DELEGATED POWERS AND LAW REFORM COMMITTEE

MINUTES

4th Meeting, 2018 (Session 5)

Tuesday 6 February 2018

Present:

Neil Findlay
Stuart McMillan (Deputy Convener)
Alison Harris
Graham Simpson (Convener)
David Torrance

The meeting opened at 10.00 am.

1. **Decision on taking business in private**: The Committee agreed to take items 6 and 7 in private.

2. **Instruments subject to affirmative procedure**: The Committee agreed that no points arose on the following—

   - *Proceeds of Crime Act 2002 (Searches under Part 5: Constables in Scotland: Code of Practice) Order 2018* [draft];
   - *Courts Reform (Scotland) Act 2014 (Consequential and Supplemental Provisions) Order 2018* [draft];
   - *National Bus Travel Concession Scheme for Older and Disabled Persons (Scotland) Amendment Order 2018* [draft];
   - *Community Care (Personal Care and Nursing Care) (Scotland) Amendment Regulations 2018* [draft].

3. **Instruments subject to negative procedure**: The Committee agreed to draw the attention of the Parliament to the following—

   - *Community Care (Provision of Residential Accommodation Outwith Scotland) (Scotland) Amendment Regulations 2018* (SSI 2018/16);

   and that no points arose on the following—

   - *Plant Health (Import Inspection Fees) (Scotland) Amendment Regulations 2018* (SSI 2018/22);
4. **Instruments not subject to any parliamentary procedure:** The Committee agreed that no points arose on the following—

   - Carers (Scotland) Act 2016 (Commencement No. 3) Regulations 2018 (SSI 2018/25 (C.3));
   - Health (Tobacco, Nicotine etc. and Care) (Scotland) Act 2016 (Commencement No. 3) Regulations 2018 (SSI 2018/26 (C.4)).

5. **Budget (Scotland) (No.2) Bill:** The Committee considered the delegated powers provisions in this Bill at Stage 1 and agreed the contents of a report to the Finance and Constitution Committee.

6. **Social Security (Scotland) Bill (in private):** The Committee considered correspondence from the Social Security Committee asking for its views on certain amendments to the Bill lodged at Stage 2 and agreed its response.

7. **European Union (Withdrawal) Bill (in private):** The Committee considered a paper from the Clerk and agreed its response to the House of Commons Procedure Committee inquiry, 'Exiting the EU: scrutiny of delegated legislation'.

The meeting closed at 10.18 am.

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