



OFFICIAL REPORT
AITHISG OIFIGEIL

Delegated Powers and Law Reform Committee

Tuesday 2 April 2019

Session 5



The Scottish Parliament
Pàrlamaid na h-Alba

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DELEGATED POWERS AND LAW REFORM COMMITTEE
12th Meeting 2019, Session 5

CONVENER

*Graham Simpson (Central Scotland) (Con)

DEPUTY CONVENER

*Stuart McMillan (Greenock and Inverclyde) (SNP)

COMMITTEE MEMBERS

*Tom Arthur (Renfrewshire South) (SNP)

*Mary Fee (West Scotland) (Lab)

*Alison Harris (Central Scotland) (Con)

*attended

CLERK TO THE COMMITTEE

Andrew Proudfoot

LOCATION

The Adam Smith Room (CR5)

Scottish Parliament

Delegated Powers and Law Reform Committee

Tuesday 2 April 2019

[The Convener opened the meeting at 10:00]

Decision on Taking Business in Private

The Convener (Graham Simpson): I welcome everyone to the 12th meeting in 2019 of the Delegated Powers and Law Reform Committee.

The first item of business is consideration of the proposal that the committee takes item 6, which is on the delegated powers provisions in the Planning (Scotland) Bill, in private. Does the committee agree to do so?

Members *indicated agreement.*

Instrument subject to Affirmative Procedure

Companies Act 2006 (Scottish public sector companies to be audited by the Auditor General for Scotland) Order 2019 [Draft]

10:00

The Convener: Agenda item 2 is consideration of an affirmative instrument, the purpose of which is to enable the accounts of ILF Scotland to be audited by the Auditor General for Scotland with effect from 24 May.

There has been a failure to follow proper drafting practice in the instrument due to the omission of a paragraph about its extent. The instrument does not clearly indicate whether it forms part of the law of Scotland or whether it extends to the whole of the United Kingdom but only as a matter of Scots law. Further details can be found in our published papers.

Does the committee wish to draw the instrument to the attention of the Parliament on the general reporting ground in respect of a failure to follow proper drafting practice?

Members *indicated agreement.*

Instruments subject to Negative Procedure

10:01

The Convener: Agenda item 3 is consideration of two negative instruments, on which no points have been raised.

Less Favoured Area Support Scheme (Scotland) Amendment Regulations 2019 (SSI 2019/98)

Loch Carron Marine Conservation Order 2019 (SSI 2019/101)

The Convener: Is the committee content with the instruments?

Members *indicated agreement.*

Instrument not subject to Parliamentary Procedure

Air Weapons and Licensing (Scotland) Act 2015 (Commencement No 9 and Transitional Provisions) Order 2019 (SSI 2019/99 (C 2))

10:02

The Convener: Agenda item 4 is consideration of an instrument that is not subject to parliamentary procedure, on which no points have been raised. Is the committee content with the instrument?

Members *indicated agreement.*

**South of Scotland Enterprise Bill:
After Stage 1**

10:02

Meeting continued in private until 10:43.

10:02

The Convener: Agenda item 5 is consideration of the Scottish Government's response to our stage 1 report on the South of Scotland Enterprise Bill. The Government has agreed to lodge an amendment in relation to one of our recommendations.

Does the committee wish to note the Government's response to our stage 1 report on the bill?

Members *indicated agreement.*

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.

Published in Edinburgh by the Scottish Parliamentary Corporate Body, the Scottish Parliament, Edinburgh, EH99 1SP

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