

MEETING OF THE PARLIAMENT

Tuesday 8 June 1999
(*Afternoon*)

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Scottish Parliament

Tuesday 8 June 1999

(Afternoon)

[THE PRESIDING OFFICER *opened the meeting at 14:30*]

Business Motion

The Presiding Officer (Sir David Steel): The first item of business this afternoon will be consideration of Parliamentary Bureau motion S1M-35 to amend the business programme that was agreed by Parliament on Wednesday 2 June, and an amendment to that motion. Before I call Mr Tom McCabe to move the business motion, I remind members that under standing orders there should be no more than one speaker for and one speaker against the motion and any amendment to it, and that each speaker may speak for no longer than five minutes. As there is one amendment, the debate may last up to 20 minutes, with one speaker for the motion, one for the amendment, one against the motion and one against the amendment. Each speaker will be limited to five minutes.

Dennis Canavan (Falkirk West): On a point of order, Mr Presiding Officer. I wonder whether you could use your good influence to ensure that we are given adequate notice of the business that we are about to discuss. Yesterday, when I asked at the chamber office for a copy of the motions and amendments that we would be discussing today, I was told that they were not available. A business bulletin was published this morning, which details the motions and some of the amendments that are to be debated today, but at the last minute we have been handed—by one of the Parliament's staff—a copy of subsequent amendments.

I do not blame the members who lodged those later amendments; I understand why they lodged them. However, the original motions should surely have been lodged so as to give us greater opportunity to propose amendments to them. That raises the general question of the lack of notice, even of the meetings of the Parliament. Mr Presiding Officer, can you ensure that we are given more than a week's notice of meetings, and more than one day's notice of motions and amendments?

The Presiding Officer: I have every sympathy with that point of order—I have raised the matter myself in the Parliamentary Bureau. The problem stems from the short notice that is required, under the standing orders that we have inherited, for the lodging of motions and amendments. We have

agreed that the Procedures Committee should, very early on, examine the matter. We are operating against a timetable that is far too tight. For the immediate future, we are limited by the standing orders. It may help members to know that tomorrow a business motion will be moved that will cover the next fortnight. We will do our best within the limits of the standing orders that we have.

14:33

Motion moved,

That the Parliament agrees the following amendment to the business set out in the business motion agreed by the Parliament on Wednesday 2 June;

Tuesday 8 June 1999

Immediately after Decision Time, a debate on the subject of S1M-24 (Dr Sylvia Jackson) to be taken as Members' Business and to be concluded without any question being put no later than 30 minutes after its commencement;

Wednesday 9 June 1999

At 10.30 am, a statement by the First Minister on legislation in the UK Parliament about devolved matters followed no later than 11.00 am by a debate on the Consultative Steering Group report and draft Information Strategy;

the remaining business to remain as set out in the business motion of 2 June. —[Mr McCabe.]

14:33

Michael Russell (South of Scotland) (SNP): I do not want to get a reputation for moving amendments or for being negative about business motions. I propose a technical change to motion S1M-35 and have lodged motion S1M-41, which deals with information technology and office equipment. We were advised that those matters could not be covered by the allowances motion because they did not come under the heading of allowances. However, all parties felt that information technology should form part of today's debate, as there will be support for members in that area. Accordingly, and with Mr McCabe's agreement, I seek permission for debate on that issue to be included in this afternoon's business, as was originally intended.

I move amendment S1M-35.1, to insert after "Tuesday 8 June 1999",

"motion S1M-41 in the name of Michael Russell to be debated together with S1M-40 also in the name of Michael Russell."

The Presiding Officer: Does anyone want to speak against the amendment? If not, I call Mr McCabe.

14:34

The Business Manager (Mr Tom McCabe): I support the amendment that has been moved by

Mr Russell, and agree that it would be sensible to include a discussion on information technology and office equipment in the debate on members' allowances. The amendment is not contentious; it deals with a technical matter that was omitted in the drafting of motion S1M-35.

The business motion seeks to make two amendments to the programme of business to which the Parliament agreed on Wednesday 2 June. It proposes that, today, immediately after decision time, there should be a 30-minute debate on the subject of motion S1M-24, in the name of Dr Sylvia Jackson, on the Loch Lomond and Trossachs national park. That will be the first members' business debate. Such debates will be included in the business programme regularly, and the subject will be chosen by the Parliamentary Bureau from the motions that members have lodged. The debates will give members the opportunity to have debated by the Parliament issues that they consider to be of particular local interest or concern.

The other amendment proposed in the business motion affects tomorrow's business. It is proposed that, at 10.30 am, the First Minister will make a statement on legislation in the UK Parliament concerning devolved matters. That will allow him to respond to some of the points raised during last week's debate on the orders made under the Scotland Act 1998. The matter is of particular interest and relevance to the Parliament, and the Parliamentary Bureau has taken the view that it should be included in the business programme at an early date.

The debate will be followed, no later than 11 am, by a debate on the consultative steering group report. The bureau proposes that the remaining business should remain as set out in the business motion that was approved by the Parliament on 2 June.

Mr Brian Monteith (Mid Scotland and Fife) (Con): On a point of order. Mr McCabe explained that the reason for having members' business after decision time was so that we could have the opportunity to debate members' concerns. Could you clarify whether other members will be able to speak in such debates?

The Presiding Officer: That is the case, but members' business debates are very short and are the property of the member who has secured them. Speaking off the top of my head, I think that the right thing to do would be to consult the member who has secured the debate and to seek his or her agreement about whether it is reasonable for another member to intervene. As a matter of courtesy, that would be the right way of doing it.

Does anybody want to speak against motion

S1M-35 or to speak on the amendment proposed by Mr Russell? No.

The question is, that amendment S1M-35.1, in the name of Michael Russell, be agreed to.

Amendment agreed to.

The Presiding Officer: The question is, that business motion S1M-35, in the name of Tom McCabe, as amended, be agreed to.

Motion, as amended, agreed to.

That the Parliament agrees the following amendment to the business set out in the business motion agreed by the Parliament on Wednesday 2 June;

Tuesday 8 June 1999

Motion S1M-41 in the name of Michael Russell to be debated together with S1M-40 also in the name of Michael Russell.

Immediately after Decision Time, a debate on the subject of S1M-24 (Dr Sylvia Jackson) to be taken as Members' Business and to be concluded without any question being put no later than 30 minutes after its commencement;

Wednesday 9 June 1999

At 10.30 am, a statement by the First Minister on legislation in the UK Parliament about devolved matters followed no later than 11.00 am by a debate on the Consultative Steering Group report and draft Information Strategy;

the remaining business to remain as set out in the business motion of 2 June.

Committees

14:37

The Business Manager (Mr Tom McCabe):

Motion S1M-37 has been lodged following extensive discussion by the Parliamentary Bureau about the size of the mandatory committees that are required to be established under the standing orders of this Parliament. In addition, the bureau has discussed the number and range of subject committees that it is proposed should be established to scrutinise the work of the Scottish Executive. It may assist members if I make it clear at this stage that, if the Parliament accepts the motion, the Parliamentary Bureau will bring forward a further motion specifying which members should serve on which committees.

As members may be aware, the standing orders prescribe that committees should have no fewer than five and no more than 15 members. The proposals before the chamber are that the European Committee and the Equal Opportunities Committee should consist of 13 members, that the Finance Committee and the Audit Committee should consist of 11 members, and that the Procedures Committee, the Standards Committee, the Public Petitions Committee and the Subordinate Legislation Committee should consist of seven members each. All the subject committees will consist of 11 members each.

The proposals will ensure that the committees are of an adequate size to undertake the tasks falling to them and will enable a proper balance of representation across the parties in the Parliament to be achieved. For example, it is anticipated that, in a committee of seven members, the Scottish Labour party would have three members, the Scottish National party would have two members, and the Conservatives and Liberal Democrats would have one member each. In committees of 11 members, the Scottish Labour party would have five members, the SNP would have three members, and the Conservatives and Liberal Democrats would have either one or two members. Provision will be made in the motion on membership to allow each independent member to participate in one committee.

For all of us, whether our background is Westminster, local government or somewhere else entirely, the Scottish Parliament committee structure will be unprecedented. The consultative steering group, whose recommendations we shall discuss more generally tomorrow, suggested the all-purpose committee structure, which will combine the roles of select and standing committees.

Committee members can expect to become

experts in their particular subject area as they scrutinise legislation and examine the Executive's action in that area. Because of that, it is fair to say that the work of the committees is likely to be both challenging and rewarding.

Members will note that the motion proposes that the remit of the subject committees should reflect the distribution of responsibilities among ministers of the Scottish Executive. That is to ensure that those ministers, their staff and the bodies responsible to them are readily accountable to the Parliament. The division of responsibility will facilitate the Parliament's work in scrutinising the activities of the Executive and in considering the policy proposals brought forward by individual ministers. It is worth stressing the important role that committees will play in our work.

Under the terms of our standing orders, committees are responsible for scrutinising the work of the Executive, but also for considering any proposals for legislation on matters within their competence. That includes primary legislation in the form of bills brought forward by the Executive and subordinate legislation in the form of orders requiring the Parliament's approval. Individual committees will also be able to consider any European Community legislation referred to them by the European Committee. Committees may consider the need for reform of the law which relates to, or affects, any matter within their competence, and they may initiate bills on any competent matter.

Certain mandatory committees have particular roles to play. I have referred to the role of the European Committee in considering proposals for European Communities legislation and in referring such matters to the Parliamentary Bureau for consideration by other committees as appropriate. The Finance Committee will have particular responsibility for scrutinising the public expenditure proposals put forward by the Scottish Executive. The Audit Committee will have the important task of considering any accounts laid before the Parliament and any report concerning public expenditure laid by the Auditor General for Scotland. Those are important tasks, which committees will need to develop and take forward.

Committees will play a key role in engaging civic society in the work of the Parliament—I will say more about that later. To assist them in that process, committees may want to appoint reporters. A reporter will be a member of a committee who is chosen to bring together a committee report on a particular subject; the reporter is likely to become the focus of external representations to that committee. Although being a reporter will involve an additional work load, I trust that the opportunity will be welcomed enthusiastically.

I hope that I have given members a flavour of what the committees will be about, whether they are subject committees or the mandatory committees that the standing orders oblige us to establish.

The consultative steering group report recognised that committees would become a focal point for the consideration of a wide range of policy issues. Members will be expected to develop expertise in the subjects before them. To do that, they will want to draw on the expertise of many organisations and individuals outside the Parliament. Committees will be able to appoint advisers to assist them in their work and may also want to examine various ways of drawing in evidence from interested bodies. That may be

through formal evidence-gathering sessions, but other approaches may be possible and may prove more effective in obtaining views. Whatever options are preferred, it will be important that members take the time to build up their knowledge on the subjects for which they are responsible.

Making a success of the Parliament's committee system will be important for the success of the Parliament as a whole. The proposals before the Parliament today will create a robust framework to take our work forward.

I move,

That the Parliament shall establish the following committees:

Name of Committee	Remit	Maximum number of members
European	Set out in rule 6.8	13
Equal Opportunities	Set out in rule 6.9	13
Finance	Set out in rule 6.6	11
Audit	Set out in rule 6.7	11
Procedures	Set out in rule 6.4	7
Standards	Set out in rule 6.5	7
Public Petitions	Set out in rule 6.10	7
Subordinate Legislation	Set out in rule 6.11	7
Justice and Home Affairs	to consider and report on matters relating to the administration of civil and criminal justice, the reform of the civil and criminal law and such other matters as fall within the responsibility of the Minister for Justice	11
Education, Culture and Sport	to consider and report on matters relating to school and pre-school education, the arts, culture and sport and such other matters as fall within the responsibility of the Minister for Children and Education	11
Social Inclusion, Housing and Voluntary Sector	to consider and report on matters relating to housing and the voluntary sector and such other matters as fall within the responsibility of the Minister for Communities other than local government	11
Enterprise and Lifelong Learning	to consider and report on matters relating to the Scottish economy, industry, tourism, training and further and higher education and such other matters as fall within the responsibility of the Minister for Enterprise and Lifelong Learning	11
Health and Community Care	to consider and report on matters relating to health policy and the National Health Service in Scotland and such other matters as fall within the responsibility of the Minister for Health and Community Care	11
Transport and the Environment	to consider and report on matters relating to transport, the environment and natural heritage and such other matters as fall within the responsibility of the Minister for Transport and the Environment	11
Rural Affairs	to consider and report on matters relating to rural development, agriculture and fisheries and such other matters as fall within the responsibility of the Minister for Rural Affairs	11
Local Government	to consider and report on matters relating to local government	11

The Justice and Home Affairs; Education, Culture and Sport; Social Inclusion, Housing and Voluntary Sector; Enterprise and Lifelong Learning; Health and Community Care; Transport and the Environment; Rural Affairs; and Local Government committees shall be established for the whole session of the Parliament.

14:44

Andrew Wilson (Central Scotland) (SNP): I will risk Mr McAllion's disdain by contributing to this afternoon's debate. I draw the Business Manager's attention to motion S1M-7, in which a call was made for committees of the Parliament to meet around Scotland on a roving basis and, where appropriate, to meet permanently at locations outwith the Edinburgh campus. That motion has been signed by members of all six parties represented in this chamber and by the one independent member, so there is clearly a broad consensus in its favour.

It would be to the Parliament's credit, in bringing a new democracy to Scotland to start the new century, if we were to assert the fact that the Parliament is not just Edinburgh's, but Scotland's. Indeed, our work should go around the country, both on a roving basis and, where possible, on a permanent basis. I hope that the Business Manager and his deputy will, in their summation, indicate the Government's support for that principle, so that the Parliamentary Bureau can take it forward as part of the structure of committees.

14:45

Lord James Douglas-Hamilton (Lothians) (Con): We warmly welcome Mr Tom McCabe's motion. However, perhaps it was a slip of the tongue when he referred to the Scottish National party and the Scottish Labour party, but merely to the Conservative party. We are the Scottish Conservative party; we have a devolved, autonomous structure and our decisions are made in Scotland.

For the Parliament to work effectively, we must establish powerful committees to give it teeth. The mandatory committees and the subject committees will have key roles to play and will be able to recommend changes whenever necessary. The Audit Committee, for example, will be able to play much the same role as the powerful Public Accounts Committee in the House of Commons. The Procedures Committee could no doubt consider whether Scotland's First Minister should be subjected to a First Minister's question time, which at present the standing orders are sparing him. The Parliament will be entitled to change standing orders if it so chooses.

I should mention one other matter, which is covered by Andrew Wilson's motion. I believe that, if the committee system is to work well, it should

reflect the interests of the whole of Scotland and be prepared to move around Scotland. In our manifesto, we proposed that we should build on the precedent of the Scottish Grand Committee and move committees around Scotland to seek advice from relevant bodies. The committees would then be able to hold public meetings, at which local people could contribute ideas and question their elected representatives. That would bring government much closer to the people, and make it easier for individuals to make their representations. We support the motion.

14:47

Donald Gorrie (Central Scotland) (LD): I have a few points to which I hope Mr McCabe can reply or give some thought. My first point concerns the role of civil servants in supporting and facilitating the committees and making them effective. Traditionally, at Westminster, civil servants worked for ministers and against MPs, or so it always appeared to me. They regarded difficult people such as me as the enemy.

We will have to create a new climate of opinion, which may mean that people such as me will have to change as well as the civil servants. I accept that, but in the committees we should all be one team. It is important that civil servants should positively support the committees, because the committees will explore those areas in which the Government does not yet have a policy and will critically examine those areas in which it does. Either way, the skill and knowledge of the civil servants should be fully at the service of the committees. I hope that work will be done on that, and that a concordat—or whatever the current phrase is—is drawn up, so that, working together, we can achieve a slightly better result than our football team does.

Secondly, I hope that, in addition to the committees, we can fairly rapidly set up either sub-committees or working groups on areas within the remit of a committee or on areas that cover several committees. For example, there may be other members who, like me, have a particular interest in youth work, which does not figure in any of the remits. Youth work relates to a number of areas, including education, health, law and order, social work and local government.

Such sub-committees or working groups could deal with areas in which members—who might not be serving on the relevant committee—had a particular interest and to which they could make a real contribution. Such areas could include the voluntary sector, housing, sport and the arts. One

group could look at urban transport and another could look at rural transport. We could make a great deal of progress if fairly small groups of interested people worked on an area. They could sufficiently work up a subject to enable it to be considered by the official committee system. I am sure that the official committees will have a long queue of issues to which they will want to attend. Breaking things down in that way will enable us to make more progress more quickly.

I hope that committees can be flexible, so that committee A can have a totally different system of working from that of committee B. Mr McCabe indicated that that might be the case and I would welcome it. I also hope that the committees will not be strangled by bureaucracy.

Some thought must be given to timetabling, so that we can all play a full part according to our different interests. There is a difficulty about when groups who come to lobby this Parliament—as opposed to Westminster, where the working day is much longer—can gain access and have their say. That point has been raised with me and with other members who have been to one or two meetings. There should also be an opportunity for all-party groups to meet.

As a glutton for punishment, I would have liked larger committees, but obviously that view did not carry the day. The proposed committee structure is a great start; it represents a great opportunity and I hope that Mr McCabe can reassure me on the points that I have raised.

14:51

Michael Russell (South of Scotland) (SNP):

On behalf of the SNP, I welcome the motion. Mr Gorrie is right to say that the committees will be the building blocks of the Parliament's success. The committees have their own dynamic and, as Mr McCabe outlined, if they work productively and strongly they will inform not just the future of the Parliament but the future of everything that the Parliament does.

I also welcome the role of the Parliamentary Bureau in drawing up the committee proposals. The bureau's work will be undertaken, as much as possible, by consensus; this motion shows that it is possible to produce detailed proposals about how the Parliament should work. That has been achieved through the work of the business managers, who have produced a set of proposals that meets all the requirements of all the parties. In the subject committees, the proposals provide for detailed scrutiny and innovation across the whole range of work that is to be done. They also provide for the mandatory committees, which will have an important role in supervising what takes place in the Parliament, in making recommendations and

in dealing with what one might call the second level of legislation with which the Parliament might be concerned.

I echo James Douglas-Hamilton in saying that it is important that the Procedures Committee makes an early start on the process of examining the standing orders. Clerks and members have raised a whole range of issues on which the standing orders, ambitious and optimistic as they are, do not relate to the manner in which day-to-day work is already proceeding. Although the Procedures Committee is obliged to review the standing orders by next May, I hope that it will move forward quickly, look in detail at the complaints and recommendations that members may have and return with a set of revised standing orders sometime in the autumn.

Andrew Wilson's motion, of which I was a signatory, has widespread support among all parties and all members. It is important that the Parliament and its committees are seen all over Scotland, outside Edinburgh. I hope that we will be ambitious about where we wish our committees to meet. There are some very lovely parts of the south of Scotland where committees would be immensely welcome. I do not mean just Dumfries and Ayr—I see Mr Gallie nodding—and not just Stranraer, but the lovely town of Kirkcudbright, and elsewhere. In Lanark and in the lovely town of Irvine, we will have the opportunity—[*Laughter.*] Now, members should not laugh; I notice that Ms Oldfather, the member for Cunninghame South, is laughing. In lovely towns such as Irvine and Kilwinning, and in towns throughout the south of Scotland, we could have meetings of committees and I hope, in time, meetings of the Parliament.

I welcome the motion, which has the support of the SNP. I know that all the business managers have worked hard to bring forward the motion and to establish the principle that there will be an opportunity for members of the smaller parties and the independents, as well as members of the major parties, to sit on the committees.

14:54

Bristow Muldoon (Livingston) (Lab): I, too, welcome the motion submitted by Tom McCabe to establish the Parliament's committees. I regard the committees as an integral part of the way in which the Parliament will conduct its business. They will have a crucial role to play in scrutinising legislation, in involving all of civic Scotland and in giving individual members the opportunity to influence and initiate legislation.

I hope that, in establishing the committees, Parliament can start to consider the issues that concern Scotland and move away from some of the insular issues that have been debated in the

past week and will probably be debated later today. The people of Scotland expect us to start to debate the issues that really concern them: improving health; investing in education; caring for the elderly; and developing the economy. In addressing the key issues, the committees will be vital because of the links that they can build up across many of the subject areas. In particular, I welcome the link between health and community care, as it recognises the overlap that exists in those services. The proposals also give us the opportunity to push forward our agenda.

The remits of the other subject committees are also sensible. However, we should strive through the Parliament to achieve, where necessary, an integrated approach. For example, the committee that considers social inclusion should examine a range of policy initiatives other than those within its specific remit. All members of committees should ensure that they are aware of the relevant work of other parts of the Parliament, of the UK Government and of the European Union.

As Andrew Wilson pointed out, committees have a vital role in ensuring that the Parliament is regarded as a Parliament for all of Scotland. Committees have an essential role in encouraging the participation throughout our democracy that many of us wish to develop, and they will lead to better decision making. The Executive will have a responsibility to carry out full consultation on bills that it introduces; where committees feel that the consultation process has not been full enough, they have a key role in influencing legislation by conducting further investigations and inviting interested parties to give evidence. I spoke to many groups in my constituency of Livingston before and after the election and I know that they look forward to being involved in the work of committees and to the opportunity to influence policy.

I firmly believe that the committee system that we will adopt will give members a full role in influencing and initiating legislation. It will allow an appropriate balance of power to develop between the Executive and the Parliament.

14.58

Mr Keith Raffan (Mid Scotland and Fife) (LD):

I welcome this motion, and I very much agree with what Mr Russell said. Committees are at the heart of this Parliament's work. They will not be the same as committees at Westminster, where they are a kind of addendum that was added 20 years ago. We are developing the Westminster committee structure. In effect, our committees are a hybrid between the select committees and standing committees at Westminster. They are both investigative and legislative. Indeed, committees in the Scottish Parliament go beyond

that because they also have the ability to initiate legislation.

That is one of my concerns over the numbers. Eleven is a fair number for an investigative or select committee; I am not sure that it is the right number for a standing committee, although I accept the constraints that are imposed by the total membership of the Parliament. I understand from the consultative steering group report that other members, with the permission of the convener, will be able to speak at a committee, perhaps at the legislative stage, even if they are not able to vote. It is important that members who are not on particular committees, but who perhaps have a constituency or specialised interest, can speak at those committees. That would get round the numbers problem.

I agree with Mr McCabe about the alignment of the committees with the ministries. They are aligned in every case except that of Ms Alexander's ministry, which has two committees. I do not want to undermine the importance of social inclusion, but it might have been better if social inclusion had been one of the ad hoc, so-called cross-cutting or cross-departmental committees. I certainly agree with Mr Gorrie that we must have that flexibility. One of my interests at Westminster was the issue of drug misuse. With the serious problem of drug misuse in Scotland, we badly need a cross-departmental—and cross-party—committee in this Parliament to consider that issue. It would cover health and community care, justice and home affairs, as well as education, the subject areas of a range of committees.

Committees must have flexibility in undertaking one-day inquiries. For example, the Enterprise and Lifelong Learning Committee might want to take evidence in a part of Scotland where there were serious factory closures. At Westminster, I was responsible for the select committee of which I was a member going outside Westminster for the first time. That was to hold a hearing in my constituency on an important factory closure that had an impact on the entire community. The chairman of the company had to give oral evidence in front of the work force. That was a salutary lesson for him, and it led to a very important and helpful package being given by Courtaulds to my constituency.

I agree with what has been said today about the committees moving around the country. The importance of that was emphasised in the white paper and the consultative steering group report. It is important that the committees move around Scotland, both to visit and to take oral evidence. I am not sure that I would join Mr Wilson in asking for any of the committees to be permanently based away from the Parliament as I do not know how practical that would be. I am not averse to the

idea and I am open to persuasion, but it is important that the committees are well publicised when they go around Scotland so that the public—in particular, schoolchildren—can attend. We must be as open and accessible as possible.

I do not think that the issue of staffing and resources has been covered so far. If the committees are to be effective, they must be well resourced in terms of both staffing and funding. At times, it may not be in the Executive's interest for them to be as well resourced as I would like, but they are there to hold the Executive to account. If we are to be an effective democratic institution, the committees must have the human and financial resources that they require.

15:01

Tommy Sheridan (Glasgow) (SSP): I was inspired to speak by James Douglas-Hamilton's intervention. There was also a slip of the tongue by Tom McCabe in relation to independent members. As he knows, no member was elected as an independent: Dennis was elected as the member for Falkirk West, I was elected as a Scottish Socialist party member and Robin was elected as a Scottish Green party member. I mention that so that we start off on the right foot and give each other the right titles, at least at the start of these debates. We might change titles during the course of the debates, but I am sure that that will be friendly.

Mike Russell referred to the Parliamentary Bureau. We have been very grateful for the arrangement that provides informal briefings for the smaller parties. Would Mr McCabe agree that that should become a formalised arrangement, in case we ever fall out with anybody and they become less friendly? It is important that the smaller parties can be briefed on the Parliamentary Bureau's business.

I hope that we can communicate the briefs of the committees to civic Scotland. In Stirling this morning, I had the pleasure of attending the Scottish Pensioners Forum conference, one group of many that want their views to be heard by this Parliament at an early stage. However, the remits of some of the committees would not make apparent whom such organisations should approach. It will be important that the remit of those committees is clear, as soon as they are established, so that interest groups, which have a wide range of issues to raise, are able to contact the right people in order to get us to fulfil the promises that we have made.

Like other members, I feel that the ability of committees to travel throughout Scotland is very important. I hope that all of us recognise that we do not want an Edinburgh-centric Parliament;

coming from Glasgow, I should say that we do not want a continuation of the Edinburgh-centric Parliament that we have had until now. We want to ensure that all parts of Scotland feel that this is their Parliament and that they have a part to play in making it work. I hope that we will not just pay lip service to this idea but that we will properly resource visits to different parts of Scotland, and that the areas that we visit are aware that we are doing so and are able to make proper representations to us.

15:04

Cathy Peattie (Falkirk East) (Lab): I welcome the motion. It is vital that our committees are open and inclusive and give people a chance to participate. We should keep the word participation in mind; we talk a lot about consultation, but if the committees are to work and this is to be a people's Parliament, we need to promote the idea of participation.

It is important that we look at the way in which the committees gather information, so that there is an opportunity for the voluntary sector, at both local and national levels, and the civic community in Scotland to influence the decision-making process. We must also consider issues such as social inclusion. There is no point talking about social inclusion in isolation; we need the opportunity to visit areas and to allow for other ways of gathering information, such as people's juries, to ensure that local people have a voice. They must be able to speak in their own voice and their own tongue to put forward information.

A civic forum would be a positive way of influencing the work of the committees. It could feed into the committees and support the development of participation and consultation to ensure that people feel that the Parliament reflects their needs and aspirations.

The Deputy Presiding Officer (Mr George Reid): If any further members want to contribute to the debate, I would be grateful if they would indicate that now.

15:06

George Lyon (Argyll and Bute) (LD): I too welcome and support the motion. I also welcome the views of some members about the committees travelling around Scotland. On a purely personal note, I would like to put in a bid for Argyll and Bute. I am sure that Mr Russell, who is resident there, might even support me on that point.

I want to turn to the important issue of the Highlands and Islands Convention. Where will it stand in relation to the new Scottish Parliament? It provides a focus for debate on issues relating to the Highlands and Islands and we should consider

making it a formal committee that reports to the Parliament. We need to have a debate on where the Highlands and Islands Convention fits in and its relationship to this political institution. It is absolutely essential for issues that are important to the Highlands and Islands that the convention continues its work.

15:07

Mr Alex Salmond (Banff and Buchan) (SNP): The parliamentary record is a remarkable thing and tomorrow's *Official Report* will include Tommy Sheridan saying that he was inspired by James Douglas-Hamilton. That will be on record for all time.

I want to make a brief speech on the question of inclusiveness. We have heard from a number of members about the importance of the Parliament including all Scotland and, in terms of the committees travelling around, basing their activities throughout Scotland and providing the maximum opportunity for participation, and I support that. We have also heard about the importance of civic Scotland, whether it is the pensioners' groups or other groups, having a focus by making representations to the committees and having a clearly identifiable method of doing that.

However, one of the failings of the Parliament is that, as yet, not one member of the ethnic minority communities in Scotland was elected, and I would like the Equal Opportunities Committee to consider that at an early opportunity. A number of members of ethnic minorities stood for various parties, but none was elected. At an early sitting, the Equal Opportunities Committee should consider the possibility of co-option. I had a brief look at our standing orders and people would have to be co-opted as non-voting members, and I can understand that in terms of election and parliamentary procedure. In order to re-balance the Parliament and to ensure that it represents all Scotland, the Equal Opportunities Committee should consider the co-option of members of Scotland's ethnic minorities. I am sure that there are many capable people who would be willing to serve if we could develop such a procedure. At this stage, I would like some indication that co-option could be looked upon favourably and that the Equal Opportunities Committee will examine its feasibility.

15:09

Robin Harper (Lothians) (Green): Last week, along with Nicol Stephen, Malcolm Chisholm and Donald Gorrie, I was privileged to attend the last meeting of Canon Kenyon Wright's civic forum, People and Parliament. Although that was the last official meeting of People and Parliament, it raised

issues about how our committees relate to the public and how we relate to the civic forum, and those issues must be considered at the earliest convenience of the chamber.

15:10

Mr David Davidson (North-East Scotland) (Con): Can the Business Manager say whether there is any intention to follow the Scottish Office's current procedure of having advisory committees on specific subjects? It would be helpful if we could know whether that is to be considered by the Parliamentary Bureau. There are many committees that have worked successfully for Scotland—I have served on some health committees, and there are many others. There is great scope for examining specific subjects such as agriculture, which Mr Lyon would no doubt be interested in, and so on, and an early response to this question would be helpful.

The Deputy Presiding Officer: I call on Iain Smith to sum up the debate on the establishment of parliamentary committees.

15:11

The Deputy Business Manager (Iain Smith): I welcome the constructive debate on the issue of committees; it is a welcome change from some of the debates that we have had in this chamber. I hope that that will be reflected in the discussions that we will have in the committees, where we will be able to examine matters in more detail away from the political hothouse that this chamber has become.

As Keith Raffan said, the committees will be at the heart of this new Parliament and, as envisaged by the consultative steering group—of which you were a member, Mr Deputy Presiding Officer—they will be central to the new parliamentary procedures. It was also said that the committees will have a hybrid role. They will hold pre-legislative investigations and examine major issues. They will examine in detail the legislation that will be introduced, and they will have a very important role in holding the Executive to account. It is probably in that role that members believe that they will have most to do.

Committees will allow for detailed consideration of matters that tend to get into the political soundbite arena, such as the health issues of waiting lists and waiting times, which usually result in a bit of banter between parties as to what the figures mean, or imply. Perhaps the Health and Community Care Committee will be able to examine those figures in more detail in order to decide what they mean for health care. I look forward to that committee investigating the increased waiting times that affect my constituents

in North-East Fife, and I hope that the committee will take on such issues.

A number of points have been raised during the debate, and I will address the issue of the location of committees first. We are all minded to support the principles behind Andrew Wilson's motion that committees should move around the country. They should not be static in Edinburgh, expecting everyone to come to Edinburgh to see them; they should visit the communities in Scotland in order to investigate the issues.

I do not think that, at this stage, we should tie ourselves down to specifying how that should work. The committees themselves need to consider their programmes, the issues that they intend to address and how best they can obtain the views of the people who are affected by those issues. It should then be for the committees to make proposals about holding meetings around the country. While no one is against that principle, we need to explore certain practical issues, such as the situation where there are two committees meeting on the same day in different parts of the country and one person is a member of both. It could be a bit of a problem for a member to address both meetings, if one is in Dumfries and the other is in Inverness. We must consider those practicalities, but the principle is certainly accepted.

Donald Gorrie raised a number of important issues, including the role of civil servants who support committees. We must recognise that, under existing terms, civil servants are not directly answerable to this Parliament, as they remain responsible to the ministers and to the Executive. However, we all agree that there needs to be a proper understanding of the relationships between the committees, Parliament, civil servants and ministers. I hope that civil servants will provide as much support as is needed to allow the committees to carry out their work, particularly their investigative work.

Dennis Canavan (Falkirk West) *rose—*

Iain Smith: I do not have time to give way.

Civil servants will be able to provide factual information to the committees and to assist the work of the committees. We have to work together in order to ensure that ministers are not in any way seen to be blocking committees, as it is important that the committees work effectively.

Donald also mentioned sub-committees and other committees that might consider cross-cutting issues, such as youth or drugs, which Keith Raffan referred to. The standing orders provide for sub-committees to be established by the committees either acting alone or jointly. They also provide for joint working between committees in order for cross-cutting issues to be considered.

It is important that certain issues are looked at across committees rather than within only one, although that will be a matter for the committees to consider. Some cross-cutting issues will be dealt with by a committee that has been determined a lead committee, although other committees may wish to present evidence and to be involved in the lead committee's deliberations, and those issues must also be addressed.

The standing orders also provide for members who are not members of a particular committee to attend and to speak at committees, although they will not be able to vote. That should address members' concerns about not being able to raise particular constituency or personal interests at relevant committees of which they are not members.

Tommy Sheridan's question about briefings on the work of the Parliamentary Bureau is not a matter for business managers, but for the Presiding Officer, and I would not dare to step into the Presiding Officer's role on that matter.

Participation is an important aspect of the committees and some members rightly raised that point in the debate. The partnership agreement between the Liberal Democrats and the Labour party supports the principle of the establishment of a civic forum and we need to examine how to go about achieving that.

I am afraid that I do not have an answer for David Davidson about advisory committees, but I am sure that the relevant ministers will supply a written answer in due course.

This has been a useful debate. The committees will form an extremely important part of parliamentary procedure. I look forward to their establishment and to the conveners and deputy conveners being elected in the next few weeks, so that, when we come back after the summer recess, the committees will be fully up and running and will provide a chance for those of us in the Executive and all members to participate fully in the work of this Parliament.

The Presiding Officer (Sir David Steel): The decision time on this question is scheduled for 5 pm, but, as the first debate has finished early, we will start the next item of business now. I may exercise my power to bring forward the time of decision, in which case I will give 15 minutes' notice, but members should be aware that decision time may come earlier than 5 pm.

The next item of business is the debate on motion S1M-40, in the name of Michael Russell, on members' allowances and amendments to the motion. To assist members in the debate, Mr Russell will also speak on motion S1M-41 on the provision of information technology and office equipment for the Parliament.

In a moment, I will ask Mr Russell to speak on and move motion S1M-40. I will then take amendments to the motion in the order in which they appear on the revised business list. I should say at this stage that Mr Andy Kerr has withdrawn his amendment and therefore we will be debating two amendments. I will then invite other members to speak on the motion and amendments to it.

Members may also wish to note that parliamentary staff, who are located at the rear of the chamber, will be available throughout the debate to provide advice on the detail of the motion on members' allowances and amendments to it.

At the moment, I do not propose to set any time limit for speeches in the debate. It will be interesting to have an indication on my screen soon as to how many members wish to speak. In the meantime, I call Michael Russell to speak to motions S1M-40 and S1M-41 and formally to move S1M-40.

Allowances

15:18

Michael Russell (South of Scotland) (SNP):

Listening to "Good Morning Scotland" today, I was informed that this was likely to be a tawdry debate, which was the opinion of all those people asked to comment on it. I hope that the debate will not be tawdry in any sense. If it is conducted properly, I think that it will show the great strength of the parties here to debate a point of principle no matter how much we disagree with that point—and I profoundly disagree with the terms of the amendments to be discussed.

However, it is important at the outset to stress what has been achieved rather than what remains to be achieved. I want to start by paying a very strong tribute to the people who have taken part in the special sub-committee on allowances, which is responsible for the motion in my name on the business list. Four weeks ago—although it seems like four months ago—that small group was asked to convene to discuss the possibility of bringing forward a scheme of allowances to the Parliament on behalf of all the parties. That group has met on innumerable occasions to examine in very great detail the items contained in the motion.

Thanks are due to everyone on that group: Andrew Welsh from the SNP; David Davidson and Lord James Douglas-Hamilton from the Tories; Robert Brown from the Liberal Democrats; Jack McConnell, who was preceded by Patricia Ferguson and Kate MacLean from the Labour party. I know that the new politics has arrived when I am prepared to offer thanks and congratulations to Jack McConnell. That should be noted carefully.

I also need to thank others who have worked on the motion: the clerks and lawyers who have worked very long hours, the secretaries and others who have typed up endless drafts, and the couriers who have taken versions of this motion round Scotland on various weekends. I particularly thank one who came all the way to my house in Argyll and managed to make it at 2 o'clock in the morning. That was the Scottish equivalent of a Marco Polo journey.

We have produced a detailed motion out of all that work and deliberation, but there is one extremely important area still unresolved and it will affect the ability of many members to do their jobs.

I will talk first about what appears to have been agreed. This motion is a revolutionary motion. It establishes what is, I hope, the best, most comprehensive and most transparent scheme of

allowances that currently exists in any elected body.

At the outset of the discussion process, it was obvious that what this Parliament, every member and every party, had to do was to sign on to a system that would be completely transparent. This system requires those in this chamber to account—to the penny—for all of their allowances. It makes sure that allowances are provided on the basis of what is expended. The purpose of providing allowances is to support members in the work that they do. All those points are enshrined in this motion. I am glad that in the scheme there will be a clear schedule of publication. That will cover the work and allowances for each member of the Parliament and for the staff who work for them.

The principles of openness and accountability run through this motion, and are intended to do so. As the years go by and the allowances are published, I hope that it will become obvious that members of the Parliament are using the resources provided to them to do the job that they have to do because these resources are provided by the people of Scotland for the people of Scotland. Those resources are only available to members of the Parliament to allow them to undertake the role for which they have been elected.

The motion is complicated and I do not want to further complicate the matter by going through every paragraph. There is a detailed scheme for publication. There is also a scheme for enforcement so that if any person thinks that allowances are being misused, there is a way to pick up on that at the earliest notice, and that is in the interests of every member of this Parliament. There is a scheme for virement so that money is not misused or is drawn in the right way and to ensure that we make the proper use of resources. Where we can use resources more effectively by pooling with one or more members, we should certainly do so.

There is a scheme for uprating, as it is important that we do not have this debate every year and that once we have set the scheme of allowances we leave it alone, unless it does not work properly. There is a requirement in the scheme that within 18 months it should be reviewed by an independent group for the Scottish Parliamentary Corporate Body. That will let us see how well it is working. It would be wrong for members to return to consider this scheme year after year. We want a scheme that works well and can move forward.

The final two rules are important: these are the rule of equality and the rule of general allowances. The issue of general allowances is self-explanatory. There need to be allowances for resources for staff to assist members in their work, allowances to make sure that offices are run

properly, and travel allowances. There must be an Edinburgh accommodation allowance, which is always difficult to decide on and was probably the area where there was the most vociferous debate. Whichever method is used, whether postcodes, residence in constituencies or drawing a circle on a map is used to decide the limits, those methods all create anomalies.

Another principle that runs through this scheme is that there should be the right of appeal on any decision that appears unfair. So if members feel that they are being treated unfairly, for example, if they are two minutes or a couple of miles from one of the limits in this scheme, they can discuss that with the Scottish Parliamentary Corporate Body.

There is provision for an exceptional needs allowance where constituencies are too large to be serviced in a single journey and there is a scheme for an overnight subsistence allowance. There are travel allowances for staff and family, for we should not forget that this is a family-friendly Parliament and must be so for members who come from some distance away. There is a disability allowance, a winding-up allowance and provision for an independent review.

Then there are some radical innovations. The allowances code seeks to define and police the way in which allowances can be used. That will be extremely useful to every member of this Parliament in ensuring that the scheme works for them.

The scheme provides everything that members need to do their jobs. It arose from the members of the allowances group, where there was considerable agreement. However, in one area agreement has not been possible. I greatly regret that, because the issue at the heart of the disagreement is the issue of equality. Equality of treatment does not mean, as I have heard endless people say in television and radio debates, equality of treatment for members of this Parliament. What strikes at the heart of this motion is that the amendments might prevent equality of treatment for voters.

Ms Irene Oldfather (Cunninghame South) (Lab): Listening to Mr Russell, I cannot contain myself any longer. I believe it was in October last year that Mr Russell was adopted as the Scottish National party candidate for the Cunninghame South constituency, where he stood against me. In the seven months before the election, if the people of Cunninghame South saw him on more than five occasions we were very lucky. On occasions the SNP were reduced to playing tapes of Mr Russell on the main street. He was notable by his absence, and that must have been frustrating for people in his party.

Phil Gallie (South of Scotland) (Con): This is a

speech.

Ms Oldfather: The week after the elections the local newspapers referred to him—

The Presiding Officer (Sir David Steel): Order.

Ms Oldfather:—and his disregard for the electorate. Perhaps I could quote from the papers, because these are not the words of the Labour party, these are the words of the local people.

The Presiding Officer: Order. The member must resume her seat when I am on my feet. Interventions must be brief and that intervention was quite long enough. If you wish to speak, you should press the button and I will call you to speak.

Michael Russell: I am sorry that the member for Cunninghame South could not contain herself—I was into only the second sentence of this section, so I am glad that I did not go any longer. I do not want to pay any attention to that unhelpful intervention. I refer Ms Oldfather to the point that I made at the beginning of the debate. We want to have a debate about principles, and we do not want to have that type of old politics. Let me return to the matter that I was addressing.

Equality of treatment is at the heart of this motion: not equality of treatment for members, but equality of treatment for voters. By definition of the Scotland Act 1998, every member here is a constituency member. If people write to this Parliament asking who their member of the Scottish Parliament is, they get a letter back informing them that they have eight members. I received such a letter this morning, which was also copied to Mr Jack McConnell and the Parliament information office.

A very senior member of the front bench put it rather well when, in a letter to Lord Neill in August 1998, he wrote, talking about the Neill committee:

"I drew the committee's attention to the additional provision we have made in the Scotland Bill for individuals to stand for election at the regional level. The position of these individuals will technically be the same as a party list, although they may in practice perceive themselves more as 'super constituency' candidates"—

not constituency candidates, but super constituency candidates.

The letter was written by Mr Henry McLeish, and he goes on to say:

"We will of course need to be able to apply expenses provided to them in a way which is seen to be fair."

What we are trying to do is to provide a system that is fair. It is fair to say that every member will work as a constituency member. Indeed, members from lists will work over much larger constituencies—super constituencies. I could not have put it better myself. There might well be a

need to provide more resources for those people. However, we are fair people—

Mr John Home Robertson (East Lothian) (Lab) *rose*—

Michael Russell: No, please allow me to continue. We are fair people, and we want equality. I have heard three arguments against—

Mr Home Robertson: Will the member give way?

Michael Russell: Please could I continue? I will give Mr Home Robertson a chance in a moment.

I have heard three arguments against treating constituency and list members as equal. The New Zealand example is much quoted, especially by the Labour party. It is a false comparison. There are no list constituency members in New Zealand; they are national members. The German system makes no differentiation between members. The Welsh system is the same as ours, and the Labour party has now agreed that allowances should be the same for all members there.

In a television debate at the weekend, I heard that it did not matter what happened in Wales, because it was important that Scotland had the freedom to do what it wanted. Even if Scotland was to get it wrong, it was important that it had that freedom. As far as I am concerned, the decision that was taken in Wales was correct. It was based on a principle that I would ask be used here. There is no allowances system in the world that is based on the interpretation by one party of what members of the other parties are likely to do. There is no allowances system in the world that is based on an interpretation of the electoral system after the vote. That simply does not work.

In the circumstances, I think that both amendments are unhelpful and I would urge the movers of both amendments to withdraw them as Mr Andrew Kerr has withdrawn his. Those amendments will impede the work of this Parliament. We should encourage every member in this chamber to work as hard as possible for the people who put them here. The system that is proposed in either of those amendments will damage that.

While I think that the Liberal Democrat amendment seeks to help, it is rather curious. It seems to favour parties that have only one member elected on a regional list, let alone one member elected on five regional lists. I do not think that is fair. If we are to have a debate that is honest and straightforward and of the new politics—and I sincerely hope that we will—we must address that principle. Is there a principle or not in the Liberal Democrat amendment? I do not believe that there is.

We should reach the final point of agreement so

that we can have a debate that is positive and that will move us forward. We have managed to agree so much. All this motion has been agreed. It would be very good to find us agreeing at this last stage, which would take this issue out of the chamber. It would not return to the chamber and the people who put us here would be assured of being well served because we were able to do our job.

I move,

That the Parliament in accordance with section 81(2) of the Scotland Act 1998 (c.46), make provision for the payment of allowances to members of the Parliament and that the following provisions should have effect:-

There shall be a Members' Allowances Scheme ("the Scheme") which shall make provision to be implemented by the Scottish Parliamentary Corporate Body ("the SPCB") for the payment of allowances to members of the Parliament.

The following Parts A, B and C together with the Annexes attached shall be the Scheme:-

"Part A – General Rules in relation to the Scheme"

The following general rules shall, unless the context otherwise requires, govern the Scheme:-

Rule 1 – Interpretation and commencement

(1) In this Scheme-

"parliamentary complex" means the place where the Parliament or any of its committees or sub-committees meets from time to time;

"remuneration of staff" includes gross salaries, employers' national insurance contributions and employers' pension contributions;

"main residence" means the property in which the member is resident for council tax purposes under section 75 of the Local Government Finance Act 1992;

"other residence" means any residence which the member owns or leases other than his or her main residence,

and any reference to a Part is a reference to the Part so lettered in this Scheme and any reference to an Annex is a reference to the Annex so lettered in this Scheme.

(2) This Scheme shall come into force 24 hours after the passing of the resolution giving effect to the Scheme.

Rule 2 – Verifiable Expenditure

(1) The SPCB may, on an application for the purpose made to it by a member in accordance with this Scheme, make payments to that member by way of allowances for the reimbursement of expenses incurred by that member.

(2) Allowances for which a member is eligible shall be paid by the SPCB only upon the production to the SPCB of evidence of relevant expenditure.

(3) The SPCB shall provide forms for the purposes of administering the Scheme which members shall complete and sign in order to claim the relevant allowance.

Rule 3 – The Allowances Code

The proper use of allowances payable under this Scheme shall be governed by the Allowances Code at Annex A.

Rule 4 – Publication

(1) The SPCB shall publish the following information for each financial year in respect of each member in such form as the SPCB may determine—

(a) details of the allowance expenditure incurred; and

(b) the names of the staff employed by the member.

(2) A copy of the information published under paragraph (1) shall be kept by the Clerk at the office of the Clerk and shall be available for inspection by any person on the days and at the times when the office of the Clerk is open.

Rule 5 – Enforcement

(1) The SPCB shall be responsible for supervising members' adherence to the Scheme.

(2) Where eligibility for any of the allowances in this Scheme is in dispute, and cannot otherwise be resolved, the matter shall be referred to the SPCB for determination.

(3) Any member may make a complaint to the SPCB about another member where he or she has reason to believe that allowances under this Scheme have not been expended in accordance with the Scheme (hereinafter referred to as an improper use of allowances), and where such a complaint is made, the SPCB shall hear that complaint within one month.

(4) Where the SPCB has reason to believe that a member has made an improper use of allowances or where the SPCB has received a complaint under sub-paragraph (3), the SPCB may, after raising the matter with the Business Manager of the relevant political party, initiate investigations into the matter.

(5) Where the SPCB has initiated investigations in accordance with paragraph (4) and finds that a member has made an improper use of allowances, the SPCB shall report to the Standards Committee with its recommendation; and such a recommendation may propose the removal of all or part of the member's allowance.

Rule 6 – Virement

(1) Subject to paragraph (2) of this rule, a member shall not vire amounts between one allowance and another allowance.

(2) A member may vire up to 25% of his or her local office costs allowance to use for staffing or up to 25% of his or her staff allowance to use for local office costs provided that written notice is given to the SPCB.

Rule 7 – Uprating

(1) Subject to paragraphs (2), (3) and (4) of this rule, the SPCB shall uprate allowances on 1 April each year by the amount of increase in the Retail Price Index for the previous financial year.

(2) The SPCB shall, unless the Parliament does not agree, uprate the motor vehicle allowance in line with the maximum rate in respects of vehicles over 1199cc set for local government under section 46 of the Local Government (Scotland) Act 1973, and the uprating will become effective at the same time as it does for local government.

(3) The SPCB shall uprate the motorcycle mileage allowance at the same time as and in accordance with the corresponding allowance set for staff of the Scottish Administration.

(4) The SPCB shall uprate the pedal cycle mileage allowance at the same time as and in accordance with the maximum tax-free allowance set by the Treasury.

Rule 8 – Parliamentary Duties

(1) All of the allowances referred to in this Scheme are to be used only for the purpose of members carrying out their Parliamentary duties.

(2) In this Scheme, "Parliamentary duties" means the undertaking of any task or function which a member could reasonably be expected to carry out in his or her capacity as a member of the Parliament including:

- (a) attending a meeting of the Parliament;
- (b) attending a meeting of a committee or sub-committee of the Parliament of which the member is a member or which the member is required to attend because of being in charge of a Bill or other matter under consideration by the committee or sub-committee or for any other valid reason relating only to the business of the committee or sub-committee;
- (c) undertaking research or administrative functions which relate directly to the business of the Parliament;
- (d) attending meetings for the purpose of representing electors or explaining the application of policy including attending meetings for the purpose of seeing a constituent or constituents;
- (e) attending Parliamentary party group meetings in Edinburgh;
- (f) attending any ceremony or official function or national or international conference as a representative of the Parliament or with its authority;

but does not include a member's activities which are wholly in relation to that member's role as a Party spokesperson or representative

Rule 9 – Equality

All members shall be treated equally irrespective of whether they have been returned as constituency members or as regional members.

Rule 10 – Allowances: general

(1) Where a member has claimed an allowance from any other source, the member shall not be eligible to claim the same allowance under this Scheme.

(2) Where a person becomes eligible for an allowance part way through the financial year, then the amount of any allowance payable under this Scheme shall be apportioned on a pro rata basis.

(3) Where a person ceases to be a member part way through the financial year, the SPCB shall decide whether or not any allowance shall be apportioned on a pro rata basis.

Part B – Allowances

1. Staff Allowance

(1) Subject to the provisions of this paragraph, a member shall be eligible for an allowance of £36,000 for each financial year for the purpose of employing staff (whether full time or part time) to assist the member in carrying out his or her Parliamentary duties. The allowance shall include employers' costs such as gross salary, employers' National Insurance contributions and employers' pension contributions.

(2) Subject to sub-paragraph (3), staff employed by a member will be employed on the terms and conditions determined by the SPCB from time to time.

(3) A member may employ his or her staff on conditions which are more favourable to the employee than those determined by the SPCB provided that this does not entail the member exceeding the amount of his or her staff allowance.

(4) Staff of a member shall be bound by the Allowances Code at Annex A.

(5) Whilst the remuneration of staff shall be the responsibility of the member, the SPCB shall provide:-

- (a) payroll services for members' staff; and
- (b) arrangements for employers' pension contributions to be paid to an employee's choice of pension scheme,

and members shall provide the SPCB with details about their staff to enable the SPCB to provide such services and make such arrangements.

(6) A member may pool his or her staff allowance with another member or other members in order to employ staff who are shared between or amongst them, provided that -

- (a) a member of staff remains the employee of a single member; and
- (b) the members concerned give written notice to the SPCB.

2. Local Office Costs Allowance

(1) Subject to sub-paragraph (2), a member shall be eligible for an allowance of £10,000 for each financial year to enable the member, within the constituency or region from which he or she was returned -

- (a) to run an office; and

(b) to meet with constituents either on a one to one basis or as a group.

(2) Without prejudice to the generality of sub-paragraph (1), this allowance may be used for the following:

- (a) lease of a property or rental of premises;
- (b) the provision of utilities;
- (c) the purchase or lease of office furniture or equipment or the purchase of stationery.

(3) Where local office costs are higher than in other parts of Scotland due to the state of the local economy, a member may refer the matter to the SPCB for its determination as to whether the member should be eligible for an allowance greater than the amount mentioned in sub-paragraph (1), but in any event no greater than 10% of that amount.

3. *Members' Travel Allowance*

(1) A member shall be eligible for the reimbursement of travelling expenses necessarily incurred by that member in performing his or her Parliamentary duties.

(2) In this paragraph –

“travelling expenses” means –

- (a) the actual cost of any travel ticket purchased or fare paid in making a journey, or part of a journey, by public transport;
- (b) where such a journey, or any part of such a journey, is made by means of a motor vehicle, motor cycle or pedal cycle, owned or wholly maintained by the member, such amount per mile travelled on the journey, or that part of the journey, by means of that motor vehicle, motor cycle or pedal cycle as is described in sub-paragraphs (3) to (5);
- (c) in exceptional circumstances, with the approval of the SPCB, the actual cost of car hire and associated petrol costs; and
- (d) tolls and carparking charges;

“public transport” means any service or services provided to the public at large for the carriage of passengers by road, rail, air or sea but includes travel by taxi service only where the use of such a service is required for reasons of urgency or where it is not reasonably practicable for the member to use other forms of public transport.

(3) The rate of the motor vehicle mileage allowance will be the maximum set for local government under section 46 of the Local Government (Scotland) Act 1973 and shall apply to all motor vehicles irrespective of engine size or annual mileage.

(4) The rate of the motorcycle mileage allowance will be the corresponding maximum rate set for Scottish Office employees.

(5) The rate of the pedal cycle mileage allowance will be at the level of the maximum tax free allowance set by the Treasury.

(6) Any travel outside Scotland shall be eligible for reimbursement only where the travel concerned has been authorised in advance by the SPCB.

4. *Edinburgh Accommodation Allowance*

(1) Where a member's main residence lies within a constituency mentioned in Group One of Annex B, he or she shall not be eligible for any allowance under this paragraph.

(2) Where a member's main residence lies within a constituency mentioned in Group Two of Annex B, the member shall be eligible for an overnight subsistence allowance of up to £80 per night for each night that he or she requires to stay overnight for Parliamentary duties in Edinburgh.

(3) Where a member's main residence lies within a constituency mentioned in Group Three of Annex B, the member shall be eligible for a total allowance of £9000 for each financial year comprising either –

(a) an allowance of up to £80 per night for each night that he or she requires to stay overnight for Parliamentary duties in Edinburgh; or

(b) subject to sub-paragraph (4), an allowance in order to cover the costs of those items mentioned in sub-paragraph (5) below, where such costs are a necessary consequence of having to stay overnight for Parliamentary duties in Edinburgh.

(4) Where the member claims an allowance under sub-paragraph (3)(b) part way through the financial year, then the amount of the allowance payable under that paragraph shall be apportioned on a pro rata basis.

(5) The costs referred to in sub-paragraph (3) relate only to the provision and use as residential accommodation of a property located in the City of Edinburgh and are –

- (a) the rent payable for the lease of the property;
- (b) the interest on the capital required to purchase the property;
- (c) council tax;
- (d) factoring charges; and
- (e) the provision of utilities.

(6) Where a member's main residence falls within Group Two of Annex B, the member may refer his or her case to the SPCB and, where there are extenuating circumstances, the SPCB may determine that the member may for the purposes of this paragraph be treated as if his or her main residence fell within Group Three of Annex B.

(7) The SPCB shall publish for each financial year information about any allowance payable under this paragraph including the name of the city, town or village where each member's main residence is located.

5. *Exceptional Needs Allowance*

(1) This paragraph applies to members from those constituencies or regions which are set out in Annex C.

(2) A member shall be eligible to claim an exceptional needs allowance of up to £80 per night where it is unreasonable for the member to return to his or her main or other residence before or after undertaking Parliamentary duties within the member's constituency or region.

6. *Overnight Subsistence Allowance*

(1) Subject to sub-paragraphs (4) and (5), a member shall be eligible for an overnight subsistence allowance where he or she requires for the purpose of carrying out his or her Parliamentary duties to spend a night away from his or her main or other residence.

(2) The amount of the overnight subsistence allowance shall be:-

- (a) up to £80 per night; or
- (b) up to £100 per night in Greater London; or
- (c) in respect of a stay outside the United Kingdom an amount determined by the SPCB.

(3) Any claim for overnight subsistence in connection with a stay outside Scotland shall be eligible for reimbursement only where the stay concerned has been authorised in advance by the SPCB.

(4) A member is not eligible for an allowance under this paragraph in connection with Parliamentary duties in Edinburgh.

(5) A member is not eligible for an allowance under this paragraph in connection with Parliamentary duties within his or her constituency or region.

7. *Staff Travel Allowance*

(1) This paragraph applies only to staff employed through the SPCB payroll service.

(2) Each member is eligible for an allowance in respect of the cost of 40 single journeys for each financial year between their constituency or region and the Parliamentary complex by members of their staff.

(3) The SPCB shall keep a record of each member's entitlement to an allowance under this paragraph and its use to date.

8. *Family Travel Allowance*

(1) Each member is eligible for an allowance in respect of the cost of 12 single journeys for each financial year between his or her constituency, region or main residence and Edinburgh for each member of his or her immediate family.

(2) In this paragraph, "immediate family" means -

- (a) the member's spouse or another nominated person; and

- (b) any child under the age of 18; and

for the purposes of this paragraph "child" includes any step child, adopted child, foster child or any other child living with that member as part of his or her family.

(3) The SPCB shall keep a record of each member's entitlement to an allowance under this paragraph and its use to date.

(4) In order to qualify for the family travel allowance, a member must register with the SPCB who are his or her immediate family eligible to take part in the Scheme.

9. *Disability Allowance*

(1) This paragraph applies to any member whose ability to undertake his or her role as a member is impaired by reason of disability.

(2) The SPCB may award an allowance up to a maximum of £10,000 per session to a member for him or her to use in any way which the SPCB decides is helpful to the member in undertaking his or her work.

10. *Winding Up Allowance*

(1) Where a member ceases to serve as a member of the Parliament, he or she shall be eligible for a winding up allowance.

(2) The amount of the winding up allowance shall be the equivalent of one third of the staff allowance and local office costs allowance payable in any one financial year to which the member would otherwise have been entitled.

Part C – Independent Review

For the purposes of determining the success or otherwise of the practical operation of the Scheme, the SPCB shall, within 18 months of the coming into force of this Scheme, set up an independent review of the operation of the Scheme and following the review make recommendations to the Parliament.

ANNEX A

ALLOWANCES CODE

A: Relationships Between Members

(1) Any constituent can approach any MSP within his or her constituency or region.

(2) If a constituent seeks to approach a particular MSP, the constituent must be directed to that MSP by other MSPs or their staff.

(3) All MSPs have a right to hold surgeries within the area for which they were returned.

(4) Any constituent from outside a region who approaches an MSP with a constituency issue should be directed initially to a relevant MSP.

(5) Any list MSP who raises a constituency issue should notify the relevant constituency MSP at the outset unless the consent of the constituent is withheld.

(6) Any MSP who is approached by a constituent with an issue related to a reserved matter (e.g. social security) should consult with the appropriate Westminster MP.

B: Offices

(1) Each MSP should have one Parliamentary office base within the area for which he or she was returned that will be his or her registered local address for correspondence.

(2) All MSPs' offices will be presented as 'The Office of Ms X, Member of the Scottish Parliament' in the Parliament's colours. It should be possible to identify the party affiliation of the MSP as well, if desired.

(3) Parliamentary offices may be acquired in association with political party premises, but must be a clearly definable office space. Party political material is not permitted to be externally displayed in areas occupied by the Parliamentary office.

(4) Parliamentary offices should be suitable for public access.

(5) MSPs will be able to use offices/locations, other than their main base, within the area for which they were returned for surgery and other purposes.

C: Activities

(1) Premises, or the relevant part of premises, acquired as Parliamentary offices should be used only for parliamentary activities, and not for party business.

(2) During the hours that they are employed by an MSP under his or her staff allowance, an MSP's employees may not undertake any significant party political activity.

(3) MSPs will be responsible to the SPCB for the activities of their staff as for their own activities.

(4) Premises, or the relevant part of premises, acquired as Parliamentary offices shall not be used as a base for canvassing or election campaigning, or any party activity related to elections.

(5) Parliamentary stationery and office equipment must not be used for party purposes.

D: Responsibilities

(1) Each MSP has a duty to ensure that he or she utilises the allowances to which he or she is eligible for the purpose for which they were intended. This includes any allowances for which he or she is eligible, but which are utilised by members of staff or immediate family.

(2) Each MSP has a duty to ensure that he or she adheres to the terms of this code in spirit and in practice.

ANNEX B

ELIGIBILITY FOR EDINBURGH ACCOMMODATION ALLOWANCES

Group One

Edinburgh West
Edinburgh Pentlands
Edinburgh Central
Edinburgh North & Leith
Edinburgh South
Edinburgh East & Musselburgh
Linlithgow
Livingston
Midlothian

Group Two

East Lothian
North East Fife
Central Fife
Kirkcaldy
Dunfermline East
Dunfermline West
Ochil
Falkirk East
Falkirk West
Cumbernauld & Kilsyth
Airdrie & Shotts
Coatbridge & Chryston
Hamilton North & Bellshill
Motherwell & Wishaw
Hamilton South

Glasgow Anniesland
Glasgow Ballieston
Glasgow Cathcart
Glasgow Govan
Glasgow Kelvin
Glasgow Maryhill
Glasgow Pollok
Glasgow Rutherglen
Glasgow Shettleston
Glasgow Springburn

Strathkelvin & Bearsden
Paisley North
Paisley South

Stirling
Perth
Dundee East
Dundee West
Tweeddale, Ettrick and Lauderdale

Group Three

Aberdeen Central
Aberdeen North
Aberdeen South
Aberdeenshire West & Kincardine
Angus
Argyll and Bute
Ayr
Banff & Buchan
Caithness, Sutherland & Easter Ross
Carrick, Cumnock & Doon Valley
Clydesdale
Clydebank & Milngavie
Cunninghame North
Cunninghame South
Dumbarton
Dumfries
East Kilbride

Eastwood
 Galloway and Upper Nithsdale
 Gordon
 Greenock & Inverclyde
 Inverness East Nairn & Lochaber
 Kilmarnock & Loudon
 Moray
 Orkney
 Renfrewshire West
 Ross, Skye & Inverness West
 Roxburgh & Berwickshire
 Shetland
 Tayside North
 Western Isles

ANNEX C

ELIGIBILITY FOR EXCEPTIONAL NEEDS ALLOWANCE

A: Constituencies of over 250,000 hectares

Argyll & Bute
 Caithness, Sutherland & Easter Ross
 Galloway & Upper Nithsdale
 Inverness East, Nairn & Lochaber
 North Tayside
 Ross, Skye and Inverness West
 Roxburgh & Berwickshire
 West Aberdeenshire and Kincardine
 Western Isles

B: Constituencies which contain significant island communities

Orkney
 Shetland
 Cunninghame North

C: The largest regions

Highlands & Islands
 North East Scotland
 South of Scotland".

15:31

Karen Whitefield (Airdrie and Shotts) (Lab): On 6 May, I was elected by the people of Airdrie and Shotts and the surrounding villages to provide them with a strong voice in the Scottish Parliament.

I am proud to represent the constituency in which I have lived all my life. I know the constituency and I care about it. I understand my constituents' concerns and problems and, most important, I identify with them and their hopes and aspirations.

My constituency in the heart of Lanarkshire—where people were once proud of the vital role that they played in Scottish society—has been destroyed. I want our new Parliament to play its role in rebuilding Airdrie and Shotts.

As I grew up, I watched as my parents'

generation was thrown prematurely on the scrap heap as the Tory Government destroyed our coal mining and steel working traditions. I know the reality for my generation of growing up in a cycle of poverty, deprived of the hopes and educational opportunities that could offer a better life.

When the people of Airdrie and Shotts voted, they knew exactly what they wanted from a Scottish Parliament and the representative they elected. They wanted a Parliament that would improve and invest in their schools, as Labour will. They wanted fewer children in every class and more teachers and classroom assistants. Labour will deliver that. They wanted new schools. They knew that Labour would also deliver that. They wanted policies that would bring an end to the cycle of poverty in Airdrie and Shotts. That cycle means that one in every five of our children grows up in poverty, and that one in every three families lives on state benefits. That is why the new deal is being embraced in my constituency. The people working with the Airdrie citizens advice bureau whom I met yesterday believe that they are well on their way to gaining skills and qualifications that will make them employable.

Tommy Sheridan (Glasgow) (SSP) rose—

Karen Whitefield: I have no intention of giving way. I am here to speak to the motion and to speak about the people of Airdrie and Shotts.

My constituents want a health service that will tackle their poor health record. More people die in my constituency as result of heart disease than in any other part of Scotland.

Alex Fergusson (South of Scotland) (Con):

On a point of order. I hope that you will forgive me, Mr Presiding Officer, but I thought that this was a debate on allowances, not a party political broadcast.

The Presiding Officer: I was about to say that I hope Karen Whitefield will address herself to the amendment that she is moving.

Karen Whitefield: I will. I speak as a constituency member and I intend to speak to the amendment.

As I said, more people in my constituency die as a result of heart disease than in any other part of Scotland. [*Laughter.*] These are important points and I intend to make them. My constituents know that Labour will deliver. That is why we have invested £500,000 at Monklands district general hospital and why we intend to double the number of heart bypass operations. Those are the issues that are important to the people who live in my constituency, that they want our Parliament to deal with and on which they want their representatives to speak out.

Yesterday, I was at a local college where one of

my constituents asked me why the Parliament was spending time debating allowances for members rather than addressing the real issues that affect her, a single parent who is desperate to get back into work and who cares voluntarily for an elderly neighbour who could not live an independent life without her support.

I speak today because, once again, the nationalists and the Tories are lining up to enter what appears to be a cosy alliance to call for better resources for themselves. At best, that is self-interest. At worst, it is greed that exhibits a blatant disregard for prudent use of taxpayers' money.

The people of Airdrie and Shotts gave me a clear mandate to represent them, and them alone. It is my constituency office that they will visit and my surgeries that they will attend. I alone am accountable to the people of Airdrie and Shotts.

I do not believe that there is, nor do I want there to be, two classes of MSP. However, it is essential that the additional work load that I and other constituency MSPs will have is recognised.

Nicola Sturgeon (Glasgow) (SNP): Will Ms Whitefield give way?

Karen Whitefield: I have already made it clear that I will not allow members to intervene.

In New Zealand, where a similar voting system is in operation and where regional list and constituency members are elected, the additional work loads of constituency members are recognised and they are allowed additional resources to deal with them. That does not discriminate against elected members, but supports them and allows them to carry out their duties to the best of their abilities.

The people of Airdrie, Shotts and the surrounding villages will visit my constituency office when it is set up in Shotts and they will attend my 11 surgeries, which start next weekend. Volunteers and voluntary organisations will attend my open days and they will expect me to work on their behalf to resolve the difficulties that they encounter and to represent their interests at all times.

The people of Airdrie and Shotts gave me their mandate. I am honoured to be their representative, I will work tirelessly on their behalf for the next four years and they will hold me to account. I do not want taxpayers' money to be spent on setting up a second constituency office or a second MSP to take on casework with which I am already dealing. I believe that I am more than capable of representing all the people of Airdrie and Shotts and so do my constituents—that is why for every vote received by my closest opponent, I received more than two.

Mary Scanlon (Highlands and Islands) (Con)
rose—

Karen Whitefield: During the election campaign, I made promises, of which one of the most important was that I would ensure that our Parliament would legislate fairly.

Mary Scanlon: Will Ms Whitefield give way?

Karen Whitefield: I have already said that I will not allow members to intervene. I do not know how much clearer I can make it.

I promised that our Parliament would legislate fairly and in the best interests of all Scots, not just the few. I also promised that there would be sound and prudent management of Scotland's finances. Scottish Labour is committed to delivering and to ensuring that we make the most effective use of our resources. I do not believe that it would be in the interests of Scots if one of the first acts of this eagerly awaited Parliament was one of waste that prized the narrow political interests of members above the interests of the people they claim to represent. I am pleased to support this amendment.

I move, as an amendment to motion S1M-40, in the name of Michael Russell, in Part A (General Rules) leave out "Rule 9 (Equality)" and insert -

"Rule 9 – Equal Opportunities

Through payment of appropriate allowances, the Scheme shall allow all members equal opportunity to carry out their Parliamentary duties, taking account of the constituencies or regions from which they were returned."

In Part B (Allowances), paragraph 1 (Staff Allowance), sub-paragraph (1), leave out from first "member" to "£36,000" and insert

"constituency member shall be eligible for an allowance of £36,000 and a regional member shall be eligible for an allowance of 60% of that amount".

In Part B (Allowances), paragraph 2 (Local Office Costs Allowances), sub-paragraph (1), leave out from "member" to "£10,000" and insert

"constituency member shall be eligible for an allowance of £10,000 and a regional member shall be eligible for an allowance of 60% of that amount".

15:40

Mrs Margaret Smith (Edinburgh West) (LD): I must say that, over the past few months, as I daydreamed from time to time about making my maiden speech in this chamber, the topic of members' allowances was never the one that I was on my feet to address.

I share Mr Muldoon's frustration—I think it is felt by many of us. We want to start to address the questions that matter to the people of Scotland, such as the health service, education systems and housing—I will not go into all the issues that I want

to spend my time working on on behalf of the people of Edinburgh West and the people of Scotland.

It is a shame that we are debating this issue in this way. As Mr Russell said, there is no need for us to stoop to the level of making this a tawdry debate because much of this motion is welcomed whole-heartedly by all parties. There is only one sticking point.

I hope that members will accept the Liberal Democrat amendment. The motion is important: it is not about high politics but about making politics work for people. It is about ensuring that we give the people of Scotland the quality of service that we want to give them. It means giving MSPs the tools that they need to do their job.

I dispute the points made by Karen Whitefield. Every member has been elected to serve the people who elected them. I am proud to serve the people of Edinburgh West and I know that every other member is proud to serve the people who sent them here. I do not think that we should be scoring points against one another on the back of that.

It is important to give MSPs the tools they need to do their job and to be super MSPs. That means we need staff, offices, stationery and all the other things that go towards doing the job. Those items may be boring and uninspiring but, quite frankly, they are the building blocks of our democracy. Without them we do not do our job properly.

The motion is also about putting in place an allowances scheme that represents value for money for Scottish taxpayers and is, as Mr Russell rightly said, open, transparent and subject to scrutiny. It is about setting down the relationship between members. During the next 18 months and beyond, the relationship between constituency MSPs, of which I am one, and list MSPs will evolve. I do not think that any member claims to know exactly where that relationship is going. MSPs have to give one another respect.

The motion is also about protecting staff rights and the rights of the public to have access to their MSPs through surgeries, for example. Each of those is an essential component of a modern parliamentary democracy.

On staff allowances, we support the motion as it stands. Many of us may think that constituency MSPs will have a bigger postbag than list MSPs but, as I have said, the relationship will evolve and I do not believe that anyone can say categorically today how it will evolve.

We do not believe that the introduction of first and second-class MSPs is in the best interests of this Parliament or the people we seek to serve. Some will argue about that, but we do not think

that it is right to accept that approach at this point. We welcome the fact that that issue will be reviewed. I agree with Mr Russell that we should not return to it *ad infinitum*. At the end of 18 months, we will consider whether the allowance scheme has delivered, not only for us but, most important, for the people we serve.

All MSPs will have duties that they need staff to perform. That is why we are happy to support the motion on that point. Our amendment recognises that MSPs have been elected to represent different constituencies; there are first-past-the-post and regional list constituencies. Our view is that it is reasonable to have an office allowance for the constituency. For constituency MSPs that means an office in their constituency; for party list MSPs it means, under our amendment, a regional office to be used by regional members. That maintains the link with the constituency the MSP was elected to serve and reduces the amount of public money that is spent on what might prove an unnecessary, and possibly sometimes confusing, plethora of political offices.

Our amendment sets out the details of payments for all to see. We recognise, however, that while our proposals work well in cities such as Glasgow, they have limitations in areas such as South of Scotland, the Highlands and Islands and North-East Scotland, so they are covered by the exceptional needs allowance.

We are pleased that the scheme will be subject to an independent review within 18 months. It would be amazing if the scheme did not have some teething problems. I welcome all the work that was done by the members of the group and the supporting officials, but there will be teething problems and odd things will happen. I call on the corporate body to keep an eye on the scheme. At the end of the period, the independent review should be able to propose any necessary changes and present them to Parliament.

Liberal Democrats believe that the issue of allowances is for Parliament to decide. My group will have a free vote on the matter, as will some other parties. I hope that colleagues from all parties will see that the Liberal Democrat amendment gives each and every member the chance to serve the people of Scotland to the best of their abilities. I commend it to members for their support.

I move, as an amendment to motion S1M-40, in the name of Michael Russell, in Part A, rule 9 (Equality), at end insert

"subject to paragraph 2 of Part B".

In Part B, paragraph 2 (Local Office Costs Allowance), sub-paragraph (1), leave out "sub-paragraph (2)" and insert

"sub-paragraphs (2), (2A), (2B) and (2C)".

In Part B, paragraph 2 (Local Office Costs Allowance), after sub-paragraph (2), insert—

"(2A) Where in a particular region more than one regional member is returned from a registered political party's regional list, the amount of local office costs allowance for which each such regional member is eligible shall not be £10,000 but shall instead be computed as follows—

(a) there shall be added together the amount of the office costs allowance referred to in paragraph (1) in respect of one such regional member and 30% of that sum in respect of each of the other such regional members;

(b) the resulting total sum shall be divided by the number of such regional members; and

(c) that amount shall be the local office costs allowance for which each such regional member shall be eligible.

(2B) Subject to sub-paragraph (2C), where sub-paragraph (2A) applies the office costs allowance shall be used to enable the regional members concerned—

(a) to run only one office in the particular region; and

(b) to meet constituents either on a one to one basis or as a group;

and accordingly some or all of the regional members concerned may pool all or part of their allowances under this paragraph in order to run such an office provided that the members concerned give written notice to the SPCB.

(2C) Where sub-paragraph (2A) applies in relation to a region mentioned in section C of Annex C (eligibility for exceptional needs allowance: the largest regions), the SPCB—

(a) may determine after inquiry that the regional members concerned may run one additional office because that is necessary for the regional members concerned to carry out their Parliamentary duties effectively; and

(b) in those circumstances may increase the local office costs allowance to which each of the regional members concerned is entitled by such a sum as the SPCB may determine but the total of such increases shall not exceed 100% of the office costs allowance referred to in sub-paragraph (1)."

In Annex A (Allowances Code), section B (offices), paragraph (1), leave out "should" and insert "will normally have".

In Annex A (Allowances Code) section B (Offices), paragraph (5), leave out "and other".

15:46

Bill Aitken (Glasgow) (Con): Mr returning officer—

The Presiding Officer: I may be many things but I am not that.

Bill Aitken: I am slightly behind the times, but I am pleased to have been able to introduce a degree of humour into the proceedings.

There is nothing more unedifying than the sight and sound of elected members quibbling about

their allowances. We would far rather be talking about other matters. Any diffidence I had vanished after hearing from Karen Whitefield, because she articulated the crux of the matter. The tenor of her speech, and its content, was indicative of the fact that the Labour party is selectively democratic. It is seeking to deny resources to the Opposition parties to prevent their operating effectively in areas that it regards as its own baronial fiefdom. I find that disgraceful.

I do not recall Miss Whitefield showing the same concern for prudence with the public purse when she cheerfully voted with her colleagues in the Labour party and the Liberals to put into power this bloated Administration. I see from her speeches in the past that she has not consistently been opposed to public expenditure, so is it not with some hypocrisy that the Labour party proposes this amendment? The Labour party is seeking to deny those who might oppose it the opportunity of doing so effectively.

It is a pity that the debate has taken such a turn. Mike Russell's comments were particularly apposite; much has been achieved to enable this motion to be debated today. Achieving what has been achieved thus far must have been an exhaustive and, no doubt, exhausting process, so it is distressing that the atmosphere has been soured by what the Administration is seeking to do. What is it afraid of? Does it feel—Karen Whitefield denied it quite vigorously—that we who are elected as regional members will suborn Administration members' activities on behalf of their constituents? That is certainly not the intention.

People must work in partnership. The new politics decree that people should work in partnership for the better of the people of Scotland. What is happening today is an attempt to ensure that that does not happen.

Mrs Smith's amendment does not find any great favour. It is a typical Liberal ploy to fly midway between two areas of conflict. While what she said may have been offered in the spirit of compromise, it is not likely to have much support from us or the SNP.

Today, we are seeking to achieve a degree of equality. Is it not ironic that the Labour party, the great champion of equality, opportunity and equal rights for all, should be seeking to deny the Opposition the rights that it deserves—indeed requires—to ensure that this Parliament works effectively and in the best interests of all our constituents? It is depressing that Labour should adopt that attitude. We had hoped that things had changed.

The Presiding Officer: It might help members if I say that if everyone limits their speech to four

minutes there should be time for everybody who has asked to speak.

15:50

Kay Ullrich (West of Scotland) (SNP): Mr Presiding Officer—did I get it right?

The Presiding Officer: Yes.

Kay Ullrich: I very much regret the fact that my first speech in this Parliament is on this matter—a matter that I, like my colleagues who have already spoken, feel should never have reached this chamber. It is before us today because of a scheme that has been dreamed up by new Labour with one simple aim—to stifle all opposition and to deny the people of Scotland the right of access to the MSP of their choice.

The SNP motion is about equality and democracy. It is about ensuring, for example, that the 83,000 people in West of Scotland who voted for my colleagues and me should have equal access to us, as their chosen representatives. That was the whole point of proportional representation.

Ms Margaret Curran (Glasgow Baillieston) (Lab): Will the member give way?

Kay Ullrich: No.

Why should someone from Arran or Dumbarton have to travel to Edinburgh to meet their chosen MSP? There should be no difference between constituency and list members. We are asking for the means to serve our constituents—no more, no less.

The Labour amendment, by contrast, can only be described as politically motivated. We can disregard the flowery words that have been used about the public purse—as we in Ayrshire say, facts are chieils that winna ding. The facts are that the amendment flies in the face of the recommendations of the Electoral Reform Society of Great Britain and Ireland, which says that under PR there should not be two classes of MSP. It flies in the face of Scottish new Labour's Welsh colleagues, who describe the position of Labour in Scotland as a kick in the teeth for proportional representation. It flies in the face of Henry McLeish's pre-election pledge that all MSPs would be treated equally.

The Labour party's posturing about only trying to protect the public purse is undermined by the fact that under its amendment it is okay for the Labour party to have 20 constituency offices in the city of Glasgow, 10 for MSPs and 10 for Westminster MPs—although we might wonder what the latter will do in their 10 offices. All 20 offices can be had at the expense of the public purse.

I want to finish by paraphrasing Henry Ford—it

seems that people can have any MSP they want, as long as it is a Labour MSP. I urge members to support our motion.

15:54

Mrs Mary Mulligan (Linlithgow) (Lab): I, too, welcome the work that has gone into the proposals that are before us today and the transparency of the system that we hope to take on. It is important that people do not feel about our allowances the same way as people felt about the allowances that were previously given to the people in our positions. This is a positive move.

I and all my colleagues recognise that constituency and list MSPs are of equal value to the public. However, their roles over the next four years will be weighted differently. Constituency members will be recognised by local people and organisations, and will be the first port of call as a matter of course. We have to recognise the practicalities: most people in a constituency will come to the constituency MSP first.

Nicola Sturgeon: Will Mrs Mulligan give way?

Mrs Mulligan: No.

It would be confusing and wasteful if other members appeared to be doing exactly the same job. It has been said that if a Tory voter, for example, has a problem, they will want to go to a Tory MSP, but such a course is unnecessary: problems are not party political and we should not be playing games with the issues that people raise with us. I will represent all Linlithgow constituents, whether they voted for me or not. I am sure that other constituency MSPs feel the same way.

We must recognise that if people go to a list MSP—I would not want to stop them doing so if that was their choice—they will be supported. Amendment S1M-40.1 recognises that there will be occasions when people go to a list MSP and it provides financial support for that. Allowances will be made available for list MSPs who are contacted in that way—proportional allowances. I thought that we were all in favour of proportionality these days.

The term “allowances” has perhaps been misused. All MSPs will receive the same wage, the same right to speak in Parliament and its committees and the same right to vote on all issues. The allowance is for a particular task: giving constituents a local place to go—the office—and providing support staff.

Alex Neil (Central Scotland) (SNP): Will Mrs Mulligan give way?

Mrs Mulligan: No.

We do not all receive the same travelling allowance. It depends on where we come from.

Differentials account for that. Why should we receive the same constituency allowance when there is no doubt that different amounts of work will be required of us?

Ms Margo MacDonald (Lothians) (SNP): Will Mrs Mulligan give way?

Mrs Mulligan: No, I will not.

This Parliament will draft legislation, monitor the effect of that legislation and question the Executive. There will be plenty of work for everyone. Suggesting that that is the role of list members does not downgrade that role, but recognises the difference between the contributions that are made. Only last week, Mr Salmond said that

“one of the duties of members of this Parliament is to hold the Executive to account and to ask questions of the relevant ministers. That is only part of a member's duties, but it is every bit as important as being in the constituency and carrying out constituency work.”—[*Official Report*, 19 May 1999; Vol 1, c 146.]

I agree. There is a role for constituency and list MSPs—but the role is slightly different. There is no question of there being two classes of MSP, which is what has been suggested.

Nicola Sturgeon: Will Mrs Mulligan give way?

Mrs Mulligan: No, I am just coming to the end of my speech.

We must spend taxpayers' money responsibly. Unnecessary duplication is a waste of money that could be spent elsewhere.

This debate does the Parliament some damage. It looks like we are just arguing in our own interests. If the real need for the money is to enable members to work for constituents, that can be explained to the public, who will recognise the benefit of ensuring that members who are doing the most constituency work will receive the allowance for it.

The Presiding Officer: In view of the number of members who now want to speak, my guideline for speeches is now three minutes.

15:59

Lord James Douglas-Hamilton (Lothians) (Con): In that case, I will be brief. Mrs Margaret Smith is absolutely right to say that we should get on with the really important issues, but the arrangements that we are debating must obviously be put in place as quickly as possible.

In the Parliamentary Bureau, which is the committee that considers these issues and of which I am a member, there was agreement on the requirements, which can be summed up in four words: openness, accountability, accessibility and efficiency. There was disagreement about whether

list MSPs should be given parity with first-past-the-post MSPs. That happens in the Welsh Assembly—where the Labour leader, Alun Michael, is a list AM.

We believe that there are strong arguments for parity and are supported in that view by no less a person than Scotland's First Minister, Mr Donald Dewar. On 25 March 1998, he wrote a letter to the Senior Salaries Review Body on the subject of salaries and allowances. He wrote:

“In considering these matters, no distinction is to be made between the salaries etc of members of the Scottish Parliament elected under the normal constituency system and those elected under the regional additional member system”.

Read in context, it is quite clear that his letter related to allowances as well as to salaries. It cannot be dismissed as mere election rhetoric.

The Senior Salaries Review Body said in its summary of its response:

“Members of the devolved bodies would require the equivalent of two full-time staff”—

and that

“there are other office-related costs to be covered, such as the rent of constituency offices or the hire of rooms for surgeries. We recommend that Members may make vouched claims against an annual allowance.”

It made no distinction whatever between different types of members of Parliament and it had been told not to make any.

Mr Henry McLeish was quoted in *The Scotsman* as saying that it would be a pity if we created two tiers of MSP and that a two-tier system would be a backward step.

I believe that the case that is advanced on behalf of New Zealand misses the essential point that Mr Michael Russell picked up: that list MPs there do not have individual constituencies. In this country they most certainly do. We should aim for parity, which is why the motion provides for local office costs allowances as well as for exceptional needs. The justification for local office costs is that list MSPs represent a huge area; for example, South of Scotland is approaching the size of Wales, stretching from Prestwick airport in the west to the fishing harbour of Eyemouth on the east coast. Several offices will be necessary in a regional constituency of that size if the job is to be done to high standards. The same considerations apply to the Highlands and Islands and North-East Scotland constituencies.

A positive decision on the motion would ensure that regional MSPs are able to give an excellent service. The test that should be applied must be what will give the best possible service to constituents throughout Scotland. If the motion succeeds, when the services of Scotland's 56 list

MSPs are weighed in the balance, they will not be found wanting. I commend the motion.

16:03

Tricia Marwick (Mid Scotland and Fife) (SNP):

It is a matter of regret to me that my first speech in this Parliament is not about homelessness, poor housing conditions or one of the many issues that I care about. It is a pity that this debate is taking place at all. As Mike Russell said, most of the provisions of the motion were reached by consensus. It is a pity that that consensus has been cast aside by the Labour party. It serves none of us well in the eyes of the public that in this Parliament so far we have done little other than to discuss ourselves.

This debate should be about parity, principle and the Parliament itself—and about recognition that all MSPs are equal and that none is more equal than others. This debate is about principle in the shape of the Parliament. What we agree today will be difficult to change; other parties would be well advised to consider that point. The staff allowances and office accommodation allowances are not for the benefit of MSPs but are to allow us to do our jobs well and, most important, to provide a service to the people we represent. Until 6 May there was widespread acceptance that all MSPs would be treated equally and that constituents would have a choice of MSP to approach. It is a pity that Henry McLeish is not here to hear this again. He told the House of Commons in May 1998:

“The Scottish people value their Parliament and want it to work for them. The nation does not want the Parliament to work for any political party.”—[*Official Report, House of Commons*, 19 May 1998; Vol 312, c 719.]

Ms Whitefield would do well to remember that when she talks about “my office”, “my constituents” or “my community”. Henry McLeish’s words are a bit hollow considering the events of the past few weeks.

A number of Labour spokespeople have tried to suggest that there is a difference between list and constituency MPs and that list members will have a different role in this Parliament. My mailbag suggests that that is not the case. I have been contacted by constituents and I intend to take up their concerns and problems.

Donald Dewar said in a newspaper article that it is all a question of work load. Can we look forward to the Labour party arguing for a 60 per cent reduction in the allowances of Westminster members, because this Parliament and its members are taking on 60 per cent of their work? I think not. The Welsh Assembly has voted to treat all members equally, but the Labour party in Scotland has set its face against that principle. We

are told that devolution means that Wales and Scotland can do things differently if they so choose. It is all right for Alun Michael in Wales, and it is all right for Donald Dewar in Scotland: that is what is meant by choice.

Fairness, democracy and equality should be non-negotiable, regardless of where the Parliament is situated. Today’s proposals from Labour are hardly fair or equitable and certainly not in keeping with the spirit of the new democracy in Scotland.

16:06

Mr David Davidson (North-East Scotland) (Con):

It is difficult to enter a debate late and still try to bring something fresh to it, but I shall try to answer some of the points that have been raised. I point out to Karen Whitefield that I am aware of the problems in Airdrie. I worked and had an office there for several years. We should not, however, be too parochial when we are discussing a global issue, so that we can get on with the job.

I am concerned that people seem to interpret equality and parity differently. Today we must talk about the future, and about the foundation of the workings of this Parliament. All of us here today—and those who I note are missing—share equal responsibility for the good governance of Scotland. That is a tremendous honour, privilege and responsibility.

I point out, as have others, that regional members have huge areas to cover, with large populations. In common with Tricia Marwick, I have had pieces of information and bits of requests from all over the north-east. Last week, I received something from Macduff on the north coast and something from Dundee on the Tay. I shall follow up those communications. People recognise the role that we play, and will come to us for our different expertise. If somebody in the Labour party says that they cannot speak to the person of their choice, I suspect that that party has forgotten what democracy is about.

Today’s issue is democracy—choice for the people of Scotland. It is by their choice that we are here, and we are here to serve them. If we receive a call in the middle of the night, it is our duty to respond immediately, not to take it through the office and get back to the person in three weeks’ time because we are not allowed expenses to respond straight away. That would be nonsense. If we are to talk about responsibility, we should move forward and get on with the job.

All sorts of snide comments have been made on various issues. Someone suggested that we should consider the expenses of Westminster members, but that is for Westminster to decide.

Mr McConnell declares openly that he wants to share office accommodation with a Westminster member. If he is looking for a saving, perhaps he should consider the public purse and offer not to take some of the money himself. It is hypocrisy to play one game against the other. Let us be decent and move away from this petty subject, accepting that we are here because the people of Scotland wanted us here. It is our duty and responsibility to work for them, and everybody in this Parliament should be entitled to the support that they need to do the job.

16:09

Tommy Sheridan (Glasgow) (SSP): I support Mike Russell's motion. Like many members, I read today an article that was penned by our First Minister, who has unfortunately not been able to attend. I hope that that same facility will be made available by *The Herald* to all members who want to participate in a debate but cannot attend on the day.

In his article, the First Minister talks about allowances based on work load. That is a pile of absolute nonsense, as I am sure Labour members who have recently left council chambers will agree. In Scotland today, there is sheer political inequality. Councillors, who are at the very bottom of the political ladder, get £6,000 a year in allowances, and they deal in the first instance with the overwhelming number of cases concerning local issues. In other words, local councillors' work loads are higher in most respects than those of members of the Westminster Parliament, who get a personal salary of £47,000 with another £50,000 or so in allowances. Councillors' work loads are certainly greater than those of our Euro MPs, whose salaries are £47,000 with another £53,000 on top, and many of whom are the Lord Lucans of Scottish political life. That is why the idea that allowances will somehow be based on work load is nonsense.

It is clear that there is selective democracy, selective principle and, perhaps more importantly, selective amnesia. All the helpful, informative and glossy material that the Scottish Office issued in the run-up to the elections stated that all MSPs would be treated equally and with parity, and that there would be no second-class MSPs.

I am more passionate about this debate than I am about the size of the MSPs' salary—which I think is bloated—because this debate is not, as has already been observed, about MSPs gaining anything for themselves. Rather, it is about MSPs being able to employ assistants, to have an office and to do their job properly. Any members who think that, because they are constituency MSPs, they will be the only people to whom constituents will come are far removed from reality. We must

watch that a system does not develop whereby we encourage list MSPs to get together and tell anyone who comes to them from any constituency, "I can't deal with that. You'll need to go to the constituency MSP." That would be passing the buck and would result in a lack of service to our Scottish constituents.

We should have equality of treatment for all our MSPs. What is most important—and it has not been mentioned yet—is that payments to MSPs should be strictly monitored. Members should not be given largesse to do with as they will. If the Labour party fears that members of Opposition parties will misuse funds, it should monitor and report any such misuse. That is the right way in which to ensure that public money is properly used, but it is not right to use this debate to commit an act of political spite. I hope that members will support the motion. *[Applause.]*

16:14

The Minister for Finance (Mr Jack McConnell): I shall speak in favour of amendment S1M-40.1 and comment on some of the issues that have been raised in the debate. It is an honour to speak in the chamber as the member of the Scottish Parliament for Motherwell and Wishaw. During the next four years, every time I help someone in my constituency I will do it with the same pride that I felt on the day we opened this new Parliament for the first time in 300 years.

I will always regard my constituency duties as my first and No 1 priority as a member of the Scottish Parliament, but it is also an honour to be the Minister for Finance, to manage the money for which Parliament is responsible and to ensure that it is spent on the people's priorities in a way that will continue the good work that has been done by the Labour Government since 1997.

The Labour party has made it clear that we are reducing tax for working people, for people on lower pay and for businesses here in Scotland. At the same time, we are spending more on education, on health, on jobs for young people and on the other priorities of the people of Scotland. Labour is the party that can be trusted on tax, because it spends money on those priorities.

We have made a genuine attempt to reach an accommodation on members' allowances with the other parties.

Mr Murray Tosh (South of Scotland) (Con): Will Mr McConnell give way?

Mr McConnell: I am sorry. Part of the new politics will be listening in this chamber. It is important that some of the members in this chamber learn to listen before they interrupt.

As Mrs Mulligan said, we need a system that is

better than those that have come before us. I welcome the conversion of the other three parties to a number of key elements in this scheme which, when I first raised them in the working group, caused consternation. The controls in the concordat—or the allowances code—at the end of the document, some of the controls on the use of offices, and some of the totals for, and controls on, the different elements of the allowances would not have been included if Labour had not taken the stand that it did. I welcome the conversion of the others, and on that basis, the whole document is to be welcomed.

We have tried to define the notion of equal opportunity for members to carry out their duties, so that we can make the allowances scheme work in practice. No member of this Parliament has an automatic right to receive cash from the public purse, either to carry out their duties or to be in their region or constituency. In the scheme's accommodation allowance we already differentiate between those who live in Shetland and those who live in Edinburgh. We differentiate on travel allowances, and we will differentiate on other allowances because the allowances scheme must ensure that members can do their business. It is right and proper that we should also differentiate on offices and on staff. The principles of fairness and equality can be implemented by this Parliament at the same time as we implement a scheme that differentiates between the work loads of the regional member and the constituency member.

I do not want people from Motherwell and Wishaw, or, in my role as Minister for Finance, anyone from anywhere else in Scotland, to come to me and ask why the Parliament did not choose to spend £1 million on something else.

Mr Tosh: Will Mr McConnell give way?

Mr McConnell: I have only three minutes.

We have been flexible about the scheme. We have proposed five different compromises during the past three weeks, and none has been accepted. The response has been an alliance between the Conservatives and the nationalists that has seemed, at times, to be more about looking after themselves than about looking after Scotland.

This morning, I tried to find some comment about the prudent use of public finances in the various party election manifestos. I could not find a sentence in David McLetchie's manifesto—strange, for the party that used to be the party of sound public finance. The nationalist manifesto stated that the core issue for the SNP ministry of finance would be

"To ensure the effective and prudent use of Scotland's public finances".

Shona Robison (North-East Scotland) (SNP): Will the minister give way?

Mr McConnell: I regret the fact that the first two motions on finance from the Scottish National party have been to benefit its representatives, rather than basic services to the people of Scotland. Labour will stand by the position that we have taken in today's debate. I support Karen Whitefield's amendment.

Nicola Sturgeon: Will Mr McConnell give way?

Mr McConnell: We will put the taxpayers and voters of Scotland first, and we will recognise the one relevant international example that gives us a lead. We will do what is best for Scotland. We will vote for this amendment, and I hope that the other parties live to regret the action that they are taking today.

David McLetchie (Lothians) (Con): On a point of order, Mr Presiding Officer. Please could you clarify that the time spent on interventions is not deducted from the speaking time of the member who has the floor, and that Mr McConnell and others, when asked to give way, can do so without diminishing the amount of time that they have in which to make their speeches?

The Presiding Officer: I would not want to be as hard and fast as that. The occupant of the chair always takes into account any time lost for interventions. It will not be a precise formula. Members may choose to give way. If they do not give way, those seeking to intervene should resume their seat.

16:20

Mr Mike Rumbles (West Aberdeenshire and Kincardine) (LD): The tenor of the debate has brought into question the status of MSPs. That is a shame. There should be no difference in the status of MSPs in this chamber in terms of the job that they do. I will not support the Labour amendment, because I believe that it will hinder the work of the three Conservative and four Scottish National party members who represent North-East Scotland.

I have a real problem with the SNP motion, because it talks about equal treatment. I was elected as the constituency member for West Aberdeenshire and Kincardine. I would quite like to open offices in Deeside, Donside and Kincardineshire, but I shall not do so; the motion will give me one office, and that is all I need.

The Liberal Democrat amendment is a good compromise between the two opposing viewpoints of Labour and the SNP. I do not like to use the word compromise on this point, but it is the answer to the problem. Constituency MSPs get one office to serve their constituents; they do not need more

than that. The regional list MSPs were elected for one region; they need only one regional office. Our amendment caters for the exceptional circumstances in which they might need a larger office, or two offices.

This is the second occasion on which I have got to my feet to remind MSPs that we are talking about public money. I urge members to support the Liberal Democrat amendment.

16:22

John Young (West of Scotland) (Con): While I have been sitting here, I could not help thinking about the proud boasts of both the Labour party and the Liberal Democrats about their stand on what happened in places such as South Africa; in other words, on apartheid. Yet this afternoon we are getting a type of political apartheid.

Ms Curran: Disgraceful. Shame.

John Young: If I recall correctly, I heard Jack McConnell on the radio this morning saying that all MSPs were equal. I refer to a cutting in *The Herald*, about Henry McLeish. As devolution minister, he said in evidence to the Scottish Affairs Committee last July:

"The key notion is to make sure we have no two-tier membership. Everyone has a role to play and everyone will be viewed positively. There will be no difference."

Yet what are we getting this afternoon? We are getting a distinct difference. Speaker after speaker has made it plain that the money will not go into MSPs' pockets—it is for allowances. James Douglas-Hamilton mentioned the South of Scotland region and the vast area that it covers. Even the West of Scotland region covers a vast area, from the northern point of Loch Lomond down to the East Ayrshire district boundary, over to the west, including areas such as Arran and Cumbrae, and over to the central belt.

I wonder about the minority parties. Mr Presiding Officer, you are clearly an independent now, and quite rightly so, but with your stature, many constituents might make approaches to you. Will you be denied equality because you are not a member of the Liberal Democrat party in this chamber? You took that decision. Where does the Presiding Officer stand in this instance?

I return to the question of equality. Tommy Sheridan is right; he and I served together in the same council in Glasgow. In many local authorities, councillors are often the front-line troops, yet they are paid less than anyone.

There is a problem. The idea of list MSPs was introduced and approved at Westminster. The problem is that nobody specified what the duties of a list MSP would be.

We know the constituency MSPs' duties, as we know what Westminster MPs do, but what are the list MSPs supposed to do? Again, we have to consider the numbers game.

Annabel Goldie and I are the only two Conservatives in the whole of the West of Scotland. [MEMBERS: "Hurrah."] There will be more, have no fear. We might be asked to go anywhere in the West of Scotland, and we might want to open several different types of office. What will happen when constituency offices already exist, as is the case in Eastwood? If I use that office, will it get no share of the allowance? If constituents in Eastwood come to me, I will not turn them away but will take their cases on board. That is only right, otherwise what am I there for and what am I sitting in the chamber for? I am not here just to take part in debates and to travel around; there is more to it than that.

I say to our Labour and Liberal Democrat colleagues that their parties opposed apartheid, as the rest of us did. However, the line that they are following today will create second-class politicians; that line is totally wrong, and Labour and Liberal Democrat members know it.

Ms Curran: Will Mr Young give way?

John Young: No, I will not give way. All right, I will give way.

The Presiding Officer: Order. Mr Young, you are almost at the end of your time.

John Young: I am at the end, so I will give way the next time that I speak, if Ms Curran wishes to intervene. That is a promise.

16:26

Ms Irene Oldfather (Cunninghame South) (Lab): I am pleased to have the opportunity to make the comments that I had hoped to make earlier. I apologise for being a little bit parochial, but I find it ironic, under the circumstances, that Mr Russell is leading the debate. The issue is not about two tiers of MSPs; MSPs are paid equally and they are equal. The people have a right to be represented and they will be represented by their constituency MSPs, the members whom they elected directly. Mr Russell was rejected by the voters of Cunninghame South and sometimes I—

Alasdair Morgan (Galloway and Upper Nithsdale) (SNP): Will Ms Oldfather give way?

Ms Oldfather: No, I have waited a while to make my comments and I should like the opportunity to do so.

Quite frankly, it is not credible that constituents from my area in Irvine will travel across the South of Scotland to wherever Mr Russell chooses to set up his office, for example in Hawick, to visit him

when they could come to see me in Irvine. I do not want to hurt Mr Russell's feelings, because I know that he is a sensitive chap, but I am absolutely delighted that he has had his road to Damascus conversion and now has a deep desire to visit and represent Cunninghame South. I believe in road to Damascus conversions, but they do not normally have a price tag attached to them.

The electorate, especially in Cunninghame South, will be deeply suspicious of a list MSP who showed scant regard for them during the campaign but now wants money to set up an office in the opposite part of the constituency. Local feeling on the matter is running high and that is reflected by an opinion column in the local newspaper, the *Irvine Herald*, a paper that is not known for favouring the Labour party.

Phil Gallie: Will Ms Oldfather give way?

Ms Oldfather: No, I will not.

The *Irvine Herald* says that

"the suspicion must persist that Mike Russell's flirtation with us was expediency of the carpetbagger variety, and his arrogant manner suggested a man who thinks he has bigger fish to fry in Edinburgh."

I cannot justify going back to the electorate of Cunninghame South to explain to them why £1 million of taxpayers' money should be spent on setting up an office for Mr Russell in Hawick, when it should be spent on services for my constituents. I call on members to reject Mr Russell's proposals.

16:30

Robert Brown (Glasgow) (LD): Some of my colleagues in the Labour side of the partnership have a mindset problem, which I think will have to be addressed. I invite them to look at the allowances code, to which I do not think they will object. It allows constituents to approach any MSP in their constituency or region. It also says that all MSPs have the right to hold surgeries within the area for which they were returned.

The code lays down rules for the relationship between the two sorts of MSP. All MSPs are equal and should be treated as such. Unless the Labour members who have spoken today recognise that fact, there will be a major problem in the working of this Parliament.

This issue is not about Parliament against the Executive. It is not even a matter for the political parties; it is for the members of the Parliament, and I hope that it will be determined in that way at the end of the meeting.

Let us be realistic, as a rank smell of hypocrisy has hung over some of the speeches that we have heard. If Conservative members—who, to a man and woman, are list members—were sitting where

Labour members sit, and had a different balance of list and first-past-the-post members, and if Labour members were sitting where SNP members sit, and had a huge number of list rather than first-past-the-post members, does anyone doubt that the attitudes would have been reversed? The issue reflects the different positions that members see themselves in.

The legitimate point is that members fear unseemly turf wars about business in their local areas. I think that those fears will turn out to be exaggerated. The Liberal Democrat amendment is designed to dampen down those fears, to deal with the problem and to suggest a reasonable formula. Staff allowances should be the same for list and first-past-the-post members; there is no argument about that among Liberal Democrat, SNP or Conservative members. I call on Labour members to recognise that list MSPs require the same staff support as first-past-the-post constituency members.

Dr Richard Simpson (Ochil) (Lab): Will the member give way?

Robert Brown: No, I will not give way.

Offices are a different matter. As Margaret Smith pointed out, the distinguishing point relates to the constituency in the local sense or the constituency in the regional sense. Mike Russell said that some people had called this debate tawdry. In fact, it has been a good debate, as debates go, but it is unseemly that it has had to take place at all. The matter could have been dealt with beforehand. I say to Jack McConnell that one of the reasons why it was not dealt with beforehand was that the Labour party was very late with its proposals—I do not remember five proposals being put before the allowances group.

Mr McConnell: Will the member give way?

Robert Brown: No, I will not give way. The lateness of the Labour proposals meant that it was difficult for us to address what may have been a legitimate Labour point of view.

The people of Scotland want this Parliament to get on with its business. In the interests of the people of Scotland, let us accept the Liberal Democrat amendment and get on with the business of the Parliament.

16:34

Cathy Jamieson (Carrick, Cumnock and Doon Valley) (Lab): Like many members who have spoken, I do not take great pleasure in the fact that my first speech should be in this debate. I stand here with some humility, recognising the responsibilities that have been put on me as a constituency MSP to represent the people of Carrick, Cumnock and Doon Valley, who showed

their confidence in me by voting for me. I also have some humility because I recognise that I now have the best-paid job that I have ever had—probably the best-paid job that I will ever have. With a background in the voluntary sector and in having to make do and mend in organising office allowances, staffing costs and so on, I know—as many people in the voluntary sector know—what it is like to run a service without proper resources.

Members should note that the motion is unusual on a couple of points. It says that

“staff employed by a member will be employed on the terms and conditions determined by the SPCB from time to time.”

Although I have made several attempts to get the information, it seems that no terms and conditions have been determined. As we wish to be good employers, it is inconceivable that we should not act quickly to set those terms and conditions in consultation with a trade union. I believe that the appropriate union is the Transport And General Workers Union, which negotiates on behalf of the parliamentary staff in Westminster and of which I happen to be a member.

I want members to note the motion's next line, which says:

“A member may employ his or her staff on conditions which are more favourable to the employee than those determined by the SPCB”.

I hope that some of us will do so.

Bill Aitken made a comment about fairness and justice, but I will not take lessons about fairness and justice from the Tories, who did not want a minimum wage or the limitations that result from a 48-hour working week. The members' information pack, which was very helpfully put together for us, tells members how to get their staff to opt out of the 48-hour rule. I hope that, after all the talk of family-friendly policies, no member of this Parliament attempts to do that—especially those of us who are wearing ribbons to show support for the Carers National Association. I do not believe that anybody—certainly not a member of this Parliament—should ask his or her staff to work more than 48 hours a week.

I finish on the point about equality for all members, whether they be constituency or list members. I was elected to do a job in Carrick, Cumnock and Doon Valley. I fully intend to do that job and I expect the list members to do theirs. Their job is no less valuable than mine, but it is different. List members are here to ensure political balance; they have different responsibilities and there may be different requirements to allow them to fulfil those responsibilities. Neither I nor—I hope—other members will have a problem with that arrangement.

16:37

Shona Robison (North-East Scotland) (SNP):

We have to hand it to Labour members for their ability to make speeches with a straight face. New Labour talks about the new politics with a straight face, but then we hear Irene Oldfather's speech. Jack McConnell talks about financial prudence with a straight face then spends more than £500,000 on special advisers to prop up the Labour Administration. We see financial prudence go out of the window when the prospect of 20 new Labour offices in Glasgow springs up—perhaps Jack will take note and start to make some cuts.

Karen Whitefield made an interesting speech—she seemed to want the amount of money that members received to be connected to the number of votes cast. Perhaps I could make a special plea on the basis of the votes that were cast in Dundee, where the margin between Labour and the SNP was less than 3,000—in one of the seats, Labour has a majority of around 120. If there is to be a special dispensation on the basis of votes cast, perhaps I can be first in line.

The people of Dundee—and of constituencies elsewhere—should be able to go to whom they want. That is democracy. Community groups in Dundee have said to me that it is wonderful that they have a choice of members to go to. They should have that choice. What is wrong with that? I am sure that community groups will exercise their choice to maximum effect.

The Labour party is trying to prevent the Opposition from having the resources that it needs to do its job well. That will not go down well with the community groups of Dundee, the voters of Dundee or voters throughout Scotland. Labour is being driven by panic, not principle, and the party will be seen for what it is.

16:39

Johann Lamont (Glasgow Pollok) (Lab): Self-interest dressed up in high moral tone is still self-interest. Members should be more honest about some of the things that they say in debates. Frankly, the comments made by John Young were offensive.

We have a new and complex system: we have both constituency members and list members. That system was introduced because we wanted to keep the connection between the local constituency and its representative in Parliament. In doing that, we recognised that there was a difference between list and constituency MSPs. We have come here in different ways and the Parliament must address how we manage those differences.

I have heard members bandy around words such as equality. Anyone who has tried to deal

with the question of equality will know that equality does not necessarily mean treating everybody the same; when we are talking about addressing poverty, it means doing entirely the opposite.

There is no doubt that MSPs are here as equals: we all earn the same wages. In a previous existence, I was a secondary school teacher and I earned the same as every other principal teacher who did that job. I did not feel that I was being treated unequally because the science department got a larger requisition than my department did. Its hardware needs were more expensive than those of my department and I recognised that the allowance system reflected the needs of individual departments. We must address the needs and responsibilities that the allowances in the Scottish Parliament have to meet.

Alasdair Morgan *rose*—

Johann Lamont: The point is not that I am entitled to an allowance, but that I am entitled to an allowance of up to a certain amount. I would ensure that anyone who claims an allowance has to justify it.

We also have to recognise that there are difficulties. It is my responsibility to represent the people of Pollok—all the people of Pollok, not just the healthy majority who elected me.

Nicola Sturgeon *rose*—

Johann Lamont: I am not taking any interventions, so members may as well not bother bobbing up and down.

According to Mike Russell's argument, I represent the people of Pollok; Tommy Sheridan, who was beaten in Pollok, represents the whole of Glasgow; and Kenny Gibson, who was beaten in Pollok, represents the whole of Glasgow—presumably, they do not represent Pollok, where they were defeated.

Alternatively—still following Mike Russell's argument—Tommy Sheridan and Kenny Gibson represent the people who voted for their parties. However, the allowances should not be used to promote direct party interest. I would condemn anyone in any political party who attempted to use them in that way.

The other position that Mike Russell might be suggesting is that the people of Pollok are represented by eight MSPs: me and the seven members who represent the whole of Glasgow. Anyone can see that I will be the first port of call, the first person to whom people will come—I am not saying that I am the only person—and that there will be a clear difference between my responsibilities and those of the seven list members.

The Presiding Officer: Please draw your

speech to a close.

Johann Lamont: The allowance system should reflect and serve the democratic interests of the people of Scotland, not the interests of individual parties. I include my own party in that.

Ms MacDonald: Will Johann Lamont give way?

Johann Lamont: I have already said no. The charge that we are denying opposition—

The Presiding Officer: Please draw to a close.

Johann Lamont: Certainly—this is my last point. The charge that we are allowing neither opposition nor access would be justified if the list MSPs were not going to receive any allowances. There is a differential allowance in recognition of the differential work load. We need a monitoring system to check whether, in fact, there is a differential work load; if there is not, we must change the system. The people of Scotland need to be represented and they must not suffer because of debates about individual allowances.

16:43

Mr Keith Raffan (Mid Scotland and Fife) (LD):

I believe in parity and equality. Members may say that I would say that because I am a regional member. I would like to think that I would say it even I was a constituency member. I agreed with much of what Mr Davidson said. He and Mr McLetchie—with whom I have sparred—have as much right to be here as me or any constituency member. Mr Russell made a valid point when he said that the issue was not just parity of treatment for members, but parity of treatment for voters, the people whom we are here to serve. The division between members is very unfortunate.

I read, with interest, the First Minister's article in *The Herald* today about his busy weekend, which included holding two surgeries and dictating two full tapes on Sunday. I am sure that he has a very heavy constituency work load; this weekend, I had a heavy regional work load, too. He cannot tell me now what my work load is going to be: it is far too early in the session to say what the work load of regional and constituency members will be.

The First Minister told us what he did at the weekend, so I will tell him what I did. First of all, on Friday, I went right up to Edzell, in the north-east of my region, and had a meeting with Sir Bob Smith and patients from Stracathro hospital to discuss that hospital's future. I went down to Perth to have a meeting with councillors about issues of concern to them. I went across to Crook of Devon to attend the Fossoway gathering—which featured, I am glad to say, on "Scottish Lobby"—and to talk to constituents. I went over to the Stirling constituency to discuss the question of the national park in the Trossachs, which Dr Sylvia

Jackson will raise during members' business today. I went to Kinross to meet party workers and to Cupar for a meeting. I went through, I think, five constituencies, whereas the First Minister went only to his constituency.

As the First Minister and members such as Mr Salmond and Mr Swinney, who were at Westminster, know—

Mr Alex Salmond (Banff and Buchan) (SNP) rose—

Mr Raffan: I do not have time to give way, but I will give way the next time if I can.

A member's job is as elastic as he or she chooses to make it, and that is true for both regional and constituency members. In my view, we need the same resources—and parity and equality of treatment—so that we can serve our voters equally. That was Mr Russell's crucial point, and I agree with him.

16:46

Mike Watson (Glasgow Cathcart) (Lab): A lot of cant and hypocrisy has been in evidence during this debate and I do not agree with anyone, from whatever party, who said that they regret having to speak during it. We have this period before the Parliament assumes its powers so that we can get such matters out of the way before we get down to serious business. We cannot bring 1 July forward any faster than it will come naturally, so we should deal with these issues when we have the opportunity to do so, before the Parliament's business comes along.

I thought it illuminating that Mr Russell said, in his opening remarks, that we must not have two classes of MSP and then immediately went on to say that he represents a super-constituency, while the rest of us represent ordinary constituencies. Presumably he is a super-MSP and I am just a fairly average, run-of-the-mill MSP. Let us be honest and look logically at this issue. It is not a question of whether there is a distinction between the two kinds of MSP because—I am sorry, Michael—quite clearly there is. There are three ways of looking at the issue.

The first is dealt with in the scheme. No one is suggesting that everyone should get the Edinburgh accommodation allowance—for obvious reasons—and three classes have been suggested for the way in which that allowance should be paid.

Secondly—this is important for Mr Russell—there is not uniformity in the way in which, should he pop his clogs, he would be replaced and how I would be replaced should the same thing happen to me. Difficult though the task would be of filling Mr Russell's shoes—if one could get close

enough—he is not arguing that he should be replaced by someone who has submitted themselves to the electorate. It is important to note that. The next person on the SNP's list would be brought into the Parliament, because that is the system. There is not uniformity there, and I have not heard any complaints about that. There is also not uniformity in the way in which the regional members and constituency members come here. Ten regional members—quite rightly and properly—did not even have to submit themselves to the electorate in a constituency contest. They were entitled to do that, but we should not let that happen and then say that there has to be absolute uniformity and that we are all the same.

Thirdly, I agree that every MSP is equal, but every MSP does not and, I suggest, will not have the same work load. Today's debate is really about staffing and costs allowances. The situation in Wales has been mentioned several times. Are we arguing that we should be measuring ourselves against Wales? Do we want the legislative powers of the Welsh Assembly? Do we want the salaries that the Welsh Assembly members are paid? Sorry, Tommy, you probably think we should.

However, the analogy with Wales is not important as there are other countries, such as New Zealand—which was mentioned earlier—Germany and Spain that offer instructive examples at federal and regional level. Regional members tend to spend their weekends where the Parliament is, and go less often to their constituencies. It has been proven over a number of years in the Bundestag and in the Länder Parliaments, and in the Cortes and the Spanish regional governments, that regional members are given less constituency case work. That is a matter of fact and of concern.

We cannot try to change the system after it is in place—which is why it is important that we get things right today. The public furore that has arisen around today's debates is nothing; just watch if we try to open up this issue again in 18 months' time, when the review comes around. It will be extremely difficult. That is why we must grasp the nettle today.

I suggest that it is likely that the roles of list and constituency members will differ. Both have equal value in this chamber. List members were brought here to provide political balance and it is important that they do so, but it is only fair to recognise—as Karen Whitefield's amendment does—that they will not have the same constituency representational role.

The Presiding Officer: I will give two minutes each to Ben Wallace and Andy Kerr before the summing-up speeches, so please be brief.

16:50

Ben Wallace (North-East Scotland) (Con): I want to do the decent thing and congratulate Karen Whitefield on her maiden speech. I do not necessarily agree with the content of her speech, but we all need to go through the experience. In fact, I got the maiden telling-off.

Yesterday, I was up in Aberdeenshire meeting Conservative councillors. I am delighted to represent the people of Dundee, of Banff and Buchan, of West Aberdeenshire and Kincardine, of Angus and of Aberdeen. They all elected me and members of the SNP who are here not as constituency, but as regional, MSPs.

When I came back late last night in a taxi, the taxi driver said, "You're all the same. You don't represent us. I wrote a letter to one party—no answer. I wrote a letter to another party and waited three weeks—no answer." Every time we politicians fail—either on purpose or by neglect—to respond to the need of a constituent, we do not damage our party; we damage democracy. Every time we do that because of our work load or other commitments, we damage the Scottish Parliament. Giving list members parity and the ability to represent people will strengthen democracy.

I understand why the Liberal Democrats and members of other parties might be worried that we have some devious agenda to undermine them. I can give an assurance that I am a professional and I hope that I will concentrate on certain issues—not, for example, to undermine Mike Rumbles whom I stood against, but to provide better representation for the people in the region. Their money and their votes have put me and Mike Rumbles into this chamber. I therefore ask that members back the SNP motion to give list members parity in representation, because representation of the people counts for far more than the interests of MSPs.

16:52

Mr Andy Kerr (East Kilbride) (Lab): I too believe in parity and equality, but I also believe that there is a difference between the jobs of list MSPs and the jobs of constituency MSPs. That is simply a fact of life that we will have to live with.

I was elected as a first-past-the-post representative primarily to look after the interests of the people of East Kilbride, who will come to me with constituency matters. They have already done so through the two surgeries that I have held, through phoning me at home and through writing to me. That is my role and we do not need another MSP simply shadowing that role at the taxpayers' expense.

Alex Neil *rose*—

Mr Kerr: I will not give way.

It is against the principles and the great spirit of this Parliament for someone to purport to be a shadow MSP for an area and to be reported in the local papers as being the local MSP when they clearly are not.

List MSPs were elected to achieve proportionality. They are equal in the job, but in a different job, which is what Karen Whitefield's amendment is all about. We must support the amendment because list MSPs and constituency MSPs play different roles in the community.

We should reject the partnership of greed between the Conservatives and the SNP, which does not recognise the roles that we play in our constituencies. It is misleading to talk about second-class MSPs when the issue in question is value for money. We have to recognise that list MSPs play a different role from constituency MSPs and I therefore beg members to support Karen Whitefield's amendment.

The Presiding Officer: I now call Michael Russell to wind up on his amendment.

Michael Russell: I am not proposing the amendment—I am proposing the motion.

The Presiding Officer: I beg your pardon. Will you please sum up on the motion.

16:55

Michael Russell: I have to say that I am disappointed by the debate this afternoon. In my opening remarks, I talked about the need to have a dignified debate. I discussed that in a telephone conversation with Jack McConnell on Sunday night. It is a horrific thought that on Sunday nights Jack McConnell and I have to speak to each other, but we agreed and this morning I made the same point to Mr McCabe.

It is to be regretted that there has been no such restraint and dignity in most of the speeches that we have heard, especially from Labour members, and particularly from Mr McConnell. Like Robert Brown, I do not recognise Mr McConnell's account of the allowances group. I remember that after giving a lecture on the need for public prudence—shortly after his appointment and before his department spent £600,000 on special advisers—Mr McConnell left the building and got into his chauffeur-driven car. Being lectured on prudence by a man who leaves in a chauffeur-driven car sticks in the craw.

I regret the way in which Labour members have treated most of these matters. I am sure that Ms Whitefield has a passion for Airdrie—she expressed it in lengthy terms—but she has no passion for democracy. That came out in the

memorable words of Johann Lamont. She said that self-interest dressed up as principle is still self-interest. I think that a number of members condemn themselves out of their own mouths. There is an important principle, which was embodied by something Mr McLeish said on 28 January 1998 during the committee stage of the Scotland Bill. He said:

"Once elected, a regional Member will have the same rights and responsibilities as any other Member."—[*Official Report, House of Commons*, 28 January 1998; Vol 305, c 444.]

It is impossible to know exactly how things will turn out, but look at that pile of correspondence on Mr Harper's desk. There is no doubt that there will be a heavy weight of constituency responsibility on list members, who have a constituency. I stress that they have a constituency, which is obvious from the debate that we have had and from debates on the Scotland Act 1998. In the circumstances, it would have been better—and wiser—if the Labour party had not indulged in what Tommy Sheridan called an act of political spite. That is what we are seeing today and it is regrettable.

The motion is worthy of support in its own terms. It preaches equality and transparency and those things are in it. I will say one thing to Irene Oldfather. I am flattered that I am at the centre of her attentions and that she follows every movement that I make in Irvine. I promise her that for the next four years I shall be in Irvine regularly and shall hold surgeries in Irvine, as the code allows me to do. I shall work in Irvine and I look forward to the next Scottish Parliament election in Irvine as, on Irene Oldfather's account, I have gained a 10 per cent swing by doing nothing. Who knows what will happen when I get to work?

The Presiding Officer: Before we move to decision time, I ask Mr Russell to move motion S1M-41 formally.

Motion moved,

That the Parliament direct the Scottish Parliamentary Corporate Body ("the SPCB") as follows:

1. Provision of Information Technology and Office Equipment

(1) The SPCB shall provide information technology and other office equipment for the Parliament.

(2) Where such information technology and other office equipment is provided for the use of a member for the purpose of carrying out his or her Parliamentary duties –

(a) the member may select the equipment concerned but only from a list of items specified by the SPCB;

(b) the cost of such equipment shall be no more than £5000 in the first year following a general election and no more than £1500 in each of the following years in that session;

(c) the member shall be responsible for the maintenance, protection and security of such equipment and the SPCB may, if it has reasonable grounds to believe that any such equipment is being misused, require the return of the equipment.

2. Provision of Office Supplies

(1) The SPCB shall provide office supplies and postage stamps or postage paid envelopes for the Parliament.

(2) Where such office supplies are provided for the use of a member for the purpose of carrying out his or her Parliamentary duties the member may select the supplies concerned but only from a list of items specified by the SPCB.

3. Publication

The SPCB shall publish for each financial year in respect of each member details of the total sums expended under paragraphs 1 and 2 of this direction.

4. Parliamentary Duties

For the purposes of this direction, "Parliamentary duties" shall have the same meaning as in rule 8 of Part A of the Members' Allowances Scheme.—[*Michael Russell*.]

Decision Time

The first question is, that motion S1M-37, in the name of Mr Tom McCabe, be agreed to.

Motion agreed to.

16:58

The Presiding Officer: I will now put the question on the three motions and the amendments.

That the Parliament shall establish the following committees:

Name of Committee	Remit	Maximum number of members
European	Set out in rule 6.8	13
Equal Opportunities	Set out in rule 6.9	13
Finance	Set out in rule 6.6	11
Audit	Set out in rule 6.7	11
Procedures	Set out in rule 6.4	7
Standards	Set out in rule 6.5	7
Public Petitions	Set out in rule 6.10	7
Subordinate Legislation	Set out in rule 6.11	7
Justice and Home Affairs	to consider and report on matters relating to the administration of civil and criminal justice, the reform of the civil and criminal law and such other matters as fall within the responsibility of the Minister for Justice	11
Education, Culture and Sport	to consider and report on matters relating to school and pre-school education, the arts, culture and sport and such other matters as fall within the responsibility of the Minister for Children and Education	11
Social Inclusion, Housing and Voluntary Sector	to consider and report on matters relating to housing and the voluntary sector and such other matters as fall within the responsibility of the Minister for Communities other than local government	11
Enterprise and Lifelong Learning	to consider and report on matters relating to the Scottish economy, industry, tourism, training and further and higher education and such other matters as fall within the responsibility of the Minister for Enterprise and Lifelong Learning	11
Health and Community Care	to consider and report on matters relating to health policy and the National Health Service in Scotland and such other matters as fall within the responsibility of the Minister for Health and Community Care	11
Transport and the Environment	to consider and report on matters relating to transport, the environment and natural heritage and such other matters as fall within the responsibility of the Minister for Transport and the Environment	11
Rural Affairs	to consider and report on matters relating to rural development, agriculture and fisheries and such other matters as fall within the responsibility of the Minister for Rural Affairs	11
Local Government	to consider and report on matters relating to local government	11

The Justice and Home Affairs; Education, Culture and Sport; Social Inclusion, Housing and Voluntary Sector; Enterprise and Lifelong Learning; Health and Community Care; Transport and the Environment; Rural Affairs; and Local Government committees shall be established for the whole session of the Parliament.

The Presiding Officer: The question is, that amendment S1M-40.1, in the name of Karen Whitefield, be agreed to. Are we all agreed?

Members: No.

The Presiding Officer: In that case there will be a division.

Members should vote yes to agree to the amendment and no to disagree to the amendment; those who wish to abstain should press the abstain button.

FOR

Alexander, Ms Wendy (Paisley North) (Lab)
 Baillie, Jackie (Dumbarton) (Lab)
 Barrie, Scott (Dunfermline West) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Curran, Ms Margaret (Glasgow Baillieston) (Lab)
 Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
 Dewar, Donald (Glasgow Anniesland) (Lab)
 Eadie, Helen (Dunfermline East) (Lab)
 Ferguson, Ms Patricia (Glasgow Maryhill) (Lab)
 Galbraith, Mr Sam (Strathkelvin and Bearsden) (Lab)
 Gillon, Karen (Clydesdale) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Gray, Iain (Edinburgh Pentlands) (Lab)
 Henry, Hugh (Paisley South) (Lab)
 Home Robertson, Mr John (East Lothian) (Lab)
 Hughes, Janis (Glasgow Rutherglen) (Lab)
 Jackson, Dr Sylvia (Stirling) (Lab)
 Jackson, Gordon (Glasgow Govan) (Lab)
 Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
 Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)
 Kerr, Mr Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 Macintosh, Mr Kenneth (Eastwood) (Lab)
 Mackay, Angus (Edinburgh South) (Lab)
 MacLean, Kate (Dundee West) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Mr Tom (Hamilton South) (Lab)
 McConnell, Mr Jack (Motherwell and Wishaw) (Lab)
 McLeish, Henry (Central Fife) (Lab)
 McMahon, Mr Michael (Hamilton North and Bellshill) (Lab)
 McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Morrison, Mr Alasdair (Western Isles) (Lab)
 Muldoon, Bristow (Livingston) (Lab)
 Mulligan, Mrs Mary (Linlithgow) (Lab)
 Murray, Dr Elaine (Dumfries) (Lab)
 Oldfather, Ms Irene (Cunninghame South) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Simpson, Dr Richard (Ochil) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Thomson, Elaine (Aberdeen North) (Lab)
 Watson, Mike (Glasgow Cathcart) (Lab)
 Welsh, Ian (Ayr) (Lab)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Wilson, Allan (Cunninghame North) (Lab)

AGAINST

Adam, Brian (North-East Scotland) (SNP)
 Aitken, Bill (Glasgow) (Con)
 Brown, Robert (Glasgow) (LD)
 Campbell, Colin (West of Scotland) (SNP)
 Canavan, Dennis (Falkirk West)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Crawford, Bruce JP (Mid Scotland and Fife) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Davidson, Mr David (North-East Scotland) (Con)
 Douglas-Hamilton, Lord James (Lothians) (Con)
 Elder, Dorothy-Grace (Glasgow) (SNP)
 Ewing, Dr Winnie (Highlands and Islands) (SNP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Ewing, Mrs Margaret (Moray) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 Fergusson, Alex (South of Scotland) (Con)
 Finnie, Ross (West of Scotland) (LD)
 Gallie, Phil (South of Scotland) (Con)
 Gibson, Mr Kenneth (Glasgow) (SNP)
 Gorrie, Donald (Central Scotland) (LD)
 Grahame, Christine (South of Scotland) (SNP)
 Hamilton, Mr Duncan (Highlands and Islands) (SNP)
 Harding, Mr Keith (Mid Scotland and Fife) (Con)
 Harper, Robin (Lothians) (Green)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Mr Adam (South of Scotland) (SNP)
 Jenkins, Ian (Tweeddale, Ettrick and Lauderdale) (LD)
 Johnston, Mr Nick (Mid Scotland and Fife) (Con)
 Johnstone, Alex (North-East Scotland) (Con)
 Lochhead, Richard (North-East Scotland) (SNP)
 Lyon, George (Argyll and Bute) (LD)
 MacAskill, Mr Kenny (Lothians) (SNP)
 MacDonald, Ms Margo (Lothians) (SNP)
 Marwick, Tricia (Mid Scotland and Fife) (SNP)
 McGrigor, Mr Jamie (Highlands and Islands) (Con)
 McGugan, Irene (North-East Scotland) (SNP)
 McIntosh, Mrs Lyndsay (Central Scotland) (Con)
 McLeod, Fiona (West of Scotland) (SNP)
 McLetchie, David (Lothians) (Con)
 Monteith, Mr Brian (Mid Scotland and Fife) (Con)
 Morgan, Alasdair (Galloway and Upper Nithsdale) (SNP)
 Mundell, David (South of Scotland) (Con)
 Munro, Mr John (Ross, Skye and Inverness West) (LD)
 Neil, Alex (Central Scotland) (SNP)
 Paterson, Mr Gil (Central Scotland) (SNP)
 Quinan, Mr Lloyd (West of Scotland) (SNP)
 Radcliffe, Nora (Gordon) (LD)
 Raffan, Mr Keith (Mid Scotland and Fife) (LD)
 Reid, Mr George (Mid Scotland and Fife) (SNP)
 Robison, Shona (North-East Scotland) (SNP)
 Robson, Euan (Roxburgh and Berwickshire) (LD)
 Rumbles, Mr Mike (West Aberdeenshire and Kincardine) (LD)
 Russell, Michael (South of Scotland) (SNP)
 Salmond, Mr Alex (Banff and Buchan) (SNP)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, Tavish (Shetland) (LD)
 Sheridan, Tommy (Glasgow) (SSP)
 Smith, Iain (North-East Fife) (LD)
 Smith, Mrs Margaret (Edinburgh West) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinney, Mr John (North Tayside) (SNP)
 Tosh, Mr Murray (South of Scotland) (Con)
 Ullrich, Kay (West of Scotland) (SNP)
 Wallace, Ben (North-East Scotland) (Con)
 Wallace, Mr Jim (Orkney) (LD)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)

Wilson, Andrew (Central Scotland) (SNP)
Young, John (West of Scotland) (Con)

ABSTENTIONS

Grant, Rhoda (Highlands and Islands) (Lab)
Macmillan, Maureen (Highlands and Islands) (Lab)
McAllion, Mr John (Dundee East) (Lab)

The Presiding Officer: The result of the division is as follows: Yes 52, No 71, Abstentions 3.

Amendment disagreed to.

The Presiding Officer: The question is, that amendment S1M-40.2, in the name of Mrs Margaret Smith, be agreed to. Are we all agreed?

Members: No.

The Presiding Officer: There will be a division. Voting is as previously: to vote for the amendment, press yes; to vote against the amendment, press no; to abstain, press the abstain button.

FOR

Alexander, Ms Wendy (Paisley North) (Lab)
Baillie, Jackie (Dumbarton) (Lab)
Barrie, Scott (Dunfermline West) (Lab)
Boyack, Sarah (Edinburgh Central) (Lab)
Brankin, Rhona (Midlothian) (Lab)
Brown, Robert (Glasgow) (LD)
Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
Curran, Ms Margaret (Glasgow Baillieston) (Lab)
Deacon, Susan (Edinburgh East and Musselburgh) (Lab)
Dewar, Donald (Glasgow Anniesland) (Lab)
Eadie, Helen (Dunfermline East) (Lab)
Ferguson, Ms Patricia (Glasgow Maryhill) (Lab)
Finnie, Ross (West of Scotland) (LD)
Galbraith, Mr Sam (Strathkelvin and Bearsden) (Lab)
Gillon, Karen (Clydesdale) (Lab)
Godman, Trish (West Renfrewshire) (Lab)
Gorrie, Donald (Central Scotland) (LD)
Grant, Rhoda (Highlands and Islands) (Lab)
Gray, Iain (Edinburgh Pentlands) (Lab)
Henry, Hugh (Paisley South) (Lab)
Home Robertson, Mr John (East Lothian) (Lab)
Hughes, Janis (Glasgow Rutherglen) (Lab)
Jackson, Dr Sylvia (Stirling) (Lab)
Jackson, Gordon (Glasgow Govan) (Lab)
Jamieson, Cathy (Carrick, Cumnock and Doon Valley) (Lab)
Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)
Jenkins, Ian (Tweeddale, Ettrick and Lauderdale) (LD)
Kerr, Mr Andy (East Kilbride) (Lab)
Lamont, Johann (Glasgow Pollok) (Lab)
Livingstone, Marilyn (Kirkcaldy) (Lab)
Lyon, George (Argyll and Bute) (LD)
Macdonald, Lewis (Aberdeen Central) (Lab)
Macintosh, Mr Kenneth (Eastwood) (Lab)
Mackay, Angus (Edinburgh South) (Lab)
MacLean, Kate (Dundee West) (Lab)
Macmillan, Maureen (Highlands and Islands) (Lab)
Martin, Paul (Glasgow Springburn) (Lab)
McAllion, Mr John (Dundee East) (Lab)
McAveety, Mr Frank (Glasgow Shettleston) (Lab)
McCabe, Mr Tom (Hamilton South) (Lab)
McConnell, Mr Jack (Motherwell and Wishaw) (Lab)
McLeish, Henry (Central Fife) (Lab)

McMahon, Mr Michael (Hamilton North and Bellshill) (Lab)
McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)
McNeill, Pauline (Glasgow Kelvin) (Lab)
McNulty, Des (Clydebank and Milngavie) (Lab)
Morrison, Mr Alasdair (Western Isles) (Lab)
Muldoon, Bristow (Livingston) (Lab)
Mulligan, Mrs Mary (Linlithgow) (Lab)
Munro, Mr John (Ross, Skye and Inverness West) (LD)
Murray, Dr Elaine (Dumfries) (Lab)
Oldfather, Ms Irene (Cunninghame South) (Lab)
Peacock, Peter (Highlands and Islands) (Lab)
Peattie, Cathy (Falkirk East) (Lab)
Radcliffe, Nora (Gordon) (LD)
Robson, Euan (Roxburgh and Berwickshire) (LD)
Rumbles, Mr Mike (West Aberdeenshire and Kincardine) (LD)
Scott, Tavish (Shetland) (LD)
Simpson, Dr Richard (Ochil) (Lab)
Smith, Elaine (Coatbridge and Chryston) (Lab)
Smith, Iain (North-East Fife) (LD)
Smith, Mrs Margaret (Edinburgh West) (LD)
Stephen, Nicol (Aberdeen South) (LD)
Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
Thomson, Elaine (Aberdeen North) (Lab)
Wallace, Mr Jim (Orkney) (LD)
Watson, Mike (Glasgow Cathcart) (Lab)
Welsh, Ian (Ayr) (Lab)
Whitefield, Karen (Airdrie and Shotts) (Lab)
Wilson, Allan (Cunninghame North) (Lab)

AGAINST

Adam, Brian (North-East Scotland) (SNP)
Aitken, Bill (Glasgow) (Con)
Campbell, Colin (West of Scotland) (SNP)
Canavan, Dennis (Falkirk West)
Crawford, Bruce JP (Mid Scotland and Fife) (SNP)
Cunningham, Roseanna (Perth) (SNP)
Davidson, Mr David (North-East Scotland) (Con)
Douglas-Hamilton, Lord James (Lothians) (Con)
Elder, Dorothy-Grace (Glasgow) (SNP)
Ewing, Dr Winnie (Highlands and Islands) (SNP)
Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
Ewing, Mrs Margaret (Moray) (SNP)
Fabiani, Linda (Central Scotland) (SNP)
Fergusson, Alex (South of Scotland) (Con)
Gallie, Phil (South of Scotland) (Con)
Gibson, Mr Kenneth (Glasgow) (SNP)
Grahame, Christine (South of Scotland) (SNP)
Hamilton, Mr Duncan (Highlands and Islands) (SNP)
Harding, Mr Keith (Mid Scotland and Fife) (Con)
Harper, Robin (Lothians) (Green)
Hyslop, Fiona (Lothians) (SNP)
Ingram, Mr Adam (South of Scotland) (SNP)
Johnston, Mr Nick (Mid Scotland and Fife) (Con)
Johnstone, Alex (North-East Scotland) (Con)
Lochhead, Richard (North-East Scotland) (SNP)
MacAskill, Mr Kenny (Lothians) (SNP)
MacDonald, Ms Margo (Lothians) (SNP)
Marwick, Tricia (Mid Scotland and Fife) (SNP)
McGrigor, Mr Jamie (Highlands and Islands) (Con)
McGugan, Irene (North-East Scotland) (SNP)
McIntosh, Mrs Lyndsay (Central Scotland) (Con)
McLeod, Fiona (West of Scotland) (SNP)
McLetchie, David (Lothians) (Con)
Monteith, Mr Brian (Mid Scotland and Fife) (Con)
Morgan, Alasdair (Galloway and Upper Nithsdale) (SNP)
Mundell, David (South of Scotland) (Con)
Neil, Alex (Central Scotland) (SNP)
Paterson, Mr Gil (Central Scotland) (SNP)

Quinan, Mr Lloyd (West of Scotland) (SNP)
 Raffan, Mr Keith (Mid Scotland and Fife) (LD)
 Reid, Mr George (Mid Scotland and Fife) (SNP)
 Robison, Shona (North-East Scotland) (SNP)
 Russell, Michael (South of Scotland) (SNP)
 Salmond, Mr Alex (Banff and Buchan) (SNP)
 Scanlon, Mary (Highlands and Islands) (Con)
 Sheridan, Tommy (Glasgow) (SSP)
 Sturgeon, Nicola (Glasgow) (SNP)
 Swinney, Mr John (North Tayside) (SNP)
 Tosh, Mr Murray (South of Scotland) (Con)
 Ullrich, Kay (West of Scotland) (SNP)
 Wallace, Ben (North-East Scotland) (Con)
 Welsh, Mr Andrew (Angus) (SNP)
 White, Ms Sandra (Glasgow) (SNP)
 Wilson, Andrew (Central Scotland) (SNP)
 Young, John (West of Scotland) (Con)

The Presiding Officer: The result of the division is as follows: Yes 71, No 55, Abstentions 0.

Amendment agreed to.

The question is, that motion S1M-40, in the name of Mr Michael Russell, as amended by amendment S1M-40.2 in the name of Mrs Margaret Smith, be agreed to. Are we all agreed?

Motion, as amended, agreed to.

That the Parliament in accordance with section 81(2) of the Scotland Act 1998 (c.46), make provision for the payment of allowances to members of the Parliament and that the following provisions should have effect:-

There shall be a Members' Allowances Scheme ("the Scheme") which shall make provision to be implemented by the Scottish Parliamentary Corporate Body ("the SPCB") for the payment of allowances to members of the Parliament.

The following Parts A, B and C together with the Annexes attached shall be the Scheme:-

"Part A – General Rules in relation to the Scheme"

The following general rules shall, unless the context otherwise requires, govern the Scheme:-

Rule 1 – Interpretation and commencement

(1) In this Scheme-

"parliamentary complex" means the place where the Parliament or any of its committees or sub-committees meets from time to time;

"remuneration of staff" includes gross salaries, employers' national insurance contributions and employers' pension contributions;

"main residence" means the property in which the member is resident for council tax purposes under section 75 of the Local Government Finance Act 1992;

"other residence" means any residence which the member owns or leases other than his or her main residence,

and any reference to a Part is a reference to the Part so lettered in this Scheme and any reference to an Annex is a reference to the Annex so lettered in this Scheme.

(2) This Scheme shall come into force 24 hours after the passing of the resolution giving effect to the Scheme.

Rule 2 – Verifiable Expenditure

(1) The SPCB may, on an application for the purpose made to it by a member in accordance with this Scheme, make payments to that member by way of allowances for the reimbursement of expenses incurred by that member.

(2) Allowances for which a member is eligible shall be paid by the SPCB only upon the production to the SPCB of evidence of relevant expenditure.

(3) The SPCB shall provide forms for the purposes of administering the Scheme which members shall complete and sign in order to claim the relevant allowance.

Rule 3 – The Allowances Code

The proper use of allowances payable under this Scheme shall be governed by the Allowances Code at Annex A.

Rule 4 – Publication

(1) The SPCB shall publish the following information for each financial year in respect of each member in such form as the SPCB may determine—

(a) details of the allowance expenditure incurred; and

(b) the names of the staff employed by the member.

(2) A copy of the information published under paragraph (1) shall be kept by the Clerk at the office of the Clerk and shall be available for inspection by any person on the days and at the times when the office of the Clerk is open.

Rule 5 – Enforcement

(1) The SPCB shall be responsible for supervising members' adherence to the Scheme.

(2) Where eligibility for any of the allowances in this Scheme is in dispute, and cannot otherwise be resolved, the matter shall be referred to the SPCB for determination.

(3) Any member may make a complaint to the SPCB about another member where he or she has reason to believe that allowances under this Scheme have not been expended in accordance with the Scheme (hereinafter referred to as an improper use of allowances), and where such a complaint is made, the SPCB shall hear that complaint within one month.

(5) Where the SPCB has reason to believe that a member has made an improper use of allowances or where the SPCB has received a complaint under sub-paragraph (3), the SPCB may, after raising the matter with the Business Manager of the relevant political party, initiate investigations into the matter.

(5) Where the SPCB has initiated investigations in accordance with paragraph (4) and finds that a member has made an improper use of allowances, the SPCB shall report to the Standards Committee with its recommendation; and such a recommendation may propose the removal of all or part of the member's allowance.

Rule 6 – Virement

(1) Subject to paragraph (2) of this rule, a member shall not vire amounts between one allowance and another allowance.

(2) A member may vire up to 25% of his or her local office costs allowance to use for staffing or up to 25% of his or her staff allowance to use for local office costs provided that written notice is given to the SPCB.

Rule 7 – Up-rating

(2) Subject to paragraphs (2), (3) and (4) of this rule, the SPCB shall uprate allowances on 1 April each year by the amount of increase in the Retail Price Index for the previous financial year.

(2) The SPCB shall, unless the Parliament does not agree, uprate the motor vehicle allowance in line with the maximum rate in respects of vehicles over 1199cc set for local government under section 46 of the Local Government (Scotland) Act 1973, and the uprating will become effective at the same time as it does for local government.

(3) The SPCB shall uprate the motorcycle mileage allowance at the same time as and in accordance with the corresponding allowance set for staff of the Scottish Administration.

(4) The SPCB shall uprate the pedal cycle mileage allowance at the same time as and in accordance with the maximum tax-free allowance set by the Treasury.

Rule 8 – Parliamentary Duties

(1) All of the allowances referred to in this Scheme are to be used only for the purpose of members carrying out their Parliamentary duties.

(2) In this Scheme, "Parliamentary duties" means the undertaking of any task or function which a member could reasonably be expected to carry out in his or her capacity as a member of the Parliament including:

- (a) attending a meeting of the Parliament;
- (b) attending a meeting of a committee or sub-committee of the Parliament of which the member is a member or which the member is required to attend because of being in charge of a Bill or other matter under consideration by the committee or sub-committee or for any other valid reason relating only to the business of the committee or sub-committee;
- (c) undertaking research or administrative functions which relate directly to the business of the Parliament;
- (d) attending meetings for the purpose of representing electors or explaining the application of policy including attending meetings for the purpose of seeing a constituent or constituents;
- (e) attending Parliamentary party group meetings in Edinburgh;
- (f) attending any ceremony or official function or national or international conference as

a representative of the Parliament or with its authority;

but does not include a member's activities which are wholly in relation to that member's role as a Party spokesperson or representative

Rule 9 – Equality

All members shall be treated equally irrespective of whether they have been returned as constituency members or as regional members, subject to paragraph 2 of Part B.

Rule 10 – Allowances: general

(1) Where a member has claimed an allowance from any other source, the member shall not be eligible to claim the same allowance under this Scheme.

(2) Where a person becomes eligible for an allowance part way through the financial year, then the amount of any allowance payable under this Scheme shall be apportioned on a pro rata basis.

(3) Where a person ceases to be a member part way through the financial year, the SPCB shall decide whether or not any allowance shall be apportioned on a pro rata basis.

Part B – Allowances**1. Staff Allowance**

(2) Subject to the provisions of this paragraph, a member shall be eligible for an allowance of £36,000 for each financial year for the purpose of employing staff (whether full time or part time) to assist the member in carrying out his or her Parliamentary duties. The allowance shall include employers' costs such as gross salary, employers' National Insurance contributions and employers' pension contributions.

(2) Subject to sub-paragraph (3), staff employed by a member will be employed on the terms and conditions determined by the SPCB from time to time.

(3) A member may employ his or her staff on conditions which are more favourable to the employee than those determined by the SPCB provided that this does not entail the member exceeding the amount of his or her staff allowance.

(4) Staff of a member shall be bound by the Allowances Code at Annex A.

(5) Whilst the remuneration of staff shall be the responsibility of the member, the SPCB shall provide:-

- (a) payroll services for members' staff; and
- (b) arrangements for employers' pension contributions to be paid to an employee's choice of pension scheme,

and members shall provide the SPCB with details about their staff to enable the SPCB to provide such services and make such arrangements.

(6) A member may pool his or her staff allowance with another member or other members in order to employ

staff who are shared between or amongst them, provided that -

- (a) a member of staff remains the employee of a single member; and
- (b) the members concerned give written notice to the SPCB.

2. **Local Office Costs Allowance**

(1) Subject to sub-paragraphs (2), (2A), (2B) and (2C) a member shall be eligible for an allowance of £10,000 for each financial year to enable the member, within the constituency or region from which he or she was returned -

- (a) to run an office; and
- (b) to meet with constituents either on a one to one basis or as a group.

(2) Without prejudice to the generality of sub-paragraph (1), this allowance may be used for the following:

- (a) lease of a property or rental of premises;
- (b) the provision of utilities;
- (c) the purchase or lease of office furniture or equipment or the purchase of stationery.

(2A) Where in a particular region more than one regional member is returned from a registered political party's regional list, the amount of local office costs allowance for which each such regional member is eligible shall not be £10,000 but shall instead be computed as follows—

- (a) there shall be added together the amount of the office costs allowance referred to in paragraph (1) in respect of one such regional member and 30% of that sum in respect of each of the other such regional members;
- (b) the resulting total sum shall be divided by the number of such regional members; and
- (c) that amount shall be the local office costs allowance for which each such regional member shall be eligible.

(2B) Subject to sub-paragraph (2C), where sub-paragraph (2A) applies the office costs allowance shall be used to enable the regional members concerned—

- (a) to run only one office in the particular region; and
- (b) to meet constituents either on a one to one basis or as a group;
- (c) and accordingly some or all of the regional members concerned may pool all or part of their allowances under this paragraph in order to run such an office provided that the members concerned give written notice to the SPCB.

(2C) Where sub-paragraph (2A) applies in relation to a region mentioned in section C of Annex C (eligibility for

exceptional needs allowance: the largest regions), the SPCB—

- (a) may determine after inquiry that the regional members concerned may run one additional office because that is necessary for the regional members concerned to carry out their Parliamentary duties effectively; and

(b) in those circumstances may increase the local office costs allowance to which each of the regional members concerned is entitled by such a sum as the SPCB may determine but the total of such increases shall not exceed 100% of the office costs allowance referred to in sub-paragraph (1).

(3) Where local office costs are higher than in other parts of Scotland due to the state of the local economy, a member may refer the matter to the SPCB for its determination as to whether the member should be eligible for an allowance greater than the amount mentioned in sub-paragraph (1), but in any event no greater than 10% of that amount.

3. **Members' Travel Allowance**

(1) A member shall be eligible for the reimbursement of travelling expenses necessarily incurred by that member in performing his or her Parliamentary duties.

(2) In this paragraph -

“travelling expenses” means -

(a) the actual cost of any travel ticket purchased or fare paid in making a journey, or part of a journey, by public transport;

(b) where such a journey, or any part of such a journey, is made by means of a motor vehicle, motor cycle or pedal cycle, owned or wholly maintained by the member, such amount per mile travelled on the journey, or that part of the journey, by means of that motor vehicle, motor cycle or pedal cycle as is described in sub-paragraphs (3) to (5);

(c) in exceptional circumstances, with the approval of the SPCB, the actual cost of car hire and associated petrol costs; and

(d) tolls and carparking charges;

“public transport” means any service or services provided to the public at large for the carriage of passengers by road, rail, air or sea but includes travel by taxi service only where the use of such a service is required for reasons of urgency or where it is not reasonably practicable for the member to use other forms of public transport.

(3) The rate of the motor vehicle mileage allowance will be the maximum set for local government under section 46 of the Local Government (Scotland) Act 1973 and shall apply to all motor vehicles irrespective of engine size or annual mileage.

(4) The rate of the motorcycle mileage allowance will be the corresponding maximum rate set for Scottish Office employees.

(5) The rate of the pedal cycle mileage allowance will be at the level of the maximum tax free allowance set by the Treasury.

(6) Any travel outside Scotland shall be eligible for reimbursement only where the travel concerned has been authorised in advance by the SPCB.

4. *Edinburgh Accommodation Allowance*

(1) Where a member's main residence lies within a constituency mentioned in Group One of Annex B, he or she shall not be eligible for any allowance under this paragraph.

(2) Where a member's main residence lies within a constituency mentioned in Group Two of Annex B, the member shall be eligible for an overnight subsistence allowance of up to £80 per night for each night that he or she requires to stay overnight for Parliamentary duties in Edinburgh.

(3) Where a member's main residence lies within a constituency mentioned in Group Three of Annex B, the member shall be eligible for a total allowance of £9000 for each financial year comprising either –

(a) an allowance of up to £80 per night for each night that he or she requires to stay overnight for Parliamentary duties in Edinburgh; or

(b) subject to sub-paragraph (4), an allowance in order to cover the costs of those items mentioned in sub-paragraph (5) below, where such costs are a necessary consequence of having to stay overnight for Parliamentary duties in Edinburgh.

(4) Where the member claims an allowance under sub-paragraph (3)(b) part way through the financial year, then the amount of the allowance payable under that paragraph shall be apportioned on a pro rata basis.

(5) The costs referred to in sub-paragraph (3) relate only to the provision and use as residential accommodation of a property located in the City of Edinburgh and are –

(a) the rent payable for the lease of the property;

(b) the interest on the capital required to purchase the property;

(c) council tax;

(d) factoring charges; and

(e) the provision of utilities.

(6) Where a member's main residence falls within Group Two of Annex B, the member may refer his or her case to the SPCB and, where there are extenuating circumstances, the SPCB may determine that the member may for the purposes of this paragraph be treated as if his or her main residence fell within Group Three of Annex B.

(7) The SPCB shall publish for each financial year information about any allowance payable under this

paragraph including the name of the city, town or village where each member's main residence is located.

5. *Exceptional Needs Allowance*

(1) This paragraph applies to members from those constituencies or regions which are set out in Annex C.

(2) A member shall be eligible to claim an exceptional needs allowance of up to £80 per night where it is unreasonable for the member to return to his or her main or other residence before or after undertaking Parliamentary duties within the member's constituency or region.

6. *Overnight Subsistence Allowance*

(1) Subject to sub-paragraphs (4) and (5), a member shall be eligible for an overnight subsistence allowance where he or she requires for the purpose of carrying out his or her Parliamentary duties to spend a night away from his or her main or other residence.

(2) The amount of the overnight subsistence allowance shall be:-

(a) up to £80 per night; or

(b) up to £100 per night in Greater London; or

(c) in respect of a stay outside the United Kingdom an amount determined by the SPCB.

(3) Any claim for overnight subsistence in connection with a stay outside Scotland shall be eligible for reimbursement only where the stay concerned has been authorised in advance by the SPCB.

(4) A member is not eligible for an allowance under this paragraph in connection with Parliamentary duties in Edinburgh.

(5) A member is not eligible for an allowance under this paragraph in connection with Parliamentary duties within his or her constituency or region.

7. *Staff Travel Allowance*

(1) This paragraph applies only to staff employed through the SPCB payroll service.

(2) Each member is eligible for an allowance in respect of the cost of 40 single journeys for each financial year between their constituency or region and the Parliamentary complex by members of their staff.

(3) The SPCB shall keep a record of each member's entitlement to an allowance under this paragraph and its use to date.

8. *Family Travel Allowance*

(1) Each member is eligible for an allowance in respect of the cost of 12 single journeys for each financial year between his or her constituency, region or main residence and Edinburgh for each member of his or her immediate family.

- (2) In this paragraph, "immediate family" means -
- (a) the member's spouse or another nominated person; and
 - (b) any child under the age of 18; and
 - (c) for the purposes of this paragraph "child" includes any step child, adopted child, foster child or any other child living with that member as part of his or her family.
- (3) The SPCB shall keep a record of each member's entitlement to an allowance under this paragraph and its use to date.
- (4) In order to qualify for the family travel allowance, a member must register with the SPCB who are his or her immediate family eligible to take part in the Scheme.

9. *Disability Allowance*

- (1) This paragraph applies to any member whose ability to undertake his or her role as a member is impaired by reason of disability.
- (2) The SPCB may award an allowance up to a maximum of £10,000 per session to a member for him or her to use in any way which the SPCB decides is helpful to the member in undertaking his or her work.

10. *Winding Up Allowance*

- (2) Where a member ceases to serve as a member of the Parliament, he or she shall be eligible for a winding up allowance.
- (2) The amount of the winding up allowance shall be the equivalent of one third of the staff allowance and local office costs allowance payable in any one financial year to which the member would otherwise have been entitled.

Part C – Independent Review

For the purposes of determining the success or otherwise of the practical operation of the Scheme, the SPCB shall, within 18 months of the coming into force of this Scheme, set up an independent review of the operation of the Scheme and following the review make recommendations to the Parliament.

ANNEX A

ALLOWANCES CODE

A: Relationships Between Members

- (1) Any constituent can approach any MSP within his or her constituency or region.
- (2) If a constituent seeks to approach a particular MSP, the constituent must be directed to that MSP by other MSPs or their staff.
- (3) All MSPs have a right to hold surgeries within the area for which they were returned.

(4) Any constituent from outside a region who approaches an MSP with a constituency issue should be directed initially to a relevant MSP.

(5) Any list MSP who raises a constituency issue should notify the relevant constituency MSP at the outset unless the consent of the constituent is withheld.

(6) Any MSP who is approached by a constituent with an issue related to a reserved matter (e.g. social security) should consult with the appropriate Westminster MP.

B: Offices

- (1) Each MSP will normally have one Parliamentary office base within the area for which he or she was returned that will be his or her registered local address for correspondence.
- (2) All MSPs' offices will be presented as 'The Office of Ms X, Member of the Scottish Parliament' in the Parliament's colours. It should be possible to identify the party affiliation of the MSP as well, if desired.
- (3) Parliamentary offices may be acquired in association with political party premises, but must be a clearly definable office space. Party political material is not permitted to be externally displayed in areas occupied by the Parliamentary office.
- (4) Parliamentary offices should be suitable for public access.
- (5) MSPs will be able to use offices/locations, other than their main base, within the area for which they were returned for surgery purposes.

C: Activities

- (1) Premises, or the relevant part of premises, acquired as Parliamentary offices should be used only for parliamentary activities, and not for party business.
- (2) During the hours that they are employed by an MSP under his or her staff allowance, an MSP's employees may not undertake any significant party political activity.
- (3) MSPs will be responsible to the SPCB for the activities of their staff as for their own activities.
- (4) Premises, or the relevant part of premises, acquired as Parliamentary offices shall not be used as a base for canvassing or election campaigning, or any party activity related to elections.
- (5) Parliamentary stationery and office equipment must not be used for party purposes.

D: Responsibilities

- (1) Each MSP has a duty to ensure that he or she utilises the allowances to which he or she is eligible for the purpose for which they were intended. This includes any allowances for which he or she is eligible, but which are utilised by members of staff or immediate family.
- (2) Each MSP has a duty to ensure that he or she adheres to the terms of this code in spirit and in practice.

ANNEX B**ELIGIBILITY FOR EDINBURGH ACCOMMODATION ALLOWANCES****Group One**

Edinburgh West
 Edinburgh Pentlands
 Edinburgh Central
 Edinburgh North & Leith
 Edinburgh South
 Edinburgh East & Musselburgh
 Linlithgow
 Livingston
 Midlothian

Group Two

East Lothian
 North East Fife
 Central Fife
 Kirkcaldy
 Dunfermline East
 Dunfermline West
 Ochil
 Falkirk East
 Falkirk West
 Cumbernauld & Kilsyth
 Airdrie & Shotts
 Coatbridge & Chryston
 Hamilton North & Bellshill
 Motherwell & Wishaw
 Hamilton South

Glasgow Anniesland
 Glasgow Ballieston
 Glasgow Cathcart
 Glasgow Govan
 Glasgow Kelvin
 Glasgow Maryhill
 Glasgow Pollok
 Glasgow Rutherglen
 Glasgow Shettleston
 Glasgow Springburn

Strathkelvin & Bearsden
 Paisley North
 Paisley South

Stirling
 Perth
 Dundee East
 Dundee West
 Tweeddale, Ettrick and Lauderdale

Group Three

Aberdeen Central
 Aberdeen North
 Aberdeen South
 Aberdeenshire West & Kincardine
 Angus
 Argyll and Bute
 Ayr
 Banff & Buchan
 Caithness, Sutherland & Easter Ross
 Carrick, Cumnock & Doon Valley
 Clydesdale

Clydebank & Milngavie
 Cunninghame North
 Cunninghame South
 Dumbarton
 Dumfries
 East Kilbride
 Eastwood
 Galloway and Upper Nithsdale
 Gordon
 Greenock & Inverclyde
 Inverness East Nairn & Lochaber
 Kilmarnock & Loudon
 Moray
 Orkney
 Renfrewshire West
 Ross, Skye & Inverness West
 Roxburgh & Berwickshire
 Shetland
 Tayside North
 Western Isles

ANNEX C**ELIGIBILITY FOR EXCEPTIONAL NEEDS ALLOWANCE****A: Constituencies of over 250,000 hectares**

Argyll & Bute
 Caithness, Sutherland & Easter Ross
 Galloway & Upper Nithsdale
 Inverness East, Nairn & Lochaber
 North Tayside
 Ross, Skye and Inverness West
 Roxburgh & Berwickshire
 West Aberdeenshire and Kincardine
 Western Isles

B: Constituencies which contain significant island communities

Orkney
 Shetland
 Cunninghame North

C: The largest regions

Highlands & Islands
 North East Scotland
 South of Scotland".

The Presiding Officer: Motion S1M-41 concerned equipment. The question is, that motion S1M-41, in the name of Mr Michael Russell, be agreed to.

Motion agreed to.

That the Parliament direct the Scottish Parliamentary Corporate Body ("the SPCB") as follows:

1. Provision of Information Technology and Office Equipment

(1) The SPCB shall provide information technology and other office equipment for the Parliament.

(2) Where such information technology and other office equipment is provided for the use of a member for the

purpose of carrying out his or her Parliamentary duties –

(a) the member may select the equipment concerned but only from a list of items specified by the SPCB;

(b) the cost of such equipment shall be no more than £5000 in the first year following a general election and no more than £1500 in each of the following years in that session;

(c) the member shall be responsible for the maintenance, protection and security of such equipment and the SPCB may, if it has reasonable grounds to believe that any such equipment is being misused, require the return of the equipment.

2. Provision of Office Supplies

(1) The SPCB shall provide office supplies and postage stamps or postage paid envelopes for the Parliament.

(2) Where such office supplies are provided for the use of a member for the purpose of carrying out his or her Parliamentary duties the member may select the supplies concerned but only from a list of items specified by the SPCB.

3. Publication

The SPCB shall publish for each financial year in respect of each member details of the total sums expended under paragraphs 1 and 2 of this direction.

4. Parliamentary Duties

For the purposes of this direction, "Parliamentary duties" shall have the same meaning as in rule 8 of Part A of the Members' Allowances Scheme.

The Presiding Officer: That concludes the main business. We now move on to members' business.

Mr Alex Salmond (Banff and Buchan) (SNP):
On a point of order—

The Presiding Officer: Sorry Alex, just hang on. I am calling Mr Salmond on a point of order; could we have the microphone on please? I do not know what has happened—just shout.

Mr Salmond: It is a brief point of order. The ruling on interventions seems unclear. If no one takes interventions, it will stifle debate. It would be helpful, Mr Presiding Officer, if there could be a definitive ruling that members who take interventions will not be unduly penalised in terms of time.

Members: Hear, hear.

The Presiding Officer: That was the purport of my ruling earlier, but I will deliver a short homily in the bulletin so that everybody has it in writing.

We now move to the members' business debate, which is on motion S1M-24 lodged by Dr Sylvia Jackson. Members who do not wish to stay for the debate should please leave as quietly as possible.

The Deputy Presiding Officer (Mr George Reid): We seem to have a slight problem with the microphones at the moment. The matter is being

attended to.

I am informed that within a minute or two we shall have the microphones back, so members should exercise a little patience. Our apologies to Dr Jackson.

National Park

Motion debated,

That the Parliament:

- (a) recognises the importance of the Loch Lomond and Trossachs National Park, the first National Park in Scotland, as an area to be maintained as one of outstanding natural beauty and for potential in terms of social and economic development.
- (b) encourages the Scottish Executive to consider bringing forward the necessary legislation in relation to the setting up of the first National Park for Scotland at an early opportunity.

17:07

Dr Sylvia Jackson (Stirling) (Lab): I am sorry to see that so many Scottish National party members have left, but not to worry. In February, the Government announced its intention of establishing Loch Lomond and the Trossachs as the first national park in Scotland. The designation recognises the world-class character of this natural resource and tourist attraction. It is an initiative that deserves and has received widespread support, and that could offer a model for developments elsewhere in Scotland.

There are, however, many issues still to be considered, and I would like to highlight three of them. First, the national park offers an opportunity to safeguard an area of great natural beauty and the potential sensitively to promote the social and economic development of the Loch Lomond and Trossachs area. Together, those objectives provide a major opportunity for the achievement of sustainable development that creates jobs and also sustain communities in a way that conserves the outstanding landscape. It would, however, be foolish to underestimate the tensions between the two objectives, but those must be resolved.

Secondly, the precise boundaries of the national park for Loch Lomond and the Trossachs need to be decided. Such a decision must be made with as much local consultation as possible, but we must learn from the experience in England and Wales. It is important that boundaries can be reviewed and changed as local circumstances change.

Thirdly, I will turn directly to the issue of democratic accountability. As Scottish Natural Heritage has argued, we need to promote local community involvement in the identification, governance and management of national parks. The present interim committee, which encompasses the three council areas involved and includes individuals from the various interested groups will, with legislation, be replaced by a

national park authority. Through the legislative process, Parliament must look further into the methods and rules for appointing members to a national park authority.

My local authority, Stirling Council, is keenly concerned with the development of the Loch Lomond and Trossachs national park. Through a phase of extensive consultation with key partners, the council has already drawn up a comprehensive and far-reaching rural strategy that recognises that the rural landscape around Stirling is a major resource. It is a key amenity for residents and it plays a significant role in the local and national economy. The Loch Lomond and Trossachs park initiative must be developed alongside and as part of the broader rural strategy for Stirling and the adjacent areas of Argyll and Bute and west Dunbartonshire.

Much remains to be done if the vision of the first national park for Scotland is to become a reality. The Parliament must view this development as a priority and must ensure that the necessary legislation is brought forward at an early opportunity.

17:10

Linda Fabiani (Central Scotland) (SNP): My first concern when there is talk of setting up new Government organisations and of changing things is always the control of such organisations, which Dr Jackson mentioned. That concern is understandable, given the years of Conservative rule when privatisation was the name of the game and when decision making, even for institutions with a public remit, was controlled by unelected representatives.

Unfortunately, despite Labour's promises at the 1997 election of quango bonfires, the quangos of Scotland are still with us and their number has increased. Will Dr Jackson let us know today her party's real intention for the control of the national park? Will it be controlled by Labour party selection or by democratic election?

The Deputy Presiding Officer (Mr George Reid): There is a problem with the computer screens, so I need to clarify who wants to speak. Dr Simpson, do you want to contribute to this debate?

Dr Richard Simpson (Ochil) (Lab): No.

17:11

Mr Keith Raffan (Mid Scotland and Fife) (LD): I support everything that Dr Jackson has said. I am sorry that I was not able to ask her for permission in advance to speak in this, the first debate on members' business. I hope that she will not object to my speaking.

It is important to have debates on constituency issues such as this, and I am glad that the first debate is on this issue. I have not attended any consultation meetings on the Loch Lomond and Trossachs national park, although I have attended a meeting on the proposed Cairngorms national park.

It is right that we should set up such parks and I support the Administration in doing so. Scotland is way behind the rest of the country on this issue. I was a member of Parliament in Wales for nine years and saw how valuable the Snowdonia and Brecon Beacons national parks were to conservation and to ensuring an integrated approach, so that the difficult balance between conservation and the environment on the one hand and local economic development on the other could be struck. I do not agree with much that Lord Sewel says, but he has said that it is important that initiatives such as the national parks do not become "a living museum". He is right about that.

During the European by-election, I participated in a consultation exercise in Ballater. One of the most valuable things that I learnt from that—certainly more valuable than the election result—was the importance of participation by local people in the running of national parks. Ballater is a relatively small village, so I was immensely impressed by the number of local people from every aspect of community life, including mountain rescue, who turned up because they wanted to have a say in how the national park would be set up and run. At one point, when we broke up into small working groups, I sat with members of the mountain rescue team. They had detailed inside knowledge of the entire Cairngorms area, which made the consultation a fascinating exercise.

It is important not only to involve local people in committees when national parks are set up, but also to ensure that local people, who know the area inside out, help manage the parks. At the meeting that I attended, one or two people pontificated who had probably never been up a hill in their lives—not even the ones outside Ballater, which are not particularly high. However, some of the people there, such as the mountain rescue team, had a tremendous contribution to make.

The success or failure of the national parks will depend on the extent to which we involve local people in their management. Such parks mark a tremendous advance across the board, in conservation of the environment and in planning, as the parks will have planning authority devolved to them from local councils. In effect, they will take over responsibility for the entire area, which makes a lot of sense.

I strongly support the principle of national parks, on which I believe Lord James Douglas-Hamilton

attempted to take the initiative when he was a minister some time ago. In an article in *The Scotsman* in January 1989 he was reported as saying that he hoped to encourage the setting up of national parks in Scotland. I hope that real progress can now be made. We have been way behind England and Wales and it is time that we caught up.

The Deputy Presiding Officer: If members keep their remarks to three minutes, almost every member who wants to speak will be able to do so.

17:15

Mr David Davidson (North-East Scotland) (Con): I must declare an interest in this issue. I have spent many years representing the Trossachs—for the past five years as a member of the local council and before that as a community councillor and community councillor chairman covering the area up to Strath Ard—and am especially interested in the welfare of the people who would be affected by this measure.

I hate to think how many meetings I have attended where fears have been expressed about the interests of those who live and try to earn a living in a particular area. Time and again, under the previous Labour administration in Stirling, many of the comments that were made were not listened to. At one stage, no one living in the park was sitting on the various bodies that then existed to discuss the issue or to represent the views of those living in the park. I found that distasteful. I will make the point—Dr Jackson has passed it on and I hope that the minister gets the message—that there is a vital need for input from the people who live and work in that area. They must be present at and able to participate in any discussions.

The community councils in the area fought hard for representation. I, as their councillor, fought hard to try to ensure that we would have a two-tier management system; one for the Trossachs and one for Loch Lomond. I am afraid I have to say that the lord who was responsible refused that and decided that we were only going to have one body. In one stroke, local accountability and input were removed.

I am sure that that is not what this Parliament is about. I know that earlier on I accused someone of being parochial. I admit to being parochial now, but it is because we must get these things right. In the future, when we consider national parks in other areas of Scotland, I am sure that things will roll out. It is vital that we convey the need for local democratic input. Much lip service is paid to that principle, but I would like to see it in action for the people of the Trossachs.

17:17

Robin Harper (Lothians) (Green): My concerns about the setting up of national parks reflect some of the things that have already been said. With respect to rural Scotland, Scottish Green party policy is that we would like much of it to be considered not as a wonderful and beautiful wilderness, but as a devastated land that was once heavily forested with incredible biodiversity and which was also well populated. When setting up a national park, one should keep in mind that we do not want to see the rest of rural Scotland as a national park.

The second point is the concept of carrying capacity. National parks are going to become extremely popular. I have been down to the lake district on a couple of occasions—indeed I was looking at a woodland area there just a few weeks ago—and in the summer the area becomes intolerable for the people who live there. The number of people visiting the park begins to impinge on the area that one wishes to protect and keep beautiful.

There is much to learn from Yosemite national park and we would benefit from sending one person there—or perhaps we should invite one person from there to address us so that we cannot be accused of junketing—to learn about the problems that they have had, which, to a large extent, they have solved extremely well.

The Deputy Presiding Officer: With members' agreement, I propose to allow the debate to continue for an extra four minutes, on account of our IT problems earlier.

17:18

Fergus Ewing (Inverness East, Nairn and Lochaber) (SNP): I congratulate Dr Jackson on raising a debate on a matter which the people of Scotland will expect us to solve in a way relatively free from party political considerations.

I would like to declare a number of interests. The second proposed national park in the Cairngorms falls within my constituency and many of the general issues that Dr Jackson touched upon have a similar, if slightly different, effect in my constituency.

The approach of this chamber should be to select the best elements from the rest of the world's experience of national parks and to learn from them, especially the lake district where the pressure has been unacceptable.

I should perhaps declare a further interest. Early this morning I went for a run, although that is perhaps an exaggeration of the speed, on the west Highland way. I ventured up Conic hill. The view from the top can be bettered only by views

from the Cairngorms. I happened to meet a local shepherd and I asked him his views about this debate, because I was aware that it was in the business bulletin. He said that we must not have another quango, and a national park where the board of management is dominated by people who are not based in the area and who are not knowledgeable about local issues. I would like to see an elected body, comprising a majority of local residents, which has access to expert advice. That is suitable and necessary.

The second issue is one of expense. How much will the park cost per year? How will it be funded? Will the Labour party take this opportunity to rule out local road tolls, which were proposed by Scottish Natural Heritage as one method of funding?

17:21

Mr Brian Monteith (Mid Scotland and Fife) (Con): Dr Jackson will recall from the debate that we had on 26 April in Aberfoyle that there is a great deal of local concern about what the term national—or perhaps I should say nationalised—park really means. Much of the concern is about funding—for example, what funding might there be to mitigate the infrastructure problems that will undoubtedly occur?

There has been a lot of talk about using national parks as a branding exercise to bring more people into the Loch Lomond area. Certainly, many of the people who are in favour of a national park see it as a way to attract more tourists. As has been said, that can cause great problems, as the additional tourist load can erode the beautiful things that we are trying to preserve. National parks are a double-edged sword.

We must examine what can be done about viewing points, single-track roads and additional lay-bys, and we must ensure not only that there are toilets, but that they are kept open. Sylvia knows fine well what I mean by that.

I have no doubt that we will return to the issues of boundaries and who runs the park, but we are seeing undue haste on this matter—there is by no means a consensus that a national park is needed in the locality of Loch Lomond. The issue is not simply one of preserving the beautiful environment. The proposal will undoubtedly affect people's lifestyles and businesses. Indeed, in trying to preserve what needs to be preserved, we may be disrupting it. I recommend that the Administration resists the temptation to legislate immediately.

17:23

Jackie Baillie (Dumbarton) (Lab): I support the motion in the name of Dr Sylvia Jackson. I shall

declare my interest at the outset, as other members have been inclined to do. I am the directly elected member of the Dumbarton constituency, which covers the eastern part of the proposed national park for Loch Lomond and the Trossachs. It is undoubtedly an area of outstanding natural beauty, enjoyed by people from across Scotland and from across the world.

Until the park authority is established as a legal entity, the interim committee is considering four key aims: to safeguard the cultural and natural heritage of the area; to promote the sustainable use of natural resources; to promote the social and economic well-being of local communities; and to provide for public enjoyment and understanding. I will focus briefly on the potential for economic development.

The constituents of Dumbarton and I are clear about the need for sustainable development. We must balance the need to protect the environment with the need to create employment opportunities. There is no doubt that that will be an extremely sensitive issue, but it is clear that where we can, and where it is appropriate, we should develop job opportunities.

Tourism continues to be important to the Scottish economy, contributing approximately £2.6 billion per annum and supporting 178,000 jobs. The potential to create tourism-related employment in the context of the national park is evident. We should encourage local agencies to work together to maximise the opportunities, and above all to connect people who are unemployed with those opportunities. That will provide added value to our efforts. Equally, there will be development potential in the supply chain, education services, park ranger services and general recreation, all of which should be exploited.

At the same time, we must ensure that our heritage and environment are protected. I believe that the national park authority for Loch Lomond and the Trossachs is the mechanism to promote sustainable development and to protect the environment. I therefore support the motion calling for the establishment of a national park for Loch Lomond and the Trossachs, and commend it to the Parliament.

17:25

The Minister for Transport and the Environment (Sarah Boyack): I thank Sylvia Jackson for initiating this debate. Every speech earlier this afternoon was prefaced by the phrase, "I wish we could have been talking about something else." Well, here is an important subject with practical significance for the future of Scotland.

There is widespread agreement about the need for a national park, but I will respond to some of the specific questions that have been raised. This is not a new issue; it has been with us for a long time. It is not a mark of haste to suggest that it should be one of the priorities for an incoming Scottish Parliament.

For centuries, Loch Lomond and the Trossachs have been celebrated for their outstanding scenic qualities. The area supports a rich mix of water, wild land, forest, woodland, farmland and people. It is an exceptional landscape throughout the year and is of the highest importance, both nationally and internationally, in terms of natural heritage.

To those who suggest that a national park would create pressures, I say that there are already pressures. The real question that we must address is how to manage existing problems in an integrated and effective way. Somewhere in the region of 5 million people visit Loch Lomond and the Trossachs each summer. Many of them are stopping locally, but many are staying for a longer period. Many of them arrive by car: about 93 per cent of visitors travel privately, the vast majority by car. Mr Monteith's comments about parking and infrastructure are absolutely critical and must be addressed.

The west Highland way, which was mentioned by Fergus Ewing, attracts more than 50,000 walkers per year. There are already problems in Loch Lomond and the Trossachs. Robin Harper was absolutely correct with his comments on managing the critical and carrying capacities of the area, but we need a mechanism to do that. Although we do not currently have such a mechanism, the national park may provide us with one.

I offer one last snapshot of the issue's importance. Around 70 per cent of Scotland's population can travel to Loch Lomond and the Trossachs in less than an hour. That is an awful lot of us for a day trip, and does not include visitors from abroad.

Since the election of the Labour Government in 1997, we have made substantial progress. Scottish Natural Heritage has carried out a huge amount of research, in two phases. Initially, people were asked to give their views; those consulted included local authorities, community councils, public agencies and everyone in the area who was interested. Reviews of national park structures elsewhere were commissioned, and the experience—which Mr Raffan mentioned—both nationally within the UK and internationally, was considered. A huge number of meetings were also held. In the second phase of the consultation, more than 10,000 copies of Scottish Natural Heritage's proposals and consultation paper were issued.

A great deal of consultation has been carried out. That does not mean that everybody is happy, but in the Loch Lomond and the Trossachs area there is substantial support for our moving ahead with this measure.

There is less support overall for such a measure in the Cairngorms, as was mentioned by other members. I acknowledge that there is less enthusiasm in the Cairngorms, but we need to consider bringing people together to discuss the issues. The national park legislation must contain enabling legislation that is appropriate to different areas.

Fergus Ewing: Will the minister give way?

Sarah Boyack: I will not. I should emphasise to Mr Ewing that we do not want one blueprint for the whole of Scotland. We need national parks proposals that are appropriate to individual areas. We as a Parliament need to steer a consultation process, initiated by the Executive and the Parliament, and covering the whole of Scotland—

Fergus Ewing: Will the minister give way?

Sarah Boyack: I can see that Mr Ewing is absolutely desperate, so I will let him make a brief intervention.

Fergus Ewing: No one is suggesting that there should be one blueprint for the whole of Scotland. The question is how Labour will fund a national park in Loch Lomond. How much will such a park cost per year? Will the Executive rule out imposing local road tolls to fund it?

Sarah Boyack: Funding depends on the kind of national park that we in this Parliament collectively agree on. We can speculate—SNH predicted how much particular kinds of national park would cost—but until we know what kind of park there will be, it is impossible to answer Mr Ewing's question.

I want to emphasise the crucial point made by Jackie Baillie and Sylvia Jackson about balancing social and economic objectives with long-term environmental objectives. We need to get the balance right. That is the challenge and that is why establishing national parks is an exciting idea—it is an exciting issue for the Parliament to take up. We have had a lot of consultation and there is a lot of enthusiasm for a national park at Loch Lomond and the Trossachs. Our challenge is to take the debate forward and to continue to involve people in that process.

I know from Linda Fabiani's comments that she has an aversion to quangos. It is important to note that the mix of people who are involved in running the national park will be crucial. Local people need to be involved—both those who run businesses and those who live in the area—as do local councillors and people at the national level. By

setting up a national park, we give national priority to the issue of national parks as a whole. How we strike the right balance is one of the key matters that we need to discuss during consultation.

Work is well under way to establish national parks in Scotland. The issue is one that the Parliament needs to examine and one in which we all need to be involved. There is not just one approach for the whole of Scotland; we need enabling legislation to select the appropriate models for different parts of Scotland.

The partnership Government's commitment to establishing national parks in Scotland is clear and unequivocal. It was in the "Partnership for Scotland" agreement and is one of the key matters that we want to debate during this session.

The Deputy Presiding Officer: That concludes the Parliament's first members' business debate.

Meeting closed at 17:32.

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