



**OFFICIAL REPORT**  
AITHISG OIFIGEIL

# Delegated Powers and Law Reform Committee

**Tuesday 4 February 2020**

**Session 5**



The Scottish Parliament  
Pàrlamaid na h-Alba

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**DELEGATED POWERS AND LAW REFORM COMMITTEE**

**5<sup>th</sup> Meeting 2020, 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 4 February 2020*

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

### Decision on Taking Business in Private

**The Convener (Graham Simpson):** I welcome everyone to the fifth meeting in 2020 of the Delegated Powers and Law Reform Committee.

Under agenda item 1, it is proposed that the committee take items 4 and 5 in private, because they involve consideration of reports that will be published in future. Do members agree to that?

**Members** *indicated agreement.*

## Instruments subject to Affirmative Procedure

10:00

**The Convener:** Under agenda item 2, no points have been raised on the following draft affirmative instruments.

**Census (Scotland) Order 2020 [Draft]**

**Community Care (Personal Care and Nursing Care) (Scotland) Amendment Regulations 2020 [Draft]**

**Alcohol (Minimum Price per Unit) (Scotland) Amendment Order 2020 [Draft]**

**Revenue Scotland and Tax Powers Act 2014 Amendment Regulations 2020 [Draft]**

**The Convener:** We are also considering two instruments that stem from the Public Appointments and Public Bodies etc (Scotland) Act 2003.

**Public Appointments and Public Bodies etc (Scotland) Act 2003 (Treatment of Consumer Scotland as Specified Authority) Order 2020 [Draft]**

**Public Appointments and Public Bodies etc (Scotland) Act 2003 (Amendment of Specified Authorities) Order 2020 [Draft]**

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

**Members** *indicated agreement.*

## Instrument subject to Negative Procedure

### National Health Service (Charges to Overseas Visitors) (Scotland) Amendment Regulations 2020 (SSI 2020/17)

10:01

**The Convener:** Agenda item 3 is consideration of a negative instrument that makes provision to allow certain national health service services to be provided without charge for any overseas visitor who requires diagnosis or treatment for Wuhan novel coronavirus. Similar steps are being taken in England, Wales and Northern Ireland.

The instrument was laid before the Parliament on 29 January and came into force on 30 January. That does not comply with the requirement in section 28(2) of the Interpretation and Legislative Reform (Scotland) Act 2010 that at least 28 days should elapse between the laying of an instrument that is subject to the negative procedure and the coming into force of that instrument. The reasons for the non-compliance with that requirement are set out in a letter from the Scottish Government to the Presiding Officer that is dated 29 January.

Is the committee content that the failure to comply with section 28(2) of the 2010 act is acceptable in the circumstances?

**Members** *indicated agreement.*

**The Convener:** Standing orders require the committee to draw the Parliament's attention to any failure to respect the 28-day laying requirement. Does the committee therefore wish to draw the instrument to the attention of the Parliament under reporting ground (j) for failing to comply with that laying requirement?

**Members** *indicated agreement.*

10:02

*Meeting continued in private until 10:09.*

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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