



**OFFICIAL REPORT**  
AITHISG OIFIGEIL

# Delegated Powers and Law Reform Committee

**Tuesday 24 September 2019**

**Session 5**



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Pàrlamaid na h-Alba

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**DELEGATED POWERS AND LAW REFORM COMMITTEE**

**25<sup>th</sup> 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)

\*Jeremy Balfour (Lothian) (Con)

\*Mary Fee (West Scotland) (Lab)

\*attended

**CLERK TO THE COMMITTEE**

Andrew Proudfoot

**LOCATION**

The Adam Smith Room (CR5)



## Scottish Parliament

### Delegated Powers and Law Reform Committee

*Tuesday 24 September 2019*

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

### Decision on Taking Business in Private

**The Convener (Graham Simpson):** I welcome everyone to the 25th meeting in 2019 of the Delegated Powers and Law Reform Committee. Apologies have been received from Stuart McMillan.

Under agenda item 1, it is proposed that the committee takes items 6 and 7 in private? Do members agree to do that?

**Members indicated agreement.**

## European Union (Withdrawal) Act 2018: Instrument Procedure and Category

### Food Information, Labelling and Standards (EU Exit) (Scotland) (Amendment) Regulations 2019 (SSI 2019/285)

10:00

**The Convener:** Agenda item 2 is consideration of two Scottish statutory instruments that have been laid under the European Union (Withdrawal) Act 2018. We are considering the scrutiny procedure under which they have been laid and the categorisation that the Scottish Government has applied.

SSI 2019/285 has been laid under the negative procedure and has been categorised as being of low significance. The purpose of the instrument is to ensure the operability of domestic food legislation following the United Kingdom's exit from the European Union. It makes technical changes to ensure continuity of law after the UK's exit from the EU and inserts transitional provisions into several existing regulations. That will provide a 21-month transitional period to give the food industry time to adjust to new labelling and information requirements for EU businesses and food products following the UK's exit from the EU.

Our advisers indicate that the scrutiny procedure and categorisation could be appropriate. Is the committee content that the appropriate scrutiny procedure and categorisation have been applied to the instrument?

**Members indicated agreement.**

### Seed, Propagating Material and Common Agricultural Policy (EU Exit) (Scotland) (Amendment) Regulations 2019 (SSI 2019/289)

**The Convener:** SSI 2019/289 has been laid under the negative procedure and has been categorised as being of low significance. Parts 3 and 4 of the regulations have been made under the European Union (Withdrawal) Act 2018. Part 3 of the regulations corrects deficiencies and part 4 revokes and re-introduces provision that was made in two previous EU exit SSIs—SSI 2019/190 and SSI 2019/209.

Our advisers indicate that the scrutiny procedure and categorisation could be appropriate. Are members happy with that?

**Members indicated agreement.**

**The Convener:** Good.

## Instruments subject to Affirmative Procedure

10:02

**The Convener:** Agenda item 3 is consideration of three affirmative instruments, on which no points have been raised.

**Victim Surcharge (Scotland) Regulations 2019 [Draft]**

**Victims and Witnesses (Scotland) Act 2014 (Supplementary Provision) Order 2019 [Draft]**

**Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Amendment Order 2019 [Draft]**

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

**Members** *indicated agreement.*

## Instruments subject to Negative Procedure

10:03

**The Convener:** Agenda item 4 is consideration of four negative instruments, on which no points have been raised.

**Enforcement of Fines (Relevant Penalty) (Scotland) Order 2019 (SSI 2019/280)**

**Victim Surcharge Fund (Prescribed Relatives) (Scotland) Regulations 2019 (SSI 2019/282)**

**National Health Service (Serious Shortage Protocols) (Miscellaneous Amendments) (Scotland) Regulations 2019 (SSI 2019/284)**

**Plant Health (Scotland) Amendment Order 2019 (SSI 2019/290)**

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

**Members** *indicated agreement.*

## **Instruments not subject to Parliamentary Procedure**

10:04

*Meeting continued in private until 10:05.*

10:03

**The Convener:** Agenda item 5 is consideration of two instruments that are not subject to any parliamentary procedure, on which no points have been raised.

### **Serious Crime Act 2015 (Commencement No 2) (Scotland) Regulations 2019 (SSI 2019/281 (C 10))**

### **Act of Sederunt (Rules of the Court of Session 1994 Amendment) (Signature of Petitions and Answers) 2019 (SSI 2019/293)**

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

**Members** *indicated agreement.*





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