



The Scottish Parliament
Pàrlamaid na h-Alba

MINUTES OF PROCEEDINGS

Parliamentary Year 2, No. 58, Session 6

Meeting of the Parliament

Tuesday 20 December 2022

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

The meeting opened at 2.00 pm.

1. Time for Reflection: Rev. Dr Bruce Ritchie, Church of Scotland Minister and Tutor in Scottish Church History at HTC, the University of the Highlands and Islands, led Time for Reflection.

2. Topical Questions: Questions were answered by a Cabinet Secretary and a Minister.

3. Revision to Business Programme: The Minister for Parliamentary Business (George Adam), on behalf of the Parliamentary Bureau, moved S6M-07320—That the Parliament agrees to the following revisions to the programme of business for—

(a) Tuesday 20 December 2022—

delete

8.00 pm Decision Time

and insert

10.20 pm Decision Time

(b) Wednesday 21 December 2022—

delete

2.00 pm Portfolio Questions: Rural Affairs and Islands; Health and Social Care; Social Justice,

Housing and Local Government

followed by Ministerial Statement: Climate Change Committee's Review of Scottish Emissions Targets and Progress Report 2022

and insert

2.00 pm Stage 3 Proceedings: Gender Recognition Reform (Scotland) Bill

3.15 pm Portfolio Questions: Rural Affairs and Islands; Health and Social Care; Social Justice,

Housing and Local Government

delete

5.45 pm Decision Time

and insert

6.30 pm Decision Time

(c) Thursday 22 December 2022—

after

12.00 pm First Minister's Questions

insert

followed by Ministerial Statement: Climate Change Committee's Review of Scottish Emissions Targets and Progress Report 2022

delete

12.45 pm Decision Time

and insert

1.15 pm Decision Time

Alexander Burnett moved amendment S6M-07320.1—

As an amendment to motion S6M-07320 in the name of George Adam (Revision to Business Programme), after "3.15 pm Portfolio Questions: Rural Affairs and Islands; Health and Social Care; Social Justice, Housing and Local Government" insert—

"delete

Stage 3 Debate: Gender Recognition Reform (Scotland) Bill

and insert

Stage 3 Proceedings: Gender Recognition Reform (Scotland) Bill”.

After debate, the amendment was disagreed to (by division: For 31, Against 96 Abstentions 0).

Graham Simpson moved amendment S6M-07320.2—

As an amendment to motion S6M-07320 in the name of George Adam (Revision to Business Programme), after “3.15 pm Portfolio Questions: Rural Affairs and Islands; Health and Social Care; Social Justice, Housing and Local Government” insert “followed by Ministerial Statement: Strategic Transport Projects Review 2”.

After debate, the amendment was disagreed to (by division: For 31, Against 96 Abstentions 0).

Liam Kerr moved amendment S6M-07320.3—

As an amendment to motion S6M-07320 in the name of George Adam (Revision to Business Programme), after “3.15 pm Portfolio Questions: Rural Affairs and Islands; Health and Social Care; Social Justice, Housing and Local Government” insert “followed by Ministerial Statement: Biodiversity Strategy”.

After debate, the amendment was disagreed to (by division: For 31, Against 96 Abstentions 0).

Stephen Kerr moved amendment S6M-07320.4—

As an amendment to motion S6M-07320 in the name of George Adam (Revision to Business Programme), after “3.15 pm Portfolio Questions: Rural Affairs and Islands; Health and Social Care; Social Justice, Housing and Local Government” insert “followed by Ministerial Statement: Curriculum for Excellence Achievement Statistics”.

After debate, the amendment was disagreed to (by division: For 31, Against 96 Abstentions 0).

The motion was agreed to (by division: For 95, Against 10, Abstentions 21).

4. Suspension of Standing Orders: Alexander Burnett moved motion S6M-07325, without notice under Rule 8.2.6 of the Standing Orders—That the Parliament agrees that for the purposes of consideration of the Gender Recognition Reform (Scotland) Bill at stage 3, Rule 9.8.4A be suspended and that debate on each grouping of amendments continues until each Member who wishes to speak in a group has an opportunity to do so.

The motion was disagreed to (by division: For 51, Against 74, Abstentions 0).

5. Stage 3 Timetable: The Minister for Parliamentary Business (George Adam), on behalf of the Parliamentary Bureau, moved S6M-07321—That the Parliament agrees that, during stage 3 of the Gender Recognition Reform (Scotland) Bill, debate on groups of amendments shall, subject to Rule 9.8.4A, be brought to a conclusion by the time limits indicated, those time limits being calculated from when the stage begins and excluding any periods when other business is under consideration or when a meeting of the Parliament is suspended (other than a suspension following the first division in the stage being called) or otherwise not in progress:

Groups 1 to 3: 1 hour 45 minutes

Groups 4 to 6: 2 hours 30 minutes

Groups 7 to 9: 3 hours 50 minutes

Groups 10 to 12: 5 hours 30 minutes

Groups 13 and 14: 6 hours 30 minutes

Groups 15 and 16: 8 hours

Groups 17 to 19: 9 hours 15 minutes.

The motion was agreed to (by division: For 95, Against 31, Abstentions 0).

6. Gender Recognition Reform (Scotland) Bill - Stage 3: The Bill was considered at Stage 3.

The following amendments were agreed to (by division)—

19 (For 76, Against 27, Abstentions 23)

99 (For 103, Against 23, Abstentions 1)

27 (For 111, Against 1, Abstentions 11)

29 (For 118, Against 1, Abstentions 7)

40A (For 119, Against 2, Abstentions 2)

40B (For 118, Against 1, Abstentions 3)

40C (For 120, Against 0, Abstentions 3)

40D (For 119, Against 0, Abstentions 3)

40E (For 118, Against 0, Abstentions 3)

40 (For 121, Against 0, Abstentions 1)

41 (For 121, Against 1, Abstentions 1)

42 (For 120, Against 2, Abstentions 1)

47 (For 121, Against 0, Abstentions 3)

48 (For 118, Against 0, Abstentions 6)

49 (For 118, Against 0, Abstentions 6)

The following amendments, as amended, were agreed to (by division)—

40 (For 121, Against 0, Abstentions 3)

The following amendments were disagreed to (by division)—

6 (For 37, Against 87, Abstentions 0)
93 (For 9, Against 115, Abstentions 0)
18 (For 59, Against 64, Abstentions 2)
94 (For 11, Against 113, Abstentions 1)
7 (For 37, Against 89, Abstentions 0)
22 (For 60, Against 64, Abstentions 2)
23 (For 56, Against 70, Abstentions 0)
95 (For 35, Against 91, Abstentions 0)
20 (For 51, Against 73, Abstentions 2)
96 (For 34, Against 92, Abstentions 1)
21 (For 51, Against 74, Abstentions 1)
97 (For 31, Against 95, Abstentions 1)
24 (For 24, Against 101, Abstentions 1)
15 (For 16, Against 109, Abstentions 2)
8 (For 36, Against 89, Abstentions 2)
26 (For 25, Against 101, Abstentions 0)
9 (For 36, Against 91, Abstentions 0)
10 (For 36, Against 90, Abstentions 0)
11 (For 35, Against 91, Abstentions 0)
28 (For 60, Against 65, Abstentions 2)
16 (For 31, Against 95, Abstentions 1)
100 (For 42, Against 72, Abstentions 10)
1 (For 54, Against 70, Abstentions 1)
12 (For 35, Against 90, Abstentions 0)
30 (For 33, Against 89, Abstentions 3)
31 (For 33, Against 89, Abstentions 3)
32 (For 33, Against 89, Abstentions 3)
102 (For 31, Against 92, Abstentions 1)
33 (For 33, Against 90, Abstentions 2)
103 (For 52, Against 73, Abstentions 0)
104 (For 50, Against 73, Abstentions 1)
140 (For 52, Against 73, Abstentions 0)
34 (For 27, Against 94, Abstentions 2)
35 (For 28, Against 95, Abstentions 1)
36 (For 55, Against 68, Abstentions 1)
37 (For 32, Against 90, Abstentions 1)
105 (For 9, Against 111, Abstentions 2)
38 (For 36, Against 86, Abstentions 0)
106 (For 25, Against 95, Abstentions 1)
2 (For 54, Against 65, Abstentions 2)
3 (For 54, Against 65, Abstentions 3)
39A (For 60, Against 63, Abstentions 0)
39B (For 60, Against 63, Abstentions 0)
39C (For 35, Against 87, Abstentions 1)
39 (For 61, Against 62, Abstentions 0) – amendment disagreed to by casting vote
107 (For 29, Against 91, Abstentions 1)
43 (For 36, Against 87, Abstentions 0)
44 (For 36, Against 88, Abstentions 0)
45 (For 36, Against 88, Abstentions 0)

46 (For 49, Against 74, Abstentions 1)
47A (For 32, Against 70, Abstentions 22)

The following amendments were moved and, no member having objected, withdrawn:

The following amendments were not moved: 98, 25, 101, 4 and 5

The Minister for Parliamentary Business (George Adam) moved a motion without notice under Rule 9.8.5A to move the first time limit by up to 30 minutes. The motion was agreed to.

The Deputy Presiding Officer extended the time limit under Rule 9.8.4A(c).

The Deputy Presiding Officer accepted a motion without notice to suspend the last sentence of Rule 9.8.5A. The motion was agreed to.

The Minister for Parliamentary Business (George Adam) moved a motion without notice under Rule 9.8.5A to move the second time limit by up to 30 minutes. The motion was agreed to.

7. Motion without Notice: The Minister for Parliamentary Business (George Adam), on behalf of the Parliamentary Bureau, moved a motion without notice to remove the Members' Business debate in the name of Jim Fairlie from Wednesday's Business and resume consideration of amendments at 1.15 pm on Wednesday.

The meeting closed at 00.14 am.

David McGill
Clerk of the Parliament
20 December 2022

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

Committee Reports

The following reports were published on 19 December 2022—

Education, Children and Young People Committee, 11th Report, 2022
(Session 6): National Care Service (Scotland) Bill - Stage 1 Report (SP Paper 274)

Rural Affairs, Islands and Natural Environment Committee, 9th Report, 2022
(Session 6): Subordinate legislation considered by the Rural Affairs, Islands and Natural Environment Committee on 14 December 2022 (SP Paper 284)

The following report was published on 20 December 2022—

Delegated Powers and Law Reform Committee, 68th Report, 2022 (Session 6): Subordinate Legislation considered by the Delegated Powers and Law Reform Committee on 20 December 2022 (SP Paper 283)

Subordinate Legislation

Negative Instruments

The following instrument was laid before the Parliament on 16 December 2022 and is subject to the negative procedure—

St Mary's Music School (Aided Places) (Scotland) Amendment (No. 2) Regulations 2022 (SSI 2022/377)
laid under section 133 of the Education (S) Act 1980

Laid Only Instruments

The following instrument was laid before the Parliament on 16 December 2022 and is not subject to any parliamentary procedure—

Heat Networks (Scotland) Act 2021 (Commencement) (No. 1) Regulations 2022 (SSI 2022/376)
laid under section 30(2) of the Interpretation and Legislative Reform (Scotland) Act 2010

Other Documents

The following documents were laid before the Parliament on 16 December 2022 and are not subject to parliamentary procedure—

Architecture & Design Scotland Annual Report and Accounts for the Year Ending 31 March 2022 (SG/2022/261) laid at the request of a member of the Scottish Government and not under any laying power

Scotland's Forestry Strategy 2019-2029: Parliamentary progress report 1 April 2019 to 31 March 2022 (SG/2022/263) laid under section 7 of the Forestry and Land Management (Scotland) Act 2018

Scottish Commission on Social Security (SCoSS): annual report and accounts - 2021 to 2022 (SG/2022/134) laid under Section 12 (1) of Schedule 1 of the Social Security (Scotland) Act 2018.

Scottish Water Interim Report and Accounts: Performance and Prospects For the six months to 30 September 2022 (SG/2022/268) laid at the request of a member of the Scottish Government and not under any laying power

The Skills Development Scotland Co. Limited Annual Report and Financial Statements for the year ended 31 March 2022 (SG/2022/220) laid under Section 22(5) of the Public Finance and Accountability (Scotland) Act 2000

VisitScotland Group Annual Report and Accounts for the year ended 31 March 2022 (SG/2022/258) laid under Section 22(5) of the Public Finance and Accountability (Scotland) Act 2000

The following documents were laid before the Parliament on 19 December 2022 and are not subject to parliamentary procedure—

Community Justice Scotland Annual Report and Accounts 2021-22 (SG/2022/255) laid under Section 11(4) of the Community Justice (Scotland) Act 2016

Highlands and Islands Enterprise Annual Report and Accounts 2021-22 (SG/2022/295) laid under Section 30 of the Enterprise and New Towns (Scotland) Act 1990

National Records of Scotland: Public Records (Scotland) Act 2011 - Report by the Keeper of the Records of Scotland 2021-2022 (SG/2022/196) laid under Section 12 of the Public Records (Scotland) Act 2011

Risk Management Authority - Annual Report and Accounts 2021-22 (SG/2022/79) laid under Section 13(3) of the Criminal Justice (Scotland) Act 2003

Royal Botanic Garden Edinburgh Annual Report and Consolidated Accounts For the year ended 31 March 2022 (SG/2022/265) laid under Section 22(5) of the Public Finance and Accountability (Scotland) Act 2000

Scottish Government Report to Parliament: Economic Condition of Crofting 2019 - 2022 (SG/2022/267) laid under Section 51 of the Crofting Reform (Scotland) Act 2010

Scottish Social Services Council Annual Report and Accounts 1 April 2021 to 31 March 2022 (SG/2022/168) laid under Schedule 2, Section 10(1) of the Regulation of Care (Scotland) Act 2001 and Section 22(5) of the Public Finance and Accountability (Scotland) Act 2000

Young Start Annual Report 2021/22 (SG/2022/219) laid under Paragraph 9, Part 3, Schedule 3 of the Dormant Bank and Building Society Accounts Act 2008

The following documents were laid before the Parliament on 20 December 2022 and are not subject to parliamentary procedure—

Aithisg Bhliadhnail agus Aithrisean Ionmhasail Puirt-adhair na Gàidhealtachd is nan Eilean Earranta gu 31 Màrt 2022 (SG/2022/259) laid under section 34 of the Civil Aviation Act 1982

British Wool Marketing Board, Report on the BWMB Agricultural Marketing Scheme 2021-22 (SG/2022/302) laid under Section 30 of the Agricultural Marketing Act 1958

Children and Young People's Commissioner Scotland, Annual Report and Accounts 2021-2022, Year Ended 31 March 2022 (SG/2022/301) laid under Section 10 (3) of the Commissioner for Children and Young People (Scotland) Act 2003

Highlands and Islands Airports Limited (HIAL) Annual Report and Accounts to 31 March 2022 (SG/2022/222) laid under section 34 of the Civil Aviation Act 1982

Northern Lighthouse Board Annual Report and Accounts to 31 March 2022 (SG/2022/260) laid under Section 55 of the Scotland Act 2016

Scottish Criminal Cases Review Commission Annual Report 2021-22 (SG/2022/187) laid under Schedule 9A of the Criminal Procedure (Scotland) Act 1995

Scottish Criminal Cases Review Commission 2021-22 Annual Accounts (SG/2022/188) laid under Schedule 9A of the Criminal Procedure (Scotland) Act 1995

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