

EUROPEAN AND EXTERNAL RELATIONS COMMITTEE

Tuesday 24 June 2003
(*Afternoon*)

Session 2

£5.00

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EUROPEAN AND EXTERNAL RELATIONS COMMITTEE 2nd Meeting 2003, Session 2

CONVENER

*Richard Lochhead (North East Scotland) (SNP)

DEPUTY CONVENER

*Irene Oldfather (Cunninghame South) (Lab)

COMMITTEE MEMBERS

*Dennis Canavan (Falkirk West)
*Mrs Margaret Ewing (Moray) (SNP)
*Phil Gallie (South of Scotland) (Con)
*Mr John Home Robertson (East Lothian) (Lab)
*Gordon Jackson (Glasgow Govan) (Lab)
*Mr Alasdair Morrison (Western Isles) (Lab)
Mr Keith Raffan (Mid Scotland and Fife) (LD)

*attended

THE FOLLOWING ALSO ATTENDED:

Christine Boch (Scottish Parliament Directorate of Legal Services)

CLERK TO THE COMMITTEE

Stephen Imrie

ASSISTANT CLERKS

Nick Hawthorne
David Simpson

LOCATION

Committee Room 1

Scottish Parliament

European and External Relations Committee

Tuesday 24 June 2003

(Afternoon)

[THE CONVENER *opened the meeting at 14:01*]

Interests

The Convener (Richard Lochhead): Good afternoon everyone and welcome to our second meeting of the second session. We have received apologies from Keith Raffan.

We have several items to get through today, so I will go straight to the first item on the agenda. As it is Margaret Ewing's first attendance, I ask her whether she has any relevant interest to declare.

Mrs Margaret Ewing (Moray) (SNP): All that I have to declare is the fact that I am a member of the Scotland in Europe group, for which I receive no financial support.

The Convener: Thanks.

Food Supplements and Traditional Herbal Medicines

The Convener: The next agenda item concerns food supplements and traditional herbal medicines and relates to petition PE584, which was submitted by Douglas Robison. In the first parliamentary session, the previous European and External Relations Committee took up the issue and reported on it. As members know, there are several outstanding issues. Since the start of the second session, we have had a response from the Minister for Health and Community Care. Before we discuss the main issues, I should point out that the Health Committee will discuss the subject tomorrow morning. Shona Robison, who is a member of that committee, has lodged a motion to annul the relevant statutory instrument—the Food Supplements (Scotland) Regulations 2003 (SSI 2003/278). We should bear that in mind in our consideration of the options.

The European and External Relations Committee's third report of 2003 highlighted a number of issues, which I will go over briefly before I invite comments on the minister's response to the report. The report highlighted a number of the petitioners' bones of contention. I hope that all members have had a chance to read the minister's response. It would appear that he has not addressed all the committee's recommendations. Do any members want to comment on the specific issues that were raised?

Irene Oldfather (Cunninghame South) (Lab): I am not sure whether you want to hold a general discussion.

The Convener: Yes—we will begin with a general discussion.

Irene Oldfather: As one of the members who was involved in the production of the report, it would be appropriate for me to point out that Helen Eadie, who has left the committee, undertook much of the work. A great deal of committee time went into producing the report. The briefing paper contains several options; I am not sure whether we want to discuss them at this stage.

A positive aspect of the Executive's response is contained in paragraph 11. It is my understanding that the European Food Safety Authority would have to perform an evaluation before the European Commission could change the list and amend the relevant annex of the food supplements directive. I note from paragraph 11 that the Food Standards Agency has written to the European Food Safety Authority to suggest a meeting between the stakeholders. That could offer a first step in moving the situation forward.

In the previous session, the European and External Relations Committee spent considerable time on the issue. Given that the reporters who undertook the report have left the committee, it might not be appropriate for the new committee to spend much more time on the matter, especially as the Health Committee is dealing with it. The Health and Community Care Committee was unable to do that before dissolution, because it was tied up with the Mental Health (Scotland) Bill. In my view, if the Health Committee can deal with the matter, we should pass on our report and let that committee take the matter further. That said, it is important to note the positive development in paragraph 11, which I hope will result in some action.

Phil Gallie (South of Scotland) (Con): I am glad that Irene Oldfather finds the Executive's comments positive; I find them fairly negative, in that the minister seems to give up on expecting any change to be made in the immediate future. It seems that we are being asked to endorse a European directive that acts against the interests of Scottish citizens. The minister will not pursue the matter, because he feels right from the start that he cannot do anything about it. In my view, the directive represents all that is bad about Europe.

The Convener: Do you have any comments on the recommendations or the minister's response?

Phil Gallie: No.

Mr John Home Robertson (East Lothian) (Lab): As Irene Oldfather said, Helen Eadie and other colleagues did a lot of work on the subject in the Parliament's first session. Although it would be more appropriate for the Health Committee to deal with the health implications, the European aspect is our interest.

The documents that we have received indicate that we are over a barrel. The problem arose quite a long time ago. As I said at our most recent meeting, it is vital to identify such measures very early in the process, so that we can do something about them. I suspect that all members of the committee, and all the constituents who are writing to us, regard the regulations as nuts. They are absurd, unjustified and unjustifiable, and will give rise to difficulties for a number of our citizens. However, we are talking about the implementation of European law and the Scottish Parliament has an obligation to transpose and implement European law. We cannot duck that responsibility at this stage, although we can learn lessons to ensure that a similar situation does not arise again.

If a health case can be made for challenging the proposals, I hope that our colleagues in the Health Committee will pursue it; we should support them

in that. Let us learn from this mistake, so that we can flag up such matters much earlier in the future. Having read the documents, I do not think that the Executive or the Parliament can do much at this stage. That is a deplorable state of affairs.

Phil Gallie: I go along with everything that John Home Robertson says, as he has been involved in consideration of the issue for much longer than I have. It seems that we were aware of the problem a long time ago. I know that our members of the European Parliament have done a lot of work on the subject.

I have some questions, which the clerks might be able to help the convener to answer. What is the time scale for the minister being forced to accept the directive and to transpose it into United Kingdom law? Can we delay implementation for a while or must we accept the directive immediately? John Home Robertson mentioned the health issues. Everything that I have seen suggests that this is a case of assuming that things are bad for people, rather than proving that they are harmful. The Health Committee will be placed in a most peculiar situation. Should we tell the minister that we are disappointed with his response and that he should reconsider the matter and try again? Should we see whether we can delay implementation of the directive?

The Convener: I understand that, if the regulations are annulled, the two options are either for the UK Government to legislate on Scotland's behalf or for the EU to launch proceedings against the UK, with which Scotland would have to deal. I am not sure that there is a fixed time scale for implementation.

Irene Oldfather: From paragraph 7 of the Executive's response, I understand that the UK Government has already received a derogation to extend the time scale for implementation so that we can do some work on this issue. The committee report recommended that we do a number of positive things to progress the matter. It did not recommend that we simply ignore the directive, because to do so could result in financial penalties being incurred.

Given that the committee is responsible for scrutinising the implementation of EU legislation in Scotland, it would be wrong of us not to implement the directive and to incur financial penalties. The previous committee's report makes that clear. However, the report sought ways of offering flexibility, including on the question of the positive lists. It is a step forward that, as paragraph 11 of the Executive's response indicates, the body that would be required to approve a change has been approached for a meeting with stakeholders. Perhaps the Health Committee could explore that with the petitioners.

The Convener: Stephen Imrie will comment on the time scale for implementation.

Stephen Imrie (Clerk): The derogation to which Irene Oldfather referred enables producers of food supplements to continue selling them beyond 2005—until 2009—provided that they have submitted a safety dossier to the relevant European authority. It is not a derogation for extended discussions, but a derogation that relates to continued sale of products that do not appear on the positive lists.

If the Health Committee agrees tomorrow to annul the regulations and the Parliament approves that decision, one of two things may happen—as the convener indicated. First, having noted that the Scottish Executive has failed to transpose the regulations in the time available—they must be implemented by 31 July 2003—the European Commission would be free to begin infraction proceedings. That would not happen immediately, as it takes time to initiate such proceedings.

Secondly, under the Scotland Act 1998, the UK Government can transpose the regulations Great Britain or UK wide, even though this is a devolved competence. I do not know how long that would take. I do not imagine that transposition would be immediate, but because of the possibility of infraction proceedings I do not believe that it would take a long time. I believe that that is why the previous committee put forward the options that are set out in its report. However, it is for former members of the committee to indicate why those options were proposed.

The Convener: That clarifies matters.

Mr Home Robertson: As Irene Oldfather indicated, there seems to be very little room for manoeuvre in this case. Stephen Imrie has explained that if we refuse to implement this European legislation we open ourselves up to possible Commission proceedings for infraction. That might or might not take time. It would be interesting to get the issue into perspective. What could failure to implement the directive cost Scotland? What penalties could be imposed?

The Convener: I suspect that that question is open ended.

Mr Home Robertson: That is the worry.

The Convener: I think that the answer is probably a lot of money.

Phil Gallie: I have a valid question that could be considered all along the line. How long will it take France to take action against us on this relatively minor matter? After all, its beef ban did not cost the French very much.

We have to consider the stupidity of the situation. All that manufacturers need to do is to

set up an address in the Isle of Man and supply the UK and the rest of Europe through the internet. That would create a greater hazard than if we simply put up a bit of resistance to this silly idea.

14:15

Mrs Ewing: Do we have any indication whether other countries will take the same rather reserved view on the directive as far as infractions and so on are concerned?

The Convener: I have no knowledge of other countries' attitudes, but we can certainly find out that information.

Irene Oldfather: This morning, I made a phone call to check out the situation and discovered that other member states do not seem to have this problem; they seem to be quite willing to implement the directive. In fact, I understand that the UK was the only member state that appeared to be having difficulty with implementation. Perhaps our legal adviser Christine Boch could confirm that.

Christine Boch (Scottish Parliament Directorate of Legal Services): I have no knowledge about the state of implementation of the directive or about whether the UK is the only member state that is having difficulties. That question can be examined if members so wish.

The Convener: I will ask the clerk whether there is any information on the level of penalties.

Stephen Imrie: The size of the penalty would be conditional on the European Court of Justice judging that the UK, and in particular Scotland, was in breach of the directive and that nothing had been done to ameliorate the situation. If members are interested, I will happily provide them with information about circumstances in other member states and the levels of fines and penalties for breaching the directive. Although I do not have the exact figures to hand, I know that a case in Greece resulted in relatively substantial fines and penalties in the order of hundreds of thousands or millions of euros.

Mr Home Robertson: But it is still a risk.

The Convener: That is fair comment.

It is clear that the previous committee, in its report, did not call for the Government to ignore the directive; instead, it simply called for changes. I sense that the present committee shares that committee's disappointment with the situation in which we have found ourselves. As part of the committee's remit is to examine lessons that can be learned in influencing EU legislation, we could suggest that this might be an issue for consideration in any inquiry along those lines.

We have a number of options as far as the debate on the motion for annulment at tomorrow's Health Committee is concerned. Shall we reiterate our previous concerns to that committee to ensure that its members are aware of them? I am sure that we could leave on their desks some bullet points that cover all the views of the European and External Relations Committee.

Dennis Canavan (Falkirk West): Is that option 2 on the briefing paper?

The Convener: Yes. The paper contains three options, the second of which is that we write to the minister expressing disappointment at the Executive's response. We will copy that letter to the Health Committee. If members are happy, we could also write to the Executive about our disappointment with the responses and ask it to address many of the issues that have been raised.

Gordon Jackson (Glasgow Govan) (Lab): As I am new to this matter and do not know a great deal about it, I would be reluctant to go beyond option 1. I do not really feel a sense of disappointment. Although I agree with Phil Gallie that regulations can sometimes be a bit daft—if that is the right word—I also agree with the minister that the response to all such matters in Europe must be a balance and compromise. Being a European is not to say, "We don't like this" and to take the huff; instead, it is to fight one's corner and then accept the collective will of the European Community while at the same time looking after one's national interests. I do not think that we are very good at getting that balance.

Bearing in mind that the directive has been negotiated, it must be implemented and the Health Committee will consider the regulations. I would be unhappy with our going beyond option 1.

Mr Alasdair Morrison (Western Isles) (Lab): In comparing option 1 with option 2, my difficulty lies with the third line of option 2, which states:

"it appears that no effort has been made to pursue directly and make formal contact".

Irene Oldfather highlighted the fact that paragraph 11 of the Executive response details the action that has been taken, so it is not strictly accurate to claim that no effort has been made to pursue the matter directly. Like Gordon Jackson, I favour option 1.

The Convener: I will let John Home Robertson back in.

Mr Home Robertson: As you know, I am always keen to be helpful.

It seems to me that our minister had precious little, if any, room to manoeuvre. It would not be constructive or fair to criticise the Scottish Executive for the position that has been taken on

the matter. However, we can convey opposition to what is being done. We could do that through an option 1 plus, by which I mean that we could do what is stated in option 1 and add a sentence that states that we are very unhappy with the way in which this is being done and that everything possible should be done to try to claw it back.

Irene Oldfather: It would be useful to add words to the effect that we would like to see progress being made with the European Food Safety Authority in terms of discussions with stakeholders. The tenor of Helen Eadie's original report was that the committee was sympathetic to the position in which the industry finds itself. It is difficult to find a solution. I hope that some of the solutions that we proposed still have the potential to offer a solution. If we can do anything to encourage that, I would be keen to do it.

The Convener: Is the committee happy to go along with the comments that were made by John Home Robertson and Irene Oldfather? We could also copy the recommendations from the previous committee's report to the Health Committee for tomorrow morning's debate. I accept that many members are disadvantaged because they were not part of the committee's investigation in the previous session.

Phil Gallie: Will we express the further reservations that all committee members have stated to the Health Committee for tomorrow?

The Convener: Yes.

Phil Gallie: I am content as long as that is reflected.

The Convener: That will be done in line with John Home Robertson's comments. We will copy the recommendations from the report. The matter will be taken forward by the Health Committee, but we can return to the issue in respect of the lessons that should be learned about influencing European Union legislation. Are members content?

Members indicated agreement.

European Structural Funds

The Convener: The next item on the agenda is discussion of responses to the UK Government's consultation, "A Modern Regional Policy for the United Kingdom". The previous committee touched on the future of regional funding and the impact on Scotland, post-enlargement.

The UK Government issued in March this year a consultation on the future of regional funding, which was poor timing from the Parliament's point of view because members were fighting elections and the Parliament was in dissolution. We are therefore now up against a deadline to respond to the consultation. The consultation is important from Scotland's point of view, but it closes on 4 July. Today is our last opportunity to discuss whether we want to respond to the UK Government's consultation and, if we do, what the nature of our response should be.

I will remind members of the issues that were brought to the previous committee's attention by the various organisations that it consulted earlier in the year. The key issues that those organisations brought to the committee's attention are: first, the UK Government's proposal to renationalise regional funding; secondly, the UK Government's proposal to guarantee or match transitional funding from Europe if regional policy is renationalised—the UK Government would in the coming years continue to match funding from Europe; and thirdly, the need for simplification of the funding programmes and for flexibility, which were widely supported.

The final issue that arose from the consultation and the UK Government document was the loss of ability to badge EU-funded projects in Scotland that would result if regional policy were renationalised, as is proposed by the UK Government in its consultation document.

To help our discussion, the briefing paper that has been issued to members on the topic lists three options. Before we discuss those options, I invite members of the committee to comment. Given that regional funding to Scotland from the EU is worth hundreds of millions of pounds, this is clearly an issue that will exercise the Parliament's mind in the coming year or so. Many local authorities around Scotland have sent their comments to the committee; those authorities also benefit from regional funding from Europe. Do members have any initial comments?

Irene Oldfather: I had a look through the responses that were received by the committee, but I did not notice any from the voluntary sector. Have we received any responses from the voluntary sector? Given the role that voluntary

organisations play in structural funds, it is important that we seek their views. Do we have any idea what the thinking is in the voluntary sector?

The Convener: We have had no input from the voluntary sector. I remind members that the consultation was initiated by the previous European and External Relations Committee just before dissolution, so it was not this committee's consultation.

Phil Gallie: If nobody else wants to speak, I would like to make a few more comments. Several points strike me. What the Government is doing is probably correct; it is examining the changes' effects on structural funds in the UK. It recognises that the extension of Europe by the introduction to the EU of countries from eastern Europe will mean that structural funding will never be the same again, and it is trying to address that. From my point of view, what is strange is that, here am I—a Tory—talking about renationalisation. That worries me. However, "renationalisation" is being used in a different sense from how it has been used in the past.

It seems that everyone who has received cash in the past has some concerns about renationalisation. Those concerns seem to be based on the fact that the Chancellor of the Exchequer is not prepared to ring fence cash for structural development. His idea is without question a good one, because it would leave the UK and Scotland to get on with developing their infrastructures, in line with structural fund requirements and in the ways that would be best suited to their needs. I would have thought everyone on the committee would approve of devolution's working in favour of people here in Scotland. I find it strange that the previous committee was a bit sceptical about the value of that measure. I for one appreciate it very much, and I think that the chancellor is on the right lines.

The Convener: I should point out to the committee that most of the consultation responses that we have received are also sceptical about some of the proposed measures—in particular the responses from local authorities, which are among the papers for today's meeting.

Phil Gallie: I made the point that I think that that is because of ring fencing—or the lack of it.

Mrs Ewing: There is a statistical analysis in annex D of the briefing paper. Our share of the UK structural fund allocation was 28 per cent in 1975, but by 1999 that had been reduced to 15.2 per cent. I wonder whether one of our efficient researchers could perhaps find out whether there is an update to that, because that seems to be a fairly substantial reduction. As a member from the Highlands, I know how concerned Highlands and

Islands Enterprise is about the implications of the UK structural fund changes.

I also note from the declaration that was made by the Committee of the Regions at the Leipzig conference on 5 and 6 May that it is expected that the declaration will be signed by cities and regions in the member states. I wonder whether we are agreeing with what was said by Albert Bore—that seems a strange name, but perhaps it is pronounced Boré.

Mr Home Robertson: He is a Scot.

Mrs Ewing: Albert Bore said:

“a new Objective 2 programme would focus on sustainable growth and economic and social opportunities, not on the protection of declining industries.”

I have a lot of sympathy with that attitude; I do not think that we should throw good money after bad by supporting declining industries. However, we have to think of the implications for some of our basic industries, which are under threat, of the common agricultural policy and the common fisheries policy.

Our private briefing paper suggests that there should be a change of attitude on the question of whether objective 1 funding should continue to be based on the 75 per cent limit. However, as soon as the Highlands and Islands lost objective 1 status, we lost about 3,000 jobs, which would have taken us under the limit. Has the committee given any thought to that?

I am conscious of the late stage at which I come to the committee, but those questions need to be addressed seriously.

14:30

The Convener: I am reliably informed that Scotland gets 10.8 per cent of the UK's structural funds. I briefly point out that we will discuss the work programme later in the meeting and that the issue that Margaret Ewing has raised is on the agenda for discussion at that point. The committee can address some of the more detailed points in the future, if it wishes.

Irene Oldfather: I will pick up on something that Phil Gallie said. I do not think that the previous European Committee took a negative view of cash not being ring fenced for structural development, because we did not have time to discuss the matter. We produced a report on structural funds, but that was well in advance of the Government's paper. I have underlined the same phrase as Phil Gallie; I, too, wanted to raise the issue because we did not previously have a full discussion. We said that we would consult on the matter, which is what has happened.

I am caught between a rock and a hard place on the matter. I see myself as being European, but I

also come from the perspective of wanting to maximise funds to Scotland. How can we ensure that Scotland will benefit after 2006? How can we ensure that, after 2006, voluntary projects will not go under through not qualifying for funding because of competition from east European regions?

It is important that we do not throw the baby out with the bath water. We have a proposal before us that suggests that certain guarantees might be secured, but I want to do a little more work on the subject. As Richard Lochhead said, the matter will be included in our work programme, which is good, because the committee will want to monitor the situation over time. It is early days yet and the debate still has a long time to run. I do not want to reject outright anything at this time. A debate on some of the issues will be had next week in the Committee of the Regions and among the UK delegation. President Bore will be there and will put forward his perspective.

It is important for the UK that the paper is on the table. I do not want to reject outright anything in it, because that might be detrimental to the voluntary sector and to other groups in my area.

The Convener: Of course, we cannot respond in full today, but we must decide how to respond to the UK Government's consultation, which closes in about 10 days' time.

Dennis Canavan: We are running out of time in which to make a substantial response to that consultation. The briefing paper suggests that we could send in a relatively short holding response by letter. However, it might be difficult to get consensus among members about what should be in such a letter.

Paragraph 11 of the briefing paper refers to the possibility of reaffirming the alternative proposals for funding regional development after 2006, which were expressed by the previous European Committee. There might be merit in that, but I do not know whether new members of the committee would agree to it without seeing what was recommended. A detailed response would be difficult. On paragraph 10, whatever the merits or otherwise of renationalisation of regional development, I do not think that the main criterion for the decision should be whether it puts across a good, bad or indifferent image of the European Union, nor should it be what will happen in next year's election to the European Parliament. The main criterion should be whether renationalisation will be an effective regional policy for socioeconomic development in the various parts of the United Kingdom and further afield.

Mr Morrison: As far as paragraph 11 is concerned, Dennis Canavan is right. It is difficult for me, as a new member, to reaffirm something that I have not read. We know that time is against

us, so is it possible for a submission to be bounced around via e-mail and signed off with members' agreement between now and the close of play on Thursday?

The Convener: That is certainly an option. It is worth remembering that the previous minister, Peter Peacock, wrote to the committee urging it to make a submission by the deadline. That was difficult, given that that was just before dissolution. We have a short time scale. I take it that the committee agrees that we should respond before the deadline?

Members indicated agreement.

The Convener: We will do that. We do not necessarily have to finalise the wording today. As Alasdair Morrison suggested, we could appoint two or three individuals to agree the wording of a letter, which would form the submission, if we can now broadly agree its aims. Although we do not have to reaffirm the views in the previous committee's report, we could ask the UK Government to note the report and its recommendations.

Irene Oldfather: I am a wee bit worried about paragraph 11. As the clerks will recall, we wrote the report before the consultation paper came out. It is not helpful to reaffirm the views in the report, because that view was formed before we knew what position the Government would take. As Alasdair Morrison said, there will be time over the next couple of days to put together a letter that could be agreed. Most committee members will be around during the next few days and I hope that we could agree something by Thursday by using e-mail and by having quick meetings here and there.

The Convener: Given that some organisations have responded to the committee, are members happy to reiterate in our submission some of the issues that were highlighted to us?

Phil Gallie: That would be fair, if people have responded to the consultation. My disappointment was that I found it difficult to agree with quite a lot of the comments. I go along totally with Dennis Canavan; whether to do so might have a negative effect on the EU's image should not be one of the major reasons for not renationalising structural funding. That should be the last thing that we think about.

My interpretation of much of the consultation is that fear of the proposal could be removed if we were to include in our comments a message to the chancellor that we do not see it as an opt-out measure for him on providing structural funds. We envisage a structural fund for the UK being established, but left to be split up in a fair and proper manner. It is interesting to note from the paper that the countries that seem to go along with

what the chancellor is proposing are those that are net contributors to the European budget. I can see arguments in Europe developing around who gets what; we have to be in there arguing our corner and ensuring that there is cash for our requirements somewhere along the line.

The Convener: Thank you.

One of the other key issues that came to the committee's attention in almost all the consultation responses that we received was the fact that the spending programmes of Europe and the UK are out of sync. The UK works to three-year spending reviews, whereas the structural funds run for seven years. Therefore, there could be a change if the policy was renationalised. That is an issue that we will have to address.

Mr Home Robertson: I have a constituency interest in structural funds, because I come from a part of the world that has received precious little in structural funds over the years. We are perceived as being far too well off and, no doubt, well represented, although there has been some useful stuff for ex-coalfield and rural areas. Nevertheless, we must accept that there will have to be changes because of the expansion of the European Union and because of the differences between levels of prosperity in eastern Europe and those here. We all understand that.

I would not expect Phil Gallie to be fair to Gordon Brown—that is not his job. However, in proposing the financial guarantee mechanism, the chancellor is trying to find a way in which to ensure that we maintain the quality, if not the quantity—and perhaps even the quantity—of structural funding for appropriate projects in appropriate areas in the United Kingdom and, in particular, in Scotland. It would, therefore, be silly to be too critical of that proposal. If there is a mechanism that can ensure continuation of the present level, or an appropriate level, of expenditure, I do not think that local authorities, voluntary bodies or anybody else will be unduly fussed about what label is attached to it, provided that the funding exists. The committee should be careful not to throw out the possibility of achieving a useful compromise solution that might be a lot better than the alternatives.

The Convener: We are all agreed that we are not able to offer a detailed response to the consultation because of the time scale. We have all agreed that we will have to address the issue again—we will have the opportunity to do so in a few minutes, when we discuss our future work programme. I suggest that we draft a letter as a holding response, because the debate will continue over the next year or so. Two or three members of the committee could agree the wording of that letter before close of play on Thursday.

Irene Oldfather: I agree with that suggestion. There are things on which all committee members agree which we could put in the letter. We could stress the importance of the partnership approach, which has worked well in European terms. We could ask whether the partnership approach would still be in place under the Government's new proposals and we could ask for things such as clear and transparent criteria and better linkages between the proposed menu and how things would operate on the ground.

The Convention of Scottish Local Authorities has given a holding response that says that it will consider the matter over the next few months, that it will consult local government generally about how the proposal will work on the ground and that it will produce proposals. Several groups will make proposals, so perhaps we could give a few pointers about the kinds of things that it would be helpful to have clarification on, in order to enable us to take the discussion forward in the next few months.

The Convener: Is the committee happy for our letter to be, in the first instance, merely a general letter that highlights some of the issues that have been brought to our attention?

Phil Gallie: Which members will put the letter together?

The Convener: I suggest that that should be done by members from different parties.

Mrs Ewing: When are we going to sign the Leipzig agreement—about which I spoke earlier—on behalf of the Scottish Parliament, if we agree with it? It will have to be signed in mid-July at the Committee of the Regions. Are we going to postpone that, too?

The Convener: Do other members have comments on that?

Irene Oldfather: The matter will be discussed by the UK delegation next week in the Committee of the Regions. I do not think that we would get all members present to agree to everything in that agreement today.

The Convener: Can I take it upon myself to get clarification of what is happening elsewhere in that context?

Mrs Ewing *indicated agreement.*

14:45

Dennis Canavan: Do I take it that we will write formally to thank the organisations that took the trouble to respond to the committee, and to explain to them how we plan to proceed with the matter, bearing in mind the time constraints?

The Convener: We want to record our thanks to those organisations for responding. I expect that

that has been done, but if not, I will ensure that it is.

We need volunteers from the parties to vet the letter that we will send before close of play on Thursday. I suggest one member from each party.

Mr Home Robertson: Irene—it is all yours.

Irene Oldfather: Yes; I volunteer.

The Convener: We have Irene Oldfather and Phil Gallie. Finally, we should have Margaret Ewing or Dennis Canavan.

Dennis Canavan: I am happy for Margaret Ewing to take that role, although I would be grateful if I could see the draft before it is finally approved.

The Convener: I think that that is the same thing as volunteering to vet it. It is difficult to differentiate between vetting the letter and seeing the final draft.

Mrs Ewing: We do not have a Liberal Democrat—not that I am one to defend them.

Mr Home Robertson: Margaret Ewing can represent them.

Mrs Ewing: Don't be ridiculous.

The Convener: Dennis Canavan, Phil Gallie, Irene Oldfather and I will check the letter and send it off. Is that agreed?

Members *indicated agreement.*

Employment and Social Responsibility Inquiry (Executive Response)

The Convener: The next item on the agenda is the Scottish Executive's response to a report from the previous committee during the previous session. After recess, I hope that there will be new items on the agenda. However, this is the Executive's response to the European employment strategy and corporate social responsibility report that was issued by the previous committee.

First, we thank the Executive for its response. I invite comments from members. I cannot see anything highly controversial in the response, so if there are no more comments, I will move swiftly to the next item on the agenda. One outstanding item is the previous committee's agreement to invite the United Kingdom minister Stephen Timms to speak to the committee on the subject. I understand that he is still the responsible minister. Do we want to pursue that invitation, if the minister will be in Scotland at some point?

Phil Gallie: We have a lot on the agenda.

The Convener: Okay—we will ask the clerk to monitor the issue and keep us informed of significant developments.

Work Programme

The Convener: The next item, on which I suspect we will spend more time, is our draft work programme. I hope that members have had a chance to look over the paper. It builds on our discussion at the first meeting two weeks ago. Today we do not want to agree the final detail of the programme, but we want to agree the broad outline so that we can ask the clerks to fill in some of the details for our away day.

Members will note from the paper that suggestions include a single inquiry on the EU's constitutional treaty and the intergovernmental conference debate and its implications for Scotland, which could perhaps last from September until June. The external relations strategy and the priorities and activities of the Scottish Executive could be the subject of another inquiry—the clerks have pencilled that in for some time between September and December. Later next year, we could have an inquiry into the euro and the state of preparation and implications of possible membership for Scotland. We should also have an inquiry into the future of regional development in EU structural funds; we have just discussed that and agreed that it should be on our agenda, so we could set a timetable for that quite soon.

Can I have initial comments on the subjects for inquiries? My reading of the draft is that it covers most of the matters that were suggested at the previous meeting. If members do not see some of those suggestions in black and white, they could be incorporated into some of the broad titles for inquiries. For example, Dennis Canavan suggested an inquiry on tartan day at the last meeting—that could be incorporated into the external relations strategy.

Mr Morrison: The third item in table 1, which shows the draft work programme, reads:

"Euro: state of preparation/implications for Scotland of possible membership".

When we discussed this a fortnight ago, I thought that such an inquiry would be a good idea. Having taken receipt of the papers and seen the proposal in black and white, I would point out that a great deal of this work is already being conducted. There is a new impetus now, and freshly-led research is going ahead. That will cover every part of the United Kingdom, including Scotland. If we are to finesse the work programme and buy some additional time for examining another issue or for exploring in greater detail some of the issues already highlighted, then I would be quite happy for the proposed inquiry on the euro to be deleted from the list.

The Convener: Okay; although I recall that, last time, there was general agreement that we should examine the implications of the euro for Scotland. Has anyone else had second thoughts on that?

Irene Oldfather: Since our last meeting, I have had a meeting in Brussels. The Commission is about to produce a green paper on services of general interest, which concerns how public services are to be delivered generally in Europe. From the initial discussion that we have been having in Brussels, it seems that it will be a big issue over the next year, to year and a half. It would be helpful if the clerks could do a briefing on that.

I am sure that there will be widespread agreement that we did not pick up on the food supplements directive early enough. It had gone too far down the line before we realised the difficulties that it would cause. I would like to think that we could get an early briefing paper on services of general interest. That might have implications for the work programme of the committee. We cannot take a decision on it, however, until we receive a briefing from the clerks.

It was not I who suggested it before, but the European Committee did a paper on the euro in the first session. What particular added value would we be giving to that paper—which was done by Bruce Crawford—and what in particular would we be tackling? We should not be trying to reinvent the wheel. My views on the euro are well known, but if work is going on elsewhere, if the committee is pushed for time and if we already have Bruce Crawford's report in the bag, then I wonder exactly what we would want to focus on.

Gordon Jackson: Both the third and fourth suggested inquiries, on the euro and on regional development, are quite hefty and difficult, at least to my non-economist mind. I am not all that fussed about doing either of them. I tend to agree with what has been said about a euro inquiry, but both those inquiries would be about the economics of the European Community.

I am particularly interested in the first and second suggested inquiries—on the constitutional treaty and the Executive's external relations strategy. I would like to get into those. Apart from considering the nuts and bolts and the money involved, we need to be considering how Scotland fits into European constitutional development and how Scotland takes its place in the European situation.

I quite like the second proposed inquiry, "The external relations strategy, priorities and activities of the Scottish Executive". It seems the shortest and easiest inquiry—that is perhaps why it appeals to me. I am not clear about what the

Executive's "strategy, priorities and activities" are when it comes to external relations. I have much more knowledge of what the Parliament's external liaison unit does than of what the Executive does. I have a suspicion—although I would be delighted to find that it is unfounded—that we could be doing a lot better in how we handle external relations. I will be delighted when someone from the Executive comes along and tells me that I am talking rubbish, but I suspect that the matter is well worth investigating.

The Convener: Lots of members were nodding their heads when you were saying that, Gordon.

Phil Gallie: Like Alasdair Morrison, I do not necessarily believe that this would be the right place to investigate the implications of the euro at this stage. However, I would like to know how much time and effort the Scottish Executive is putting into preparations for the euro. I am aware that the health service, for example, has spent quite a bit of cash in making such preparations. It would be interesting if we could have some information on that.

That apart, Irene Oldfather has managed to frighten the socks off me. I thought our local authorities and national Governments were delivering public service facilities, but here we go again—Europe seems to be taking over everything. So I congratulate Irene Oldfather on picking up on that; it would be a major issue for the committee to address, given her words about the food supplements directive.

Mrs Ewing: Although I would appreciate a briefing on services of general interest from the European dimension, should we be the lead committee on that particular subject? It should belong to the Finance Committee—I do not know what its work programme is like, but surely that issue should form a major aspect of its work.

I see that consideration of the euro has been marked down for May and June of next year. We therefore have time for that and we do not have to start a load of work on it at this particular stage.

Like Gordon Jackson, I am confused about the Parliament's external relations strategy. I have worked in organisations such as the British-Irish Interparliamentary Body and the Commonwealth Parliamentary Association, when I liaised with Vanessa Glynn and Craig French. They seemed to know what they were doing but sometimes I have no feeling at all that the Parliament knows what is happening.

For example, Irene Oldfather has spoken several times about the Committee of the Regions. I do not know how members of that committee are appointed by the Scottish Parliament. I know how COSLA does it, but not the Parliament. Is it done behind closed doors or does the committee do it?

If I am showing ignorance, that is because I have not been involved in those procedures before and would like to know how we ensure we have more effective representation on all such bodies. Scotland is trying to have a voice in the international community and I would like us to give that a great deal more scrutiny.

Dennis Canavan: The four subjects mentioned in the briefing document represent a fair summary of what our priorities should be during the next year or so. I am interested in the suggestion that there should be a second Scottish Parliament convention at some stage. One of the most successful events that the previous committee organised was the convention on the future of Europe that was held in the chamber. There was good participation from various organisations, including voluntary agencies from throughout Scotland and young people from some of our schools.

That exercise would be worth repeating because it would not be only MSPs sitting round a committee table trying to come to a conclusion as to what our collective view should be. We should be a listening Parliament and a listening committee. If the committee is going to do a report on the implications of the constitutional treaty and the IGC debate for Scotland and for the people of Scotland—

The Convener: That discussion will form part of the next agenda item.

Dennis Canavan: My other point is about the Parliament's external relations work, which was also raised by Margaret Ewing and Gordon Jackson. At the meeting that we had with Paul Grice, it was made fairly clear that the Parliament's external relations unit was going to be accountable to the clerk of the Parliament and the Presiding Officer, rather than to the committee. I think I am right to say that the amendment to standing orders referred specifically to the committee's role and its responsibility for scrutinising the external relations strategy and activities of the Scottish Administration. I do not think that, as yet, we have the same responsibility with regard to the external liaison unit of the Parliament. I would like us to have that responsibility.

The Convener: We will touch on that point under the next agenda item.

There seem to be no further comments on the suggested work programme. I take it that we are keen to make progress on at least three of the four main topics that are listed for us—the constitutional treaty, the external relations strategy, and the future of structural funds. We can leave the euro on the list for the time being and perhaps revisit it later.

There are other elements to our work programme. We have the duty to sift European Union draft legislation initiatives. At our away day, we will no doubt discuss how best to do that. Pre and post-Council scrutiny will also take up some of our time, as will—in light of our discussions on food supplements—scrutiny of the implementation and transposition of EU legislation. I ask the clerks to draw up further details—such as time scales and means of approaching the issues—for the away day, which we will organise shortly.

15:00

Irene Oldfather: I want to pick up on Dennis Canavan's point. There is a lot of overlap between the work programme, the visit to Brussels and the away day. A recommendation in the paper to be discussed under the next agenda item is that we have briefings from the Commission on the legislative programme. Some of those issues are intrinsically linked. It is difficult to agree the work programme without considering the proposals in the next paper.

The Convener: We are simply having a general discussion to agree broad principles. For the away day, we can certainly ask the clerks to consider timings.

Convener's Report

The Convener: The convener's report elaborates on some proposals so that we can ask the clerks to develop them further. The first point in the report is on the inquiry into the constitutional treaty, which Dennis Canavan raised. We have to discuss this now because, if it is a few weeks before we have our away day, we will have to seek permission now from the Conveners Group and the Parliamentary Bureau for certain expenses. Dennis spoke about convention II and the need to speak to the people of Scotland about the future of Europe and about the recommendations of the intergovernmental conference on the convention on the future of Europe. I hope that this committee will make the effort to speak to the people of Scotland during the inquiry, and we will have to give some thought to how we will go about that. Too often, the committees of the Parliament spend time speaking to paid officials of organisations who speak on behalf of the public, but we should do more to speak to members of the public directly. There are ways of doing that and we should certainly adopt them.

The proposals for convention II—or the roadshow or whatever we want to call it—suggest that we could have events around the country to consult the people of Scotland about their views on the future of Europe. Of course, that would not preclude having events in Edinburgh and perhaps having an event in the chamber to kick off the roadshow, as happened last time. Do members agree with those ideas? Are there any objections to holding consultation meetings around the country?

Phil Gallie: I have no objections, but we will have to ensure that the information that we provide is factual and balanced so that the people who participate can offer balanced views. Thereafter, it will be for the public to make up their minds and we will have to reflect those views. What will be the time scale? We have still to consider the details of the constitutional treaty.

The Convener: We will ask the clerks to consider what time scales are feasible and to bring that information to the away day. It will clearly take a few months to hold, say, three or four meetings around the country.

Phil Gallie: The draft work programme proposes that, from September to June 2004, we analyse and come to terms with the convention on the future of Europe. That suggests to me that it will be several months before the committee fully understands the convention's implications and can do a roadshow on the subject. We should not think of hitting the road before the turn of the year.

The Convener: I will certainly take that point on board. We must bear it in mind that it will take time to organise the public meetings, if they are to be conducted properly. Are members happy to accept the draft programme's proposal?

Irene Oldfather: We will have an away day and the draft programme suggests that we have a familiarisation visit to Brussels. Would it be possible to combine those? When the committee previously visited Brussels, we found opportunities to discuss the kind of issues that are on the away day's agenda. During the away day we will get a talk from Terry Shevin, who is based in Brussels. Rather than bring people over from Brussels in the month in which we go there, could we not combine the away day with the Brussels visit? The away day's purpose is to make us more familiar with the committee's activities and to network with people to get information on how the committee can develop its work. We could achieve the purposes of the away day and the Brussels visit by combining the activities.

The Convener: We will deal with that shortly. If members are happy with the proposed consultation on the future of Europe inquiry, we can move on.

Mr Home Robertson: I have a query. The convener's report talks about engaging with the people of Scotland, which would be a major undertaking. What scale of operation are we talking about? How many visits are proposed?

The Convener: I do not think that we can say just now. We first want to agree the principle so that we can—

Mr Home Robertson: That is the problem. Such proposals can grow arms and legs, if we are not careful. We all know that holding a meeting in, for example, the Caird Hall does not mean that we would engage with the entire population of Dundee. Only the usual suspects tend to turn up at such meetings. The proposal needs a bit of thought.

The Convener: It needs a lot of thought. That is why—

Mr Home Robertson: We must consider how far we will go and what we hope to achieve. We probably need another briefing paper on the matter before we make firm agreements.

The Convener: I agree. However, we just want to agree the broad outline today so that we have a briefing paper in time for the away day.

Mr Home Robertson: Aye, okay.

Dennis Canavan: I have a point of clarification. Is the draft work programme suggesting having a major event in the chamber and three or four public meetings at other venues throughout Scotland within the next 12 months?

Mr Home Robertson: That is what we do not know.

Dennis Canavan: Three or four public meetings in 12 months is quite a lot.

The Convener: I do not think that we can decide today how many public meetings we should have. We should agree our options, decide what the committee can feasibly do and agree to that. Are you happy with that?

Dennis Canavan: Yes.

The Convener: The next matter to bring to the committee's attention is the Electoral Commission's consultation paper on the distribution of United Kingdom MEPs among electoral regions. For the purposes of electing MEPs, the UK is divided into 12 electoral regions, nine of which are in England. Scotland is classed as one region and we have eight MEPs. That figure might come down to seven because of the enlargement of the European Union. We must respond by 18 July to the Electoral Commission's paper. Again, we are up against a tight time scale. I hope that members have been able to read the consultation paper, which considers possible options for distributing the total number of MEPs among the UK's electoral regions. Clearly, that could have implications for Scotland. It is incumbent on the committee to consider the issue and to decide whether it wants to respond to the consultation on how many MEPs there should be and how they should be distributed.

Irene Oldfather: Has the committee been invited to respond? If we apply the subsidiarity principle, it should be MEPs who respond to the consultation, as they are the people who would be directly affected by the proposals.

Gordon Jackson: Do you mean that this is none of our business?

Irene Oldfather: I was just wondering.

The Convener: It is for the committee to decide whether it wants to respond. This is a public document and it is within our remit to respond to it.

Dennis Canavan: Irene Oldfather raised the issue of subsidiarity. Local councils are asked to respond to reviews of constituency boundaries both for this Parliament and for Westminster, so it is relevant for us to express a collective view, if we have one.

Phil Gallie: This is a fairly simple document. However, details about population sparsity and geographical location seem to be missing from the overall UK approach. The number of MPs and MSPs representing places such as the Western Isles, Orkney and Shetland does not necessarily correspond to the size of the populations of those areas. In the Parliament we make special

arrangements that recognise the differences between island communities. It is all very well to start with the premise that there should be three MEPs per region, but the Electoral Commission needs to consider the issues of geography and sparsity of population in some areas, and the difficulties involved in covering them. On those grounds, Scotland might retain eight MEPs. The logic of the proposed reduction is that the number of Scottish MEPs would drop to seven.

Gordon Jackson: No one is telling us how the new system would work in practice for Scotland. I want someone to tell us that one method would leave us with eight MSPs, whereas another would give us seven. I suspect that all the options would produce the same result, but I do not know the answer.

Mrs Ewing: We should issue a robust response on this subject. Colleagues have identified some of the issues pertaining to it. From paragraph 14 of the paper, I note that once the European Commission has made a decision on the number of MEPs to be allocated to the UK

"their distribution between the UK electoral regions is a matter for the UK alone."

It is not just a question of responding to the Electoral Commission. We should issue a robust response to the responsible minister in the UK Government—the Lord Chancellor, if he has not been sacked or moved.

We should take a strong view on this issue because, given the reality of Scottish geography, eight MEPs is the minimum number with which we can work. It is important that the Scottish Parliament and the European and External Relations Committee fight our corner on the matter.

Mr Home Robertson: It is worth a try, but if everyone does the same the consequences would be a much bigger European Parliament. If Scotland succeeds in getting another MEP, every other nation or region in the enlarged European Union will pursue the same objective.

Members: No.

Mr Home Robertson: That is inescapable.

It is fair enough if we can get away with having more MEPs. Historically, I have favoured the principle of proportionality, but there is a big problem in having a national list for Scotland. We have lost the geographical link between individual MEPs and individual areas of Scotland. That has made it more difficult—and will make it more difficult in future—to encourage people to vote.

Gordon Jackson: I have listened to John Home Robertson, but I am not sure that I follow him. As I understand the matter, the Electoral Commission

and the Lord Chancellor are deciding how the UK allocation is to be divided. The number of MEPs that Scotland has would not affect people in Belgium or anywhere else. If we get more MEPs, presumably somewhere else in the UK will get fewer MEPs. Europe will hand down a total for the UK, and the Electoral Commission is simply looking at how that total will be divided. We need to say to the Electoral Commission, "Look, you have been very clever in giving us the four methods of calculation, but what practical difference would they make to Scotland?" They might not make any difference.

The Convener: That is a good point.

Gordon Jackson: I have no idea, but we might have seven MEPs no matter which method of calculation is used.

The Convener: The number of MEPs in the European Parliament is increasing to 732. As Gordon Jackson said, the Electoral Commission's paper is about the distribution of the UK allocation.

15:15

Gordon Jackson: Absolutely. The issue is how we distribute the UK allocation.

Irene Oldfather: I think that the proposal is that the United Kingdom's seats in the European Parliament would be reduced from 87 to 78.

Dennis Canavan: The document says that the number is being reduced to 72.

Irene Oldfather: Okay. There is a proposal that Northern Ireland's three seats should be ring fenced. That means that the reduction from 87 to 72 must come from England, Wales and Scotland, which will have important implications for us. My initial reaction was to let the MEPs fight their own corner, but if the committee is to comment on the proposal, it is important that we note that the knock-on effect of that ring fencing will be that Scotland will have to fight for its position. Another point that might be worth mentioning is that Scotland got none of the six additional seats that the United Kingdom received in compensation after the reunification of Germany in 1992.

Another point, which colleagues have already mentioned, is that Scotland faces particular geographic factors such as rurality, mountainous regions and islands. It can take three days for some of Scotland's MEPs to get from one part of their constituency to another. It is important that any submission mentions the particular geographic and island factors that are in play.

Mr Home Robertson: We want eight MEPs.

Mrs Ewing: Yes.

The Convener: There is a rallying call from John Home Robertson for eight MEPs for Scotland.

Dennis Canavan: I agree with the points that Irene Oldfather made. Another point is that a reduction in the number of Scottish MEPs from eight to seven would make it a bit more difficult to achieve proportionality between the parties.

The Convener: That is a fair point.

Phil Gallie: My concern with the methods that the Electoral Commission has suggested is that they all come down to a straight definition of seats per elector. From my reading of the document, the decision will be based on a numeric count and will not take account of other factors. My original point was that we should say to the commission that it should consider other factors rather than use a purely numeric count.

Gordon Jackson: That will be quite difficult to argue, since it has been established that the number of Scottish seats at Westminster should be cut so that there is the same number of electors per MP in Scotland as in England. We have lost the need for a separate Scottish ratio because we now have a Scottish Parliament. Having cut the number of Scottish MPs, Westminster will find it quite hard to argue a special case for the number of MEPs for Scotland. I do not say that it is a bad idea to try to argue that case, but there is a sense in which that parcel has already been sold.

The Convener: The debate is helpful, so I will allow it to go on for another couple of minutes.

Phil Gallie: I refute Gordon Jackson's argument. I recognise the principle and what has been done, but Westminster's view is that there are now 129 MSPs to do many of the duties that were formerly carried out by MPs. That is why we will lose that imbalance. However, despite the change that has been made, geographic differences will still be recognised. I am not sure—perhaps Alasdair Morrison will correct me—but I think that recognition will still be given to the Western Isles and to Orkney and Shetland, as happens in the Scottish Parliament.

Mr Morrison: That is certainly true as far as the Electoral Commission is concerned. In the current exercise, it has decreed that, even after issues that other members have raised are factored in, the situation in the Western Isles would remain unchanged, although there are fewer people there now than there were two years ago. Indeed, I think that there are fewer than 30,000 people there.

Dennis Canavan: If there is time, it might be worth while to carry out a comparative study on the distribution of seats in other member states. For example, is it the case that the rural or

highland areas of Germany or island areas in other member states receive favourable treatment and that the size of the population per elected member in those areas is considerably smaller than in the more populated urban areas?

The Convener: Thank you, Dennis.

I take it that the committee is generally minded to respond to the issue. After all, it is appropriate for the committee to do so. We will endeavour to find answers to Gordon Jackson's questions on the impact of the four methods of calculation on Scotland. We will also try to answer Dennis Canavan's point and find out what is happening in other countries. In the meantime, are members agreed that we send in a submission to the consultation, reflecting members' views that Scotland's special characteristics should be taken into account and that we want the best outcome for the country?

Gordon Jackson: I think that we want to keep the number of MEPs at eight. However, the chances are that, with any of the methods of calculation, the number will be mathematically reduced to seven. I want to ensure that one of the four calculations does not reduce the number to six. We must never allow that to happen.

The Convener: We will try to find out that information as soon as possible. Is the committee happy for a letter to be sent out before close of play on Thursday? Unless any member wants to make some input, I suggest that members look at the letter. Are we agreed?

Members indicated agreement.

The Convener: We are up against a lot of deadlines, so we have to do things this way. I hope that we will back on the straight and narrow after the recess.

After that interesting debate, we move on to consideration of the proposals for the committee's away day and visits to EU institutions. Irene Oldfather suggested that the committee is taking on too much and that we should combine the two events; however, I point out that some members are new to the committee whereas others have already benefited from visits to EU institutions. Furthermore, the events have separate purposes. The visits to the EU will allow members to meet people in EU institutions and the away day will allow us to familiarise ourselves with general issues in the Scottish Executive and the Scottish Parliament and any other matters on our agenda.

Dennis Canavan: They will be good for bonding. [*Laughter.*]

The Convener: Dennis, would you like to define "bonding"? I suspect that we would all define the term differently, but I accept that one of the purposes of the away day is to bond and to ensure

that we meet all the clerks and other staff involved with the committee. Are members agreed to allow the clerks to proceed on that basis and to consult members about appropriate dates?

Mrs Ewing: In my many years of working in the House of Commons, I visited almost every institution in Brussels. However, we should bear in mind that this is an election year for MEPs. We all know what it was like here in the run-up to the May elections. As a result, I suggest that any specific meeting in Brussels should take place earlier rather than later in the session. That said, I do not have any dates in front of me—perhaps I have missed them.

Gordon Jackson: I do not know whether this is a matter for the away day or for the Brussels visit, but I think that members should identify the issues that they need to be briefed on. For example, members in this room know about regional development funds, either because they have been involved in Europe or because they have a constituency interest. However, although it is obviously going to be one of the big topics for the committee, I do not understand how such funds work. I need someone either in Brussels or in the Parliament to sit down and explain the matter to me. I know that this seems like a back-to-front process, but members need to identify what they need to know.

The Convener: That is a fair point. Indeed, briefings for some subjects might have to take place outwith the away day and the Brussels visit.

Gordon Jackson: I want to put down a marker for a briefing on regional development funds, because I am aware that I badly need one.

The Convener: That is a fair point and we will certainly take it on board.

Mr Home Robertson: My experience of previous visits to Brussels is that that is how they work. The people in the Commission are extremely helpful. If individual members want a briefing on a subject, that can be set up, provided that people give fair warning.

The Convener: I remind members that they are entitled to travel to Brussels independently, if they want briefings on any such issues. I encourage members to take that up. Members can also ask the clerks at any point for briefings on any of those subjects and we can feed some of those ideas into the away day.

Gordon Jackson: I am sorry to keep talking about the matter. I appreciate that I can go independently to Brussels, but can we make links through the clerks? Can we say to the clerks, "I really need to understand this subject and I am going to Brussels today. Can you get somebody to tell me about it there?" Is it okay to do that?

Stephen Imrie: Within reason and bearing in mind the resources that are available, we are always delighted to help members or to point them in the direction of someone who can. As much notice as possible is always useful, but if committee members need information, the clerks, the Scottish Parliament information centre or the legal office will try to help.

The Convener: The final item in the convener's report is the monthly report from the clerk and chief executive to the Parliament and the Parliament's external liaison unit. The report contains information on visits to and from the Parliament.

I received the Parliament's external relations strategy and policy in my in-tray and read it last night. I will ensure that the document is copied to all committee members in the coming days. Dennis Canavan talked about the Parliament's external relations and much of what the Parliament does is covered in the paper that I received. Was that paper issued to members?

Stephen Imrie: No. The draft of the Parliament's external relations strategy and policy was given to the convener, but the idea is for him to distribute it to the rest of the committee and to ask the committee to comment informally on the Parliament's plans and priorities for external relations in the next four years.

The Convener: I will ensure that the document that I received and read last night only—it is 30 or 40 pages long—is copied to all members, whom I encourage to provide responses.

Sift

The Convener: The final agenda item is the sift of draft EC/EU legislation, which is a key duty of the committee. Members should have received the most recent sift document. If members are happy with the system, the clerks will continue to highlight any items of interest to members or committees. As ever, legislation will be automatically forwarded to the relevant subject committees.

Irene Oldfather: I noticed that the convention preamble and the draft constitution are to be circulated to several committees. I have a copy of those documents, but I am aware of Gordon Jackson's point that some members of this committee might not have a copy of those documents, which are crucial to the committee's work programme. Some of the documents that are mentioned in the sift document might be relevant to this committee. Perhaps we could arrange for committee members to have copies of those documents.

Gordon Jackson: That would be helpful.

Stephen Imrie: It might help committee members and all other members of the Parliament to note that they will receive shortly in their mail trays a document that was produced by the European Parliament and which contains the latest version of the constitutional treaty and appropriate briefing.

Mr Home Robertson: Will that be the whole thing?

Stephen Imrie: It will be the whole shooting match and will be given to all members.

Mr Home Robertson: Please can I opt out of that?

The Convener: I remind John Home Robertson that we are members of the European and External Relations Committee. That will give members some reading for the recess; I know that they are dying for something to read. They can let their novels gather more dust and take the constitutional treaty to the beach—it will impress all the holidaymakers.

Phil Gallie: As John Home Robertson suggested I would be, I am rather overwhelmed by the amount of documentation. However, one document that is not listed in the sift document is the minority report from the convention. Can that be obtained? It must be relevant to the European and External Relations Committee and others and I do not understand why it is not listed.

Stephen Imrie: As far as I am aware, the minority report is not a report of the convention.

However, I am happy to try to track down a copy of the document and provide it to Mr Gallie, any committee member or any member of the Parliament who wants it. As the convener's covering letter says, clerks are happy to provide copies of documents and briefing material that catch members' eyes.

The Convener: I take it that the committee agrees to note the sift document en masse.

I draw the committee's attention to an issue that the clerks highlighted—the draft directive on hallmarking, which could have implications for the jewellery industry in Scotland. I task the clerk with monitoring that and producing a small briefing paper for us to consider.

I thank members for their patience. Much of today's agenda was influenced by the work of the European and External Relations Committee in the previous session. After the recess, we will have the opportunity to move on and discuss our inquiries and new issues. Please make every effort to attend the away day and the trip to Brussels. Once the dates are arranged, they will be communicated to members. I thank members for their attendance and look forward to seeing them at the committee's next meeting, which will be at 2 o'clock on Tuesday 9 September in committee room 1. Hard-working recesses to you all.

Meeting closed at 15:30.

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