



The Scottish Parliament
Pàrlamaid na h-Alba

SUBORDINATE LEGISLATION COMMITTEE

MINUTES

16th Meeting, 2013 (Session 4)

Tuesday 21 May 2013

Present:

Christian Allard	Bruce Crawford (Committee Substitute)
Mike MacKenzie	Hanzala Malik
John Pentland	John Scott
Stewart Stevenson (Deputy Convener)	

Apologies were received from Nigel Don (Convener).

The meeting opened at 10.05 am.

1. **Declaration of interests:** Christian Allard had no interests to declare.
2. **Decision on taking business in private:** The Committee agreed to take items 7 and 8 in private.
3. **Instruments subject to affirmative procedure:** The Committee agreed to draw the attention of the Parliament to the following—

[Children's Legal Assistance \(Scotland\) Regulations 2013 \[draft\];](#)
[Children's Hearings \(Scotland\) Act 2011 \(Movement Restriction Conditions\) Regulations 2013 \[draft\];](#)
[Secure Accommodation \(Scotland\) Regulations 2013 \[draft\].](#)

4. **Instruments subject to negative procedure:** The Committee agreed that no points arose on the following—

[Welfare Reform \(Consequential Amendments\) \(Scotland\) \(No. 3\) Regulations 2013 \(SSI 2013/142\);](#)
[Regulation of Care \(Social Service Workers\) \(Scotland\) Amendment Order 2013 \(SSI 2013/141\);](#)
[Building \(Miscellaneous Amendments\) \(Scotland\) Regulations 2013 \(SSI 2013/143\);](#)

[Children's Legal Assistance \(Fees\) \(Miscellaneous Amendments\) \(Scotland\) Regulations 2013 \(SSI 2013/144\);](#)
[Children's Hearings \(Scotland\) Act 2011 \(Modification of Subordinate Legislation\) Order 2013 \(SSI 2013/147\);](#)
[Children's Hearings \(Scotland\) Act 2011 \(Compulsory Supervision Orders etc.: Further Provision\) Regulations 2013 \(SSI 2013/149\).](#)

In relation to the Welfare Reform (Consequential Amendments) (Scotland) (No.3) Regulations 2013 (SSI 2013/142), the Convener proposed that the Committee considers that the Regulations are intra vires and should not be drawn to the attention of the Parliament on the basis that they may raise a devolution issue. The proposal was agreed to by division (For 4, Against 3, Abstentions 0).

5. **Landfill Tax (Scotland) Bill:** The Committee considered the delegated powers provisions in this Bill at Stage 1 and agreed to seek further information from the Scottish Government.
6. **Annual report:** The Committee agreed its annual report for the parliamentary year from 11 May 2012 to 10 May 2013.
7. **Annual report 2012-13 (in private):** The Committee agreed its fourth quarterly report for the parliamentary year 2012-13.
8. **Subordinate Legislation:** The Committee agreed to invite oral evidence from the Scottish Government on the [Children's Hearings \(Scotland\) Act 2011 \(Rehabilitation of Offenders\) \(Transitory Provisions\) Order 2013 \(SSI 2013/146\)](#).

The meeting closed at 10.45 am.

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