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Finance and Constitution Committee

Subordinate Legislation



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Finance and Constitution Committee

1. The remit of the Finance Committee is to consider and report on-
 - a. any report or other document laid before the Parliament by members of the Scottish Government containing proposals for, or budgets of, public revenue or expenditure or proposals for the making of a Scottish rate resolution, taking into account any report or recommendations concerning such documents made to them by any other committee with power to consider such documents or any part of them;
 - b. any report made by a committee setting out proposals concerning public revenue or expenditure;
 - c. Budget Bills; and
 - d. any other matter relating to or affecting the revenue or expenditure of the Scottish Administration or other monies payable into or expenditure payable out of the Scottish Consolidated Fund.
 - e. Constitutional matters falling within the responsibility of the Cabinet Secretary for Finance and Constitution.
2. The Committee may also consider and, where it sees fit, report to the Parliament on the timetable for the Stages of Budget Bills and on the handling of financial business.
3. In these Rules, “public expenditure” means expenditure of the Scottish Administration, other expenditure payable out of the Scottish Consolidated Fund and any other expenditure met out of taxes, charges and other public revenue.



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The Budget (Scotland) Act 2016 Amendment Regulations 2016 [draft].

1. The Committee took evidence on the Budget (Scotland) Act 2016 Amendment Regulations 2016 [draft]¹ from Derek Mackay, Cabinet Secretary for Finance and the Constitution at its meeting on 26 October 2016.
2. The Regulations were laid on 22 September and amend the Budget Scotland Act 2016 which authorised the Scottish Government's spending plans for the current financial year. The Autumn Budget Revision (ABR)² provides supporting information on the revised spending plans for which the Scottish Government sought Parliamentary approval.
3. Briefings on the Order and ABR were prepared by SPICe and the Scottish Government.³
4. The Delegated Powers and Law Reform Committee considered the Regulations at its meeting on 4 October 2016 and had no issues to report.⁴
5. Following evidence the Cabinet Secretary moved motion S5M-01839—

That the Finance and Constitution Committee recommends that the Budget (Scotland) Act 2016 Amendment Regulations 2016 [draft] be approved.
6. The motion was agreed to.
7. The Cabinet Secretary wrote to the Committee on 1 November providing further information on the ABR⁵.

Public Appointments and Public Bodies etc. (Scotland) Act 2003 (Treatment of Scottish Fiscal Commission as Specified Authority) Order 2016 [draft]

8. At the same meeting, the Committee took evidence on the Public Appointments and Public Bodies etc. (Scotland) Act 2003 (Treatment of Scottish Fiscal Commission as Specified Authority) Order 2016 [draft]⁶ from Derek Mackay, Cabinet Secretary for Finance and the Constitution.
9. The Draft Order was laid on 12 September and the policy note states that its effect is to—

“Enable the Scottish Fiscal Commission to be treated as a specified authority for the purposes of the 2003 Act so that the process of appointing members to the Scottish Fiscal Commission will be subject to supervision by the Commissioner for Ethical Standards in Public Life. This will in turn enable the

¹ http://www.legislation.gov.uk/sdsi/2016/9780111032756/pdfs/sdsi_9780111032756_en.pdf

² <http://www.gov.scot/Resource/0050/00505930.pdf>

³ http://www.parliament.scot/S5_Finance/COMPLETE_21_Oct.pdf

⁴ <http://www.parliament.scot/parliamentarybusiness/CurrentCommittees/101485.aspx>

⁵ http://www.parliament.scot/S5_Finance/Letter to Finance Committee - ABR - 1 Nov.pdf

⁶ http://www.legislation.gov.uk/sdsi/2016/9780111032756/pdfs/sdsi_9780111032756_en.pdf

public appointments process to begin before the Scottish Fiscal Commission becomes a statutory body on 1 April 2017.”

10. The Delegated Powers and Law Reform Committee considered the Draft Order at its meeting on 20 September 2016 and had no issues to report.⁷

11. Following evidence the Cabinet Secretary moved motion S5M-01595—

That the Finance and Constitution Committee recommends that the Public Appointments and Public Bodies etc. (Scotland) Act 2003 (Treatment of Scottish Fiscal Commission as Specified Authority) Order 2016 [draft] be approved.

12. The motion was agreed to.

13. The Official Report of the meeting is available on the Committee’s website.⁸

⁷ <http://www.parliament.scot/parliamentarybusiness/CurrentCommittees/101174.aspx>

⁸ <http://www.parliament.scot/parliamentarybusiness/CurrentCommittees/101355.aspx>

