



**OFFICIAL REPORT**  
AITHISG OIFIGEIL

# Delegated Powers and Law Reform Committee

**Tuesday 3 November 2020**

**Session 5**



The Scottish Parliament  
Pàrlamaid na h-Alba



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**Tuesday 3 November 2020**

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**DELEGATED POWERS AND LAW REFORM COMMITTEE**

**33<sup>rd</sup> Meeting 2020, Session 5**

**CONVENER**

Bill Bowman (North East Scotland) (Con)

**DEPUTY CONVENER**

Stuart McMillan (Greenock and Inverclyde) (SNP)

**COMMITTEE MEMBERS**

\*Michelle Ballantyne (South Scotland) (Con)

\*Mary Fee (West Scotland) (Lab)

\*Gil Paterson (Clydebank and Milngavie) (SNP)

\*attended

**THE FOLLOWING ALSO PARTICIPATED:**

Tom Arthur (Renfrewshire South) (SNP) (Committee Substitute)

Oliver Mundell (Dumfriesshire) (Con) (Committee Substitute)

**CLERK TO THE COMMITTEE**

Andrew Proudfoot

**LOCATION**

The Adam Smith Room (CR5)



**Scottish Parliament**  
**Delegated Powers and Law  
Reform Committee**

*Tuesday 3 November 2020*

*[Gil Paterson opened the meeting at 12:00]*

**Temporary Convener**

**Gil Paterson (Clydebank and Milngavie)**  
**(SNP):** I welcome everyone to the meeting. We have received apologies from the convener and the deputy convener. It might be a surprise to many to learn that I am the oldest member of the committee—I hope that that is not disputed; if it is, I might need to demit the chair. As such, it is my role to be in the chair for the committee to appoint a temporary convener.

Are members content for me to act as temporary convener for today's meeting?

**Members indicated agreement.**

**The Temporary Convener (Gil Paterson):**  
Thank you very much.

**Decision on Taking Business in  
Private**

12:01

**The Temporary Convener:** I welcome everyone to the 33rd meeting in 2020 of the Delegated Powers and Law Reform Committee. Oliver Mundell, who is in the room with me, and Tom Arthur have kindly joined the meeting as substitute members.

Under this agenda item, it is proposed that the committee takes items 6 and 7 in private. Does the committee agree to do so?

**Members indicated agreement.**

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

### Insolvency (Amendment) (EU Exit) (Scotland) Regulations 2020 (SSI 2020/337)

12:01

**The Temporary Convener:** The next agenda item is consideration of SSI 2020/337, which has been laid under the European Union (Withdrawal) Act 2018. The committee is considering the instrument under the Scottish statutory instrument protocol; more specifically, it must consider how it has been categorised by the Scottish Government.

The instrument's purpose is to amend the savings provision in regulation 9 of the Insolvency (EU Exit) (Scotland) (Amendment) Regulations 2019 (SSI 2019/94). Those regulations, which are not yet in force, address failures of the law to operate effectively and other deficiencies in devolved legislation on cross-border insolvencies that arise from the withdrawal of the United Kingdom from the European Union.

The instrument has been categorised by the Scottish Government as being of low significance, which our advisers agree is appropriate. Does the committee wish to recommend that the instrument should be categorised as being of low significance?

**Members indicated agreement.**

## Instrument subject to Made Affirmative Procedure

### Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No 19) Regulations 2020 (SSI 2020/330)

12:03

**The Temporary Convener:** The next agenda item is consideration of an instrument that is subject to the made affirmative procedure, on which no points have been raised. Is the committee content with the instrument?

**Members indicated agreement.**

## **Instrument subject to Affirmative Procedure**

### **Scottish Parliament (Elections etc) (Miscellaneous Amendments) Order 2020 [Draft]**

12:03

**The Temporary Convener:** The next agenda item is consideration of a draft affirmative instrument, on which no points have been raised. Is the committee content with the instrument?

**Members** *indicated agreement.*

## **Instrument subject to Negative Procedure**

### **Insolvency (Amendment) (EU Exit) (Scotland) Regulations 2020 (SSI 2020/337)**

12:04

**The Temporary Convener:** The final agenda item is consideration of a negative instrument, on which no points have been raised. Is the committee content with the instrument?

**Members** *indicated agreement.*

12:04

*Meeting continued in private.*





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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