

SUBORDINATE LEGISLATION COMMITTEE

Tuesday 12 June 2001
(Morning)

Session 1

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CONTENTS

Tuesday 12 June 2001

Col.

PROTECTION FROM ABUSE (SCOTLAND) BILL	531
FARM BUSINESS DEVELOPMENT (SCOTLAND) SCHEME 2001	531
BELL COLLEGE OF TECHNOLOGY (SCOTLAND) ORDER OF COUNCIL 2001 (SI 2001/2005)	531
PLANT PROTECTION PRODUCTS AMENDMENT (No 2) (SCOTLAND) REGULATIONS 2001 (SSI 2001/202).....	531
CONTROL OF POLLUTION (SILAGE, SLURRY AND AGRICULTURAL FUEL OIL) (SCOTLAND) REGULATIONS 2001 (SSI 2001/206)	532
WATER SUPPLY (WATER QUALITY) (SCOTLAND) REGULATIONS 2001 (SSI 2001/207)	532
SPORTS GROUNDS AND SPORTING EVENTS (DESIGNATION) (SCOTLAND) AMENDMENT ORDER 2001 (SSI 2001/209)	532
EDUCATION (STUDENT LOANS) AMENDMENT (SCOTLAND) REGULATIONS 2001 (SSI 2001/210)	533
RIGHT TO TIME OFF FOR STUDY OR TRAINING (SCOTLAND) AMENDMENT REGULATIONS 2001 (SSI 2001/211)	533
SWEETENERS IN FOOD AMENDMENT (SCOTLAND) REGULATIONS 2001 (SSI 2001/212)	533

SUBORDINATE LEGISLATION COMMITTEE

20th Meeting 2001, Session 1

CONVENER

*Mr Kenny MacAskill (Lothians) (SNP)

DEPUTY CONVENER

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

COMMITTEE MEMBERS

*Bill Butler (Glasgow Anniesland) (Lab)
*Gordon Jackson (Glasgow Govan) (Lab)
Ms Margo MacDonald (Lothians) (SNP)
*Bristow Muldoon (Livingston) (Lab)
*David Mundell (South of Scotland) (Con)

*attended

CLERK TO THE COMMITTEE

Alasdair Rankin

ASSISTANT CLERKS

Ruth Cooper
Alistair Fleming

LOCATION

Committee Room 3

Scottish Parliament Subordinate Legislation Committee

Tuesday 12 June 2001

(Morning)

[THE CONVENER *opened the meeting at 11:19*]

The Convener (Mr Kenny MacAskill): Good morning and welcome to the Subordinate Legislation Committee's 20th meeting of 2001.

Protection from Abuse (Scotland) Bill

The Convener: Agenda item 1 is scrutiny of the delegated powers in the Protection from Abuse (Scotland) Bill, on which no matters arise. As no member has any comments on the first committee bill, we will leave it to follow the normal course of bills.

Farm Business Development (Scotland) Scheme 2001

The Convener: Agenda item 2 is Executive responses.

We raised various matters about the scheme, which the Executive appears to have answered. As no member has anything to add, we will simply draw it to Parliament's attention that points were raised and adequately clarified.

Bell College of Technology (Scotland) Order of Council 2001 (SI 2001/2005)

The Convener: It has been acknowledged that the order of council was erroneously made as a statutory instrument rather than as a Scottish statutory instrument. We are advised that that will be sorted out in the wash, as the instrument will be numbered as a Scottish statutory instrument. We have also received a paper on the Privy Council's role. No further action need be taken.

Plant Protection Products Amendment (No 2) (Scotland) Regulations 2001 (SSI 2001/202)

The Convener: Agenda item 3 is instruments that are subject to annulment. We need take no point on the regulations.

Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) (Scotland) Regulations 2001 (SSI 2001/206)

The Convener: Various points require to be raised on the regulations. First, have all necessary notifications been made to the European Commission under the technical standards directive?

Secondly, regulation 12 revokes the Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) (Scotland) Regulations 1991 (SI 1991/346), but says that they shall continue to apply to any notices served under regulation 9 of the 1991 regulations. However, regulation 9 provides for appeals against notices that are served under regulation 8. We will seek clarification on that and on various typographical matters.

Regulation 12(3) makes a consequential revocation of paragraph 12 of the schedule to the Environment Act 1995 (Consequential and Transitional Provisions) (Scotland) Regulations 1996 (SI 1996/973) and we will also seek clarification on that.

Water Supply (Water Quality) (Scotland) Regulations 2001 (SSI 2001/207)

The Convener: The regulations raise some minor matters with which we can deal informally. The principal matter is that regulation 36 purports to amend the Water Supply (Water Quality) (Scotland) Regulations 1990 (SI 1990/119) with effect from 31 January 2001. We will seek clarification about where the power to make such retrospective provision can be found. Further, the date in regulation 36 does not tally with the date that is mentioned in the explanatory note on that regulation, so we will ask for clarification of that.

Sports Grounds and Sporting Events (Designation) (Scotland) Amendment Order 2001 (SSI 2001/209)

The Convener: Does anyone wish to comment on the demise of a historic football ground?

Gordon Jackson (Glasgow Govan) (Lab): It is a sad day. There is pathos in the words

"Boghead Park, Dumbarton ceases to be".

**Education (Student Loans)
Amendment (Scotland) Regulations
2001 (SSI 2001/210)**

The Convener: No matters arise on the regulations.

**Right to Time Off for Study or Training
(Scotland) Amendment Regulations
2001 (SSI 2001/211)**

The Convener: We will seek clarification about the delay between making and laying the instrument. Various minor technical matters can also be raised with the Executive.

**Sweeteners in Food Amendment
(Scotland) Regulations 2001
(SSI 2001/212)**

The Convener: It is suggested that the committee could deal with the matters that the regulations raise in an informal note. Regulation 2 appears to contain an unnecessary provision.

I am advised that next week's meeting will not be as light as those of the past few weeks. Members' mail will be substantially heavier.

Meeting closed at 11:24.

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