

# **ENVIRONMENT AND RURAL DEVELOPMENT COMMITTEE**

Wednesday 21 March 2007

Session 2

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# CONTENTS

Wednesday 21 March 2007

|                                                                                                                                      | Col. |
|--------------------------------------------------------------------------------------------------------------------------------------|------|
| <b>SUBORDINATE LEGISLATION</b> .....                                                                                                 | 4179 |
| Dairy Produce Quotas (Scotland) Amendment Regulations 2007 (SSI 2007/118) .....                                                      | 4179 |
| Plant Protection Products (Scotland) Amendment Regulations 2007 (SSI 2007/119) .....                                                 | 4179 |
| Conservation of Seals (Scotland) Order 2007 (SSI 2007/126) .....                                                                     | 4179 |
| Sea Fishing (Enforcement of Community Quota and Third Country Fishing Measures) (Scotland)<br>Order 2007 (SSI 2007/127) .....        | 4179 |
| Marketing of Vegetable Plant Material Amendment (Scotland) Regulations 2007 (SSI 2007/133) .....                                     | 4180 |
| Plant Health (Export Certification) (Scotland) Amendment Order 2007 (SSI 2007/137) .....                                             | 4180 |
| Plant Health (Import Inspection Fees) (Scotland) Amendment Regulations 2007 (SSI 2007/138) .....                                     | 4180 |
| Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuffs) (Scotland) Amendment<br>Regulations 2007 (SSI 2007/142) .....  | 4180 |
| Welfare of Animals (Slaughter or Killing) Amendment (Scotland) Regulations 2007 (SSI 2007/150) .....                                 | 4180 |
| Cattle Identification (Scotland) Regulations 2007 (SSI 2007/174) .....                                                               | 4180 |
| Surface Waters (Fishlife) (Classification) (Scotland) Amendment Regulations 2007 (SSI 2007/178) .....                                | 4180 |
| Air Quality Standards (Scotland) Regulations 2007 (SSI 2007/182) .....                                                               | 4180 |
| Seeds (Fees) (Scotland) Amendment Regulations 2007 (SSI 2007/184) .....                                                              | 4181 |
| Inshore Fishing (Prohibited Methods of Fishing) (Loch Creran) Order 2007 (SSI 2007/185) .....                                        | 4181 |
| Inshore Fishing (Prohibited Methods of Fishing) (Firth of Lorn) Order 2007 (SSI 2007/186) .....                                      | 4181 |
| Horse Passports (Scotland) Amendment Regulations 2007 (SSI 2007/217) .....                                                           | 4182 |
| Water Environment (Controlled Activities) (Scotland) Amendment Regulations 2007 (SSI 2007/219) .....                                 | 4182 |
| Tuberculosis (Scotland) Order 2007 (SSI 2007/147) .....                                                                              | 4182 |
| Waste Management Licensing Amendment (Waste Electrical and Electronic Equipment) (Scotland)<br>Regulations 2007 (SSI 2007/172) ..... | 4182 |
| Radioactive Contaminated Land (Scotland) Regulations 2007 (SSI 2007/179) .....                                                       | 4182 |
| Animals and Animal Products (Import and Export) (Scotland) Regulations 2007 (SSI 2007/194) .....                                     | 4182 |
| Seed (Scotland) (Amendments for Tests and Trials etc) Regulations 2007 (SSI 2007/224) .....                                          | 4182 |

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## ENVIRONMENT AND RURAL DEVELOPMENT COMMITTEE

### 11<sup>th</sup> Meeting 2007, Session 2

#### CONVENER

\*Maureen Macmillan (Highlands and Islands) (Lab)

#### DEPUTY CONVENER

\*Eleanor Scott (Highlands and Islands) (Green)

#### COMMITTEE MEMBERS

\*Mr Ted Brocklebank (Mid Scotland and Fife) (Con)

\*Rob Gibson (Highlands and Islands) (SNP)

\*Richard Lochhead (Moray) (SNP)

\*Mr Alasdair Morrison (Western Isles) (Lab)

\*Peter Peacock (Highlands and Islands) (Lab)

Nora Radcliffe (Gordon) (LD)

\*Elaine Smith (Coatbridge and Chryston) (Lab)

#### COMMITTEE SUBSTITUTES

Mr Andrew Arbuckle (Mid Scotland and Fife) (LD)

Alex Fergusson (Galloway and Upper Nithsdale) (Con)

Trish Godman (West Renfrewshire) (Lab)

Jim Mather (Highlands and Islands) (SNP)

Mr Mark Ruskell (Mid Scotland and Fife) (Green)

\*attended

#### CLERK TO THE COMMITTEE

Mark Brough

#### SENIOR ASSISTANT CLERK

Katherine Wright

#### ASSISTANT CLERK

Jenny Goldsmith

#### LOCATION

Committee Room 4



## **Scottish Parliament**

### **Environment and Rural Development Committee**

*Wednesday 21 March 2007*

[THE CONVENER *opened the meeting at 11:30*]

### **Subordinate Legislation**

**The Convener (Maureen Macmillan):** I remind people to switch off mobile phones and I welcome committee members, the public and the press to the meeting, although I do not see many members of the public or the press here. We have received apologies from Nora Radcliffe, who is still travelling.

We have 17 negative instruments to consider under agenda item 1. As there are so many instruments, I will take them in blocks of a few at a time and invite members' comments.

#### **Dairy Produce Quotas (Scotland) Amendment Regulations 2007 (SSI 2007/118)**

#### **Plant Protection Products (Scotland) Amendment Regulations 2007 (SSI 2007/119)**

#### **Conservation of Seals (Scotland) Order 2007 (SSI 2007/126)**

#### **Sea Fishing (Enforcement of Community Quota and Third Country Fishing Measures) (Scotland) Order 2007 (SSI 2007/127)**

**The Convener:** The Subordinate Legislation Committee commented only on SSI 2007/127 and the relevant extract of its report has been circulated to members. As members have no comments, are they content with the instruments and happy to make no recommendation to the Parliament?

**Members indicated agreement.**

#### **Marketing of Vegetable Plant Material Amendment (Scotland) Regulations 2007 (SSI 2007/133)**

#### **Plant Health (Export Certification) (Scotland) Amendment Order 2007 (SSI 2007/137)**

#### **Plant Health (Import Inspection Fees) (Scotland) Amendment Regulations 2007 (SSI 2007/138)**

#### **Pesticides (Maximum Residue Levels in Crops, Food and Feeding Stuff) (Scotland) Amendment Regulations 2007 (SSI 2007/142)**

**The Convener:** The Subordinate Legislation Committee made no comments on the instruments. As members have no comments, are they content with the instruments and happy to make no recommendation to the Parliament?

**Members indicated agreement.**

#### **Welfare of Animals (Slaughter or Killing) Amendment (Scotland) Regulations 2007 (SSI 2007/150)**

#### **Cattle Identification (Scotland) Regulations 2007 (SSI 2007/174)**

#### **Surface Waters (Fishlife) (Classification) (Scotland) Amendment Regulations 2007 (SSI 2007/178)**

#### **Air Quality Standards (Scotland) Regulations 2007 (SSI 2007/182)**

**The Convener:** Members may recollect that the deputy minister wrote to us recently about SSI 2007/182. The Subordinate Legislation Committee had no comments on any of the regulations. As members have no comments, are they content with the regulations and happy to make no recommendation to the Parliament?

**Members indicated agreement.**

**Seeds (Fees) (Scotland) Amendment Regulations 2007 (SSI 2007/184)**

**Inshore Fishing (Prohibited Methods of Fishing) (Loch Creran) Order 2007 (SSI 2007/185)**

**Inshore Fishing (Prohibited Methods of Fishing) (Firth of Lorn) Order 2007 (SSI 2007/186)**

**The Convener:** The Subordinate Legislation Committee had no comments on any of the instruments. Members may wish to note that the Executive has noted a flaw in the drafting of SSI 2007/186; new instruments were laid last week to revoke and replace the order, and we will consider those instruments at our meeting of 28 March. However, we are still required to consider SSI 2007/186 at this meeting. The new instrument that will replace SSI 2007/186 has the same policy content as that instrument, so if members make any policy comments today they will remain valid for next week. Do members wish to comment on the three SSIs?

**Mr Ted Brocklebank (Mid Scotland and Fife) (Con):** I understand that my colleague Jamie McGrigor plans to lodge a motion to annul the Inshore Fishing (Prohibited Methods of Fishing) (Firth of Lorn) Order 2007 (SSI 2007/186). I presume that that will be taken into consideration next week.

**The Convener:** I believe that the motion has been lodged, so we can put that on the record. Next week we will take evidence from the minister and debate the motion to annul the order.

**Eleanor Scott (Highlands and Islands) (Green):** I do not have any objection to the Inshore Fishing (Prohibited Methods of Fishing) (Loch Creran) Order 2007 (SSI 2007/185), but I could not find AQ and AR on the map. Perhaps I am being stupid and am staring at the area that is defined as being bounded by AQ and AR. I see AJ, AK, AL, AM and AN, but not AQ and AR. Has anyone else found them? Did anyone else look for them?

**Rob Gibson (Highlands and Islands) (SNP):** I can find Q and R, but not AR.

**The Convener:** We will check and clarify the matter for next week.

**Eleanor Scott:** It is a minor point. I am happy with the essential content of the order.

**The Convener:** Are members content with the instruments and happy to make no recommendation to the Parliament, given that the instrument about which there is controversy will come before us again?

*Members indicated agreement.*

**Horse Passports (Scotland) Amendment Regulations 2007 (SSI 2007/217)**

**Water Environment (Controlled Activities) (Scotland) Amendment Regulations 2007 (SSI 2007/219)**

**The Convener:** The Subordinate Legislation Committee made no comment on either set of regulations. Are members content with the instruments and happy to make no recommendation to the Parliament?

*Members indicated agreement.*

**Tuberculosis (Scotland) Order 2007 (SSI 2007/147)**

**Waste Management Licensing Amendment (Waste Electrical and Electronic Equipment) (Scotland) Regulations 2007 (SSI 2007/172)**

**Radioactive Contaminated Land (Scotland) Regulations 2007 (SSI 2007/179)**

**Animals and Animal Products (Import and Export) (Scotland) Regulations 2007 (SSI 2007/194)**

**Seed (Scotland) (Amendments for Tests and Trials etc) Regulations 2007 (SSI 2007/224)**

**The Convener:** We will consider these five instruments next week. We cannot conclude our consideration of the instruments today, because the Subordinate Legislation Committee has not yet reported on them. As next week's meeting will be our last, I thought that it would be helpful to put the instruments on the agenda this week, so that if members wish to have further information on or clarification of any of them, we can seek that in time for next week's meeting. Members should let me know if they want further explanations from the Executive.

Members have indicated that they have no comments on the instruments, so we need do nothing further. We will consider the instruments again at next week's meeting, which will be on 28 March, in committee room 4, at a time to be confirmed.

*Meeting closed at 11:39.*

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**Wednesday 28 March 2007**

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