



The Scottish Parliament
Pàrlamaid na h-Alba

HEALTH AND SPORT COMMITTEE

MINUTES

28th Meeting, 2018 (Session 5)

Tuesday 6 November 2018

Present:

Miles Briggs	Keith Brown
Alex Cole-Hamilton	Emma Harper (Deputy Convener)
Lewis Macdonald (Convener)	David Stewart
David Torrance	Sandra White
Brian Whittle	

The meeting opened at 9.35 am.

1. **European Union (Withdrawal) Act 2018 - Decision on taking business in private:** The Committee agreed to take item 6 in private and all future considerations of evidence received on proposals by the Scottish Government to consent to the UK Government legislating using the powers under the European Union (Withdrawal) Act 2018 in relation to UK statutory instrument proposals.
2. **European Union (Withdrawal) Act 2018:** The Committee considered a proposal by the Scottish Government to consent to the UK Government legislating using the powers under the Act in relation to the following UK statutory instrument proposals-

The Human Tissue (Quality and Safety for Human Application) (Amendment) (EU Exit) Regulations;
The Quality and Safety of Organs Intended for Transplantation (Amendment) (EU Exit) Regulations; and
The Blood Safety and Quality (Amendment) (EU Exit) Regulations.

The Committee agreed to write to the Scottish Government to confirm it is content the Scottish Government give consent to UK Ministers to making regulations on its behalf in relation to these UK statutory instrument proposals. The Committee also agreed to write to the UK Government for further

information on the timing for information provision to the Scottish Government on future UK statutory instrument proposals.

3. **Subordinate legislation:** The Committee considered the following negative instrument and agreed to make no comments—

The National Health Service (General Dental Services) (Miscellaneous Amendments) (Scotland) Regulations 2018 (SSI 2018/300)

4. **European Union (Withdrawal) Act 2018:** The Committee took evidence on the proposal by the Scottish Government to consent to the UK Government legislating using the powers under the Act in relation to the following UK statutory instrument proposals—

The General Food Law (EU Exit) Regulations 2018;
The General Foodstuffs Hygiene (EU Exit) Regulations 2018;
The Specific Foodstuffs (Hygiene) (EU Exit) Regulations 2018;
The Contaminants in Food (EU Exit) Regulations 2018; and
The Quick-Frozen Food (EU Exit) Regulations 2018

From—

Joe FitzPatrick, Minister for Public Health, Sport and Wellbeing, and Neel Mojee, Solicitor, Legal Directorate, Scottish Government;

Elsbeth Macdonald, Head of Strategy and Policy, Food Standards Scotland.

5. **Human Tissue (Authorisation) (Scotland) Bill:** The Committee took evidence on the Bill at Stage 1 from—

David McColgan, Senior Policy and Public Affairs Manager (Devolved Nations), British Heart Foundation Scotland;

Harpreet Brrang, Information and Research Hub Manager, Children's Liver Disease Foundation;

Gillian Hollis, attending in personal capacity as a lung transplant recipient (2004);

and then from—

Shaben Begum, Director, Scottish Independent Advocacy Alliance;

Fiona Loud, Policy Director, Kidney Care UK;

Dr Gordon Macdonald, Parliamentary Officer, CARE for Scotland.

6. **European Union (Withdrawal) Act 2018 (in private):** The Committee considered the evidence heard earlier in the meeting from Joe FitzPatrick, Minister for Public Health, Sport and Wellbeing and Elsbeth Macdonald, Head

of Strategy and Policy, Food Standards Scotland on a proposal by the Scottish Government to consent to the UK Government legislating using the powers under the Act in relation to the following UK statutory instrument proposals—

The General Food Law (EU Exit) Regulations 2018;
The General Foodstuffs Hygiene (EU Exit) Regulations 2018;
The Specific Foodstuffs (Hygiene) (EU Exit) Regulations 2018;
The Contaminants in Food (EU Exit) Regulations 2018; and
The Quick-Frozen Food (EU Exit) Regulations 2018

The Committee agreed to write to the Minister for Public Health, Sport and Wellbeing seeking further clarification on a range of issues.

7. **Human Tissue (Authorisation) (Scotland) Bill (in private):** The Committee considered the evidence heard earlier in the meeting.
8. **Preventative Agenda (in private):** The Committee considered and agreed a revised draft report.

The meeting closed at 12.52 pm.

David Cullum
Clerk to the Health and Sport Committee
Room T3.60
The Scottish Parliament
Edinburgh
Tel: 0131 348 5210
Email: david.cullum@parliament.scot