

JUSTICE 2 COMMITTEE

Tuesday 10 January 2006

Session 2

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JUSTICE 2 COMMITTEE

1st Meeting 2006, Session 2

CONVENER

*Miss Annabel Goldie (West of Scotland) (Con)

DEPUTY CONVENER

*Bill Butler (Glasgow Anniesland) (Lab)

COMMITTEE MEMBERS

*Jackie Baillie (Dumbarton) (Lab)

Colin Fox (Lothians) (SSP)

*Maureen Macmillan (Highlands and Islands) (Lab)

*Mr Stewart Maxwell (West of Scotland) (SNP)

*Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD)

COMMITTEE SUBSTITUTES

Cathie Craigie (Cumbernauld and Kilsyth) (Lab)

Carolyn Leckie (Central Scotland) (SSP)

Mr Kenny MacAskill (Lothians) (SNP)

Margaret Mitchell (Central Scotland) (Con)

Mike Pringle (Edinburgh South) (LD)

*attended

CLERKS TO THE COMMITTEE

Gillian Baxendine

Tracey Hawe

SENIOR ASSISTANT CLERK

Anne Peat

ASSISTANT CLERK

Steven Tallach

LOCATION

Committee Room 6

Scottish Parliament

Justice 2 Committee

Tuesday 10 January 2006

[THE CONVENER opened the meeting at 14:06]

Subordinate Legislation

Criminal Justice (International Co-operation) Act 1990 (Enforcement of Overseas Forfeiture Orders) (Scotland) Order 2005 (SSI 2005/581)

The Convener (Miss Annabel Goldie): I formally welcome everyone to the first meeting in 2006 of the Justice 2 Committee. Papers have been circulated.

Colin Fox sends what is almost a standing apology at the moment because of his other commitments. I am not sure whether Carolyn Leckie will attend in his absence, but we shall wait and see.

Item 1 on the agenda concerns subordinate legislation. There are two instruments to consider. The first is a negative instrument—the Criminal Justice (International Co-operation) Act 1990 (Enforcement of Overseas Forfeiture Orders) (Scotland) Order 2005 (SSI 2005/581). Copies of the order have been circulated to members. Members will note that the Subordinate Legislation Committee raised one point. Do members have any comments or questions?

Members: No.

The Convener: Okay. I suggest that we simply note the order and say that we have no recommendation to make. It would probably be wise to record the Executive's intention to make a formal amendment as soon as possible to correct what is clearly a drafting error. I think that the committee welcomes that commitment.

Members indicated agreement.

Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc) Order 2006 (draft)

The Convener: The second instrument is an affirmative order. We are the secondary committee; the lead committee is the Health Committee. The draft order, which concerns the transfer of functions to Scottish ministers, is accompanied by an explanatory note. It is for us to make any comment that we think appropriate and to forward that to the Health Committee. At the end of the day, it is for that committee to

recommend whether the draft order should be approved. Do members have any comments?

Jackie Baillie (Dumbarton) (Lab): No—it seems fine.

The Convener: Okay. We have no comment to make on the draft order and should report back accordingly to the Health Committee.

We now move into private session to continue consideration of our draft stage 1 report on the Police, Public Order and Criminal Justice (Scotland) Bill.

14:09

Meeting continued in private until 16:32.

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