish to welcome the fact that the Scottish Government intends to correct the errors in regulations 2 and 19(10) by way of a correction slip, and to correct the error in regulation 5(1) at the next opportunity?

Members indicated agreement.

The Convener: Does the committee also wish to welcome the fact that the Scottish Government made a number of amendments in the instrument that give effect to the committee's recommendations from earlier this year in relation to its consideration of the Disability Assistance for Working Age People (Scotland) Regulations 2022?

Members indicated agreement.

The Convener: Also under this agenda item, no points have been raised on the following instrument, which has been relaid.

**Legal Aid and Advice and Assistance
(Miscellaneous Amendment) (Scotland)
(No 2) Regulations 2022 [Draft]**

The Convener: Is the committee content with the instrument?

Members *indicated agreement.*

**Instruments subject to Negative
Procedure**

10:02

The Convener: Under agenda item 3, we are considering two instruments, on which no points have been raised.

**First-tier Tribunal for Scotland Social
Security Chamber and Upper Tribunal for
Scotland (Rules of Procedure)
(Miscellaneous Amendment) Regulations
2022 (SSI 2022/162)**

**Food and Feed Safety (Fukushima
Restrictions) (Scotland) Revocation
Regulations 2022 (SSI 2022/166)**

The Convener: Is the committee content with the instruments?

Members *indicated agreement.*

10:02

Meeting continued in private until 10:10.

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