

SUBORDINATE LEGISLATION COMMITTEE

Tuesday 2 October 2007

Session 3

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SUBORDINATE LEGISLATION COMMITTEE

7th Meeting 2007, Session 3

CONVENER

*Jamie Stone (Caithness, Sutherland and Easter Ross) (LD)

DEPUTY CONVENER

*Gil Paterson (West of Scotland) (SNP)

COMMITTEE MEMBERS

*Richard Baker (North East Scotland) (Lab)

Jackson Carlaw (West of Scotland) (Con)

*Helen Eadie (Dunfermline East) (Lab)

*Ian McKee (Lothians) (SNP)

*John Park (Mid Scotland and Fife) (Lab)

COMMITTEE SUBSTITUTES

Bill Aitken (Glasgow) (Con)

Christopher Harvie (Mid Scotland and Fife) (SNP)

Elaine Smith (Coatbridge and Chryston) (Lab)

Margaret Smith (Edinburgh West) (LD)

*attended

CLERK TO THE COMMITTEE

Gillian Baxendine

SENIOR ASSISTANT CLERK

David McLaren

ASSISTANT CLERK

Jake Thomas

LOCATION

Committee Room 4

Scottish Parliament

Subordinate Legislation Committee

Tuesday 2 October 2007

[THE CONVENER *opened the meeting at 14:15*]

Decision on Taking Business in Private

The Convener (Jamie Stone): I welcome everyone to the seventh meeting of the Subordinate Legislation Committee in session 3. We have apologies from Jackson Carlaw and, as usual, I ask members turn off any mobile phones or BlackBerrys that might make a noise.

The future work programme is normally discussed in private, and we will be discussing it at the end of today's agenda. Can I have members' support for taking that agenda item in private?

Members indicated agreement.

Scottish Government Responses

14:15

The Convener: After last week's meeting, which I thank Gil Paterson for convening, the committee wrote to the Scottish Government about three instruments and we have received responses. As in previous meetings, we have before us the summary of recommendations, which is a public document.

University of the West of Scotland Order of Council 2007 (SSI 2007/426)

The Convener: I see nothing wrong with agreeing points a, b and c as listed in the summary of recommendations. Do you agree, colleagues?

Members indicated agreement.

Surface Waters (Shellfish) (Classification) (Scotland) Amendment Regulations 2007 (SSI 2007/427)

The Convener: Members have seen the Scottish Government's response. It is noted in the legal brief—and I am very impressed by—how full, clear and helpful the Government's response is. It is important to recognise good practice and this has been excellent practice. With the committee's agreement, I submit that the responses to our questions on the regulations are a model for what could be done in future. Credit should be given where it is due. If there are no comments on that or on the regulations, are members content to agree the recommendation as listed in the summary?

Members indicated agreement.

Import and Export Restrictions (Foot-and-Mouth Disease) (Scotland) (No 3) Regulations 2007 (SSI 2007/428)

The Convener: Members have seen the Government's response. Do we agree with points a, b and c as listed in the summary of recommendations?

Members indicated agreement.

The Convener: I welcome Helen Eadie.

Helen Eadie (Dunfermline East) (Lab): I apologise for being late.

Draft Instruments Subject to Approval

Protection of Charities Assets (Exemption) (Scotland) Amendment Order 2007 (draft)

14:17

The Convener: Are members content to ask the Scottish Government questions 1 to 3 as listed in the summary of recommendations?

Members *indicated agreement.*

Fundable Bodies (Scotland) (No 2) Order 2007 (draft)

The committee agreed to raise minor points on the instrument.

Instruments Subject to Annulment

Natural Mineral Water, Spring Water and Bottled Drinking Water (Scotland) Regulations 2007 (SSI 2007/435)

14:17

The Convener: Are members content to ask the Scottish Government to clarify the relevance of "17th July 1980" in paragraph 5(2) of schedule 4 to the regulations given that the date of publication of European Council directive 80/777/EEC is 30 August 1980, and to raise minor points informally with the Scottish Government?

Members *indicated agreement.*

Less Favoured Area Support Scheme (Scotland) Regulations 2007 (SSI 2007/439)

The Convener: Are members content to ask questions 1 to 4, as listed in the summary of recommendations?

Members *indicated agreement.*

Civil Legal Aid (Scotland) (Fees) Amendment (No 3) Regulations 2007 (SSI 2007/438)

The committee agreed to raise minor points on the instrument.

Administrative Justice and Tribunals Council (Listed Tribunals) (Scotland) Order 2007 (SSI 2007/436)

The committee agreed that no points arose on the instrument.

The Convener: As we agreed in agenda item 1, we now move into private session.

14:20

Meeting continued in private until 14:48.

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