Smoking Prohibition (Children in Motor Vehicles) (Scotland) Bill

The Scottish Parliament’s Finance Committee invites organisations and individuals to submit written evidence setting out their views on the financial implications of the Smoking Prohibition (Children in Motor Vehicles) (Scotland) Bill.

The Bill

The Smoking Prohibition (Children in Motor Vehicles) (Scotland) Bill (the Bill) was introduced in the Scottish Parliament by Jim Hume MSP on 15 December 2014.

The estimated financial implications of the Bill are set out in its accompanying Financial Memorandum (FM). A copy of the FM can be found at page 7 of the Explanatory Notes.

The Financial Memorandum

The FM states that—

“The Bill creates a new criminal offence, committed by any adult (aged 18 or over), where that adult smokes in a private motor vehicle in the presence of a child (under 18 years of age) while that vehicle is in a public place (subject to limited exceptions).”

The FM states that the offence will be enforced mainly by a fixed penalty notice (FPN) regime although convicted offenders could also be fined. As the Bill is primarily intended to encourage “a culture shift in attitudes” any revenue generated is expected to be modest.

How to submit evidence

The Health and Sport Committee is the lead committee with responsibility for considering the Bill’s policy provisions. It expects to issue a separate call for evidence in the coming weeks.

The Finance Committee invites you to respond to the attached questions by Friday 29 May 2015. All responses should be sent electronically (in MS Word - no confirmatory hard copy required) to finance.committee@scottish.parliament.uk. Written responses will be handled in accordance with the Parliament's policy for handling written evidence received in response to calls for evidence.
What happens next?

All written evidence received will be considered and you may be invited to provide further information to the Committee in oral evidence. As a result of the sometimes tight deadlines for Parliamentary scrutiny of a Bill it is possible that any invitation to give evidence might be extended at relatively short notice.

Should you have any queries in relation to this, please do not hesitate to contact the Committee clerking team on Tel: 0131 348 5451
Finance committee questionnaire

This questionnaire is being sent to those organisations that have an interest in, or that may be affected by, the financial implications of the Smoking Prohibition (Children in Motor Vehicles) (Scotland) Bill. Estimates of the Bill’s financial implications are set out in its accompanying Financial Memorandum (FM), which can be found at page 7 of the Explanatory Notes.

In addition to the questions below, please add any other comments you may have which would assist the Finance Committee’s scrutiny of the FM.

Consultation

1. Did you take part in any consultation exercise preceding the Bill and, if so, did you comment on the financial assumptions made?

2. If applicable, do you believe your comments on the financial assumptions have been accurately reflected in the FM?

3. Did you have sufficient time to contribute to the consultation exercise?

Costs

4. If the Bill has any financial implications for your organisation, do you believe that they have been accurately reflected in the FM? If not, please provide details.

5. Do you consider that the estimated costs and savings set out in the FM are reasonable and accurate?

6. If applicable, are you content that your organisation can meet any financial costs that it might incur as a result of the Bill? If not, how do you think these costs should be met?

7. Does the FM accurately reflect the margins of uncertainty associated with the Bill’s estimated costs and with the timescales over which they would be expected to arise?

Wider Issues

8. Do you believe that the FM reasonably captures any costs associated with the Bill? If not, which other costs might be incurred and by whom?

9. Do you believe that there may be future costs associated with the Bill, for example through subordinate legislation? If so, is it possible to quantify these costs?