



The Scottish Parliament
Pàrlamaid na h-Alba

Official Report

SUBORDINATE LEGISLATION COMMITTEE

Tuesday 14 December 2010

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SUBORDINATE LEGISLATION COMMITTEE

35th Meeting 2010, Session 3

CONVENER

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

DEPUTY CONVENER

*Bob Doris (Glasgow) (SNP)

COMMITTEE MEMBERS

*Helen Eadie (Dunfermline East) (Lab)
Rhoda Grant (Highlands and Islands) (Lab)
*Alex Johnstone (North East Scotland) (Con)
*Ian McKee (Lothians) (SNP)
Elaine Smith (Coatbridge and Chryston) (Lab)

COMMITTEE SUBSTITUTES

Bill Aitken (Glasgow) (Con)
Ross Finnie (West of Scotland) (LD)
Karen Gillon (Clydesdale) (Lab)
Christopher Harvie (Mid Scotland and Fife) (SNP)

*attended

CLERK TO THE COMMITTEE

Irene Fleming

LOCATION

Committee Room 5

Scottish Parliament Subordinate Legislation Committee

Tuesday 14 December 2010

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

Decision on Taking Business in Private

The Convener (Jamie Stone): Welcome to the 35th meeting in 2010 of the Subordinate Legislation Committee. We have apologies from Rhoda Grant and Elaine Smith. I ask members to turn off their mobiles.

Do we agree to take item 6 in private?

Members *indicated agreement.*

Draft Instruments subject to Approval

**Criminal Justice and Licensing (Scotland)
Act 2010 (Consequential and
Supplementary Provisions) Order 2011
(Draft)**

14:15

The Convener: Are members content with the Government's response and the order?

Members *indicated agreement.*

**Advice and Assistance (Assistance By
Way of Representation) (Scotland)
Amendment Regulations 2011 (Draft)**

**Crime (International Co-operation) Act
2003 (Designation of Participating
Countries) (Scotland) Order 2011 (Draft)**

The committee agreed that no points arose on the instruments.

The Convener: Do we agree to place on the record the fact that the advice and assistance regulations have been amended a number of times and that the Government might wish to consider the possibility of—guess what—a consolidating instrument?

Members *indicated agreement.*

Instruments subject to Annulment

**Vegetable Seeds Amendment (Scotland)
Regulations 2010 (SSI 2010/425)**

**Flood Risk Management (Flood Protection
Schemes, Potentially Vulnerable Areas
and Local Plan Districts) (Scotland)
Regulations 2010 (SSI 2010/426)**

**Registration Services (Fees) Amendment
(Scotland) Regulations 2010 (SSI 2010/427)**

**Registration of Births, Deaths and
Marriages (Fees) (Scotland) Order (SSI
2010/428)**

**Scallops (Luce Bay) (Prohibition of
Fishing) Variation Order 2010 (SSI
2010/429)**

**Planning etc (Scotland) Act 2006 (Saving
and Transitional Provisions) Order 2010
(SSI 2010/431)**

**Town and Country Planning (Tree
Preservation Order and Trees in
Conservation Areas) (Scotland)
Regulations 2010 (SSI 2010/434)**

14:16

The committee agreed that no points arose on the instruments.

Instruments not laid before the Parliament

**Planning etc (Scotland) Act 2006
(Commencement No 11) Order 2010 (SSI
2010/430)**

**Housing (Scotland) Act 2006
(Commencement No 9) Order 2010 (SSI
2010/436)**

**Crofting Reform (Scotland) Act 2010
(Commencement, Saving and Transitory
Provisions) Order 2010 (SSI 2010/437)**

**Wild Birds (Special Protection in Severe
Weather) (Scotland) (No 2) Order 2010 (SSI
2010/438)**

14:16

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

Public Records (Scotland) Bill: Stage 1

14:16

The Convener: There are but three delegated powers in the bill and our advisers have raised a question on one of them.

Do members agree to ask the Scottish Government for further explanation of why the powers in section 2(7) are required?

Members *indicated agreement.*

The Convener: We will be considering the Government's response, along with our draft report, at our meeting on 18 January, in the new year.

14:16

Meeting continued in private until 14:18.

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