



The Scottish Parliament Pàrlamaid na h-Alba

MINUTES OF PROCEEDINGS

Parliamentary Year 5, No. 82 Session 4

Meeting of the Parliament

Tuesday 23 February 2016

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

The meeting opened at 2.00 pm.

1. Time for Reflection: Reverend Dr Angus Morrison, Moderator of the General Assembly of the Church of Scotland led Time for Reflection.

2. Business Motion: Joe FitzPatrick, on behalf of the Parliamentary Bureau, moved S4M-15710—That the Parliament agrees to the following revision to the programme of business for Tuesday 23 February 2016—

after

followed by Topical Questions

insert

followed by Ministerial Statement: Update on Fiscal Framework

delete

6.00 pm Decision Time

followed by Members' Business

and insert

6.30 pm Decision Time

followed by Members' Business

The motion was agreed to.

3. Committee Meetings: Joe FitzPatrick, on behalf of the Parliamentary Bureau, moved S4M-15685—That the Parliament agrees that, under Rule 12.3.3B of Standing Orders, the Devolution (Further Powers) Committee can meet, if necessary, at the same time as a meeting of the Parliament from 6.30 pm on 23 February 2016 for the purpose of taking evidence from the Secretary of State for Scotland on the Scotland Bill and the fiscal framework.

The motion was agreed to.

4. Topical Questions: Questions were answered by Cabinet Secretaries.

5. Ministerial Statement: The First Minister (Nicola Sturgeon) made a statement and answered questions on an Update on the Fiscal Framework.

6. Scotland's National Action Plan for Human Rights: Christine Grahame, on behalf of the Justice Committee, moved S4M-15645—That the Parliament notes the publication on 10 December 2015 of the second annual report on Scotland's National Action Plan for Human Rights (SNAP), *SNAP: Scotland's National Action Plan for Human Rights - Year Two Report*.

After debate, the motion was agreed to (DT).

7. BBC Charter Renewal Process: The Cabinet Secretary for Culture, Europe and External Affairs (Fiona Hyslop) moved S4M-15695—That the Parliament notes its own new formal role in the BBC charter renewal process and that of the Scottish Government, which is to be consulted throughout the process of developing the BBC charter by the UK Government; recognises the important role that publicly-funded, public service broadcasting plays in reflecting a nation to itself and to the wider world; agrees with the recommendations of the Education and Culture Committee regarding BBC charter renewal and the future of broadcasting in Scotland; notes the Scottish Government's recent policy paper informing the ongoing development of the BBC charter; welcomes the emerging consensus for more decentralised decision making for the BBC, and urges the Scottish Government to reflect these views fully in its ongoing discussions with the UK Government in the development of its white paper on BBC charter renewal.

Claire Baker moved amendment S4M-15695.3 to motion S4M-15695—

Leave out from "Scottish Government's recent" to end and insert—

"views of the Scottish Government in its recent policy paper, alongside the views of all political parties, creative industries and licence fee-payers in Scotland on the ongoing development of the BBC charter; welcomes the emerging consensus for more decentralised decision making for the BBC, and urges the Scottish Government to reflect the Parliament's views fully in its

ongoing discussions with the UK Government in the development of its white paper on BBC charter renewal.”

After debate, the amendment was agreed to (DT).

Liz Smith moved amendment S4M-15695.1 to motion S4M-15695—

Insert at end—

“in a way that does not undermine the BBC’s independence from governments and politicians”.

After debate, the amendment was agreed to (DT).

Liam McArthur moved amendment S4M-15695.2 to motion S4M-15695—

Insert at end—

“; notes that the Education and Culture Committee concluded that a greater degree of decentralisation and accountability can be achieved without adopting a federal structure, and believes that any reforms to the BBC must be sustainable, protecting and enhancing its status as a world-class impartial public service broadcaster, and not undermine its ability to deliver the high-quality programmes and other output that its audience in Scotland, the rest of the UK and around the world expects and values”.

After debate, the amendment was disagreed to ((DT) by division: For 34, Against 65, Abstentions 0).

The motion, as amended, was then agreed to (DT).

Accordingly, the Parliament resolved—That the Parliament notes its own new formal role in the BBC charter renewal process and that of the Scottish Government, which is to be consulted throughout the process of developing the BBC charter by the UK Government; recognises the important role that publicly-funded, public service broadcasting plays in reflecting a nation to itself and to the wider world; agrees with the recommendations of the Education and Culture Committee regarding BBC charter renewal and the future of broadcasting in Scotland; notes the views of the Scottish Government in its recent policy paper, alongside the views of all political parties, creative industries and licence fee-payers in Scotland on the ongoing development of the BBC charter; welcomes the emerging consensus for more decentralised decision making for the BBC; urges the Scottish Government to reflect the Parliament’s views fully in its ongoing discussions with the UK Government in the development of its white paper on BBC charter renewal in a way that does not undermine the BBC’s independence from governments and politicians.

8. Emergency Ministerial Statement: The First Minister (Nicola Sturgeon) made a statement and answered questions on an Update on the Fiscal Framework.

9. Land and Buildings Transaction Tax (Amendment) (Scotland) Bill: The Deputy First Minister and Cabinet Secretary for Finance, Constitution and Economy (John Swinney) moved S4M-15694—That the Parliament agrees to the general principles of the Land and Buildings Transaction Tax (Amendment) (Scotland) Bill.

After debate, the motion was agreed to (DT).

10. Land and Buildings Transaction Tax (Amendment) (Scotland) Bill: Financial Resolution: The Deputy First Minister and Cabinet Secretary for Finance, Constitution and Economy (John Swinney) moved S4M-15563—

That the Parliament, for the purposes of any Act of the Scottish Parliament resulting from the Land and Buildings Transaction Tax (Amendment) (Scotland) Bill, agrees to—

(a) any expenditure of a kind referred to in Rule 9.12.3(b) of the Parliament's Standing Orders arising in consequence of the Act, and

(b) any charge or payment in relation to which Rule 9.12.4 of the Standing Orders applies arising in consequence of the Act.

The motion was agreed to (DT).

11. Decision Time: The Parliament took decisions on items 6, 7, 9 and 10 as noted above.

12. Eating Disorder Awareness Week 2016: The Parliament debated S4M-15580 in the name of Dennis Robertson—That the Parliament welcomes Eating Disorder Awareness Week 2016 and the progress in mental health services throughout Scotland over the last five years; understands that eating disorders are recognised as mental health conditions but that there is still more to be done to prevent deaths; welcomes the increasingly open dialogue about the complexities of eating disorders and the Scottish Government's additional mental health spending; understands that early intervention is crucial; notes the dedication and commitment of NHS staff and congratulates the Scottish Eating Disorders Interest Group in its support to professionals and families; believes that the Scottish Government is fully committed to further dialogue and to seeking ways of improving and achieving a qualitative eating disorder service in Scotland, and looks forward to the 2016 Eating Disorders Conference at the Parliament on 26 February 2016.

The meeting closed at 7.16 pm.

P E Grice
Clerk of the Parliament
23 February 2016

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

Subordinate Legislation

Negative instruments

The following instruments were laid before the Parliament 12 February 2016 and are subject to the negative procedure—

National Health Service Pension Scheme (Scotland) Amendment Regulations 2016 SSI 2016/97)

laid under section 24(2) of the Public Service Pensions Act 2013

National Health Service Superannuation Scheme (Miscellaneous Amendments) (Scotland) Regulations 2016 (SSI 2016/98)

laid under section 12(6) of the Superannuation Act 1972.

The following instruments were laid before the Parliament on 16 February 2016 and are subject to the negative procedure—

Act of Sederunt (Fees of Sheriff Officers) 2016 (SSI 2016/100)

laid under section 106(5) of the Courts Reform (Scotland) Act 2014

Act of Sederunt (Fees of Messengers-at-Arms) 2016 (SSI 2016/101)

laid under section 105 (5) of the Courts Reform (Scotland) Act 2014

The following instrument was laid before the Parliament on 17 February 2016 and is subject to the negative procedure—

Common Agricultural Policy (Direct Payments etc.) (Scotland) Amendment Regulations 2016 (SSI 2016/104)

laid under paragraph 2(2) of Schedule 2 to the European Communities Act 1972

The following instruments were laid before the Parliament on 23 February 2016 and are subject to the negative procedure—

Conservation of Salmon (Scotland) Regulations 2016 (SSI 2016/115)

laid under section 68(2) of the Salmon and Freshwater Fisheries (Consolidation) (Scotland) Act 2003

Salmon Carcass Tagging (Scotland) Regulations 2016 (SSI 2016/116)

laid under section 68(2) of the Salmon and Freshwater Fisheries (Consolidation) (Scotland) Act 2003

Tweed Regulation (Salmon Carcass Tagging) Order 2016 (SSI 2016/117)

laid under section 77(2) of the Scotland Act 1998 (River Tweed) Order 2006

Tweed Regulation (Salmon Conservation) Order 2016 (SSI 2016/118)

laid under section 77(2) of the Scotland Act 1998 (River Tweed) Order 2006

Laid only instruments

The following instruments were laid before the Parliament on 12 February 2016 and are not subject to any parliamentary procedure—

Criminal Justice (Scotland) Act 2016 (Commencement No. 1 and Saving Provision) Order 2016: SSI 2016/95 (C. 11)
laid under section 30(2) of the Interpretation and Legislative Reform (Scotland) Act 2010

The Scottish Fire and Rescue Service (Appointment of Chief Inspector) Order 2016 (SSI 2016/96)
laid under section 30(2) of the Interpretation and Legislative Reform (Scotland) Act 2010

The following instrument was laid before the Parliament on 16 February 2016 and is not subject to any parliamentary procedure—

Act of Adjournal (Criminal Procedure Rules 1996 Amendment) (Miscellaneous) 2016 (SSI 2016/103)
laid under section 30(2) of the Interpretation and Legislative Reform (Scotland) Act 2010

The following instrument was laid before the Parliament on 17 February 2016 and is not subject to any parliamentary procedure—

Act of Sederunt (Rules of the Court of Session 1994 and Sheriff Court Rules Amendment) (Miscellaneous) 2016 (SSI 2016/102)
laid under section 30(2) of the Interpretation and Legislative Reform (Scotland) Act 2010

Other Documents

The following document was laid before the Parliament on 12 February 2016 and is not subject to any parliamentary procedure—

Private Rented Housing Panel Annual Report 2014 (SG/2016/12)
laid under Section 29 (4) of the Housing Scotland Act 2006

The following document was laid before the Parliament on 17 February 2016 and is not subject to any parliamentary procedure—

Scottish Public Services Ombudsman: Compendium of Case Reports for February 2016 (SPSO/2016/02)
laid under Sections 15(1) and 15(1A) of the Scottish Public Services Ombudsman Act 2002

The following document was laid before the Parliament on 19 February 2016 and is not subject to any parliamentary procedure—

Scottish Law Commission Annual Report 2015 (SG/2016/15)
laid under Section 3(3) of the Law Commissions Act 1965

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