

PARLIAMENTARY BUREAU: APPROVAL OF SCOTTISH STATUTORY INSTRUMENTS

AFFIRMATIVE INSTRUMENT

[International Organisations \(Immunities and Privileges\) \(Scotland\) Amendment Order 2022 \(SSI 2022/Draft\)](#)

1. Under Rule 10.6.5, the Bureau is required to lodge the following motion—

George Adam on behalf of the Parliamentary Bureau: That the Parliament agrees that the International Organisations (Immunities and Privileges) (Scotland) Amendment Order 2022 (SSI 2022/Draft) be approved.

Purpose

2. To confer legal privileges and immunities on The InterAmerican Investment Corporation (IIC), and on persons associated with that organisation, so far as this is within devolved competence of the Scottish Parliament. The privileges and immunities conferred by the instrument in respect of devolved matters reflect those that have been conferred, or are in the course of being conferred, in relation to the IIC by a related order that is subject to consideration by the UK Parliament as it relates to reserved matters. This is being done to help secure compliance by the United Kingdom with its international obligations and to enable the organisations to operate effectively.

Consideration by committee

3. At its meeting on 23 November 2022, the Criminal Justice Committee agreed to recommend that the regulations be approved. The Committee report was published on 29 November 2022.

[Police Act 1997 \(Offences in Schedules 8A and 8B\) Amendment \(Scotland\) Regulations 2022 \(SSI 2022/Draft\)](#)

4. Under Rule 10.6.5, the Bureau is required to lodge the following motion—

George Adam on behalf of the Parliamentary Bureau: That the Parliament agrees that the Police Act 1997 (Offences in Schedules 8A and 8B) Amendment (Scotland) Regulations 2022 (SSI 2022/Draft) be approved.

Purpose

5. To amend schedules 8A and 8B of the Police Act 1997 which contain lists of offences. A conviction for an offence included in either list is, in accordance with specified rules, disclosable by the state (that is, Disclosure Scotland on behalf of the Scottish Ministers) on “higher level disclosures” beyond the point which the conviction becomes “spent” under the Rehabilitation of Offenders Act 1974. Higher level disclosures are the standard and enhanced disclosures

under the 1997 Act and scheme record disclosure under the Protection of Vulnerable Groups (Scotland) Act 2007.

Consideration by committee

6. At its meeting on 30 November 2022, the Education, Children and Young People Committee agreed to recommend that the regulations be approved. The Committee report was published on 1 November 2022.

[Rehabilitation of Offenders Act 1974 \(Exclusions and Exceptions\) \(Scotland\) Amendment \(No. 2\) Order 2022 \(SSI 2022/Draft\)](#)

7. Under Rule 10.6.5, the Bureau is required to lodge the following motion—

George Adam on behalf of the Parliamentary Bureau: That the Parliament agrees that the Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Amendment (No. 2) Order 2022 (SSI 2022/Draft) be approved.

Purpose

8. To amend schedules A1 and B1 of the Rehabilitation of Offenders Act (Exclusions and Exceptions) (Scotland) Order 2013 (“the 2013 Order”). These amendments are a consequence of changes being made to schedules 8A and 8B of the Police Act 1997 (“the 1997 Act”) by the Police Act 1997 (Offences in Schedules 8A and 8B) Amendment (Scotland) Regulations 2022 (see above) which affect higher level disclosures (standard and enhanced disclosures under the 1997 Act; and scheme record disclosure under the Protection of Vulnerable Groups (Scotland) Act 2007) issued by Disclosure Scotland on behalf of the Scottish Ministers.

9. This is to ensure there is ongoing consistency between the statutory frameworks for self and state disclosure. That is, the obligation placed on an individual to admit to previous spent convictions for the excepted professions, offices, employments and occupations prescribed in the 2013 Order is the same as those spent convictions that can be included in a higher level disclosure issued by Disclosure Scotland under the 1997 Act.

Consideration by committee

10. At its meeting on 30 November 2022, the Education, Children and Young People Committee agreed to recommend that the regulations be approved. The Committee report was published on 1 November 2022.

Decision

11. **Business Managers are invited note that the above motions will be lodged.**

12. **Business Managers should reserve their position if their party intends to speak against or oppose the motions.**

**Parliamentary Business Team
December 2022**