



OFFICIAL REPORT
AITHISG OIFIGEIL

Delegated Powers and Law Reform Committee

Tuesday 22 December 2020

Session 5



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Pàrlamaid na h-Alba

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CONTENTS

	Col.
DECISION ON TAKING BUSINESS IN PRIVATE	1
INSTRUMENTS SUBJECT TO MADE AFFIRMATIVE PROCEDURE	2
Corporate Insolvency and Governance Act 2020 (Meetings of Scottish Charitable Incorporated Organisations) (Coronavirus) (No 2) Regulations 2020 (SSI 2020/421).....	2
Health Protection (Coronavirus) (International Travel and Public Health Information) (Scotland) Regulations 2020 (SSI 2020/431)	2
Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Amendment (No 8) Regulations 2020 (SSI 2020/452).....	2
INSTRUMENTS SUBJECT TO AFFIRMATIVE PROCEDURE	3
Agricultural Holdings (Relinquishment and Assignment) (Application to Relevant Partnerships) (Scotland) Regulations 2021 [Draft]	3
Town and Country Planning (Short-term Let Control Areas) (Scotland) Regulations 2021 [Draft]	3
INSTRUMENTS SUBJECT TO NEGATIVE PROCEDURE	4
Act of Sederunt (Fees of Messengers-at-Arms and Sheriff Officers) (Hague Service Convention) (Amendment) 2020 (SSI 2020/423)	4
Homeless Persons (Unsuitable Accommodation) (Scotland) Amendment (No 2) Order 2020 (SSI 2020/419)	4
National Health Service (Pharmaceutical Services) (Scotland) Amendment Regulations 2020 (SSI 2020/420)	4
Agricultural Holdings (Relinquishment and Assignment) (Scotland) Regulations 2020 (SSI 2020/430)	4
INSTRUMENTS NOT SUBJECT TO PARLIAMENTARY PROCEDURE	5
Social Security Administration and Tribunal Membership (Scotland) Act 2020 (Commencement No 1) Regulations 2020 (SSI 2020/422 (C 39)).....	5
Land Reform (Scotland) Act 2016 (Commencement No 12) Regulations 2020 (SSI 2020/428 (C 40))	5
Transport (Scotland) Act 2019 (Commencement No 3) Regulations 2020 (SSI 2020/429 (C 41))	5

DELEGATED POWERS AND LAW REFORM COMMITTEE

40th 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) (Ind)

*Mary Fee (West Scotland) (Lab)

*Gil Paterson (Clydebank and Milngavie) (SNP)

*attended

CLERK TO THE COMMITTEE

Andrew Proudfoot

LOCATION

The Adam Smith Room (CR5)

Scottish Parliament

Delegated Powers and Law Reform Committee

Tuesday 22 December 2020

[The Convener opened the meeting at 11:47]

Decision on Taking Business in Private

The Convener (Bill Bowman): Good morning. I welcome everyone to the 40th and last planned meeting in 2020 of the Delegated Powers and Law Reform Committee.

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

Members *indicated agreement.*

Instruments subject to Made Affirmative Procedure

11:48

The Convener: Agenda item 2 is consideration of three instruments that are subject to the made affirmative procedure, on which no points have been raised.

Corporate Insolvency and Governance Act 2020 (Meetings of Scottish Charitable Incorporated Organisations) (Coronavirus) (No 2) Regulations 2020 (SSI 2020/421)

Health Protection (Coronavirus) (International Travel and Public Health Information) (Scotland) Regulations 2020 (SSI 2020/431)

Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Amendment (No 8) Regulations 2020 (SSI 2020/452)

The Convener: SSI 2020/452 makes the changes that the First Minister outlined in her statement on Saturday. I am sure that members will note the significance of those regulations and the issues that they raise, which will be discussed further by the COVID-19 Committee.

Is the committee content with the instruments?

Members *indicated agreement.*

Instruments subject to Affirmative Procedure

11:48

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

Agricultural Holdings (Relinquishment and Assignment) (Application to Relevant Partnerships) (Scotland) Regulations 2021 [Draft]

Town and Country Planning (Short-term Let Control Areas) (Scotland) Regulations 2021 [Draft]

The Convener: Is the committee content with the instruments?

Members *indicated agreement.*

Instruments subject to Negative Procedure

Act of Sederunt (Fees of Messengers-at-Arms and Sheriff Officers) (Hague Service Convention) (Amendment) 2020 (SSI 2020/423)

11:49

The Convener: On the first instrument for consideration under agenda item 4, SSI 2020/423, an issue has been raised on reporting ground (j), which is that there has been a failure to lay the instrument in accordance with section 28(2) of the Interpretation and Legislative Reform (Scotland) Act 2010, as the instrument breaches the 28-day rule. The Lord President has written to the Presiding Officer to explain why the 28-day rule has not been complied with in this instance.

Does the committee agree to draw the instrument to the attention of the Parliament on reporting ground (j)?

Members *indicated agreement.*

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

Homeless Persons (Unsuitable Accommodation) (Scotland) Amendment (No 2) Order 2020 (SSI 2020/419)

National Health Service (Pharmaceutical Services) (Scotland) Amendment Regulations 2020 (SSI 2020/420)

Agricultural Holdings (Relinquishment and Assignment) (Scotland) Regulations 2020 (SSI 2020/430)

The Convener: Is the committee content with the instruments?

Members *indicated agreement.*

Instruments not subject to Parliamentary Procedure

11:50

Meeting continued in private until 11:58.

11:49

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

**Social Security Administration and
Tribunal Membership (Scotland) Act 2020
(Commencement No 1) Regulations 2020
(SSI 2020/422 (C 39))**

**Land Reform (Scotland) Act 2016
(Commencement No 12) Regulations 2020
(SSI 2020/428 (C 40))**

**Transport (Scotland) Act 2019
(Commencement No 3) Regulations 2020
(SSI 2020/429 (C 41))**

The Convener: Is the committee content with the instruments?

Members *indicated agreement.*

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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