

SOCIAL JUSTICE COMMITTEE

Tuesday 25 March 2003
(*Morning*)

Session 1

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SOCIAL JUSTICE COMMITTEE

4th Meeting 2003, Session 1

CONVENER

*Johann Lamont (Glasgow Pollok) (Lab)

DEPUTY CONVENER

*Mr Kenneth Gibson (Glasgow) (SNP)

COMMITTEE MEMBERS

Robert Brown (Glasgow) (LD)

*Cathie Craigie (Cumbernauld and Kilsyth) (Lab)

*Linda Fabiani (Central Scotland) (SNP)

Mrs Lyndsay McIntosh (Central Scotland) (Con)

*Karen Whitefield (Airdrie and Shotts) (Lab)

COMMITTEE SUBSTITUTES

Sarah Boyack (Edinburgh Central) (Lab)

Ms Sandra White (Glasgow) (SNP)

*attended

CLERK TO THE COMMITTEE

Jim Johnston

SENIOR ASSISTANT CLERK

Gerald McNally

ASSISTANT CLERK

Craig Harper

LOCATION

Committee Room 3

Scottish Parliament

Social Justice Committee

Tuesday 25 March 2003

(Morning)

[THE CONVENER *opened the meeting at 10:32*]

Subordinate Legislation

Scotland Act 1998 (Agency Arrangements) (Specification) Order 2003 (SI 2003/407)

Housing (Scotland) Act 2001 (Payments out of Grants for Housing Support Services) Order 2003 (SSI 2003/140)

The Convener (Johann Lamont): I welcome members to this meeting of the Social Justice Committee, which I think we can safely say this time will definitely be the last one before Parliament dissolves.

Item 1 concerns subordinate legislation. Both statutory instruments that we have to consider are negative instruments, and so are subject to annulment under rule 10.4 of the standing orders. No motion to annul either instrument has been lodged with the chamber desk.

The committee has before it a copy of the Scotland Act 1998 (Agency Arrangements) (Specification) Order 2003 (SI 2003/407) and accompanying documentation. Are there any comments?

If there are none, is the committee content with SI 2003/407?

Members indicated agreement.

The Convener: We do not wish to make any recommendation in our report to the Parliament.

The committee also has before it a copy of the Housing (Scotland) Act 2001 (Payments out of Grants for Housing Support Services) Order 2003 (SSI 2003/140) and accompanying documentation. I point out that whereas paragraph 2 of the clerk's cover paper states that

"The Subordinate Legislation Committee ... had nothing to report",

that committee did draw the instrument to the attention of the Parliament and the lead committee, in particular in paragraphs 53, 55 and 57 of its report, on the ground of defective drafting. Are there any comments?

Karen Whitefield (Airdrie and Shotts) (Lab):

The Subordinate Legislation Committee has raised the issue of defective drafting when we have received statutory instruments in the past, and we have made a note to take up the matter with the Executive. Have we had a response on why there occasionally appears to be a problem?

The Convener: We have flagged up the matter, and the future Social Justice Committee may wish to pursue it.

Is the committee content with SSI 2003/140?

Members indicated agreement.

The Convener: In that case, do we conclude that the committee does not wish to make any recommendation in our report to the Parliament?

Members indicated agreement.

The Convener: I invite members to agree that we report to the Parliament our decisions on the two orders. Is that agreed?

Members indicated agreement.

The Convener: Thank you for your attendance.

Meeting closed at 10:34.

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