DELEGATED POWERS AND LAW REFORM COMMITTEE

MINUTES

7th Meeting, 2018 (Session 5)

Tuesday 6 March 2018

Present:

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

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. **UK Withdrawal from the European Union (Legal Continuity) (Scotland) Bill**: The Committee took evidence on the delegated powers in the Bill from—

   Michael Russell, Minister for UK Negotiations on Scotland's Place in Europe; Gerald Byrne, Team Leader, Constitution and UK Relations Division; Graham Fisher, Head of Branch 1, Constitutional and Civil Law Division, Scottish Government Legal Directorate; Luke McBratney, Policy Officer, Constitution and UK Relations Division, Scottish Government.

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

   *Scottish Landfill Tax (Standard Rate and Lower Rate) Order 2018 (SSI 2018/87).*

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

   *National Health Service (General Medical Services Contracts) (Scotland) Regulations 2018 (SSI 2018/66);*
   *National Health Service (Primary Medical Services Section 17C Agreements) (Scotland) Regulations 2018 (SSI 2018/67);*
and that no points arose on the following—

Non-Domestic Rates (Levying) (Scotland) Regulations 2018 (SSI 2018/74);
Non-Domestic Rates (New and Improved Properties) (Scotland) Regulations 2018 (SSI 2018/75);
Non-Domestic Rates (Transitional Relief) Amendment (Scotland) Regulations 2018 (SSI 2018/76);
Non-Domestic Rating (Unoccupied Property) (Scotland) Regulations 2018 (SSI 2018/77).

5. **Instruments not subject to any parliamentary procedure:** The Committee agreed that no points arose on the following—

United Nations (International Residual Mechanism for Criminal Tribunals) Order 2018 (SI 2018/187);
Lobbying (Scotland) Act 2016 (Commencement No. 2) Regulations 2018 (SSI 2018/73 (C.7)).

6. **Prescription (Scotland) Bill (in private):** The Committee considered the delegated powers provisions in this Bill at Stage 1 and agreed to ask questions of the Scottish Government in writing on certain powers within the Bill.

7. **UK Withdrawal from the European Union (Legal Continuity) (Scotland) Bill (in private):** The Committee considered the evidence it heard earlier in the meeting and agreed to write to the Presiding Officer advising of the evidence received so as to inform the Stage 1 debate on the Bill which is scheduled to take place on Wednesday 7 March.

The meeting closed at 11.33 am.

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