

Parliamentary Bureau – Designation of Bills at Stage 1

Crofting and Scottish Land Court Bill

Introduction

1. The Crofting and Scottish Land Court Bill was introduced in the Parliament on 2 June 2025 by the Cabinet Secretary for Rural Affairs, Land Reform and Islands, Mairi Gougeon MSP and supported by the Minister for Agriculture and Connectivity, Jim Fairlie MSP.

Discussion

2. The Bill amends crofting law and provides for the merger of the Scottish Land Court and Lands Tribunal for Scotland. Part 1 makes various changes to crofting law, including on the enforcement of crofters' duties, the powers of the Crofting Commission, common grazings, and the Crofting Register. Part 2 provides for the transfer to the Scottish Land Court of the jurisdiction and functions of the Lands Tribunal for Scotland. Schedule 1 makes provision about the Court, including its constitution, jurisdiction and powers.
3. The Bill falls within the remit of the following committees—

Rural Affairs and Islands Committee

The remit of the Rural Affairs and Islands Committee includes the consideration of matters falling within the responsibility of the Cabinet Secretary for Rural Affairs, Land Reform and Islands (with the exception of matters relating to land reform, natural resources and peatland, Scottish Land Commission, Crown Estate Scotland, and Royal Botanic Garden). This includes crofting, which falls within the responsibility of the Minister for Agriculture and Connectivity who supports the Cabinet Secretary. As such, the Rural Affairs and Islands Committee's remit is engaged.

Net Zero, Energy and Transport Committee

The remit of the Net Zero, Energy and Transport Committee includes the consideration of matters relating to land reform and the Scottish Land Commission within the responsibility of the Cabinet Secretary for Rural Affairs, Land Reform and Islands. As land reform may include matters relating to crofting or the Scottish Land Court, the remit of the Net Zero, Energy and Transport Committee is engaged.

Criminal Justice Committee

The remit of the Criminal Justice Committee includes the consideration of matters falling within the responsibility of the Cabinet Secretary for Justice and Home Affairs. This includes courts and the Scottish Courts and Tribunals Service. As the Bill merges the Scottish Land Court and Lands Tribunal for Scotland, the remit of the Criminal Justice Committee is engaged.

4. It is understood that the Rural Affairs and Islands Committee has the main interest in the Bill. Lack of formal designation does not, of course, prevent any other committee from considering the Bill if it subsequently decides to do so.

Recommendation

5. The Bureau is invited to consider recommending to the Parliament by motion that it agrees, under Rule 9.6.1, that the Rural Affairs and Islands Committee be designated as lead committee.
6. A draft motion can be found below.

Draft Parliamentary Bureau motion on the Crofting and Scottish Land Court Bill:

Designation of Lead Committee – That the Parliament agrees that the Rural Affairs and Islands Committee be designated as the lead committee in consideration of the Crofting and Scottish Land Court Bill at Stage 1.

Ecocide (Scotland) Bill

Introduction

1. The Ecocide (Scotland) Bill was introduced in the Parliament on 29 May 2025 by the Member in Charge, Monica Lennon MSP.

Discussion

2. The Bill creates an offence of ecocide. A person commits the offence of ecocide if they cause severe environmental harm in Scotland and do so intentionally or recklessly. “Severe environmental harm” is defined as harm that has serious adverse effects and is either widespread or long-term. The Scottish Ministers are required to report after 5 years on the operation of the Act.
3. The Bill falls within the remit of the following committees—

Net Zero, Energy and Transport Committee

The remit of the Net Zero, Energy and Transport Committee includes consideration of matters falling within the responsibility of the Cabinet Secretary for Net Zero and Energy (with the exception of matters relating to just transition). The Cabinet Secretary’s responsibilities include environmental protection. The remit of the Net Zero, Energy and Transport Committee is therefore engaged.

Criminal Justice Committee

The remit of the Criminal Justice Committee includes consideration of matters falling within the responsibility of the Cabinet Secretary for Justice and Home Affairs. The Bill creates an offence of ecocide. The remit of the Criminal Justice Committee is therefore engaged.

4. The definition of “harm” on which the offence relies includes harm to the health of human beings or other living organisms as well as damage to property. As a result, the remits of several other committees are arguably engaged, including the Health, Social Care and Sport Committee and the Rural Affairs and Islands Committee.
5. It is considered that the Net Zero, Energy and Transport Committee has the main interest in the Bill. Lack of formal designation does not, of course, prevent any other committee from considering the Bill if it subsequently decides to do so.

Recommendation

6. The Bureau is invited to consider recommending to the Parliament by motion that it agrees, under Rule 9.6.1, that the Net Zero, Energy and Transport Committee be designated as lead committee.
7. A draft motion can be found below.

Draft Parliamentary Bureau motion on the Ecocide (Scotland) Bill:

Designation of Lead Committee – That the Parliament agrees that the Net Zero, Energy and Transport Committee be designated as the lead committee in consideration of the Ecocide (Scotland) Bill at Stage 1.

Freedom of Information Reform (Scotland) Bill

Introduction

1. The Freedom of Information Reform (Scotland) Bill was introduced in the Parliament on 2 June 2025 by Katy Clark MSP.

Discussion

2. The Bill provides for amendment of the Freedom of Information (Scotland) Act 2002 in a variety of ways, including:
 - requiring Scottish Ministers to consider proposals made by the Scottish Information Commissioner when deciding whether to make an order to make a public body subject to the system,
 - creating a process for the Scottish Parliament to add a body to the system,
 - removing the First Minister's power to override certain decisions of the Scottish Information Commissioner in relation to a request for information,
 - requiring public authorities to proactively publish certain information, and to follow a new code of practice,
 - requiring all public authorities that are subject to the system to appoint a Freedom of Information Officer, and
 - creating a new offence of destroying information so that it cannot be disclosed, even if no request for that information has been made.

3. The Bill falls within the remit of the following committees—

Standards, Procedures and Public Appointments Committee

Freedom of information falls into the remit of the Minister for Parliamentary Business. The remit of the Standards, Procedures and Public Appointments Committee includes matters falling within the responsibility of the Minister for Parliamentary Business. The remit of the Standards, Procedures and Public Appointments Committee is therefore engaged

Finance and Public Administration Committee

The remit of the Finance and Public Administration Committee includes matters relating to public administration. The freedom of information regime applies to the operation of public authorities. The remit of the Finance and Public Administration Committee is therefore engaged.

4. It is considered that the Standards, Procedures and Public Appointments Committee has the main interest in the Bill. Lack of formal designation does not, of course, prevent any other committee from considering the Bill if it subsequently decides to do so.

Recommendation

5. The Bureau is invited to consider recommending to the Parliament by motion that it agrees, under Rule 9.6.1, that the Standards, Procedures and Public Appointments Committee be designated as lead committee.
6. A draft motion can be found below.

Draft Parliamentary Bureau motion on the Freedom of Information Reform (Scotland) Bill:

Designation of Lead Committee – That the Parliament agrees that the Standards, Procedures and Public Appointments Committee be designated as the lead committee in consideration of the Freedom of Information Reform (Scotland) Bill at Stage 1.

Parliamentary Business Team
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