

SUBORDINATE LEGISLATION COMMITTEE

Tuesday 29 February 2000
(Morning)

© Parliamentary copyright. Scottish Parliamentary Corporate Body 2000.

Applications for reproduction should be made in writing to the Copyright Unit,
Her Majesty's Stationery Office, St Clements House, 2-16 Colegate, Norwich NR3 1BQ
Fax 01603 723000, which is administering the copyright on behalf of the Scottish Parliamentary Corporate
Body.

Produced and published in Scotland on behalf of the Scottish Parliamentary Corporate Body by The
Stationery Office Ltd.

Her Majesty's Stationery Office is independent of and separate from the company now
trading as The Stationery Office Ltd, which is responsible for printing and publishing
Scottish Parliamentary Corporate Body publications.

CONTENTS

Tuesday 29 February 2000

	Col.
AIR QUALITY (SCOTLAND) REGULATIONS 2000 (SSI 2000/DRAFT)	113
SCOTLAND ACT 1998 (CROSS-BORDER PUBLIC AUTHORITIES) (FORESTRY COMMISSIONERS) ORDER 2000 (SSI 2000/DRAFT)	113
HOUSING SUPPORT GRANT (SCOTLAND) ORDER 2000 (SSI 2000/DRAFT)	113
NATIONAL HEALTH SERVICE (GENERAL MEDICAL SERVICES) (SCOTLAND) AMENDMENT REGULATIONS 2000 (SSI 2000/28)	114
SEA FISHING (ENFORCEMENT OF COMMUNITY QUOTA AND THIRD COUNTRY FISHING MEASURES) (SCOTLAND) ORDER 2000 (SSI 2000/34)	114
HOUSING REVENUE ACCOUNT GENERAL FUND CONTRIBUTION LIMITS (SCOTLAND) ORDER 2000 (SSI 2000/33)	114
FOOD (PEANUTS FROM EGYPT) (EMERGENCY CONTROL) (SCOTLAND) ORDER 2000 (SSI 2000/35)	114
ACT OF SEDERUNT (MESSENGERS-AT-ARMS AND SHERIFF OFFICERS RULES) (AMENDMENT) 2000 (SSI 2000/30)	116

SUBORDINATE LEGISLATION COMMITTEE

8th Meeting 2000, Session 1

CONVENER

*Mr Kenny MacAskill (Lothians) (SNP)

DEPUTY CONVENER

*Ian Jenkins (Tw eeddale, Ettrick and Lauderdale) (LD)

COMMITTEE MEMBERS

Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP)

*Trish Godman (West Renfrewshire) (Lab)

Bristow Muldoon (Livingston) (Lab)

David Mundell (South of Scotland) (Con)

*attended

CLERK TEAM LEADER

Alasdair Rankin

ASSISTANT CLERKS

Claire Menzies

Anne Peat

LOCATION

Committee Room 3

Scottish Parliament

Subordinate Legislation Committee

Tuesday 29 February 2000

(Morning)

[THE CONVENER *opened the meeting at 11:15*]

The Convener (Mr Kenny MacAskill): Good morning. We are not expecting anyone else to come, and we have received apologies from members who cannot be here.

Air Quality (Scotland) Regulations 2000 (SSI 2000/draft)

Scotland Act 1998 (Cross-Border Public Authorities) (Forestry Commissioners) Order 2000 (SSI 2000/draft)

Housing Support Grant (Scotland) Order 2000 (SSI 2000/draft)

The Convener: The first item on the agenda is three draft affirmative instruments. Our legal briefing on the instrument on air quality is that no points arise from it. It is doubtless welcome legislation. I presume that nobody has any comments to make and that we should not make representations to any other committee.

Members indicated agreement.

The Convener: It appears that few points arise from the second instrument, on forestry commissioners. We have been advised that the matter is being scrutinised by our related committee in Westminster. Should we simply note the instrument?

Trish Godman (West Renfrewshire) (Lab): If the committee in London comes up with anything, does that make any difference to us, or do we just note what it says?

The Convener: There would not be any correlation between the two committees unless we had informal discussions beforehand on something that was felt to be a problem both here and there. Presumably, the committees could disagree on the interpretation of the instrument, and that could lead to matters becoming more involved. However, there is no overlap as such,

apart from informal contacts.

We are advised that no points arise on the final draft affirmative instrument on housing support grant. The instrument simply makes various provisions, and I think that we should simply note it.

Members indicated agreement.

National Health Service (General Medical Services) (Scotland) Amendment Regulations 2000 (SSI 2000/28)

Sea Fishing (Enforcement of Community Quota and Third Country Fishing Measures) (Scotland) Order 2000 (SSI 2000/34)

Housing Revenue Account General Fund Contribution Limits (Scotland) Order 2000 (SSI 2000/33)

Food (Peanuts from Egypt) (Emergency Control) (Scotland) Order 2000 (SSI 2000/35)

The Convener: We move on now to four negative instruments. The first concerns general medical services. We have already made representations to the Executive seeking consolidation on numerous matters in national health service regulations. However, our legal advice is that this is a matter of special urgency and that to seek consolidation might cause a delay.

Ian Jenkins (Tweeddale, Ettrick and Lauderdale) (LD): Although I believe that the instrument does not breach the 21-day rule, even if it did, we should not stand on our dignity on this matter. The Dr Shipman case is relevant, and I think that we should approve the instrument.

The Convener: Yes—we do not need to go into policy; I think that we can see where the Executive is coming from, and we fully support it.

Members indicated agreement.

The Convener: No points arise from the next instrument, which simply makes provision for the enforcement of European Community legislation governing fishery quotas. Shall we simply note the instrument?

Members indicated agreement.

The Convener: Nothing arises from the housing revenue account instrument, which is a technical matter. Again, shall we simply note the instrument?

Members indicated agreement.

The Convener: The last instrument is on peanuts from Egypt. Ian Jenkins and I were talking earlier and neither of us knew that peanuts were produced in Egypt; we had assumed that they came from elsewhere in Africa. This matter breaches the 21-day rule; however, emergency legislation is required and health problems could arise unless steps are taken. The explanation for breaching the 21-day rule seems acceptable.

Members indicated agreement.

Act of Sederunt (Messengers-at-Arms and Sheriff Officers Rules) (Amendment) 2000 (SSI 2000/30)

The Convener: The third and concluding item on the agenda concerns an instrument that is not subject to parliamentary control. It has some typographical errors that can doubtless be dealt with without our needing to bring them to the attention of anyone else in the Parliament.

Members indicated agreement.

The Convener: I thank all those who came to the meeting.

Meeting closed at 11:19.

Members who would like a printed copy of the Official Report to be forwarded to them should give notice at the Document Supply Centre.

Members who would like a copy of the bound volume should also give notice at the Document Supply Centre.

No proofs of the *Official Report* can be supplied. Members who want to suggest corrections for the bound volume should mark them clearly in the daily edition, and send it to the Official Report, Parliamentary Headquarters, George IV Bridge, Edinburgh EH99 1SP. Suggested corrections in any other form cannot be accepted.

The deadline for corrections to this edition is:

Tuesday 7 March 2000

Members who want reprints of their speeches (within one month of the date of publication) may obtain request forms and further details from the Central Distribution Office, the Document Supply Centre or the Official Report.

PRICES AND SUBSCRIPTION RATES

DAILY EDITIONS

Single copies: £5

Annual subscriptions: £640

BOUND VOLUMES OF DEBATES are issued periodically during the session.

Single copies: £70

Standing orders will be accepted at the Document Supply Centre.

WHAT'S HAPPENING IN THE SCOTTISH PARLIAMENT, compiled by the Scottish Parliament Information Centre, contains details of past and forthcoming business and of the work of committees and gives general information on legislation and other parliamentary activity.

Single copies: £2.50

Special issue price: £5

Annual subscriptions: £82.50

WRITTEN ANSWERS TO PARLIAMENTARY QUESTIONS weekly compilation

Single copies: £2.50

Annual subscriptions: £80

Published in Edinburgh by The Stationery Office Limited and available from:

The Stationery Office Bookshop
71 Lothian Road
Edinburgh EH3 9AZ
0131 228 4181 Fax 0131 622 7017

The Stationery Office Bookshops at:
123 Kingsway, London WC2B 6PQ
Tel 0171 242 6393 Fax 0171 242 6394
68-69 Bull Street, Birmingham B4 6AD
Tel 0121 236 9696 Fax 0121 236 9699
33 Wine Street, Bristol BS1 2BQ
Tel 01179 264306 Fax 01179 294515
9-21 Princess Street, Manchester M60 8AS
Tel 0161 834 7201 Fax 0161 833 0634
16 Arthur Street, Belfast BT1 4GD
Tel 01232 238451 Fax 01232 235401
The Stationery Office Oriol Bookshop,
18-19 High Street, Cardiff CF1 2BZ
Tel 01222 395548 Fax 01222 384347

The Stationery Office Scottish Parliament Documentation
Helpline may be able to assist with additional information
on publications of or about the Scottish Parliament,
their availability and cost:

Telephone orders and inquiries
0870 606 5566

Fax orders
0870 606 5588

The Scottish Parliament Shop
George IV Bridge
EH99 1SP
Telephone orders 0131 348 5412

sp.info@scottish.parliament.uk

www.scottish.parliament.uk

Accredited Agents
(see Yellow Pages)

and through good booksellers