



**OFFICIAL REPORT**  
AITHISG OIFIGEIL

# Delegated Powers and Law Reform Committee

**Tuesday 28 November 2017**

**Session 5**



The Scottish Parliament  
Pàrlamaid na h-Alba

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**Tuesday 28 November 2017**

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**DELEGATED POWERS AND LAW REFORM COMMITTEE**

**33<sup>rd</sup> Meeting 2017, Session 5**

**CONVENER**

\*Graham Simpson (Central Scotland) (Con)

**DEPUTY CONVENER**

\*Stuart McMillan (Greenock and Inverclyde) (SNP)

**COMMITTEE MEMBERS**

\*Alison Harris (Central Scotland) (Con)

Monica Lennon (Central Scotland) (Lab)

\*David Torrance (Kirkcaldy) (SNP)

\*attended

**CLERK TO THE COMMITTEE**

Euan Donald

**LOCATION**

The Adam Smith Room (CR5)



## Scottish Parliament

### Delegated Powers and Law Reform Committee

*Tuesday 28 November 2017*

*[The Convener opened the meeting at 10:00]*

### Decision on Taking Business in Private

**The Convener (Graham Simpson):** I welcome members to the 33rd meeting in 2017 of the Delegated Powers and Law Reform Committee. Apologies have been received from Monica Lennon.

Under agenda item 1, it is proposed that the committee take in private agenda item 5, which is consideration of the committee's report to the Local Government and Communities Committee on the Housing (Amendment) (Scotland) Bill. Does the committee agree to do so?

**Members indicated agreement.**

## Instruments subject to Affirmative Procedure

10:00

**The Convener:** No points have been raised by our legal advisers on the following two instruments.

### First-tier Tribunal for Scotland General Regulatory Chamber Charity Appeals Cases and Upper Tribunal for Scotland (Composition) Regulations 2018 [Draft]

### Criminal Legal Assistance (Miscellaneous Amendments) (Scotland) Regulations 2017 [Draft]

**The Convener:** Is the committee content with the instruments?

**Members indicated agreement.**

**The Convener:** On the draft First-tier Tribunal for Scotland General Regulatory Chamber Charity Appeals Cases and Upper Tribunal for Scotland (Composition) Regulations 2018, our legal advisers have drawn to our attention the fact that the draft regulations were initially laid on 30 October. Following correspondence with the legal advisers in the normal manner, they were withdrawn by the Scottish Government and relaid after some adjustment to the drafting, on 9 November. Unusually, following further correspondence, the draft regulations were again withdrawn and relaid, after some further adjustment, on 21 November.

Do members have any comments? Is the committee content to note that?

**Members indicated agreement.**

## Instrument subject to Negative Procedure

### Police Pension Scheme (Scotland) Amendment Regulations 2017 (SSI 2017/387)

10:02

**The Convener:** The regulations make amendments to the Police Pension Scheme (Scotland) Regulations 2015 (SSI 2015/142). New regulation 17A(1) of those regulations, which is inserted by regulation 6 of the regulations under consideration, should have specified “automatic enrolment date” rather than “enrolment date”, which would have attracted the definition that is set out in regulation 4.

Does the committee wish to draw the regulations to the attention of the Parliament on the general reporting ground, as they contain a drafting error?

**Members** *indicated agreement.*

**The Convener:** Does the committee wish to note that the Scottish Government has undertaken to correct the error at the first legislative opportunity to do so?

**Members** *indicated agreement.*

## Instrument not subject to Parliamentary Procedure

### Alcohol (Minimum Pricing) (Scotland) Act 2012 (Commencement) Order 2017 (SSI 2017/402 (C29))

10:03

**The Convener:** No points have been raised by our legal advisers on the instrument. Is the committee content with it?

**Members** *indicated agreement.*

10:03

*Meeting continued in private until 10:13.*

This is the final edition of the *Official Report* of this meeting. It is part of the Scottish Parliament *Official Report* archive and has been sent for legal deposit.

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