



**OFFICIAL REPORT**  
AITHISG OIFIGEIL

# Equalities and Human Rights Committee

**Thursday 29 November 2018**

**Session 5**



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Pàrlamaid na h-Alba

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**CONTENTS**

|  |             |
|--|-------------|
|  | <b>Col.</b> |
| <b>EUROPEAN UNION (WITHDRAWAL) ACT 2018 .....</b>                    | <b>1</b>    |
| Equality (Amendment and Revocation) (EU Exit) Regulations 2018 ..... | 1           |

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**EQUALITIES AND HUMAN RIGHTS COMMITTEE**  
**30<sup>th</sup> Meeting 2018, Session 5**

**CONVENER**

\*Ruth Maguire (Cunninghame South) (SNP)

**DEPUTY CONVENER**

\*Alex Cole-Hamilton (Edinburgh Western) (LD)

**COMMITTEE MEMBERS**

\*Mary Fee (West Scotland) (Lab)

\*Fulton MacGregor (Coatbridge and Chryston) (SNP)

\*Oliver Mundell (Dumfriesshire) (Con)

\*Gail Ross (Caithness, Sutherland and Ross) (SNP)

\*Annie Wells (Glasgow) (Con)

\*attended

**CLERK TO THE COMMITTEE**

Claire Menzies

**LOCATION**

The Robert Burns Room (CR1)



# Scottish Parliament

## Equalities and Human Rights Committee

*Thursday 29 November 2018*

*[The Convener opened the meeting at 09:30]*

## European Union (Withdrawal) Act 2018

### Equality (Amendment and Revocation) (EU Exit) Regulations 2018

**The Convener (Ruth Maguire):** I welcome everyone to the 30th meeting in 2018 of the Equalities and Human Rights Committee. I ask members to ensure that all electric devices are on silent mode.

Our first item of business is to consider a notification from the Scottish Government seeking consent for the United Kingdom Government to legislate using powers under the European Union (Withdrawal) Act 2018 in relation to a UK statutory instrument.

The instrument is the Equality (Amendment and Revocation) (EU Exit) Regulations 2018, which is proposed to address defects in relation to the operation of the Gender Recognition Act 2004 and the Civil Partnership Act 2004 as a result of the UK's withdrawal from the European Union. Members have a cover paper from the clerks that sets out the background to the notification, and you will be aware that the committee sought comment from stakeholders on the SI notification. The Equality and Human Rights Commission and the Equality Network both responded and indicated that they were content with the proposal. Do members have any comment on the notification?

**Alex Cole-Hamilton (Edinburgh Western) (LD):** I do, convener. Speaking for the Liberal Democrats, I say that this is obviously a position that we do not wish to be in, with regard to paving the way to make our country demonstrably worse off.

I have a couple of comments on process. I will reluctantly support the proposal; I do not have any problem with the specifics that we are asked to support today. However, from our experience of other committees, we are concerned at the rapidity with which SIs are coming forward and the brevity of time that Parliament is given to consider them. Although this one is not complex, others will be, and we need to be sure that we have appropriate

time for adequate scrutiny and cross-examination of the Scottish Government. We will support the notification today, but there is potential for some SIs to confer unfettered power to ministers to make snap decisions about very important areas. There is a duty on this committee and the wider Parliament to effectively scrutinise that.

**The Convener:** Thank you. Is the committee content with the view of the Scottish Government, as set out in the SI notification, that the UK Parliament should address the defect by way of the proposed UK statutory instrument?

**Members indicated agreement.**

**The Convener:** Does the committee agree to delegate authority to me, as convener, to write to the Scottish Government, setting out our view on the SI notification?

**Members indicated agreement.**

**The Convener:** Okay. The next meeting of the committee is on Thursday 6 December, at which we will have an evidence session with the Minister for Older People and Equalities. I move the meeting into private session.

09:32

*Meeting continued in private until 09:43.*



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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