



The Scottish Parliament  
Pàrlamaid na h-Alba

## Official Report

# SUBORDINATE LEGISLATION COMMITTEE

Tuesday 23 February 2010

Session 3

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## **SUBORDINATE LEGISLATION COMMITTEE**

### **6<sup>th</sup> Meeting 2010, Session 3**

#### **CONVENER**

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

#### **DEPUTY CONVENER**

\*Ian McKee (Lothians) (SNP)

#### **COMMITTEE MEMBERS**

\*Jackson Carlaw (West of Scotland) (Con)  
Margaret Curran (Glasgow Baillieston) (Lab)  
\*Bob Doris (Glasgow) (SNP)  
Helen Eadie (Dunfermline East) (Lab)  
\*Rhoda Grant (Highlands and Islands) (Lab)

#### **COMMITTEE SUBSTITUTES**

Bill Aitken (Glasgow) (Con)  
Ross Finnie (West of Scotland) (LD)  
Christopher Harvie (Mid Scotland and Fife) (SNP)  
Elaine Smith (Coatbridge and Chryston) (Lab)

\*attended

#### **CLERK TO THE COMMITTEE**

Douglas Wands

#### **LOCATION**

Committee Room 6

**Scottish Parliament  
Subordinate Legislation  
Committee**

*Tuesday 23 February 2010*

[The Convener *opened the meeting at 14:15*]

**Decision on Taking Business in  
Private**

**The Convener (Jamie Stone):** I welcome everyone to the sixth meeting in 2010 of the Subordinate Legislation Committee. We have apologies from Margaret Curran. Please switch off all BlackBerrys and mobiles.

The first item on the agenda is a decision on taking business in private. It is proposed that, under agenda item 6, we discuss our draft report on the Crofting Reform (Scotland) Bill in private. Is that agreed?

**Members** *indicated agreement.*

**Draft Instruments subject to  
Approval**

**Local Government Investments (Scotland)  
Regulations 2010 (Draft)**

14:15

**The Convener:** Are members content to report that an explanation was sought from the Scottish Government about why it is considered that regulation 3(1)(a) is within the enabling powers to make the regulations contained in sections 40 and 58(5) of the Local Government in Scotland Act 2003, and that the committee accepts the explanation provided?

**Members** *indicated agreement.*

**Public Appointments and Public Bodies  
etc (Scotland) Act 2003 (Treatment of  
Office or Body as Specified Authority)  
Order 2010 (Draft)**

**Advice and Assistance and Civil Legal Aid  
(Financial Conditions and Contributions)  
(Scotland) Regulations 2010 (Draft)**

**Town and Country Planning (Fees for  
Applications and Deemed Applications)  
(Scotland) Amendment Regulations 2010  
(Draft)**

**Renewables Obligation (Scotland)  
Amendment Order 2010 (Draft)**

*The committee agreed that no points arose on the instruments.*

## **Instruments subject to Annulment**

**National Health Service (Superannuation Scheme, Pension Scheme, Injury Benefits and Additional Voluntary Contributions) (Scotland) Amendment Regulations 2010 (SSI 2010/22)**

14:16

**The Convener:** There are a number of points on the regulations. Are we content to report the regulations on the grounds that are set out in the summary of recommendations?

**Members** *indicated agreement.*

**Food Enzymes (Scotland) Amendment Regulations 2010 (SSI 2010/26)**

**The Convener:** The regulations have breached the 21-day rule. Are we content with the Government's explanation and that we should report to the lead committee accordingly?

**Members** *indicated agreement.*

**Town and Country Planning (General Permitted Development) (Domestic Microgeneration) (Scotland) Amendment Order 2010 (SSI 2010/27)**

**National Health Service (Appointment of Consultants) (Scotland) Amendment Regulations 2010 (SSI 2010/28)**

**National Health Service (General Dental Services) (Scotland) Amendment Regulations 2010 (SSI 2010/33)**

**Local Government Pension Reserve Fund (Scotland) Amendment Regulations 2010 (SSI 2010/34)**

**Council Tax (Dwellings) (Scotland) Regulations 2010 (SSI 2010/35)**

**Non-Domestic Rate (Scotland) Order 2010 (SSI 2010/36)**

**Non-Domestic Rating (Rural Areas and Rateable Value Limits) (Scotland) Amendment Order 2010 (SSI 2010/37)**

**Transfer of Property etc (Scottish Court Service) Order 2010 (SSI 2010/40)**

**Scottish Court Service (Corporate Plan) Order 2010 (SSI 2010/41)**

**Personal Injuries (NHS Charges) (Amounts) (Scotland) Amendment Regulations 2010 (SSI 2010/42)**

**Non-Domestic Rates (Levying) (Scotland) Regulations 2010 (SSI 2010/43)**

**Food for Particular Nutritional Uses (Miscellaneous Amendments) (Scotland) Regulations 2010 (SSI 2010/48)**

**Town and Country Planning (Limit of Annual Value) (Scotland) Order 2010 (SSI 2010/49)**

*The committee agreed that no points arose on the instruments.*

## **Instrument not laid before the Parliament**

### **Judiciary and Courts (Scotland) Act 2008 (Commencement No 4, Transitional Provisions and Savings) Order 2010 (SSI 2010/39)**

14:17

*The committee agreed that no points arose on the instrument.*

## **Interpretation and Legislative Reform (Scotland) Bill**

14:17

**The Convener:** We have seen a report from the Standards, Procedures and Public Appointments Committee. As there are no comments on the report, which echoes much of what we want to say, do we agree to support the recommendations as set out in the clerk's paper?

**Members** *indicated agreement.*

**The Convener:** Our thanks to our colleagues on the other committee.

14:17

*Meeting continued in private until 14:21.*





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