



# The Scottish Parliament Pàrlamaid na h-Alba

## MINUTES OF PROCEEDINGS

Parliamentary Year 3, No. 79, Session 6

Meeting of the Parliament

Tuesday 20 February 2024

Note: (DT) signifies a decision taken at Decision Time.

The meeting opened at 2.00 pm.

**1. Time for Reflection:** Professor Michael Brown, Chair in Irish, Scottish and Enlightenment History, University of Aberdeen, led Time for Reflection.

**2. Revision to Business Programme:** The Minister for Parliamentary Business (George Adam), on behalf of the Parliamentary Bureau, moved S6M-12229—That the Parliament agrees to the following revisions to the programme of business for

(a) Tuesday 20 February 2024—

after

2.00 pm Time for Reflection

*followed by* Parliamentary Bureau Motions

insert

*followed by* Oaths and Affirmations

delete

*followed by* Ministerial Statement: Working Towards a Tobacco Free Scotland by 2034 and Tackling Youth Vaping

and insert

*followed by* Appointment of Scottish Minister and Junior Scottish Ministers

(b) Thursday 22 February 2024—

after

*followed by* Financial Resolution: Regulation of Legal Services (Scotland) Bill

insert

*followed by* Legislative Consent Motion: Trade (Comprehensive and Progressive Agreement for Trans-Pacific Partnership) Bill

*followed by* Legislative Consent Motion: Animal Welfare (Livestock Exports) Bill

The motion was agreed to.

**3. Oaths and Affirmations:** Tim Eagle took his oath of allegiance before the Clerk.

**4. Topical Questions:** Questions were answered by a Cabinet Secretary and a Minister.

**5. Appointment of Scottish Minister:** The First Minister (Humza Yousaf) moved S6M-12210—That the Parliament agrees that Fiona Hyslop be appointed as a Scottish Minister.

The motion was agreed to (by division: For 58, Against 8, Abstentions 21).

**6. Appointment of Junior Scottish Ministers:** The First Minister (Humza Yousaf) moved S6M-12211—That the Parliament agrees that Jim Fairlie and Kaukab Stewart be appointed as junior Scottish Ministers.

The motion was agreed to (by division: For 57, Against 9, Abstentions 21).

**7. Building a New Scotland - Social Security in an Independent Scotland:** The Cabinet Secretary for Social Justice (Shirley-Anne Somerville) moved S6M-12203—That the Parliament welcomes the Scottish Government's paper, Building a New Scotland: Social security in an independent Scotland; agrees that the people of Scotland would be best served by a social security system that embeds dignity, fairness and respect and provides a safety net for all as part of a strong wellbeing economy; notes progress made with Scotland's unique social security benefits, including five family payments, with modelling estimating that 90,000 fewer children will live in relative and absolute poverty in 2023-24 as a result of Scottish Government policies, with poverty levels 9% lower than they would have otherwise been, but recognises that only independence provides the full range of powers that would enable Scotland to provide the social security that the people of Scotland deserve.

Jeremy Balfour moved amendment S6M-12203.1—

As an amendment to motion S6M-12203 in the name of Shirley-Anne Somerville (Building a New Scotland - Social Security in an Independent Scotland), leave out from “welcomes” to end and insert “regrets that the Scottish Government continues to miss its targets for delivering the transfer of benefits to Social Security Scotland, and calls on the Scottish Government to focus on the real priorities of the people of Scotland rather than obsessing over the constitution.”

After debate, the amendment was disagreed to ((DT) by division: For 30, Against 87, Abstentions 0).

Paul O’Kane moved amendment S6M-12203.2—

As an amendment to motion S6M-12203 in the name of Shirley-Anne Somerville (Building a New Scotland - Social Security in an Independent Scotland), leave out from “welcomes” to end and insert “acknowledges that the people of Scotland would be best served by a social security system that embeds dignity, fairness and respect and provides a safety net for all in a strong and growing economy; notes Scotland’s devolved social security benefits; acknowledges that delays in processing adult and child disability assessments have left disabled people stuck in limbo and out of pocket during the worst cost of living crisis in decades; notes that the Scottish Government’s decision to cut affordable housing budgets by 27% in the face of a housing emergency has been labelled as baffling by organisations like the Joseph Rowntree Foundation; acknowledges that cutting vital funding for affordable housing and employability schemes harms the eradication of the causes of poverty; notes that between 2017 and 2021, 12% of people have remained in persistent poverty after housing costs, and recognises that the paper, Building a New Scotland: Social security in an independent Scotland, is the latest in a series of theoretical future plans by the Scottish Government, which has already been too distracted to focus on the here and now and make the devolution of social security work for the people of Scotland.”

After debate, the amendment was disagreed to ((DT) by division: For 53, Against 64, Abstentions 0).

The motion was agreed to ((DT) by division: For 63, Against 53, Abstentions 0).

**8. Substitution on Committees:** The Minister for Parliamentary Business (George Adam), on behalf of the Parliamentary Bureau, moved S6M-12230— That the Parliament agrees that—

Emma Harper be removed as the Scottish National Party substitute on the Rural Affairs and Islands Committee

The motion was agreed to (DT).

**9. Committee Membership:** The Minister for Parliamentary Business (George Adam), on behalf of the Parliamentary Bureau, moved S6M-12231— That the Parliament agrees that—

Elena Whitham be appointed to replace Jim Fairlie as a member of the Rural Affairs and Islands Committee.

Emma Harper be appointed to replace Karen Adam as a member of the Rural Affairs and Islands Committee

The motion was agreed to (DT).

**10. Motion Without Notice:** The Minister for Parliamentary Business (George Adam), on behalf of the Parliamentary Bureau, moved without notice that, under Rule 11.2.4, Decision Time be brought forward to 4.55 pm.

The motion was agreed to.

**11. Decision Time:** The Parliament took decisions on items 7, 8 and 9 as noted above.

**12. Gas and Electricity Standing Charges:** The Parliament debated S6M-11927 in the name of Gordon MacDonald— That the Parliament understands that standing charges are the fixed component of customers' energy bills, and that Ofgem, the energy regulator for Great Britain, has set the maximum standing charge that a supplier can charge a customer at 29.6 pence per day for gas, 62.08 pence per day for electricity in southern Scotland, and 59.38 pence per day for electricity in northern Scotland; further understands that Scottish consumers using both fuels, including those in the Edinburgh Pentlands constituency, could be paying up to £335 per year before they use any power to heat or light their home; believes that Scottish energy users could be paying 61% more in electricity standing charges than people in London, despite Scotland being what it sees as an energy-rich nation and reportedly generating far more electricity than is used domestically; further believes that Scottish customers are being penalised by a complex and unfair charging system, and notes the calls for the UK Government to scrap standing charges and institute a more equitable price structure.

The meeting closed at 5.52 pm.

**David McGill**  
Clerk of the Parliament  
20 February 2024

**Appendix**  
**(Note: this Appendix does not form part of the Minutes)**

**Committee Reports**

The following report was published on 16 February 2024—

Economy and Fair Work Committee, 3rd Report, 2024 (Session 6):  
Subordinate Legislation considered by the Economy and Fair Work  
Committee on 7 February 2024 (SP Paper 528)

The following reports were published on 20 February 2024—

Health, Social Care and Sport Committee, 3rd Report, 2024 (Session 6): The  
Community Care (Personal Care and Nursing Care) (Scotland) Amendment  
Regulations 2024 [draft] (SP Paper 522)

Delegated Powers and Law Reform Committee, 12th Report, 2024 (Session  
6): Subordinate Legislation considered by the Delegated Powers and Law  
Reform Committee on 20 February 2024 (SP Paper 527)

Delegated Powers and Law Reform Committee, 13th Report, 2024 (Session  
6): Legislative Consent Memorandum: delegated powers relevant to Scotland  
in the Investigatory Powers (Amendment) Bill (SP Paper 529)

**Subordinate Legislation**

**Affirmative Instruments**

The following instruments were laid before the Parliament on 19 February 2024 and  
are subject to the affirmative procedure—

Plant Health (Import Inspection Fees) (Scotland) Amendment Regulations 2024  
[draft]

laid under Paragraph 1(6) of schedule 7 of the European Union (Withdrawal)  
Act 2018

Legal Aid (Miscellaneous Amendment) (Scotland) Regulations 2024 [draft]  
laid under section 37(2) of the Legal Aid (Scotland) Act 1986

Alcohol (Minimum Price per Unit) (Scotland) Amendment Order 2024 [draft]  
laid under section 146(5) of the Licensing (Scotland) Act 2005

Alcohol (Minimum Pricing) (Scotland) Act 2012 (Continuation) Order 2024 [draft]  
laid under section 2(4) of the Alcohol (Minimum Pricing) (Scotland) Act 2012

**Negative Instruments**

The following instruments were laid before the Parliament on 9 February 2024 and  
are subject to the negative procedure—

Act of Sederunt (Fees of Messengers-at-Arms and Sheriff Officers) (Amendment) 2024 (SSI 2024/41)

laid under sections 105(1) and 106(1) of the Courts Reform (Scotland) Act 2014

Packaging Waste (Data Reporting) (Scotland) Amendment Regulations 2024 (SSI 2024/42)

laid under section 58(5) of the Regulatory Reform (Scotland) Act 2014

National Health Service (Common Staffing Method) (Scotland) Regulations 2024 (SSI 2024/43)

laid under section 105(2) of the National Health Service (Scotland) Act 1978

Personal Injuries (NHS Charges) (Amounts) (Scotland) Amendment Regulations 2024 (SSI 2024/44)

laid under section 195(8) of the Health and Social Care (Community Health and Standards) Act 2003

Social Care and Social Work Improvement Scotland (Cancellation of Registration and Relevant Requirements) Order 2024 (SSI 2024/45)

laid under section 104(3) of the Public Services Reform (Scotland) Act 2010

Building (Fees) (Scotland) Amendment Regulations 2024 (SSI 2024/46)

laid under section 54(5) of the Building (Scotland) Act 2003

The following instrument was laid before the Parliament on 15 February 2024 and is subject to the negative procedure—

Bankruptcy (Scotland) Amendment Regulations 2024 (SSI 2024/48)

laid under section 225(3) of the Bankruptcy (Scotland) Act 2016

### **Legislative Consent Memorandum**

The following memorandum was lodged on 13 February 2024—

Angela Constance, Cabinet Secretary for Justice and Home Affairs:  
Supplementary Legislative Consent Memorandum on the Criminal Justice Bill  
(UK Parliament legislation) (LCM-S6-43a)

### **Other Documents**

The following document was laid before the Parliament on 20 February 2024 and is not subject to parliamentary procedure—

### **Annual Report of the Electoral Management Board for Scotland**

(EMBS/2024/02) laid under section 8(2) of the Local Electoral Administration (Scotland) Act 2011

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