



OFFICIAL REPORT
AITHISG OIFIGEIL

Delegated Powers and Law Reform Committee

Tuesday 21 February 2023

Session 6



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Pàrlamaid na h-Alba

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DELEGATED POWERS AND LAW REFORM COMMITTEE

6th Meeting 2023, Session 6

CONVENER

*Stuart McMillan (Greenock and Inverclyde) (SNP)

DEPUTY CONVENER

*Bill Kidd (Glasgow Anniesland) (SNP)

COMMITTEE MEMBERS

*Jeremy Balfour (Lothian) (Con)

*Carol Mochan (South Scotland) (Lab)

*Oliver Mundell (Dumfriesshire) (Con)

*attended

CLERK TO THE COMMITTEE

Lucy Scharbert

LOCATION

The Adam Smith Room (CR5)

Scottish Parliament

Delegated Powers and Law Reform Committee

Tuesday 21 February 2023

[The Convener opened the meeting at 10:06]

Decision on Taking Business in Private

The Convener (Stuart McMillan): Welcome to the Delegated Powers and Law Reform Committee's sixth meeting in 2023. Before we move to the first item on the agenda, I remind everyone present to switch mobile phones to silent.

The first item of business is a decision on whether to take items 4, 5 and 6 in private. Is the committee content to take those items in private?

Members indicated agreement.

Instruments subject to Affirmative Procedure

10:06

The Convener: Under agenda item 2, we are considering four instruments. An issue has been raised on the following instrument.

Social Security (Up-rating) (Miscellaneous Amendments) (Scotland) Regulations 2023 [Draft]

The Convener: The instrument provides for an increase in various benefit payments and associated earnings thresholds. The Scottish ministers failed to lay their response to the Scottish Commission on Social Security's proposals with the instrument, as is required by section 97 of the Social Security (Scotland) Act 2018. The Scottish Government subsequently laid the response on 3 February 2023 and apologised for the oversight.

Does the committee wish to draw the instrument to the Parliament's attention on the general reporting ground, in that the response to the Scottish Commission on Social Security proposals was not laid at the same time as the instrument? Also, is the committee content to note the apology received from the Scottish Government for the oversight? Further, does the committee wish to ask the Scottish Government to ensure that all required documentation is laid at the same time as an instrument is laid before Parliament?

Members indicated agreement.

The Convener: Also under this agenda item, no points have been raised on the following instruments.

Non-Domestic Rates (Miscellaneous Anti-Avoidance Measures) (Scotland) Regulations 2023 [Draft]

Social Security Up-rating (Scotland) Order 2023 [Draft]

Budget (Scotland) Act 2022 Amendment (No 2) Regulations 2023 [Draft]

The Convener: Is the committee content with the instruments?

Members indicated agreement.

Instruments subject to Negative Procedure

10:08

Meeting continued in private until 10:29.

10:08

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

Public Health Scotland Amendment Order 2023 (SSI 2023/24)

Council Tax (Discounts) (Scotland) Amendment Order 2023 (SSI 2023/25)

Non-Domestic Rating (Valuation of Sites of Reverse Vending Machines) (Scotland) Regulations 2023 (SSI 2023/26)

Diligence against Earnings (Variation) (Scotland) Regulations 2023 (SSI 2023/27)

Personal Injuries (NHS Charges) (Amounts) (Scotland) Amendment Regulations 2023 (SSI 2023/34)

The Convener: Is the committee content with the instruments?

Members *indicated agreement.*

This is the final edition of the *Official Report* of this meeting. It is part of the Scottish Parliament *Official Report* archive and has been sent for legal deposit.

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