

PARLIAMENTARY BUREAU

BILL REFERRALS

SCOTTISH LOCAL GOVERNMENT ELECTIONS (CANDIDACY RIGHTS OF FOREIGN NATIONALS) BILL

Introduction

1. The Scottish Local Government Elections (Candidacy Rights of Foreign Nationals) Bill was introduced in the Parliament on 7 February 2022 by the Deputy First Minister, John Swinney MSP, and is supported by the Minister for Parliamentary Business, George Adam MSP.

Discussion

2. The Scottish Local Government Elections (Candidacy Rights of Foreign Nationals) Bill allows nationals from Spain, Portugal, Poland and Luxembourg to stand as candidates in local government elections in Scotland, even if they do not have settled or pre-settled status. This is to give effect to international treaties with these countries that have been entered into by the UK.
3. The Bill falls within the remit of the following committees:

Standards, Procedures and Public Appointments

The remit of the Standards, Procedures and Public Appointments Committee includes to consider and report on matters relating to local government elections, Scottish general elections, implementation of the Referendums (Scotland) Act 2020 and Freedom of Information and open government falling within the responsibility of the Minister for Parliamentary Business. The Bill relates to local government elections. The remit of this committee is therefore engaged.

Local Government, Housing and Planning

The remit of the Local Government, Housing and Planning Committee includes to consider and report on matters relating to local government, housing and planning falling within the responsibility of the Cabinet Secretary for Social Justice, Housing and Local Government. The Bill has implications for local government (though relates to elections only). The remit of this committee is therefore engaged.

4. It is understood that the Standards, Procedures and Public Appointments Committee has the main interest in this Bill.

Recommendation

5. It is suggested that the Bureau recommends to the Parliament that the Standards, Procedures and Public Appointments Committee be designated as the lead committee. We are not aware of any desire on the part of any other committee to be designated as a secondary committee. However, the lack of a formal designation does not prevent any committee from considering the Bill if it so wishes.

DRAFT MOTION

Designation of Lead Committee: That the Parliament agrees that the Standards, Procedures and Public Appointments Committee be designated as the lead committee in consideration of the Scottish Local Government Elections (Candidacy Rights of Foreign Nationals) Bill at stage 1.

REFERRAL OF DRAFT PROPOSAL FOR THE WELFARE OF DOGS (SCOTLAND) BILL

1. A draft proposal for a Welfare of Dogs (Scotland) Bill was lodged on 10 February 2022 by Christine Grahame MSP.
2. This is a proposal for a bill to improve the health and wellbeing of dogs throughout their lives, including by establishing a more responsible and informed approach to acquiring and owning a puppy or dog; and to regulate the selling or transferring of puppies from unlicensed litters, including by introducing a power for the Scottish Government to introduce regulations.
3. The draft proposal is based on a proposal made by the member in Session 5 “for a Bill to improve the health and wellbeing of dogs throughout their lives by strengthening the regulation of the activity of breeding, and of selling or transferring puppies, and by establishing a more responsible and informed approach to acquiring and owning a puppy or dog”.
4. Christine Grahame earned the right to introduce a Bill and subsequently introduced the [Welfare of Dogs \(Scotland\) Bill](#) on 1 June 2020. The Environment, Climate Change and Land Reform Committee was designated as the lead committee for Stage 1 scrutiny of the Bill. In part due to the point in the session when the Bill was introduced combined with the pressure of the COVID-19 pandemic on Parliamentary committees’ work programmes, the Committee did not begin stage 1 consideration of the Bill prior to the end of Session 5 and the Bill fell at dissolution on 5 May 2021.

5. This session 6 draft proposal is accompanied by a statement of reasons setting out why further consultation is not necessary.
6. In terms of Standing Orders (Rule 9.14.5) the Parliamentary Bureau is required to refer the draft proposal to a committee within whose remit the subject matters falls.
7. As this draft proposal is accompanied by a statement of reasons, it must be referred to one committee, which may consider and decide whether it is satisfied by the statement.
8. The proposal falls within the remit of the following committee(s)

Committee	Remit and relevance
Rural Affairs, Islands and Natural Environment Committee	The Committee's remit is to report on matters falling within the responsibility of the Cabinet Secretary for Rural Affairs and Islands.

9. The draft proposal is primarily concerned with improving the welfare of animals, which it sets out to achieve by placing duties and responsibilities on owners and those selling/transferring puppies and dogs. In addition, it seeks to provide for the regulation of the breeding of unlicensed litters.
10. As noted above, the Rural Affairs, Islands and Natural Environment Committee remit is to report on matters falling within the responsibility of the Cabinet Secretary for Rural Affairs and Islands. Given the Cabinet Secretary has responsibility for animal welfare, it appears that the Rural Affairs, Islands and Natural Environment Committee is best placed to consider the draft proposal.

Recommendation

11. The Bureau is invited to refer the draft proposal for the Welfare of Dogs (Scotland) Bill to the Rural Affairs, Islands and Environment Committee.

Parliamentary Business Team
February 2022