

# **EDUCATION, CULTURE AND SPORT COMMITTEE**

Tuesday 28 March 2000  
(*Afternoon*)

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## EDUCATION, CULTURE AND SPORT COMMITTEE

**12<sup>th</sup> Meeting 2000, Session 1**

### CONVENER

\*Mrs Mary Mulligan (Linlithgow) (Lab)

### DEPUTY CONVENER

\*Karen Gillon (Clydesdale) (Lab)

### COMMITTEE MEMBERS

Ian Jenkins (Tweeddale, Ettrick and Lauderdale) (LD)

Lewis Macdonald (Aberdeen Central) (Lab)

\*Mr Kenneth Macintosh (Eastwood) (Lab)

\*Fiona McLeod (West of Scotland) (SNP)

\*Mr Brian Monteith (Mid Scotland and Fife) (Con)

\*Cathy Peattie (Falkirk East) (Lab)

Michael Russell (South of Scotland) (SNP)

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

\*Nicola Sturgeon (Glasgow) (SNP)

\*attended

### CLERK TEAM LEADER

Gillian Baxendine

### SENIOR ASSISTANT CLERK

David McLaren

### ASSISTANT CLERK

Ian Cowan

### LOCATION

Committee Room 2



## Scottish Parliament

### Education, Culture and Sport Committee

*Tuesday 28 March 2000*

*(Afternoon)*

[THE CONVENER *opened the meeting at 14:02*]

#### **Scotland Act 1998 (Cross-Border Public Authorities) (Adaptation of Functions etc) Order 2000 (SSI 2000/draft)**

**The Convener (Mrs Mary Mulligan):** Good afternoon, everybody. Let us make a start. Item 1 on the agenda is the Scotland Act 1998 (Cross-Border Public Authorities) (Adaptation of Functions etc) Order 2000. The Minister for Children and Education is here to move motion S1M-627.

**The Minister for Children and Education (Mr Sam Galbraith):** I am happy to answer any questions that the committee has on the order.

I move,

That the Education, Culture and Sport Committee, in consideration of the draft Scotland Act 1998 (Cross-Border Public Authorities) (Adaptation of Functions etc.) Order 2000 recommends that the Order be approved.

**The Convener:** Are there any questions from members of the committee?

**Fiona McLeod (West of Scotland) (SNP):** I would like to ask the minister about the British Library Board recommendations. Are you happy that only one member on the board has a specific interest in matters Scottish? Will that be sufficient to see us through the changes that the British Library is considering, which will impact on Scotland in areas such as copyright and legal deposit?

**The Convener:** I am told that this is not a question-and-answer session, but a time to take comments from the committee.

**Mr Galbraith:** Oh, I see. Okay. Sorry.

**The Convener:** The minister will pick up that point in his answer to the debate. Are there any other comments?

**Members:** No.

**The Convener:** Sam, will you answer Fiona McLeod's question in your summing-up?

**Mr Galbraith:** We have a national library that liaises with the British Library, so we are in a

powerful position. Our position on the board is guaranteed and does not mean that we will not be represented by others. On some of the other bodies, such as the trustees of the national heritage memorial fund, although we have only one guaranteed position, we are represented by others.

Section 88 of the Scotland Act 1998 recognises cross-border organisations—bodies that have responsibilities both sides of the border. However, section 89 allows us to vary some of the powers that were transferred under section 88, as they are not necessarily relevant for everybody. In the past, we have varied them upwards in many ways; under a previous order, some 60 powers were varied upwards. This order deals specifically with the British Library Board, the Theatres Trust and the trustees of the national heritage memorial fund.

The order enhances what was the case before devolution, for the British Library and the Theatres Trust, and puts the informal consultation arrangements under statute. Consultation on the appointment of the chairman of the trustees of the national heritage memorial fund is also placed under statute. The order strengthens a pre-devolution order and helps us to achieve the right relationship between Scotland and those bodies. I commend the motion to the committee.

**The Convener:** The question is, that motion S1M-627 be agreed to.

*Motion agreed to.*

## Standards in Scotland's Schools etc Bill: Stage 2

**The Convener:** Item 2 is motion S1M-684, which concerns the order of consideration of sections in the Standards in Scotland's Schools etc Bill at stage 2. Next Wednesday, 5 April, we start with sections 1 to 12.

I move,

That the Education, Culture and Sport Committee consider the Bill at Stage 2 in the following order: sections 1-12, sections 41-51, sections 13-40, sections 52-57 and that each schedule is considered immediately after the section that introduces it.

*Motion agreed to.*

## Committee Business

**The Convener:** Item 3 is an update on current committee work. Does anyone have any questions?

**Nicola Sturgeon (Glasgow) (SNP):** Something came to mind the other day. Sam Galbraith wrote asking us to consider a children's commissioner, and we wrote back asking him for more information. Have we received any response?

**Gillian Baxendine (Clerk Team Leader):** We wrote to the Executive saying that we would not be able to take up the issue until September, but that we would welcome a further memorandum. I expect to receive that in May.

**The Convener:** As there are no further questions, we move on to item 4.

## Scottish Human Services Trust Conference

**The Convener:** We have been invited to send a nominee from the committee to the Scottish Human Services Trust conference on 17 May. Would any individual like to volunteer for that? Would anyone like to put their hand up and say that they would like to go? Fiona, are you interested?

**Fiona McLeod:** Sorry, no.

**The Convener:** Are we happy that someone should go from the committee? I am sure that someone will volunteer. Gillian and I will find out whether any of the members who could not attend today can go. Can we agree that we should send a representative from the committee?

**Members indicated agreement.**

**The Convener:** Thank you. We have agreed to take item 5 in private.

14:08

*Meeting continued in private until 15:07.*

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