

Miners' Strike (Pardons) (Scotland) Bill

Marshalled List of Amendments for Stage 2

The Bill will be considered in the following order—

Sections 1 to 6

Long Title

Amendments marked * are new (including manuscript amendments) or have been altered.

Section 1

Keith Brown

- 1 In section 1, page 1, line 4, leave out <miner> and insert <qualifying individual>

Keith Brown

- 2 In section 1, page 1, leave out line 8 and insert—

<() in relation to—

- (i) an offence listed in section 2(a) to (c), meets condition A or condition B, or
- (ii) the offence of theft, meets condition C.>

Keith Brown

- 3 In section 1, page 1, line 9, leave out subsections (2) and (3) and insert—

<() Condition A is that the conduct—

(a) occurred while the individual was engaged or participating in—

(i) activity (whether or not organised) supporting or opposing the miners' strike,
5 or

(ii) activity ancillary to such activity (for example, assembling before or after or
travelling to or from such activity), and

(b) did not occur for a reason unrelated to the miners' strike (for example, a disagreement
about a personal matter).

10 () Condition B is that the conduct—

(a) occurred in response to conduct that meets condition A, and

(b) did not occur for a reason unrelated to the miners' strike.

() Condition C is that the conduct occurred because of economic hardship arising from
participation (whether by the individual or another person) in the miners' strike.>

Pam Duncan-Glancy

- 3A As an amendment to amendment 3, line 4, leave out <supporting or opposing> and insert <relating to>

Alexander Stewart

- 9 In section 1, page 1, line 10, leave out <or other similar gathering>

Alexander Stewart

- 10 In section 1, page 1, line 12, leave out <or other similar gathering>

Alexander Stewart

- 11 In section 1, page 1, line 16, leave out <or other similar gathering>

Pam Gosal

- 15 In section 1, page 1, line 17, leave out <intended participation, or>

Alexander Stewart

- 12 In section 1, page 1, line 18, leave out <or other similar gathering>

After section 1

Keith Brown

- 4 After section 1, insert—

<Pardons: qualifying individuals

In section 1, “qualifying individual” means an individual, including a deceased individual, who—

- 5 (a) was a miner, or
(b) was, at the time of the commission of the offence, a member of the same household as a miner.>

Pam Duncan-Glancy

- 4A As an amendment to amendment 4, line 6, leave out <member of the same household as> and insert <family member of>

Pam Duncan-Glancy

- 4B As an amendment to amendment 4, line 7, at end insert <, or
<() a supporter of a miner.>

Richard Leonard

- 16 After section 1, insert—

<Pardons: compensation scheme

- (1) The Scottish Ministers must make a scheme or schemes for the making of payments by them to provide financial redress to a miner, or the legal representative of any deceased miner, who has been convicted in terms of section 1.
- (2) A scheme under subsection (1) may make provision including—
 - (a) requiring an application to be made for a payment under the scheme,
 - (b) about the persons by whom applications may be made,
 - (c) about how applications may be made,
 - (d) about information and evidence to be provided with, or in relation to, applications,
 - (e) about the persons to whom payments may be made.
- (3) The Scottish Ministers must, as soon as reasonably practicable after making a scheme under subsection (1)—
 - (a) lay a copy of the scheme before the Scottish Parliament, and
 - (b) publish the scheme in such way as they consider appropriate.>

Section 2

Richard Leonard

17 In section 2, page 1, line 23, at end insert—

<() an offence under section 7 of the Conspiracy and Protection of Property Act 1875,>

Keith Brown

5 In section 2, page 1, line 25, at end insert—

<() theft.>

Section 3

Richard Leonard

18 In section 3, page 2, line 4, at beginning insert <subject to section (*Pardons: compensation scheme*),>

Section 4

Pam Duncan-Glancy

13 In section 4, page 2, line 11, at end insert—

<“family member” includes an individual, who at the time of the conviction was—

- (a) married to, or in a civil partnership with, a miner,
- (b) living with a miner as though they were married,
- (c) a sibling of a miner,
- (d) a parent or step-parent of a miner,

- (e) a grandparent of a miner,
- (f) a child or step-child of a miner,
- (g) a grandchild of a miner,
- (h) a cousin of a miner.>

Keith Brown

6 In section 4, page 2, line 11, at end insert—

<“household” means a group of people living together as a family or other unit (whether or not related) in a private dwelling, who—

- (a) have the dwelling as their only or main residence, and
- (b) share living accommodation and cooking facilities,>

Keith Brown

7 In section 4, page 2, line 12, leave out <a person, including a deceased person,> and insert <an individual>

Pam Duncan-Glancy

14* In section 4, page 2, line 19, at end insert—

<“supporter” includes a trade union representative, member of a political party or friend of a miner.>

Long Title

Keith Brown

8 In the long title, leave out <miners> and insert <certain individuals>

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