



The Scottish Parliament Pàrlamaid na h-Alba

MINUTES OF PROCEEDINGS

Vol. 3, No. 40 Session 4

Meeting of the Parliament

Tuesday 29 October 2013

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

The meeting opened at 2.00 pm.

1. Time for Reflection: Ian Stewart, a leader within Destiny Church Edinburgh and solicitor in Edinburgh and former leader of Destiny Church Inverness led Time for Reflection.

2. Business Motion: Joe FitzPatrick, on behalf of the Parliamentary Bureau, moved S4M-08089—That the Parliament agrees to the following revisions to the programme of business—

(a) Tuesday 29 October 2013

after

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

insert

followed by Ministerial Statement: Update on Grangemouth

after

followed by Financial Resolution: Landfill Tax (Scotland) Bill

insert

followed by Financial Resolution: Victims and Witnesses (Scotland) Bill

(b) Wednesday 30 October 2013

delete

2.00 pm Parliamentary Bureau Motions

and insert

2.00 pm Member's Oath/Affirmation – Cara Hilton

followed by Parliamentary Bureau Motions

The motion was agreed to.

3. Ministerial Statement: The Cabinet Secretary for Finance, Employment and Sustainable Growth (John Swinney) made a statement and answered questions on an update on Grangemouth.

4. Landfill Tax (Scotland) Bill: The Cabinet Secretary for Finance, Employment and Sustainable Growth (John Swinney) moved S4M-08040—That the Parliament agrees to the general principles of the Landfill Tax (Scotland) Bill.

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

5. Landfill Tax (Scotland) Bill: Financial Resolution: The Cabinet Secretary for Finance, Employment and Sustainable Growth (John Swinney) moved S4M-07167—That the Parliament, for the purposes of any Act of the Scottish Parliament resulting from the Landfill Tax (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).

6. Victims and Witnesses (Scotland) Bill: Financial Resolution: The Cabinet Secretary for Finance, Employment and Sustainable Growth (John Swinney) moved S4M-08039—That the Parliament, for the purposes of any Act of the Scottish Parliament resulting from the Victims and Witnesses (Scotland) Bill, agrees to any charge or payment in relation to which Rule 9.12.4 of the Parliament's Standing Orders applies arising in consequence of the Act.

The motion was agreed to (DT).

7. Decision Time: The Parliament took decisions on items 4, 5 and 6 as noted above.

8. Strict Liability: The Parliament debated S4M-07934 in the name of Alison Johnstone—That the Parliament believes that the number of fatalities and injuries to pedestrians and cyclists on Scotland's roads, including in the Lothian region, is unacceptably high; recognises that the Scottish Government has funded a number of national cycle safety initiatives; notes that versions of a strict liability rule exist in the civil law of many European countries; notes that a number of walking and cycling organisations support the introduction of such a law in Scotland; understands that a petition by Cycle Law Scotland on this topic has secured nearly 5,000 signatures; considers that a stricter liability rule could have positive benefits for the safety of more vulnerable road users as part of a package of measures, and would welcome further debate on this proposal.

9. Motion without Notice: Alison Johnstone moved without notice that, under Rule 8.14.3, the debate be extended by up to 30 minutes. The motion was agreed to.

The meeting closed at 6.16 pm.

P E Grice
Clerk of the Parliament
29 October 2013

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

Subordinate Legislation

Affirmative instruments

The following instrument was laid before the Parliament on 17 October 2013 and is subject to the affirmative procedure—

Budget (Scotland) Act 2013 Amendment Order 2013 [draft]
laid under section 7(2) of the Budget (Scotland) Act 2013

Negative instruments

The following instrument was laid before the Parliament on 11 October 2013 and is subject to the negative procedure—

Title Conditions (Scotland) Act 2003 (Conservation Bodies) Amendment Order 2013 (SSI 2013/289)
laid under section 127 of the Title Conditions (Scotland) Act 2003

The following instrument was laid before the Parliament on 14 October 2013 and is subject to the negative procedure—

Act of Sederunt (Commissary Business) 2013 (SSI 2013/291)
laid under section 54 of the Sheriff Courts (Scotland) Act 1876

Laid only instruments

The following instruments were laid before the Parliament on 21 October 2013 and are not subject to any parliamentary procedure—

Act of Sederunt (Summary Applications, Statutory Applications and Appeals etc. Rules Amendment) (Miscellaneous) 2013 (SSI 2013/293)
laid under section 30(2) of the Interpretation and Legislative Reform (Scotland) Act 2010

Act of Sederunt (Rules of the Court of Session Amendment No. 6) (Miscellaneous) 2013 (SSI 2013/294)
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 11 October 2013 and is subject to the affirmative procedure—

Model Code of Conduct for Members of Devolved Public Bodies (SG 2013/229)

laid under section 2(4) of the Ethical Standards in Public Life etc. (Scotland) Act 2000

The following documents were laid before the Parliament on 28 October 2013 and is not subject to Parliamentary procedure—

General Pharmaceutical Council Strategic Plan, 2014-2017 (SG/2013/239)

laid under paragraph 8 of Schedule 1 to the Pharmacy Order 2010

Other Documents

The following documents were laid before the Parliament on 14 October 2013 and are not subject to Parliamentary procedure—

The Adam Smith College, Fife Annual Accounts for the 12 months ended 31 July 2012 (SG/2013/230)

The 2011/12 Audit of Adam Smith College (SG/2013/231)

Queen's and Lord Treasurer's Remembrancer Annual Report and Accounts for the year ended 31 March 2013 (SG/2013/215)

The Skills Development Scotland Co. Limited Annual Report and Financial Statements for the year ended 31 March 2013 (SG/2013/232)

laid under section 22(5) of the Public Finance and Accountability (Scotland) Act 2000

David MacBrayne Limited Group Annual Report & Consolidated Financial Statements for the year ended 31 March 2013 (SG/2013/160)

Calmac Ferries Limited Directors' Report & Financial Statements for the year ended 31 March 2013 (SG/2013/161)

Northlink Ferries Limited Directors' Report & Financial Statements for the year ended 31 March 2013 (SG/2013/162)

David MacBrayne HR (UK) Limited Directors' Report & Financial Statements for the year ended 31 March 2013 (SG/2013/163)

Argyll Ferries Limited Directors' Report & Financial Statements for the year ended 31 March 2013 (SG/2013/164)

Caledonian Maritime Assets Ltd Annual Report and Accounts 2013 (SG/2013/165)

laid under section 8(1) of the Transport (Scotland) Act 1984

The General Teaching Council for Scotland Annual Report and Accounts Year to 1 April 2013 (GTCS/2013/01)

laid under Schedule 3, paragraph 5 (1) of the Public Services Reform (General Teaching Council for Scotland) Order 2011.

The following documents were laid before the Parliament on 17 October 2013 and are not subject to Parliamentary procedure—

Scotland's Budget Documents: The 2013-2014 Autumn Budget Revision to the Budget (Scotland) Act for the year ending 31 March 2014 (SG/2013/206)

laid before the Scottish Parliament at the request of a member of the Scottish Government and not under any laying power.

Consumer Focus Scotland – Water Annual Review 2012/13 (SG/2013/217)

laid under section 7A of the Consumers, Estate Agents and Redress Act 2007.

Scotland's Population 2012: The Registrar General's Annual Review of Demographic Trends – 158th Edition (SG/2013/208)

laid under section 1(4) of the Registration of Births, Deaths and Marriages (Scotland) Act 1965.

The following documents were laid before the Parliament on 18 October 2013 and are not subject to Parliamentary procedure—

Scottish Court Service Framework Document (SCS/2013/01)

laid under the Judiciary and Courts (Scotland) Act 2008.

laid under Schedule 2(4) of the Ethical Standards in Public Life etc. (Scotland) Act 2000.

The following documents were laid before the Parliament on 23 October 2013 and are not subject to Parliamentary procedure—

Public Records (Scotland) Act 2011: Report by the Keeper of the Records of Scotland, 2013 (SG/2013/210)

laid under section 12(5) of the Public Records (Scotland) Act 2011

Commission for Ethical Standards in Public Life Scotland Annual Accounts Year Ended 31 March 2013 (SG/2013/238)

laid under section 22(5) of the Public Finance and Accountability (Scotland) Act 2000 12(5)

Scottish Court Service Framework Document (SCS/2013/01)

laid under the Judiciary and Courts (Scotland) Act 2008

Scottish Public Services Ombudsman: Compendium of Case Reports for October 2013 (SPSO/2013/10) —

Volume 1 of 3

Case 201203374: Greater Glasgow and Clyde NHS Board
Case 201202798: Transport Scotland
Case 201202912: Fife NHS Board

Volume 2 of 3
Annex: Report of Discontinued Investigations

Volume 3 of 3
Annex: Report of Discontinued Investigations
laid under Sections 15(1) and 15(1A) of the Scottish Public Services
Ombudsman Act 2002

The following documents were laid before the Parliament on 24 October 2013 and are not subject to Parliamentary procedure—

Registers of Scotland Annual Report and Accounts 2012-2013: (SG/2013/227)
laid under section 22(5) of the Public Finance and Accountability
(Scotland) Act 2000

The following documents were laid before the Parliament on 25 October 2013 and are not subject to Parliamentary procedure—

Scottish Fire and Rescue Service Strategic Plan 2013-2016 (SG/2013/209)
laid under section 41A(8)(b) of the Fire (Scotland) Act 2005

National Records of Scotland Annual Report & Accounts 2012-2013
(SG/2013/91)
laid under section 22(5) of the Public Finance and Accountability
(Scotland) Act 2000

Committee Reports

The following report was published on 14 October 2013—

Justice Committee, 15th Report, 2013 (Session 4): Stage 1 Report on the
Tribunals (Scotland) Bill (SP Paper 406).

The following report was published on 19 October 2013—

Welfare Reform Committee, 5th Report, 2013 (Session 4): The 'Bedroom Tax'
in Scotland (SP Paper 409)

The following report is being published on 30 October 2013—

Standards, Procedures and Public Appointments Committee, 8th Report,
2012 (Session 4): Post-Legislative Scrutiny (SP Paper 410)

Produced and published in Scotland on behalf of the Scottish Parliamentary Corporate Body by APS Group Scotland

All documents are available on
the Scottish Parliament website at:

www.scottish.parliament.uk

For details of documents available to
order in hard copy format, please contact:
APS Scottish Parliament Publications on 0131 629 9941.

For information on the Scottish Parliament contact
Public Information on:

Telephone: 0131 348 5000
Textphone: 0800 092 7100
Email: sp.info@scottish.parliament.uk

ISBN 978-1-78351-992-7

© Parliamentary copyright. Scottish Parliamentary Corporate Body

Information on the Scottish Parliament's copyright policy can be found on the website -
www.scottish.parliament.uk or by contacting Public Information.