

ENTERPRISE AND CULTURE COMMITTEE

Thursday 22 March 2007

Session 2

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ENTERPRISE AND CULTURE COMMITTEE

7th Meeting 2007, Session 2

CONVENER

*Alex Neil (Central Scotland) (SNP)

DEPUTY CONVENER

*Christine May (Central Fife) (Lab)

COMMITTEE MEMBERS

*Shiona Baird (North East Scotland) (Green)
*Richard Baker (North East Scotland) (Lab)
*Susan Deacon (Edinburgh East and Musselburgh) (Lab)
*Murdo Fraser (Mid Scotland and Fife) (Con)
Karen Gillon (Clydesdale) (Lab)
Mr Stewart Maxwell (West of Scotland) (SNP)
Mr Jamie Stone (Caithness, Sutherland and Easter Ross)
(LD)

COMMITTEE SUBSTITUTES

Mark Ballard (Lothians) (Green)
Donald Gorrie (Central Scotland) (LD)
Fiona Hyslop (Lothians) (SNP)
Margaret Jamieson (Kilmarnock and Loudoun) (Lab)
David McLetchie (Edinburgh Pentlands) (Con)

*attended

THE FOLLOWING GAVE EVIDENCE:

Professor A P Cohen (Queen Margaret University)

CLERK TO THE COMMITTEE

Stephen Imrie

SENIOR ASSISTANT CLERK

Douglas Thornton

ASSISTANT CLERK

Nick Hawthorne

LOCATION

Committee Room 5

Scottish Parliament

Enterprise and Culture Committee

Thursday 22 March 2007

[THE CONVENER *opened the meeting at 13:16*]

Subordinate Legislation

The Convener (Alex Neil): I have had to wait for notification that chamber business has finished: under standing orders, committees cannot meet while Parliament is meeting. The meeting of the Parliament will reconvene at 2.15, so we must finish our business by then, although I hope to be finished much sooner than that.

Today's meeting is to consider Scottish statutory instruments. I have received apologies from Jamie Stone and I hope that other colleagues will join us shortly. We will go through the SSIs in the order in which they appear on the agenda.

Bell College of Technology (Transfer and Closure) (Scotland) Order 2007 (SSI 2007/171)

The Convener: The Subordinate Legislation Committee has raised no points on SSI 2007/171. With us from the Scottish Executive are Gill Troup, Stephen O'Connor and Kirsten Simonnet-Lefevre. My pronunciation there was not bad—I struggle with English, never mind French.

Do members have any questions or points on the order?

Members: No.

The Convener: I note that some people are writing to newspapers describing themselves as “Professor So-and-so from the University of the West of Scotland”. The Parliament has not yet approved an order on the change of name, so it is highly presumptuous of anyone to say that that will be the name of the new institution. People should take cognisance of that before they sign themselves with that title.

We do not need formally to approve the order. We need just note it. No points have been raised by members of the committee.

Queen Margaret University, Edinburgh (Scotland) Order of Council 2007 (SSI 2007/116)

The Convener: I welcome Professor Cohen from Queen Margaret University and Gill Troup and Andrew Campbell from the Scottish

Executive. The purpose of the order of council, SSI 2007/116, is set out in the explanatory note and the executive note. We congratulate Queen Margaret University on achieving full university status.

Would you like to say a word or two, Professor Cohen?

Professor A P Cohen (Queen Margaret University): First, I thank you for the committee's support and interest in the process, which are much appreciated.

On the order, we had long anticipated the transition of status as an opportunity to rewrite our statutory instrument, which had become significantly anachronistic in terms of both governance and process. We wanted to take the opportunity to write an order that was much more appropriate to the purposes and processes of a modern university. We believe that that is exactly what the committee has in front of it.

The Convener: Thank you. The Subordinate Legislation Committee raised a number of technical points, but I understand that they are being dealt with satisfactorily.

Do members wish to raise any points or ask any questions?

Members: No.

The Convener: We have consent.

I thank members and I thank Professor Cohen—it is nice to see you again. We wish Queen Margaret University all the best on its new status.

Professor Cohen: Thank you.

Education (Graduate Endowment, Student Fees and Support) (Scotland) Revocation Regulations 2007 (SSI 2007/148)

The Convener: I am sure that the third instrument, SSI 2007/148, will be a big election issue. The Subordinate Legislation Committee raised no points on the instrument. Do any committee members have points to raise or questions to ask?

Christine May (Central Fife) (Lab): No. Other than to say that for those for whom it is important it is important that we get it right.

The Convener: Absolutely. I take it that everyone is content with the instrument.

Members *indicated agreement.*

Education (Fees and Awards) (Scotland) Regulations 2007 (SSI 2007/152)

The Convener: The Subordinate Legislation Committee asked the Executive whether it intends

to correct the drafting error in paragraph 11 of schedule 1 of SSI 2007/152. I believe that the Executive has agreed to do so. Do committee members wish to raise any points or ask any questions? Is the committee happy with the instrument?

Members indicated agreement.

Education (Student Loans) (Scotland) Regulations 2007 (SSI 2007/154)

The Convener: We now move to the Education Students' Allowances—

Christine May: Student Loans—

The Convener: We now move to the Education (Student Loans) (Scotland) Regulations 2007. The Subordinate Legislation Committee had no points to raise on the regulations. Do members have points or questions?

Christine May: None.

Students' Allowances (Scotland) Regulations 2007 (SSI 2007/153)

The Convener: I thought that we had missed one. My deputy convener is misleading me and getting me into trouble. We missed out the Students' Allowances (Scotland) Regulations 2007.

Christine May: My apologies.

The Convener: The Subordinate Legislation Committee had no points to raise on SSI 2007/153. Do committee members have any points or questions? Is everybody happy with the regulations?

Members indicated agreement.

Graduate Endowment (Scotland) Regulations 2007 (SSI 2007/155)

The Convener: The Subordinate Legislation Committee considered SSI 2007/155 on 13 March. It raised three points, all of which have been satisfied by the Executive. Do committee members have any questions or points? Is everybody content?

Members indicated agreement.

Education Maintenance Allowances (Scotland) Regulations 2007 (SSI 2007/156)

The Convener: The Subordinate Legislation Committee also considered SSI 2007/156 on 13 March. It asked the Executive to explain why the definition of "employed" that is given in regulation 2 differs from the definition of "employment" that is used in other Scottish statutory instruments. I believe that the point has been satisfactorily

explained. Do members have any points or questions? Is everybody content?

Members indicated agreement.

Civil Partnership Act 2004 (Modification of Subordinate Legislation) (Scotland) Revocation Order 2007 (SSI 2007/157)

The Convener: The Subordinate Legislation Committee had no points to raise on SSI 2007/157. Do committee members have points or questions? Is everybody content?

Members indicated agreement.

Education (Student Loans for Tuition Fees) (Scotland) Amendment Regulations 2007 (SSI 2007/158)

The Convener: The Subordinate Legislation Committee had no points to raise on SSI 2007/158. Do any committee members have points or questions? Is everybody content?

Members indicated agreement.

Repayment of Student Loans (Scotland) Amendment Regulations 2007 (SSI 2007/159)

The Convener: The Subordinate Legislation Committee considered SSI 2007/159 on 13 March and sought clarification of why new regulation 11(2) of the Repayment of Student Loans (Scotland) Regulations 2000 appears to sub-delegate to Scottish ministers powers to specify and require information. That point has been satisfactorily dealt with. Do committee members have any questions or points? Is everybody happy with the regulations?

Members indicated agreement.

Individual Learning Account (Scotland) Amendment Regulations 2007 (SSI 2007/164)

The Convener: The Subordinate Legislation Committee raised no points on SSI 2007/164. Do committee members have points or questions? Are members content with the regulations?

Members indicated agreement.

Debt Arrangement Scheme (Scotland) Amendment (No 2) Regulations 2007 (SSI 2007/187)

The Convener: The Subordinate Legislation Committee had no points to raise on SSI 2007/187. Do committee members have any questions or points? Are we content with the regulations?

Members indicated agreement.

Bankruptcy Fees (Scotland) Amendment Regulations 2007 (SSI 2007/220)

The Convener: The Subordinate Legislation Committee considered SSI 2007/220 on 20 March, so any points that arose will be drawn to our attention now. Are there any points to draw to our attention?

Stephen Imrie (Clerk): The Subordinate Legislation Committee found minor drafting errors and the Executive has taken them on board. No further substantive points arise.

The Convener: Members have no questions or points on the regulations.

Napier University (Scotland) Order of Council 1993 Amendment Order of Council 2007 (SSI 2007/160)

The Convener: We have one more instrument. Did the Subordinate Legislation Committee have any points on SSI 2007/160?

Stephen Imrie: The Subordinate Legislation Committee has discussed with the Executive minor drafting errors and is now content. The Enterprise and Culture Committee has received representations about the instrument from the University and College Union, which were circulated for information to members.

The Convener: Members have no points or questions about the order of council. Are members content with it?

Members *indicated agreement.*

The Convener: That covers all our business. As this is the committee's last meeting of the session, I thank all committee members. On the whole, we have worked well together. Although we have had one or two moments when things have perhaps become a bit tense, we all respect one another's points of view. I have enjoyed being the convener.

We are all standing for re-election, except Susan Deacon. I am sure that every committee member joins me in wishing her all the best for the future and in thanking her for her contribution to the committee in the past four years.

Members: Hear, hear.

Susan Deacon (Edinburgh East and Musselburgh) (Lab): Thank you.

The Convener: With that, we come to the end of a long but not sad song. I certainly look forward to seeing everybody again in May.

Meeting closed at 13:27.

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