



**OFFICIAL REPORT**  
AITHISG OIFIGEIL

# Delegated Powers and Law Reform Committee

**Tuesday 1 October 2019**

**Session 5**



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Pàrlamaid na h-Alba

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**DELEGATED POWERS AND LAW REFORM COMMITTEE**  
**26<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 1 October 2019*

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

### Decision on Taking Business in Private

**The Convener (Graham Simpson):** I welcome everyone to the 26th meeting in 2019 of the Delegated Powers and Law Reform Committee.

Under agenda item 1, it is proposed that the committee takes items 6, 7 and 8 in private. Do members agree to do that?

**Members** *indicated agreement.*

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

**Animal Health and Welfare and Official Controls (Animals, Feed and Food) (EU Exit) (Scotland) (Amendment) Regulations 2019 (SSI 2019/288)**

10:01

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

The instrument—the Animal Health and Welfare and Official Controls (Animals, Feed and Food) (EU Exit) (Scotland) (Amendment) Regulations 2019; the title of these instruments gets longer by the week—has been laid under the negative procedure and has been categorised as being of low significance.

Part 3 of the regulations, which has been made under the European Union (Withdrawal) Act 2018, makes minor and technical changes to address deficiencies in various regulations. Our advisers indicate that the scrutiny procedure and categorisation could be appropriate.

Is the committee content with all of that?

**Members** *indicated agreement.*

## Instrument subject to Affirmative Procedure

**Proceeds of Crime Act 2002  
(Investigations: Code of Practice)  
(Scotland) Order 2019 [Draft]**

10:01

**The Convener:** Agenda item 3 is consideration of an affirmative instrument, on which no points have been raised. Is the committee content with the instrument?

**Members** *indicated agreement.*

## Instruments subject to Negative Procedure

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

10:02

**The Convener:** The first instrument for consideration under item 4, SSI 2019/285, deals with deficiencies that will arise on the United Kingdom's exit from the European Union to ensure the operability of domestic food legislation.

Regulation 5(3) of the instrument amends regulation 16(1) of the Honey (Scotland) Regulations 2015 (SSI 2015/208) to make changes to the origin labelling information that is required for blended honey. Regulation 16(1) provides options for blended honey suppliers to use when labelling the countries of origin of their honey.

Two of the available labelling options make reference to inserting the names of non-specified countries of origin on labels. It is unclear how "non-specified countries" could be named, and no definition is given of the term. The Scottish Government acknowledges that the wording could be clearer and has stated that it intends to amend the instrument "at the earliest opportunity".

Does the committee wish to draw the instrument to the attention of the Parliament on reporting ground (h), as the meaning of new regulation 16(1) of the Honey (Scotland) Regulations 2015, as inserted by regulation 5(3) of the instrument, could be clearer?

**Members** *indicated agreement.*

**The Convener:** Does the committee wish to welcome the Scottish Government's commitment to amend the instrument at the earliest opportunity?

**Members** *indicated agreement.*

**The Convener:** No points have been raised on the following three negative instruments.

**Animal Health and Welfare and Official Controls (Animals, Feed and Food) (EU Exit) (Scotland) (Amendment) Regulations 2019 (SSI 2019/288)**

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

**Caravan Sites Act 1968 (Amendment of Definition of Caravan) (Scotland) Order (SSI 2019/295)**

**The Convener:** SSI 2019/295 will be of interest to anyone who has a caravan, because it increases the maximum permitted dimensions of a caravan in Scotland, bringing parity with the equivalent dimensions in England and Wales. Who knew that there was such a thing?

Is the committee content with the instruments?

**Members** *indicated agreement.*

**Instrument not subject to Parliamentary Procedure**

**Victims and Witnesses (Scotland) Act 2014 (Commencement No 5) Order 2019 (SSI 2019/283 (C 11))**

10:04

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

**Members** *indicated agreement.*

10:04

*Meeting continued in private until 10:55.*



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

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