



**OFFICIAL REPORT**  
AITHISG OIFIGEIL

# **Solicitors in the Supreme Courts of Scotland (Amendment) Bill Committee**

**Monday 7 September 2020**

**Session 5**



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Pàrlamaid na h-Alba

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**SOLICITORS IN THE SUPREME COURTS OF SCOTLAND (AMENDMENT) BILL  
COMMITTEE**

**2<sup>nd</sup> Meeting 2020, Session 5**

**CONVENER**

\*Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP)

**DEPUTY CONVENER**

\*Bill Bowman (North East Scotland) (Con)

**COMMITTEE MEMBERS**

\*Daniel Johnson (Edinburgh Southern) (Lab)

\*John Mason (Glasgow Shettleston) (SNP)

\*attended

**CLERK TO THE COMMITTEE**

Felicity Hollands

**LOCATION**

Virtual Meeting



## Scottish Parliament

### Solicitors in the Supreme Courts of Scotland (Amendment) Bill Committee

Monday 7 September 2020

*[The Convener opened the meeting at 11:00]*

### Solicitors in the Supreme Courts of Scotland (Amendment) Bill: Consideration Stage

**The Convener (Christine Grahame):** Good morning and welcome to the second meeting in 2020 of the Solicitors in the Supreme Courts of Scotland (Amendment) Bill Committee.

Today, we will consider the bill at consideration stage. Consideration stage normally consists of consideration of objections, then formal proceedings on amendments. However, no objections were lodged in this instance.

The promoter has suggested 11 amendments, which I have lodged on behalf of the promoter. The committee will need to debate and decide on the amendments, and formally consider and agree the individual sections and long title of the bill.

Before the committee can do that, it is first required to screen the amendments to ensure that they do not adversely affect private interests. In such an event, it might be necessary to defer the rest of consideration stage until anyone who might be adversely affected had an opportunity to make their views known. However, based on the advice that I have received from the clerks, my view is that none of the amendments adversely affects private interests. Do committee members agree? Please indicate agreement by saying so. I see that members are instead nodding their heads to indicate their agreement.

In that case, we turn to the disposal of amendments. Any required voting will be by members nodding their agreement or speaking.

I turn to the marshalled list.

#### Section 1—Amendment of the 1871 Act

**The Convener:** Amendment 1 is grouped with amendments 7 to 11. Amendments 1 and 7 to 11 address the committee's recommendation at preliminary stage that the procedure set out in the bill for winding up the Society of Solicitors in the Supreme Courts of Scotland be strengthened. We were concerned that, in the worst case of the society one day having to be wound up, the

procedures in the bill might not be detailed or robust enough to manage any tensions over the disposal of the society's assets.

The committee recommended that the society's members be consulted as to how any property should be distributed. Amendments 7, 8 and 9 require that consultation to take place, and the consultation to occur before the meeting at which members would discuss a proposal to wind up the society.

The committee also questioned whether the bill should specify a quorum for certain meetings at which key decisions about the society would be made, and whether a voting threshold should be considered. Amendments 1, 10 and 11 address that issue and ensure that a voting threshold must be set up for any decision to wind up the society.

I welcome the amendments, which were proposed by the promoter, and I am pleased to move amendment 1 on the promoter's behalf.

No member has indicated that they wish to address the amendments.

The question is, that amendment 1 be agreed to. Are we agreed? Members are nodding their agreement—this is very strange, but there we are.

*Amendment 1 agreed to.*

**The Convener:** Amendment 2 is grouped with amendments 5 and 6. Amendments 2, 5 and 6 are minor and technical amendments.

Amendment 2 relates to the retitling of the "Widows' Fund" as the "Dependents' Fund".

Amendment 5 clarifies the type of general meeting in which a member who is created under a new form of membership is not entitled to participate.

Amendment 6 makes the Solicitors in the Supreme Courts of Scotland Act 1871 more consistent in terms of style.

I move amendment 2 on the promoter's behalf.

No member has indicated that they wish to address the amendments.

*Amendment 2 agreed to.*

**The Convener:** Amendment 3 is grouped with amendment 4. Amendments 3 and 4 relate to the procedure for closing the dependents fund. In its preliminary stage report, the committee noted that the bill requires that the society's members be notified in advance of any proposal to close the dependents fund completely. However, the bill does not require annuitants or prospective annuitants to be notified. Amendments 3 and 4 therefore require that all annuitants and prospective annuitants be notified in advance of

any decision to close the dependents fund completely.

I believe that the amendments will improve the bill, and I am pleased to move amendment 3 on the promoter's behalf.

No member has indicated that they wish to address the amendments.

*Amendment 3 agreed to.*

*Amendments 4 to 11 moved—[Christine Grahame]—and agreed to.*

*Section 1, as amended, agreed to.*

*Sections 2 to 5 agreed to.*

*Long title agreed to.*

**The Convener:** As the consideration stage of the bill is now complete, this is likely to be the committee's final meeting. The bill will now proceed to the final stage, which will take place in the chamber.

I thank the promoter and committee members for their assistance and work on the bill.

*Meeting closed at 11:06.*

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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