



The Scottish Parliament
Pàrlamaid na h-Alba

BUSINESS BULLETIN No. 171/2013

Friday 22 November 2013

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Section B – Future Meetings of the Parliament

Business Programme agreed by the Parliament on 20 November 2013

Tuesday 26 November 2013

2.00 pm Time for Reflection – Reverend Moira McDonald, Minister,
Corstorphine Old Parish Church, Edinburgh

followed by Parliamentary Bureau Motions

followed by Topical Questions (if selected)

followed by Ministerial Statement: Independence White Paper

followed by Stage 1 Debate: Public Bodies (Joint Working) (Scotland) Bill

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business – S4M-07869 Murdo Fraser: The Future of
Medical Research Funding in Scotland Remains Strong (*for text
of motion see [Section F](#) of the Business Bulletin for Tuesday 1
October 2013*)

Wednesday 27 November 2013

2.00 pm Parliamentary Bureau Motions

followed by Portfolio Questions
Finance, Employment and Sustainable Growth (*for text of
questions see [Section D](#) of the Business Bulletin for Thursday 21
November 2013*)

followed by Scottish Government Debate: Independence White Paper

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business – S4M-08144 James Dornan: St Andrew's First Aid Count Me In Campaign (*for text of motion see [Section F](#) of the Business Bulletin for Thursday 7 November 2013*)

Thursday 28 November 2013

11.40 am Parliamentary Bureau Motions

11.40 am General Questions (*for text of questions see [Section D](#) of the Business Bulletin for Thursday 21 November 2013*)

12.00 pm First Minister's Questions

12.30 pm Members' Business – S4M-08110 Rhoda Grant: World Prematurity Day 2013 and World-class Neonatal Care in Scotland (*for text of motion see [Section F](#) of the Business Bulletin for Friday 1 November 2013*)

2.30 pm Parliamentary Bureau Motions

2.30 pm Scottish Parliamentary Corporate Body Questions (*for text of questions see [Section D](#)*)

followed by Scottish Government Debate: The Independent Expert Review of Opioid Replacement Therapies in Scotland

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

Tuesday 3 December 2013

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Topical Questions (if selected)

followed by Scottish Government Business

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Wednesday 4 December 2013

2.00 pm Parliamentary Bureau Motions

2.00 pm Portfolio Questions
Rural Affairs and the Environment;
Justice and the Law Officers

followed by Scottish Government Business

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Thursday 5 December 2013

11.40 am Parliamentary Bureau Motions

11.40 am General Questions

12.00 pm First Minister's Questions

12.30 pm Members' Business

2.30 pm Parliamentary Bureau Motions

2.30 pm Scottish Government Business

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time



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Business Bulletin: Friday 22 November 2013 Section C – Future Committee Meetings

This section includes the agendas of the forthcoming committee meetings and outlines proposed future business, which may be subject to change. Committees have the right to take items in private and this will be notified as far in advance as possible.

Many committees include details of their future business on their webpages, which can be accessed at:

<http://www.scottish.parliament.uk/business/committees/index.htm>

Education and Culture Committee 26 November 2013 30th Meeting, 2013

- The Committee will meet at 10.00 am in Committee Room 3
1. **Creative Scotland:** The Committee will take evidence from—
Gillian Berrie, Film Producer, Sigma Films;
Judith Doherty, Producer, Chief Executive and Co-Artistic Director, Grid Iron Theatre Company;
David Greig, Playwright;
Liz Lochhead, Poet and Dramatist.
 2. **Creative Scotland:** The Committee will take evidence from—
Janet Archer, Chief Executive, Creative Scotland.

Proposed future business

At its next meeting, on 3 December, the Committee will take evidence on school closures to inform its forthcoming consideration of Stage 2 amendments on the Children and Young People (Scotland) Bill.

For further information, contact the Clerk to the Committee, whose details are provided at the end of the Bulletin.

Justice Committee 26 November 2013 34th Meeting, 2013

- The Committee will meet at 10.00 am in Committee Room 2
1. **Criminal Justice (Scotland) Bill:** The Committee will take evidence on the Bill at Stage 1 from—

Robin White, Vice-Chair, Scottish Justices' Association;
Raymond McMenamin, Solicitor Advocate, member of the Criminal Law Committee, Law Society of Scotland;
James Wolffe QC, Vice-Dean, Faculty of Advocates;
Mark Harrower, President, Edinburgh Bar Association.

2. **Anti-social Behaviour, Crime and Policing Bill (UK Parliament legislation):** The Committee will take evidence on supplementary legislative consent memorandum LCM(S4) 22.2 from—
Detective Chief Superintendent Gillian Imery, Police Scotland;
Mridul Wadhwa, Information and Education Officer and Children and Young People's Services Supervisor, Shakti Women's Aid;
Lily Greenan, Manager, Scottish Women's Aid.
3. **Subordinate legislation:** The Committee will consider the following negative instruments—
Title Conditions (Scotland) Act 2003 (Conservation Bodies) Amendment Order 2013 (SSI 2013/289);

Act of Sederunt (Commissary Business) (SSI 2013/291);

Drugs Courts (Scotland) Amendment Order 2013 (SSI 2013/302).
4. **Subordinate legislation:** The Committee will consider the following instrument which is not subject to any parliamentary procedure—
Act of Sederunt (Rules of the Court of Session Amendment No. 6) (Miscellaneous) 2013 (SSI 2013/294).
5. **Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012:** The Committee will consider responses received.

Proposed future business

At its next meeting, on 3 December, the Committee expects to continue taking evidence on the Criminal Justice (Scotland) Bill at Stage 1. For further information, contact the Clerk to the Committee, whose details are provided at the end of the Bulletin.

Public Petitions Committee 26 November 2013 19th Meeting, 2013

The Committee will meet at 10.00 am in Committee Room 1

1. **Decision on taking business in private:** The Committee will decide whether to take item 4 in private.
2. **Consideration of new petitions:** The Committee will consider—
[PE1495](#) by Rab Wilson, on behalf of Accountability Scotland, on the use of "gagging clauses" in agreements with NHS staff in Scotland and take evidence from—
Rab Wilson;
and will then consider—
[PE1496](#) by Alan Wyllie, on behalf of the No2BedroomTax campaign, on Bedroom Tax mitigation

and take evidence from—

Alan Wyllie;

and will then consider—

[PE1499](#) by Robert Watson, on behalf of the What About Us? campaign group (formerly CHAS Young Adult Council), on creating suitable respite services for younger disabled adults with life-limiting conditions

and take evidence from—

Robert Watson, Chairperson, and Kyle Kelly, Member, What About Us? campaign group.

3. **Consideration of current petitions:** The Committee will consider—
[PE1319](#) by William Smith and Scott Robertson on improving youth football in Scotland;
[PE1443](#) by Maureen Sharkey, on behalf of Scottish Care and Information on Miscarriage, on investigating the cause of miscarriage;
[PE1458](#) by Peter Cherbi on a register of interests for members of Scotland's judiciary;
[PE1465](#) by Tony Ivanov on maintenance of vacant land in private ownership;
[PE1480](#) by Amanda Kopel, on behalf of the Frank Kopel Alzheimer's Awareness Campaign, on Alzheimer's and dementia awareness;
[PE1482](#) by John Womersley on isolation in single room hospitals;
[PE1483](#) by John Macleod on a bilingual version of the independence referendum question.
4. **Tackling child sexual exploitation in Scotland:** The Committee will consider an issues paper.

Proposed future business

At its next meeting, on 10 December, the Committee expects to consider petitions on co-location of GP practices and community pharmacies, St Margaret of Scotland Hospice, access to insulin pump therapy, improvement of services and resources to tackle chronic pain, neighbour notification distances for wind turbine applications, a gender neutral Human Papillomavirus vaccination and primary one class sizes and sibling placing requests.

For further information, contact the Clerk to the Committee, whose details are provided at the end of the Bulletin.

Delegated Powers and Law Reform Committee

26 November 2013

30th Meeting, 2013

The Committee will meet at 11.00 am in Committee Room 4

1. **Draft document subject to approval:** The Committee will consider the following—
Model Code of Conduct for Members of Devolved Public Bodies [draft] (SG 2013/250).

2. **Draft document subject to rule 10.5:** The Committee will consider the following—
[Land Reform \(Scotland\) 2003 \(Modification\) Order 2013 - Statutory Guidance \(SG/2013/254\).](#)
3. **Draft instruments not subject to any parliamentary procedure:** The Committee will consider the following—
[Public Services Reform \(Prison Visiting Committees\) \(Scotland\) Order 2014 \[draft\] \(SG 2013/219\).](#)
4. **Instruments subject to affirmative procedure:** The Committee will consider the following—
[Health Boards \(Membership and Elections\) \(Scotland\) Order 2013 \[draft\];](#)
[Freedom of Information \(Scotland\) Act 2002 \(Historical Periods\) Order 2013 \[draft\];](#)
[Land Reform \(Scotland\) Act 2003 \(Modification\) Order 2013 \[draft\].](#)
5. **Instruments subject to negative procedure:** The Committee will consider the following—
[Adoption \(Recognition of Overseas Adoptions\) \(Scotland\) Regulations 2013 \(SSI 2013/310\);](#)
[Flood Risk Management \(Designated Responsible Authorities\) \(Scotland\) Order 2013 \(SSI 2013/314\);](#)
[Litter \(Fixed Penalties\) \(Scotland\) Order 2013 \(SSI 2013/315\);](#)
[Fundable Bodies \(Scotland\) Order 2013 \(SSI 2013/319\);](#)
[Criminal Legal Aid \(Scotland\) \(Fees\) Amendment Regulations 2013 \(SSI 2013/320\);](#)
[Water Environment \(River Basin Management Planning: Further Provision\) \(Scotland\) Regulations 2013 \(SSI 2013/323\);](#)
[Water Environment \(Shellfish Water Protected Areas: Designation\) \(Scotland\) Order 2013 \(SSI 2013/324\);](#)
[Water Environment \(Shellfish Water Protected Areas: Environmental Objectives etc.\) \(Scotland\) Regulations 2013 \(SSI 2013/325\);](#)
[Seed \(Scotland\) \(Miscellaneous Amendments\) Regulations 2013 \(SSI 2013/326\);](#)
[National Health Service \(Travelling Expenses and Remission of Charges\) \(Scotland\) \(No. 2\) Amendment Regulations 2013 \(SSI 2013/327\).](#)
6. **Instruments not subject to any parliamentary procedure:** The Committee will consider the following—
[Act of Sederunt \(Rules of the Court of Session Amendment No. 7\) \(Miscellaneous\) 2013 \(SSI 2013/317\);](#)
[Pollution Prevention and Control \(Designation of Energy Efficiency Directive\) \(Scotland\) Order 2013 \(SSI 2013/321\);](#)
[Long Leases \(Scotland\) Act 2012 \(Commencement No. 1\) Order 2013 \(SSI 2013/322 \(C.25\)\).](#)
7. **Marriage and Civil Partnership (Scotland) Bill:** The Committee will consider the Scottish Government's response its Stage 1 report.
8. **Public Bodies (Joint Working) (Scotland) Bill:** The Committee will consider the Scottish Government's response to its Stage 1 report.
9. **Children and Young People (Scotland) Bill:** The Committee will consider the Scottish Government's response to its Stage 1 report.

Proposed future business

At its next meeting, on 3 December, the Committee expects to consider subordinate legislation. For further information, contact the Clerk to the Committee, whose details are provided at the end of the Bulletin.

Health and Sport Committee 26 November 2013 34th Meeting, 2013

The Committee will meet at 11.00 am in Committee Room 6

1. **Work programme (in private):** The Committee will consider its work programme.

Proposed future business

At its next meeting, on 12 December, the Committee expects to consider oral evidence from the Secretary of State for Scotland, the Minister for Housing and Welfare and the Minister for Children and Young People on child poverty.

For further information, contact the Clerk to the Committee, whose details are provided at the end of the Bulletin.

Economy, Energy and Tourism Committee 27 November 2013 33rd Meeting, 2013

The Committee will meet at 9.30 am in Committee Room 4

1. **Declaration of interests:** Christian Allard will be invited to declare any relevant interests.
2. **Subordinate legislation:** The Committee will consider the following negative instrument—
The Electricity Generating Stations (Applications for Variation of Consent) (Scotland) Regulations 2013 (SSI 2013/304)
3. **Bankruptcy and Debt Advice (Scotland) Bill (in private):** The Committee will consider a draft Stage 1 report.
4. **Scotland's Economic Future Post-2014 (in private):** The Committee will consider a draft remit and terms of reference for its inquiry.

Proposed future business

At its next meeting, on 4 December, the Committee expects to consider the Regulatory Reform (Scotland) Bill at stage 2. For further information, contact the Clerk to the Committee, whose details are provided at the end of the Bulletin.



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SPCB Questions for answer on 28 November 2013

- 1. Nigel Don (Angus North and Mearns) (Scottish National Party):** To ask the Scottish Parliamentary Corporate Body how it allocates room resources between MSP events and SCPB events. (S4O-02655)
- 2. Patrick Harvie (Glasgow) (Scottish Green Party):** To ask the Scottish Parliamentary Corporate Body what progress it has made on promoting sustainable travel and reducing reliance on aviation and the use of private cars. (S4O-02652)
- 3. Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (Scottish National Party):** To ask the Scottish Parliamentary Corporate Body whether it plans to use committee rooms for exhibitions on a regular basis. (S4O-02656)
- 4. John Wilson (Central Scotland) (Scottish National Party):** To ask the Scottish Parliamentary Corporate Body how much it has spent on cyclical and reactive building maintenance in each year since 2010. (S4O-02654)
- 5. Dennis Robertson (Aberdeenshire West) (Scottish National Party):** To ask the Scottish Parliamentary Corporate Body how many parking spaces for disabled people there are in the car park and whether their use is monitored. (S4O-02653)



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Section E – Written questions lodged on 21 November 2013

Questions marked with a triangle (Δ) are initiated by the Scottish Government in order to facilitate the provision of information to the Parliament.

Questions in which a member has indicated a declarable interest are marked with an "R".

S4W-18476 Marco Biagi: To ask the Scottish Government whether it plans for an independent Scotland to recognise the United Nations Convention on the Law of the Sea and, if so, whether it would wish to invoke any of the exemptions under clause 298.

S4W-18503 Nanette Milne: To ask the Scottish Government when it last met stakeholders to discuss group B streptococcus infection rates.

S4W-18504 Nanette Milne: To ask the Scottish Government what recent analysis it has carried out of adverse antibiotic reaction to intrapartum antimicrobial prophylaxis using narrow-spectrum penicillin to combat group B streptococcus infection in newborn babies.

S4W-18505 Nanette Milne: To ask the Scottish Government what plans it has to analyse group B streptococcus infection rates.

S4W-18506 Nanette Milne: To ask the Scottish Government what steps it is taking to increase awareness among (a) pregnant women and their families and (b) maternity care health professionals of group B streptococcus infection and how to avoid such infection developing in babies.

S4W-18507 Nanette Milne: To ask the Scottish Government what steps it is taking to increase awareness of the signs of group B streptococcus infection in newborn babies.

S4W-18508 Nanette Milne: To ask the Scottish Government what targets it has set for long-term reduction in the number of cases of group B streptococcus infection in babies in the first (a) six and (b) 90 days of life.

S4W-18509 Clare Adamson: To ask the Scottish Government what progress it has made in meeting each recommendation set out in the *Independent Review of Open Water and Flood Rescue in Scotland*.

S4W-18510 Alex Johnstone: To ask the Scottish Government what support it plans to provide to local authorities to help them protect vulnerable people from telephone cold calling.

S4W-18516 Alison Johnstone: To ask the Scottish Government how many speeding offences have been recorded in 2013 where the speed limit is (a) 20mph, (b) 30mph, (c) 60mph and (d) 70mph.

S4W-18517 Alison Johnstone: To ask the Scottish Government how many road traffic offences have been recorded in 2013 (a) in built-up areas, (b) in 20mph zones and (c) during the evening in built-up areas.

S4W-18518 David Stewart: To ask the Scottish Government, in light of the recent changes to FlyBe management and services, what steps it has taken to ensure the security of the network of air services operated from Inverness to, from and within the Highlands and Islands by FlyBe and its franchise partner and whether it will make a statement on the matter.

S4W-18519 David Stewart: To ask the Scottish Government, in light of the withdrawal of the FlyBe services from Inverness to London Gatwick, whether it will consider an application for public service obligation protected service from Inverness to London Heathrow or Northolt and whether it will make a statement on the matter.

S4W-18520 David Stewart: To ask the Scottish Government whether it will extend the network of public service obligation operations in order to secure the air services operated from Inverness to, from and within the Highlands and Islands by FlyBe and its franchise partner and whether it will make a statement on the matter.

S4W-18521 Jackie Baillie: To ask the Scottish Government whether the Scottish Environment Protection Agency plans to (a) collect and (b) publish data on (i) salmon mortalities and (ii) sea lice infestations at salmon farms.

S4W-18522 Jackie Baillie: To ask the Scottish Government whether not (a) collecting and (b) publishing data on (i) salmon mortalities and (ii) sea lice infestations at salmon farms could have an impact on the marine environment, and what the reasons are for its position on this matter.

S4W-18523 Jackie Baillie: To ask the Scottish Government what research it has commissioned on whether the reported increase in amoebic gill disease at salmon farms since 2003 is related to an increase in imports of salmon ovum.

S4W-18524 Nanette Milne: To ask the Scottish Government what (a) regulations are in place, (b) plans it has to review the regulations and (c) advice it has given to local authorities regarding the breeding of dogs.



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Section F – Motions and Amendments

Motions and amendments are normally printed the day after they are lodged. If an amendment is lodged to a motion then the original motion will appear alongside the amendment, along with any support lodged that day, in this section.

Each Monday, this section also contains all motions and amendments lodged the previous week that are still live and any motions and amendments that have been lodged for debate in the coming week. A motion or amendment is live if it has not been debated, withdrawn or otherwise deleted from the list.

Where a motion or amendment has been withdrawn, it is indicated in this section the day after it has been withdrawn. Support for motions and amendments received after they are lodged is shown at the end of this section the day after such support is received.

Motions and amendments can be published with various symbols:

- Asterisks before the motion or amendment number indicate a motion or amendment published for the first time;
- Asterisks also identify alterations to the text of a motion or amendment made since it was first published;
- A hash symbol identifies motions eligible for debate at Members' Business;
- A diamond symbol identifies motions lodged for Members' Business that have not yet attracted the required cross-party support;
- An "R", identifies motions or amendments in which the Member who lodged it has a registrable interest.

The Parliamentary Bureau periodically deletes motions or amendments not scheduled for debate and which are over six weeks old.

A search facility is also available on the Scottish Parliament web site at <http://www.scottish.parliament.uk/parliamentarybusiness/28877.aspx>.

Any questions in relation to this section should be directed to the Chamber Desk, for which contact details are provided at the end of the Bulletin.

New and altered motions and amendments

***S4M-08386 Sandra White: Glasgow Confirmed as the Home of New Music—** That the Parliament welcomes the announcement that Glasgow has been named the UK's best city for new music; understands that, of the 10 best venues to discover emerging acts in the UK, Glasgow was home to three of them, which was more than any other UK destination; notes that the venues to receive this accolade are The Arches, Barrowland Ballroom and King Tut's Wah Wah Hut; further notes that Glasgow has been credited with kick-starting the careers of dozens of big name acts, including Oasis, Travis, Franz Ferdinand and Glasvegas; believes that this accolade further supports Glasgow's stance as a UNESCO City of Music and highlights its position as one of the world centres for music; considers also that this position was reaffirmed on an international stage with the announcement that the city will play host to the 2014 MTV European Music Awards in Glasgow Kelvin's SSE Hydro, and wishes Glasgow continued success in promoting and developing some of the world's greatest musical talents.

Supported by: Bill Kidd*, Annabelle Ewing*, Adam Ingram*, Richard Lyle*, Christina McKelvie*, Anne McTaggart*, Joan McAlpine*

***S4M-08385 Christina McKelvie: Hamilton Depressed Cake Shop—** That the Parliament commends the efforts of the Depressed Cake Shop Lanarkshire on its efforts to promote awareness of depression and the destigmatisation of mental illness; understands that the Depressed Cake Shop is an international project that organises events in which pop-up cake shops sell grey cakes to raise awareness of mental illness, particularly depression, and raise money for charity; notes that, on 21 November 2013, a Depressed Cake Shop will be open in ASDA in Hamilton, raising money for Hope Café, a project aimed at supporting individuals with mental health challenges, and acknowledges what it considers the hard work, activism and charitableness of everyone involved.

Supported by: Aileen McLeod*, John Wilson*, Joan McAlpine*, Bill Kidd*, Richard Lyle*, Annabelle Ewing*, Roderick Campbell*, Rob Gibson*, Christian Allard*, Adam Ingram*

***S4M-08384# Christina McKelvie: Headway—** That the Parliament congratulates the brain injury charity, Headway South Lanarkshire, on its release of an album that features musicians and people from South Lanarkshire who have experienced brain injury; understands that the charity campaigns and lobbies for better support and resources for dealing with brain injury, raises awareness of the condition and its effects and fundraises to support people affected by it; considers that the charity's efforts have been important in improving people's lives in South Lanarkshire and around the UK, and sends its best wishes to everybody involved with the charity and its supporters.

Supported by: Bill Kidd*, Joan McAlpine*, Nanette Milne*, Annabelle Ewing*, John Wilson*, Rob Gibson*, Christian Allard*, Adam Ingram*, Richard Lyle*, Anne McTaggart*, Aileen McLeod*

***S4M-08383 Clare Adamson: If Livingstone was Alive Today, What Would he be Doing?**—That the Parliament congratulates Livingstone 200, the Scottish Bible Society, the Edinburgh Medical Missionary Society (EMMS International), the Church of Scotland and the National Trust for Scotland on what it considers their uplifting service of thanksgiving for Dr David Livingstone in Glasgow Cathedral on 13 November 2013; further congratulates EMMS International on hosting the Dr David Livingstone Debate, If Livingstone was alive today, what would he be doing?, and recognises what it considers the able chairing of the debate by Rt Rev Lorna Hood, Moderator of the General Assembly of the Church of Scotland; considers that there were thought-provoking contributions from Dr Mhoira Leng, Palliative Care Physician, Rev CB Samuel, Ms Mphatso Nguluwe, Director of the Livingstonia Synod AIDS Programme and Sir Kenneth Calman, chairman of the National Trust for Scotland, in a debate that covered some of the key issues facing the world today; concurs with the conclusion that Dr Livingstone would be fully involved in these issues were he here today, and commends the work of EMMS International, which, like Livingstone, seeks to bring improvements in healthcare and education to some of the world's poorest communities.

Supported by: Roderick Campbell*, Bill Kidd*, Jim Hume*, John Mason*, Richard Lyle*, Annabelle Ewing*, Christina McKelvie*, Adam Ingram*

***S4M-08382 John Swinney: Model Code of Conduct for Members of Devolved Public Bodies**—That the Local Government and Regeneration Committee recommends that the Model Code of Conduct for Members of Devolved Public Bodies (SG 2013/250) be approved.

***S4M-08381 Richard Simpson: Eilidh Child Named Scottish Athlete of the Year**—That the Parliament congratulates Eilidh Child from Kinross on being named Scottish Athlete of the Year; notes that Ms Child won medals individually and as part of the relay team for Great Britain at the 2013 European Athletics Indoor Championships and a silver medal representing Scotland at the 2010 Commonwealth Games, and wishes her luck in the 2014 Commonwealth Games in Glasgow.

Supported by: Sandra White*, Patricia Ferguson*, Roderick Campbell*, Bill Kidd*, Joan McAlpine*, Richard Lyle*, Annabelle Ewing*, Liz Smith*, Nanette Milne*, Jayne Baxter*, Adam Ingram*, Anne McTaggart*

***S4M-08380 Richard Simpson: Judy Murray to Receive Honorary Doctorate**—That the Parliament congratulates Judy Murray on receiving an honorary doctorate from the University of Stirling for her contribution to tennis and her charitable causes; commends her contribution to developing future tennis players in the heart of Scotland, with a planned tennis centre in Bridge of Allan to provide children from more deprived areas with the opportunity to play tennis; applauds her continued commitment to raising the profile of women in sport and more specifically women's tennis through supporting charities such as Women in Sport, whose aim is to aid sportswomen to reach their full potential, and acknowledges her determination to propel the Great Britain's women's Fedcup team to a higher ranking.

Supported by: Sandra White*, Lewis Macdonald*, Joan McAlpine*, Iain Gray*, Bruce Crawford*, Dennis Robertson*, Liz Smith*, Nanette Milne*, Hanzala Malik*, Patricia Ferguson*, Tavish Scott*, Jayne Baxter*, Neil Findlay*, Richard Lyle*, Annabelle Ewing*, Bill Kidd*, James Kelly*, Aileen McLeod*, Murdo Fraser*, Roderick Campbell*, Mike MacKenzie*, Margaret Mitchell*, Jackie Baillie*

***S4M-08379 Liam McArthur: The Museums Accreditation Committee's New Orkney Voice**—That the Parliament congratulates the manager of Orkney Islands Council's Art, Museums and Heritage Services, Claire Gee, on her appointment to the UK-wide Museums Accreditation Committee (MAC), which, it understands, is the body that sets the standards for museums nationwide; considers that this is both a great achievement and a wonderful opportunity for someone with valuable experience of working with museums in a rural, island community to apply her knowledge and passion to the national scheme, and believes that Ms Gee's unique perspective will serve to enhance and enrich the MAC by bringing an understanding of the challenges faced by museums in remote areas as well as the high esteem in which they are held by their communities.

Supported by: Jamie McGrigor*, Sandra White*, Annabelle Ewing*, Dennis Robertson*, David Torrance*, Patricia Ferguson*, Mary Scanlon*, Richard Lyle*, John Wilson*, Jim Hume*, Jackie Baillie*, Roderick Campbell*, Rob Gibson*, Mike MacKenzie*

***S4M-08378 Roderick Campbell: Record-breaking Year at the Isle of May**—That the Parliament congratulates everyone at the Isle of May National Nature Reserve on what it believes has been a record-breaking year, with over 10,000 visitors in 2013; notes that this breaks the reserve's previous record by more than 1,500; understands that people used either the RIB Osprey, kayaks, small privately-owned craft or the Scottish Seabird Centre's boat, the May Princess, which recorded 10,800 passengers, to visit the island; believes that a number of special events have been held on the island to celebrate the Year of Natural Scotland; understands that these were a great success, and encourages everyone to visit the Isle of May to see something special.

Supported by: Sandra White*, Dennis Robertson*, David Torrance*, Liz Smith*, Hanzala Malik*, Stewart Stevenson*, Jayne Baxter*, Kenneth Gibson*, Adam Ingram*, Richard Lyle*, Kevin Stewart*, Annabelle Ewing*, John Wilson*, Bill Kidd*, Chic Brodie*, Rob Gibson*, Mike MacKenzie*

***S4M-08377 Colin Keir: Aye Right Project, Forrester and St Augustine's High Schools, Edinburgh**—That the Parliament congratulates the Aye Right project, which is a collaboration between Forrester and St Augustine's high schools in Edinburgh; welcomes the work carried out by the students and staff who worked alongside the City of Edinburgh Council Community Learning and Development Department and the artist, Martin Ayres, to help promote an awareness of young people's rights and the UN Convention on the Rights of the Child; understands that, using a triptych style, they produced a photographic exhibition that was based on a painting created at the time of the Holocaust; believes that this created powerful images of young people by young people, and notes that, before going on public

display at schools and elsewhere around Edinburgh, the exhibition was displayed at the Parliament on Universal Children's Day, 20 November 2013.

Supported by: Sandra White*

***S4M-08376 Willie Coffey: Cameron Muir**—That the Parliament congratulates the swimmer, Cameron Muir, from Kilmarnock on recording the fastest ever 100 metre breaststroke time for a Scottish 14-year-old; notes that Cameron, who attends Grange Academy, entered the record books at the recent west of Scotland senior championships in Dumfries at which he collected five gold medals and one silver; acknowledges that this achievement sees Cameron rise to the number one ranking spot in the UK after displacing the London Olympian, Craig Benson, from the top of Scotland's all-time order of merit; further notes that Cameron has now been nominated as a baton bearer for the Commonwealth Games in Glasgow in 2014, and looks forward to seeing him compete for Scotland at future Games as is his ambition.

Supported by: Nigel Don*, Jamie Hepburn*, Sandra White*, Annabelle Ewing*, Kenneth Gibson*, Roderick Campbell*, Bill Kidd*, Jim Hume*, Graeme Pearson*, Liz Smith*, Nanette Milne*, Rob Gibson*, Adam Ingram*, Richard Lyle*

***S4M-08375 Marco Biagi: 80 Years since Ukrainian Famine**—That the Parliament notes that it has been 80 years since the Holodomor, the Ukrainian famine of 1932-33; also notes that, although the exact number of mortalities may never be known, conservative estimates place the number in the scale of millions; understands that there is a consensus among historians that this was not only an entirely avoidable tragedy, but a deliberate genocide enacted by the brutal Stalin regime; believes that Scotland is not alone in recognising these events as genocide and is joined by many other nations in condemning them; commends the work of the campaigners raising awareness of the Holodomor, including the Holodomor Memorial website and holodomor.org.uk, and passes its condolences to the relatives of victims of the Holodomor, as marked by its official day of remembrance on 26 November in Ukraine.

Supported by: Dennis Robertson*, Jean Urquhart*, Chic Brodie*, Joan McAlpine*, Kenneth Gibson*, Roderick Campbell*, Jamie Hepburn*, Jim Hume*, Stuart McMillan*, Bill Kidd*, Jamie McGrigor*, Annabelle Ewing*, Rob Gibson*, Adam Ingram*, Mike MacKenzie*, Christina McKelvie*, Kevin Stewart*, Sandra White*, David Torrance*, Richard Lyle*, John Mason*, Maureen Watt*

***S4M-08374 Jackie Baillie: International Day of Persons with Disabilities**—That the Parliament welcomes 3 December 2013 as International Day of Persons with Disabilities, which has been observed every year since 1992; notes that the theme for this year is "Break barriers, open doors: for an inclusive society for all"; commends the many organisations around the world and in Scotland that use this day to promote inclusion, especially in the workforce; understands that 1.2 million disabled people in the UK want to work and are not able to secure employment, and encourages the Scottish Government to do everything in its power to eliminate institutional discrimination against disabled people and to break barriers and open doors for an inclusive society for all.

Supported by: Sandra White*, Nigel Don*, Jamie Hepburn*

***S4M-08373 George Adam: Award-winning Journalist, Holly McCormack**—That the Parliament congratulates Holly McCormack on winning the 2013 Anna Sargent Student Journalist Award in recognition of her publication, *Mental Matters Magazine*; understands that the Paisley-based student journalist was given this accolade at the 20th Mind Media Awards, which were held at the British Film Institute in London on 18 November 2013 and were attended by numerous stars of the stage and screen; acknowledges what it sees as the efforts and talents that Holly has shown in her recovery-based online magazine, which looks at mental health from a personal point of view, and looks forward to Holly's future journalistic endeavours.

Supported by: Joan McAlpine*, Graeme Dey*, Aileen McLeod*, Stewart Stevenson*, Hugh Henry*, David Torrance*, Sandra White*, James Dornan*, Dennis Robertson*, Nigel Don*, Roderick Campbell*, Jamie Hepburn*, Bill Kidd*, Adam Ingram*, Annabelle Ewing*, Kenneth Gibson*, Rob Gibson*, Richard Lyle*, Gordon MacDonald*, Mike MacKenzie*, Stuart McMillan*, Maureen Watt*

Motions and amendments which have attracted additional support

S4M-08372 Workers' Rights in the Bangladesh Textile Industry (lodged on 20 November 2013) Iain Gray*, John Pentland*, Hugh Henry*, Sandra White*, Dennis Robertson*, Joan McAlpine*, Roderick Campbell*, Jamie Hepburn*, Patrick Harvie*, Patricia Ferguson*, Adam Ingram*, Annabelle Ewing*, Neil Findlay*, Jayne Baxter*, Richard Lyle*, Mike MacKenzie*, Jenny Marra*, Anne McTaggart*, Cara Hilton*

S4M-08371 Orkney Beer Hops to Success (lodged on 20 November 2013) David Torrance*, Stewart Stevenson*, Hugh Henry*, Sandra White*, Dennis Robertson*, Chic Brodie*, Roderick Campbell*, Nigel Don*, Jamie Hepburn*, Patrick Harvie*, Bill Kidd*, Annabelle Ewing*, Kenneth Gibson*, Rob Gibson*, Adam Ingram*, Richard Lyle*, Gordon MacDonald*, Anne McTaggart*

S4M-08370 The Food Train (lodged on 20 November 2013) Graeme Dey*, Angus MacDonald*, Murdo Fraser*, Sandra White*, Roderick Campbell*, Nigel Don*, Jamie Hepburn*, Bill Kidd*, Kenneth Gibson*, Rob Gibson*, Gordon MacDonald*, Mike MacKenzie*

S4M-08369 Royal Navy's Response to the Philippines (lodged on 20 November 2013) Murdo Fraser*, Sandra White*, Dennis Robertson*, Margaret Mitchell*, Stuart McMillan*

S4M-08368 The Hydro Effect (lodged on 20 November 2013) Iain Gray*, Sandra White*, Dennis Robertson*, Nigel Don*, Jamie Hepburn*, Stuart McMillan*, Bill Kidd*, Gordon MacDonald*

S4M-08367 Glasgow's Medical Equipment to Transform Lives in Malawi (lodged on 20 November 2013) Iain Gray*, Sandra White*, Dennis Robertson*, Joan McAlpine*, Nigel Don*, Jamie Hepburn*, Neil Findlay*, Patricia Ferguson*, John Mason*, Maureen Watt*

S4M-08366 World Scotch Pie Championships Finalists (lodged on 20 November 2013) Sandra White*, Jamie Hepburn*, Bill Kidd*, Rob Gibson*, Mike MacKenzie*

S4M-08365 Raising Awareness of Motor Neurone Disease (lodged on 20 November 2013) Sandra White*, Jamie Hepburn*, Neil Findlay*

S4M-08363 Gold for Black Diamond Museum (lodged on 20 November 2013) Sandra White*, Dennis Robertson*, Jamie Hepburn*, Maureen Watt*

S4M-08362 TUC National Day of Action on Blacklisting (lodged on 20 November 2013) Michael McMahon*, Iain Gray*, Hugh Henry*, Lewis Macdonald*, Cara Hilton*, Patricia Ferguson*

S4M-08361 Transgender Day of Remembrance (lodged on 19 November 2013) Sandra White*

S4M-08360 Relaxed Accessible Performance of The Selfish Giant (lodged on 19 November 2013) Sandra White*

S4M-08358 Aberdeen Asset Management Largest in Europe (lodged on 19 November 2013) Kenneth Gibson*, Sandra White*, Alison McInnes*

S4M-08357 Brake Road Safety Week (lodged on 19 November 2013) Sandra White*, Mary Scanlon*

S4M-08354 Angus Company Wins Top Industry Award (lodged on 19 November 2013) Sandra White*

S4M-08353 Arbroath Shines at Real Heroes Awards (lodged on 19 November 2013) Sandra White*

S4M-08352 Award-winning Renfrewshire Campaign (lodged on 19 November 2013) Sandra White*

S4M-08351 World-class Ice Hockey at Dumfries Ice Bowl (lodged on 19 November 2013) Sandra White*

S4M-08350 Mairi O'Keefe, Community Champion of the Year (lodged on 19 November 2013) Sandra White*, Sarah Boyack*

S4M-08349 Michael More Butchers is Finalist in 2014 World Scotch Pie Championship (lodged on 19 November 2013) Sandra White*

S4M-08346 Quality Scotland Makes its Mark in World Quality Week (lodged on 18 November 2013) Sandra White*

S4M-08345 Oral Cancer and the Ben Walton Trust (lodged on 19 November 2013) Sandra White*, Sarah Boyack*

S4M-08344 Let's Get Over Homophobic Bullying (lodged on 18 November 2013) Sandra White*, Mary Fee*

S4M-08342 Andrew Carnegie Day 2013 (lodged on 18 November 2013) Sandra White*, Mary Fee*

S4M-08341 Lothian Buses Mobile App (lodged on 18 November 2013) Sandra White*, Sarah Boyack*

S4M-08340 The Rucksack Project (lodged on 18 November 2013) Sandra White*

S4M-08339 World Day of Remembrance for Road Traffic Victims (lodged on 18 November 2013) Sandra White*, Stewart Maxwell*

S4M-08338 Launch of Silver Line Scotland (lodged on 18 November 2013) Sandra White*, Mary Scanlon*, Neil Findlay*

S4M-08337 Mental Health Arts and Film Festival (lodged on 18 November 2013) Sandra White*

S4M-08336 Debtbusters (lodged on 18 November 2013) Sandra White*, Cara Hilton*

S4M-08335 Mr Jurgens Joubert, Scotland's Modern Apprentice of the Year (lodged on 18 November 2013) Sandra White*

S4M-08334 Congratulations to Marathon Man, Gavin Gibbon (lodged on 18 November 2013) Sandra White*

S4M-08333 Park Smart Initiative (lodged on 15 November 2013) Sandra White*

S4M-08332 Congratulations to the Come Dine with Us Carers (lodged on 15 November 2013) Sandra White*

S4M-08331 Congratulations to Team Kyle (lodged on 15 November 2013) Sandra White*

S4M-08330 Retirement of Dario Franchitti (lodged on 15 November 2013) Sandra White*, Stewart Maxwell*

S4M-08329 BT Wins Macro Employers Award at Scotland's Modern Apprenticeship Awards (lodged on 15 November 2013) Sandra White*

S4M-08325 Scottish Hazards Campaign's 19th Anniversary (lodged on 15 November 2013) Sandra White*, Stewart Maxwell*

S4M-08324 Loch Lomond Brewery in Aldi's Winter Beer Festival (lodged on 15 November 2013) Sandra White*, Stewart Maxwell*

S4M-08323 Discontinuation of Home Office's Go Home Campaign (lodged on 15 November 2013) Sandra White*

S4M-08322 Keep Me Posted (lodged on 15 November 2013) Sandra White*

S4M-08321 Congratulating Gail Hogg on Winning the Therapist Award (lodged on 15 November 2013) Sandra White*

S4M-08320 Self-immolations in Tibet (lodged on 14 November 2013) Sandra White*

S4M-08319 307 Days to go to End 307 Years of the Union (lodged on 14 November 2013) Sandra White*

S4M-08318 Annea Wilson, Mental Health Officer of the Year (lodged on 14 November 2013) Sandra White*, Neil Findlay*, Maureen Watt*

S4M-08316 Richard II Live Broadcast (lodged on 14 November 2013) Sandra White*

S4M-08315 Judy R Clark, Womenswear Designer of the Year (lodged on 14 November 2013) Sandra White*

S4M-08313 Thomas Blake Glover Aberdeen Asset Scholarship (lodged on 14 November 2013) Sandra White*

S4M-08312 Rosneath Peninsula's Creative Place Award Nomination (lodged on 14 November 2013) Sandra White*

S4M-08311 The First Annual Royal Highland Education Trust Week (lodged on 14 November 2013) Sandra White*, Tavish Scott*

S4M-08310 Sainsbury's Cameron Toll Reopening (lodged on 14 November 2013) Sandra White*

S4M-08300 £3.4 Million Refurbishment of Glasgow's Mitchell Library (lodged on 13 November 2013) Sandra White*

S4M-08264 Scottish Bravehearts Reach Rugby League World Cup Quarters (lodged on 11 November 2013) Stuart McMillan*

S4M-08258 Scottish Women's Convention (lodged on 20 November 2013) David Torrance*, Gil Paterson*, Chic Brodie*, Roderick Campbell*, Bill Kidd*, Bruce Crawford*, Annabelle Ewing*, Kenneth Gibson*, Rob Gibson*, Adam Ingram*, Richard Lyle*, Mike MacKenzie*, Stuart McMillan*, Maureen Watt*

S4M-08228.1 House of Commons to Vote on Repealing the Bedroom Tax (lodged on 19 November 2013) Sandra White*

S4M-08201 Immigrants in the UK, Net Contributors to the Economy and Society
(lodged on 06 November 2013) Fiona McLeod*

S4M-08134.1 World Forum on Natural Capital (lodged on 20 November 2013)
Alison Johnstone*

S4M-08110 World Prematurity Day 2013 and World-class Neonatal Care in Scotland (lodged on 31 October 2013) Claudia Beamish*, Fiona McLeod*

S4M-08076 Movember 2013 (lodged on 30 October 2013) Malcolm Chisholm*,
Richard Simpson*



The Scottish Parliament
Pàrlamaid na h-Alba

Business Bulletin: Friday 22 November 2013

Section G – Bills

New Bills introduced or reprinted on 21 November 2013

Housing (Scotland) Bill—A Bill for an Act of the Scottish Parliament to make provision about housing, including provision about the abolition of the right to buy, social housing, the law affecting private housing, the regulation of letting agents and the licensing of sites for mobile homes. (SP Bill 41) (Government Bill)

Introduced by: Nicola Sturgeon
Supported by: Margaret Burgess

Explanatory Notes (and other accompanying documents) (SP Bill 41-EN) and a Policy Memorandum (SP Bill 41-PM) were printed to accompany the Bill.

New amendments to Bills lodged on 21 November 2013

Regulatory Reform (Scotland) Bill – Stage 2

Section 1

Fergus Ewing

- 9 In section 1, page 2, line 17, at end insert—
<but does not include any such functions exercisable by a planning authority,>

Schedule 1

Fergus Ewing

- 10 In schedule 1, page 33, line 8, at end insert—
<Scottish Fire and Rescue Service>

Section 2

Fergus Ewing

- 11 In section 2, page 3, line 28, at end insert—
<() The Scottish Ministers must publish (in such manner as they consider appropriate) any direction given under subsection (7).>

Section 4

Fergus Ewing

12 In section 4, page 4, line 26, at end insert—

- <() The Scottish Ministers must publish (in such manner as they consider appropriate) any such guidance.>

Section 5

Fergus Ewing

13 In section 5, page 4, line 32, at end insert—

- <() The Scottish Ministers must publish (in such manner as they consider appropriate) any code of practice issued under subsection (1).>

After section 7

Fergus Ewing

14 After section 7, insert—

<PART 1A

PRIMARY AUTHORITIES

7A Scope of Part 1A

- (1) This Part applies where—
- (a) a person carries on an activity in the area of two or more local authorities, and
 - (b) each of those authorities has the same relevant function in relation to that activity.
- (2) In this Part (other than section 7E), “the regulated person” means the person referred to in subsection (1)(a).

7B Meaning of “relevant function”

- (1) In this Part, “relevant function”, in relation to a local authority, means a regulatory function—
- (a) exercised by that authority, and
 - (b) specified for the purposes of this Part by order made by the Scottish Ministers.
- (2) In subsection (1), “regulatory function” has the same meaning as in section 1(5).

7C Nomination of primary authorities

- (1) For the purposes of this Part, the Scottish Ministers may nominate a local authority to be the “primary authority” for the exercise of the relevant function in relation to the regulated person.
- (2) The Scottish Ministers may delegate their function under subsection (1) to another person.

- (3) Sections 7F and 7G apply in any case where a primary authority is nominated under this section in relation to the regulated person.

7D Nomination of primary authorities: conditions and registers

- (1) The Scottish Ministers may nominate a local authority under section 7C(1) in relation to the regulated person only if—
 - (a) the Scottish Ministers consider the authority suitable for nomination, and
 - (b) the authority and the regulated person have agreed in writing to the nomination.
- (2) The Scottish Ministers may in particular consider as suitable for nomination under subsection (1)—
 - (a) the local authority in whose area the regulated person principally carries out the activity in relation to which the relevant function is exercised, or
 - (b) the local authority in whose area the regulated person administers the carrying out of that activity.
- (3) The Scottish Ministers may at any time revoke a nomination under section 7C(1) if they consider that—
 - (a) the authority is no longer suitable for nomination, or
 - (b) it is appropriate to do so for any other reason.
- (4) Subsection (2) applies in relation to a revocation of a nomination as it applies in relation to a nomination.
- (5) The Scottish Ministers must maintain or cause to be maintained a register of nominations.
- (6) Subsections (1) to (5) apply in relation to a person to whom the function under section 7C(1) is delegated as they apply in relation to the Scottish Ministers.

7E Primary authorities: power to make further provision

- (1) The Scottish Ministers may by order make further provision about the exercise of relevant functions by primary authorities in relation to persons (in this section, “regulated persons”).
- (2) The provision that may be made under subsection (1) includes provision—
 - (a) requiring a local authority other than the primary authority (an “enforcing authority”) to notify the primary authority before taking any enforcement action against a regulated person pursuant to the relevant function,
 - (b) prescribing the circumstances in which—
 - (i) the enforcing authority may not take any enforcement action against a regulated person,
 - (ii) the primary authority may direct the enforcing authority not to take any enforcement action against a regulated person,
 - (iii) the enforcing authority must notify the primary authority that it has taken enforcement action against a regulated person,
 - (c) specifying time periods for the purposes of paragraph (b),

- (d) prescribing the circumstances in which provision made by virtue of paragraphs (a) to (c) does not apply including, in particular, circumstances—
 - (i) where the enforcement action is required urgently to avoid a significant risk of serious harm to human health, the environment (including the health of animals or plants) or the financial interests of consumers,
 - (ii) where the application of provision made by virtue of those paragraphs would be wholly disproportionate,
 - (e) requiring an enforcing authority to notify the primary authority, as soon as reasonably practicable, of any enforcement action it takes against a regulated person in circumstances prescribed under paragraph (d).
- (3) In subsection (2), “enforcement action” means any action—
- (a) which relates to securing compliance with or enforcement of any requirement, restriction, condition, standard, outcome or guidance in the event of breach (or putative breach) of the requirement, restriction, condition, standard, outcome or (as the case may be) guidance,
 - (b) taken with a view to or in connection with—
 - (i) the imposition of any sanction (criminal or otherwise) in respect of an act or omission, or
 - (ii) the pursuit of any remedy conferred by an enactment in respect of an act or omission.
- (4) Where a relevant function consists of or includes a function of inspection, an order under subsection (1) may make provision for or about an inspection plan including, in particular, provision for or in connection with—
- (a) prescribing the circumstances in which a primary authority may make, revise or withdraw an inspection plan,
 - (b) specifying the matters that a primary authority must take into account in preparing an inspection plan,
 - (c) specifying the matters that must be included in an inspection plan,
 - (d) prescribing the circumstances in which a primary authority must consult a regulated person in relation to the carrying out of the function of inspection,
 - (e) prescribing the arrangements for notifying a local authority about the making, revising or withdrawal of an inspection plan,
 - (f) specifying the duties of a local authority in relation to an inspection plan,
 - (g) prescribing the circumstances in which a local authority must notify a primary authority before carrying out the function of inspection.
- (5) An “inspection plan” is a plan made by a primary authority containing recommendations as to how a local authority with the function of inspection should exercise that function in relation to a regulated person.
- (6) Before making an order under subsection (1), the Scottish Ministers must consult—
- (a) any primary authority to which the order would apply,
 - (b) such persons or bodies as appear to the Scottish Ministers to represent the interests of persons substantially affected by the proposed order, and
 - (c) such other persons or bodies as the Scottish Ministers consider appropriate.

7F Advice and guidance

- (1) The primary authority has the function of giving advice and guidance to—
 - (a) the regulated person in relation to the relevant function,
 - (b) other local authorities having the relevant function as to how they should exercise that function in relation to the regulated person.
- (2) The primary authority may make arrangements with the regulated person as to how the authority will exercise its function under subsection (1).

7G Power to charge

The primary authority may charge the regulated person such fees as it considers represent the costs reasonably incurred by it in exercising functions as the primary authority under or by virtue of this Part in relation to the regulated person.

7H Guidance

- (1) The Scottish Ministers may issue guidance to local authorities about the operation of this Part including, in particular, guidance about—
 - (a) inspection plans for or about which provision is made under an order under section 7E(1),
 - (b) arrangements under section 7F(2),
 - (c) the charging of fees under section 7G.
- (2) A local authority must have regard to any guidance issued to it under this section.
- (3) Before issuing guidance under this section, the Scottish Ministers must consult such persons as they consider appropriate.
- (4) The Scottish Ministers must publish (in such manner as they consider appropriate) any guidance issued under this section.
- (5) The Scottish Ministers may at any time vary or revoke any guidance issued under this section.>

Schedule 2

Paul Wheelhouse

15 In schedule 2, page 37, line 11, at end insert—

<() to be varied, suspended or revoked as mentioned in paragraph (a) in consequence of the person to whom the permit was granted or (as the case may be) who is authorised to carry on the regulated activities to which the registration relates ceasing to be a fit and proper person within the meaning of the regulations,>

Paul Wheelhouse

16 In schedule 2, page 37, line 12, at end insert—

- <() Providing for the transfer of a permit or registration to be refused if the person to whom it is proposed to be transferred is not a fit and proper person within the meaning of the regulations.>

Paul Wheelhouse

- 17 In schedule 2, page 42, line 5, at end insert—

<Fit and proper persons

The regulations may make provision that the conditions subject to which a registration or permit has effect include a condition that the person authorised to carry on the regulated activities to which the registration relates, or to whom the permit is granted, must remain a fit and proper person within the meaning of the regulations.>

Section 12

Paul Wheelhouse

- 18 In section 12, page 8, line 2, leave out <relevant offence> and insert <offence to which the penalty relates>

Paul Wheelhouse

- 19 In section 12, page 8, line 4, leave out from second <on> to end of line 5 and insert <in relation to an offence constituted by an act or omission if a fixed monetary penalty has already been imposed on that person in respect of the same offence constituted by the same act or omission.>

Paul Wheelhouse

- 20 In section 12, page 8, line 9, leave out <relevant>

Section 13

Paul Wheelhouse

- 21 In section 13, page 8, line 24, leave out <relevant offence> and insert <offence to which the penalty relates>

Section 14

Paul Wheelhouse

- 22 In section 14, page 9, line 23, after <13(2)(a)> insert <in respect of an offence constituted by an act or omission>

Paul Wheelhouse

- 23 In section 14, page 9, line 24, leave out from <for> to end of line 26 and insert <may be commenced against the person in respect of that offence constituted by that act or omission—>

Paul Wheelhouse

- 24 In section 14, page 9, line 31, leave out <such>

Paul Wheelhouse

- 25 In section 14, page 9, line 31, after <proceedings> insert <in respect of that offence constituted by that act or omission>

Paul Wheelhouse

- 26 In section 14, page 9, line 36, leave out <, no criminal proceedings for the relevant offence> and insert <in respect of an offence constituted by an act or omission, no criminal proceedings>

Paul Wheelhouse

- 27 In section 14, page 9, line 37, leave out <the act or omission giving rise to the penalty> and insert <that offence constituted by that act or omission>

Paul Wheelhouse

- 28 In section 14, page 9, line 38, at end insert—
- <() The references in subsections (1)(a) and (3) to criminal proceedings being commenced are to be read as if they included references to—
 - (a) a warning being given by the procurator fiscal,
 - (b) a conditional offer (within the meaning of section 302 of the Criminal Procedure (Scotland) Act 1995) being sent,
 - (c) a compensation offer under section 302A of that Act being sent,
 - (d) a combined offer under section 302B of that Act being sent, and
 - (e) a work order under section 302ZA of that Act being made.>

Section 15

Paul Wheelhouse

- 29 In section 15, page 10, line 7, leave out <relevant offence> and insert <offence to which the penalty relates>

Paul Wheelhouse

- 30 In section 15, page 10, line 9, leave out from second <on> to end of line 10 and insert <in relation to an offence constituted by an act or omission if a variable monetary penalty has already been imposed on that person in respect of the same offence constituted by the same act or omission.>

Paul Wheelhouse

- 31 In section 15, page 10, line 21, leave out <relevant>

Section 16

Paul Wheelhouse

- 32 In section 16, page 10, line 36, leave out <relevant offence> and insert <offence to which the penalty relates>

Section 17

Paul Wheelhouse

- 33 In section 17, page 12, line 2, at end insert—

<() either—>

Paul Wheelhouse

- 34 In section 17, page 12, line 4, at end insert <, or

() both such a penalty is imposed on, and such an undertaking is accepted from, a person.>

Paul Wheelhouse

- 35 In section 17, page 12, line 5, leave out from <for> to end of line 7 and insert <may be commenced against the person for an offence constituted by an act or omission if the variable monetary penalty or, as the case may be, the undertaking related to that offence constituted by that act or omission.>

Paul Wheelhouse

- 36 In section 17, page 12, line 14, at end insert—

<() The reference in subsection (2) to criminal proceedings being commenced is to be read as if it included a reference to—

- (a) a warning being given by the procurator fiscal,
- (b) a conditional offer (within the meaning of section 302 of the Criminal Procedure (Scotland) Act 1995) being sent,
- (c) a compensation offer under section 302A of that Act being sent,
- (d) a combined offer under section 302B of that Act being sent, and
- (e) a work order under section 302ZA of that Act being made.>

Section 18

Paul Wheelhouse

- 37 In section 18, page 12, line 26, at end insert—

<() Where provision is included as mentioned in subsection (1), it must provide that the maximum amount of the non-compliance penalty that may be imposed in any case is not to exceed the maximum amount of the variable monetary penalty to which the non-compliance penalty relates in such a case.>

Section 19

Paul Wheelhouse

- 38 In section 19, page 13, line 19, leave out from <for> to end of line 21 and insert <may be commenced against the person from whom the enforcement undertaking is accepted in respect of an offence constituted by an act or omission if the undertaking relates to that offence constituted by that act or omission,>

Paul Wheelhouse

- 39 In section 19, page 14, line 18, at end insert—
- <() The reference in subsection (4)(a) to criminal proceedings being commenced is to be read as if it included a reference to—
- (a) a warning being given by the procurator fiscal,
 - (b) a conditional offer (within the meaning of section 302 of the Criminal Procedure (Scotland) Act 1995) being sent,
 - (c) a compensation offer under section 302A of that Act being sent,
 - (d) a combined offer under section 302B of that Act being sent, and
 - (e) a work order under section 302ZA of that Act being made.>

Section 20

Paul Wheelhouse

- 40 In section 20, page 15, line 4, after <penalty> insert <in respect of an offence constituted by an act or omission>

Paul Wheelhouse

- 41 In section 20, page 15, line 5, leave out <in respect of a relevant offence in relation to which> and insert <if, in respect of that offence as constituted by that act or omission>

Paul Wheelhouse

- 42 In section 20, page 15, line 13, leave out <or> and insert—
- <() the person has accepted, or is deemed to have accepted, a combined offer issued under section 302B of that Act, or>

Paul Wheelhouse

- 43 In section 20, page 15, line 16, after <must> insert <also>

Paul Wheelhouse

- 44 In section 20, page 15, line 16, after <penalty> insert <in respect of an offence constituted by an act or omission>

Paul Wheelhouse

- 45 In section 20, page 15, line 17, leave out <in respect of a relevant offence in relation to which> and insert <if, in respect of that offence as constituted by that act or omission>

Paul Wheelhouse

- 46 In section 20, page 15, line 25, leave out <or> and insert—
<() the person has accepted, or is deemed to have accepted, a combined offer issued under section 302B of that Act, or>

Section 29

Paul Wheelhouse

- 47 In section 29, page 20, line 26, leave out from <and> to end of line 27

Section 30

Paul Wheelhouse

- 48 In section 30, page 21, line 7, at end insert <and>

Paul Wheelhouse

- 49 In section 30, page 21, line 8, leave out from <and> to end of line 9

Paul Wheelhouse

- 50 In section 30, page 21, line 29, at end insert—
<() An order under subsection (6) may specify only activities that are environmental activities within the meaning of section 9.>

After section 32

Paul Wheelhouse

- 51 After section 32 insert—
<Offences relating to supply of carrier bags: fixed penalty notices

Offences relating to supply of carrier bags: fixed penalty notices

- (1) The Climate Change (Scotland) Act 2009 is amended as follows.
(2) After section 88 insert—

“Carrier bag offences: fixed penalty notices

88A Offences relating to supply of carrier bags: fixed penalty notices

- (1) A person authorised for the purpose of this section by an enforcement authority may give a person a fixed penalty notice if the person so authorised has reason to believe that the person to whom the notice is given has committed a relevant offence.

- (2) In subsection (1), “relevant offence” means an offence provided for in regulations made under section 88.
 - (3) The Scottish Ministers may by regulations make further provision about fixed penalty notices under subsection (1).
 - (4) Subject to section 89, the regulations may in particular include provision about—
 - (a) the enforcement authority in relation to the regulations; and
 - (b) the functions of that authority in relation to fixed penalty notices.
 - (5) Schedule 1A makes further provision about fixed penalties.”.
- (3) After schedule 1 insert—

“SCHEDULE 1A
(introduced by section 88A(5))
 FIXED PENALTIES

Preliminary

- 1 In this schedule, unless the context otherwise requires—
- “enforcement authority” means the enforcement authority provided for in the regulations;
 - “notice” means a fixed penalty notice given under section 88A(1);
 - “the offence” means the offence to which the notice relates;
 - “prescribed” means prescribed by the regulations;
 - “the regulations” means regulations under section 88A(3).

Content of fixed penalty notice

- 2 (1) A notice must give reasonable particulars of the circumstances alleged to constitute the offence.
- (2) A notice must also contain the following information—
- (a) the amount of the fixed penalty;
 - (b) the payment deadline;
 - (c) the discounted amount and the discounted payment deadline;
 - (d) the name of—
 - (i) the enforcement authority to which payment should be made; or
 - (ii) a person acting on behalf of the enforcement authority to whom payment should be made;
 - (e) the address at which payment should be made; and
 - (f) the method by which payment should be made.
- (3) A notice given to a person must state that—
- (a) any liability to conviction of the offence is discharged if the person makes payment of—

- (i) the fixed penalty before the payment deadline; or
 - (ii) the discounted amount before the discounted payment deadline;
- (b) the payment of a fixed penalty is not a conviction nor may it be recorded as such;
 - (c) no proceedings may be commenced against the person in respect of the offence unless the payment deadline has passed and the discounted amount or fixed penalty has not been paid;
 - (d) the person has the right to make representations as mentioned in paragraph 8.

Period in which notice can be given

- 3 A notice may not be given after such time relating to the offence as may be prescribed.

Amount of penalty

- 4 (1) The amount of the fixed penalty, and the discounted amount, are such amounts as may be prescribed.
- (2) The maximum amount of the fixed penalty that may be prescribed is an amount equal to level 2 on the standard scale (within the meaning of section 225(1) of the Criminal Procedure (Scotland) Act 1995).
- (3) The discounted amount prescribed must be less than the maximum amount of the fixed penalty.

Deadlines for payment

- 5 (1) The payment deadline is the first working day occurring at least 28 days after the day on which the notice is given.
- (2) But the enforcement authority may extend the payment deadline in any particular case after the notice is given if it considers it appropriate to do so.
- (3) The discounted payment deadline is the first working day occurring at least 14 days after the day on which notice is given.
- (4) But the enforcement authority may extend the discounted payment deadline in any particular case after the notice is given if it considers it appropriate to do so.
- (5) On extending the payment deadline under sub-paragraph (2), or the discounted payment deadline under sub-paragraph (4), the enforcement authority must notify the recipient of the notice.
- (6) In this paragraph, “working day” means any day other than a Saturday, a Sunday, Christmas Day or a day which, under the Banking and Financial Dealings Act 1971, is a bank holiday in Scotland.

Method of payment

- 6 The fixed penalty (and the discounted payment amount) is payable—

- (a) to the enforcement authority or the person acting on its behalf specified in the notice;
- (b) at the address specified in the notice; and
- (c) by the method specified in the notice.

Restriction on proceedings and effect of payment

- 7 (1) The earliest date that proceedings for the offence may be commenced is the day after the payment deadline.
- (2) But no such proceedings may be commenced against a person if—
- (a) the person makes payment of the discounted amount on or before the discounted payment deadline (or that deadline as extended under paragraph 5(4)); or
 - (b) the person makes payment of the fixed penalty on or before the payment deadline (or that deadline as extended under paragraph 5(2)).
- (3) In proceedings for the offence, a certificate which—
- (a) purports to be signed by or on behalf of a person having responsibility for the financial affairs of the enforcement authority; and
 - (b) states that payment of an amount specified in the certificate was, or was not, received by a date so specified,
- is sufficient evidence of the facts stated.
- (4) Where the enforcement authority is a local authority, the reference to a person having responsibility for the financial affairs of the enforcement authority in sub-paragraph (3)(a) is to be read as a reference to the person who has, as respects the local authority, the responsibility mentioned in section 95 of the Local Government (Scotland) Act 1973 (financial administration).

Withdrawal of fixed penalty notice

- 8 (1) A recipient of a notice may make representations to the enforcement authority as to why the notice ought not to have been given.
- (2) If, having considered any representations under sub-paragraph (1), the enforcement authority considers that the notice ought not to have been given, it may give to the person a notice withdrawing the notice.
- (3) Where a notice under sub-paragraph (2) is given—
- (a) the enforcement authority must repay any amount which has been paid in pursuance of the fixed penalty notice; and
 - (b) no proceedings may be commenced against the person for the offence.

Effect of prosecution on fixed penalty notice

- 9 Where proceedings for an offence in respect of which a notice has been given are commenced, the notice is to be treated as withdrawn.

General and supplemental

- 10 The regulations may make provision about—
- (a) the application by enforcement authorities of payments received under this schedule;
 - (b) the keeping of accounts, and the preparation and publication of statements of account, in relation to such payments.
- 11 (1) The regulations may prescribe—
- (a) the form of notices including notices under paragraph 8(2);
 - (b) the circumstances in which notices may not be given; and
 - (c) the method by which fixed penalties may be paid.
- (2) The regulations may modify sub-paragraphs (1) and (3) of paragraph 5 so as to substitute a different deadline for the deadline for the time being specified there.
- 12 The enforcement authority must have regard to any guidance given by the Scottish Ministers to it in relation to the functions conferred on it by the regulations.”.>

Section 34

Paul Wheelhouse

- 52 In section 34, page 24, line 21, at end insert—
- <() In section 78F (determination of appropriate person to bear responsibility for remediation), after subsection (5) insert—
- “(5A) But where the contaminated land is owned or occupied by the Crown by virtue of its having vested as *bona vacantia* in the Crown, or its having fallen to the Crown as *ultimus haeres*, the Crown is not an appropriate person under subsection (4) or (5) for the purposes of this Part.”.>

Paul Wheelhouse

- 53 In section 34, page 24, line 24, leave out <a local authority>

Paul Wheelhouse

- 54 In section 34, page 24, line 25, at beginning insert <a local authority>

Paul Wheelhouse

- 55 In section 34, page 24, line 26, leave out <and>

Paul Wheelhouse

- 56 In section 34, page 24, line 26, at end insert—
- <() the land is not designated as a special site by virtue of section 78C(7) or 78D(6) above; and>

Paul Wheelhouse

57 In section 34, page 24, line 27, at beginning insert <the local authority>

Paul Wheelhouse

58 In section 34, page 25, line 11, at end insert—

- <() A non-contamination notice shall not prevent the land, or any of the land, to which the notice relates being identified as contaminated land on a subsequent occasion.
- () Where land, or any of the land, to which a non-contamination notice relates is subsequently identified as contaminated land, or is subsequently designated as a special site by virtue of section 78C(7) or 78D(6), subsection (3)(b) above does not prevent a remediation notice being served in respect of the land.>

Paul Wheelhouse

59 In section 34, page 25, leave out lines 35 to 38 and insert—

- <() the Scottish Environment Protection Agency has given the local authority a notice under section 78Q(4) above that the land to which the notices relate is no longer land which is required to be designated as a special site; and
- () the date specified in the notice given under that section has passed.>

Paul Wheelhouse

60 In section 34, page 26, line 9, leave out <subsections (2) and> and insert <subsection>

Paul Wheelhouse

61 In section 34, page 26, line 18, leave out <and> and insert—

- <() each person—
 - (i) who appears to the Scottish Environment Protection Agency to be an appropriate person in relation to that land, and
 - (ii) in respect of whom details have been given by the Scottish Environment Protection Agency to the local authority sufficient to enable notice of such removal to be given; and>

Paul Wheelhouse

62 In section 34, page 26, leave out lines 24 and 25

Paul Wheelhouse

63 In section 34, page 26, line 31, at end insert—

- <() In section 78X (supplementary provisions), in subsection (4), after paragraph (f) insert—
 - “(g) in relation to property and rights that have vested as *bona vacantia* in the Crown, or that have fallen to the Crown as *ultimus haeres*, the Queen’s and Lord Treasurer’s Remembrancer.”.>

After section 34

Paul Wheelhouse

64 After section 34, insert—

<Amendment of powers under section 108 of Environment Act 1995

Amendment of powers under section 108 of Environment Act 1995

- (1) The Environment Act 1995 is amended as follows.
- (2) In section 108 (powers of enforcing authorities and persons authorised by them)—
 - (a) in subsection (1)—
 - (i) the word “or” immediately following paragraph (b) is repealed,
 - (ii) after paragraph (c) insert—
 - “(d) of determining whether any of the following offences are being or have been committed—
 - (i) an offence under section 110 of this Act;
 - (ii) an offence under section 31(1) of the Regulatory Reform (Scotland) Act 2013 (offences relating to significant environmental harm);
 - (iii) an offence under section 293(2) of the Criminal Procedure (Scotland) Act 1995 (statutory offences: art and part and aiding or abetting) as it applies in relation to an offence mentioned in sub-paragraph (i) or (ii) above;
 - (iv) an attempt, conspiracy or incitement to commit an offence mentioned in sub-paragraph (i) or (ii) above; or
 - (e) in a case only where the person is authorised by SEPA, of determining whether, and if so to what extent, any financial benefit has accrued or is likely to accrue to a person in connection with an offence mentioned in subsection (1A) below which the authorised person reasonably believes is being or has been committed.”,
 - (b) after subsection (1) insert—
 - “(1A) The offence is a relevant offence (within the meaning of section 39 of the Regulatory Reform (Scotland) Act 2013) for the purpose of provision made under section 16, or of section 27, of that Act).”,
 - (c) in subsection (4)—
 - (i) in paragraph (h), after sub-paragraph (iii) insert—
 - “(iv) to ensure that it is available for use as evidence in any proceedings for an offence under section 31(1) of the Regulatory Reform (Scotland) Act 2013;”,
 - (ii) in paragraph (j), the words from “to answer” to the end become sub-paragraph (i) of that paragraph, and after that sub-paragraph insert “; and

- (ii) without prejudice to the generality of paragraph (c) above, to attend at such place and at such reasonable time as the authorised person may specify to answer those questions and sign such a declaration;”,
- (iii) after paragraph (j) insert—
 - “(ja) in a case only where he is authorised under subsection (1) or (2) above by SEPA, and without prejudice to the generality of paragraphs (c) and (j) above, to require any person whom he has reasonable cause to believe to be able to give any information relevant to an examination or investigation under paragraph (c) above, to provide the person’s name, address and date of birth;”,
- (iv) after paragraph (k) insert—
 - “(ka) as regards any premises which by virtue of an authorisation from SEPA he has power to enter, to search the premises and seize and remove any documents found in or on the premises which he has reasonable cause to believe—
 - (i) may be required as evidence for the purpose of proceedings relating to an offence under any of the pollution control enactments, or under section 31(1) of the Regulatory Reform (Scotland) Act 2013, which he reasonably believes is being or has been committed; or
 - (ii) may assist in determining whether, and if so to what extent, any financial benefit has accrued or is likely to accrue as mentioned in subsection (1)(e) above;”,
- (d) in subsection (5), after “with” insert “, or whether an offence under section 31(1) of the Regulatory Reform (Scotland) Act 2013 is being, or has been, committed;”,
- (e) in subsection (6), paragraph (a) and the word “and” immediately following it are repealed,
- (f) after subsection (7) insert—
 - “(7A) An authorised person may not exercise the power in subsection (4)(ka) above to seize and remove documents except under the authority of a warrant by virtue of Schedule 18 to this Act.
 - (7B) Section 108A applies where documents are removed under that power.
 - (7C) Subsections (7D) and (7E) apply where a document removed under that power contains information in respect of which a claim to confidentiality of communications could be maintained in legal proceedings.
 - (7D) The information may not be used—
 - (a) in evidence for the purpose of proceedings mentioned in paragraph (ka)(i) of subsection (4) above against a person who would be entitled to make such a claim in relation to the document; or
 - (b) to determine whether any financial benefit has accrued or is likely to accrue as mentioned in subsection (1)(e) above.

- (7E) The document must be returned to the premises from which it was removed, or to the person who had possession or control of it immediately before it was removed, as soon as reasonably practicable after the information is identified as information described in subsection (7C) above (but the authorised person may retain, or take copies of, any other information contained in the document).”,
- (g) in subsection (12), at the end add “, except in a case where the proceedings relate to—
 - (a) an offence under section 44(2) of the Criminal Law (Consolidation) (Scotland) Act 1995 (false statements and declarations), or
 - (b) another offence where in giving evidence the person makes a statement inconsistent with the answer.”,
- (h) in subsection (15)—
 - (i) after the definition of “authorised person” insert—
 - ““document” includes any thing in which information of any description is recorded (by any means) and any part of such a thing;”,
 - (ii) in the definition of “pollution control functions”, paragraph (a) is repealed.
- (3) After section 108, insert—

“108A Procedure where documents removed

- (1) An authorised person (within the meaning of subsection (15) of section 108 of this Act) who removes any documents under the power in subsection (4)(ka) of that section shall, if requested to do so by a person mentioned in subsection (2) below, provide that person with a record of what the authorised person removed.
- (2) The persons are—
 - (a) a person who was the occupier of any premises from which the documents were removed at the time of their removal;
 - (b) a person who had possession or control of the documents immediately before they were removed.
- (3) The authorised person shall provide the record within a reasonable time of the request for it.
- (4) A person who had possession or control of documents immediately before they were removed may apply to SEPA—
 - (a) for access to the documents; or
 - (b) for a copy of them.
- (5) SEPA shall—
 - (a) allow the applicant supervised access to the documents for the purpose of copying them or information contained in them; or
 - (b) copy the documents or information contained in them (or cause the documents or information to be copied) and provide the applicant with such copies within a reasonable time of the application.
- (6) But SEPA need not comply with subsection (5) above where it has reasonable grounds for believing that to do so might prejudice—

- (a) any investigation for a purpose mentioned in paragraph (a), (d) or (e) of subsection (1) of section 108 of this Act; or
 - (b) any criminal proceedings which may be brought as a result of any such investigation.
- (7) In subsection (5) above, “supervised access” means access under the supervision of a person approved by SEPA.
- (8) A person who claims that an authorised person or SEPA has failed to comply with the requirements of subsection (1), (3) or (5) above may apply to the sheriff for an order under subsection (10) below.
- (9) An application under subsection (8) above—
- (a) relating to a failure to comply with the requirements of subsection (1) or (3) above may be made only by a person who is entitled to make a request under subsection (1) above;
 - (b) relating to a failure to comply with subsection (5) above may be made only by a person who had possession or control of the documents immediately before they were removed.
- (10) The sheriff may, if satisfied that the authorised person or SEPA has failed to comply with the requirements of subsection (1), (3) or (5) above, order the person, or as the case may SEPA, to comply with the requirements within such time and in such manner as may be specified in the order.”.
- (4) In Schedule 18 (supplemental provisions with respect to powers of entry)—
- (a) in paragraph 2—
 - (i) after sub-paragraph (1) insert—

“(1A) If it is shown to the satisfaction of the sheriff or a justice of the peace, on sworn information in writing, that there are reasonable grounds for the exercise in relation to any documents of a power in section 108(4)(ka) of this Act, the sheriff or justice of the peace may by warrant authorise SEPA to designate a person who shall be authorised to exercise the power in relation to the documents in accordance with the warrant and, if need be, by force.”,
 - (ii) for sub-paragraph (3) substitute—

“(3) A warrant under this Schedule in respect of the power in section 108(6) of this Act to enter any premises used for residential purposes shall not be issued unless the sheriff or justice of the peace is satisfied that such entry is necessary for any purpose for which the power is proposed to be exercised.”,
 - (iii) after sub-paragraph (4) add—

“(5) A sheriff may grant a warrant under this Schedule in relation to premises situated in an area of Scotland even though the area is outside the territorial jurisdiction of that sheriff; and any such warrant may, without being backed or endorsed by another sheriff, be executed throughout Scotland in the same way as it may be executed within the sheriffdom of the sheriff who granted it.”,
 - (b) in paragraph 3—
 - (i) after “shall” insert “, if so required,”,
 - (ii) the words “designation and other” are repealed.>

After section 37

Paul Wheelhouse

65 After section 37, insert—

<Smoke control areas: fuels and fireplaces

Smoke control areas: authorised fuels and exempt fireplaces

- (1) The Clean Air Act 1993 is amended as follows.
- (2) In section 20 (offence of emitting smoke in smoke control area where emission caused by use of fuel other than authorised fuel)—
 - (a) after subsection (5) insert—

“(5A) In this Part, “authorised fuel” means a fuel included in a list of authorised fuels kept by the Scottish Ministers for the purposes of this Part.

(5B) The Scottish Ministers must—

 - (a) publish the list of authorised fuels; and
 - (b) publish a revised copy of the list as soon as is reasonably practicable after any change is made to it.

(5C) The list must be published in such manner as the Scottish Ministers consider appropriate.”,
 - (b) in subsection (6), for “In” substitute “Except as provided in subsection (5A), in”.
- (3) In section 21 (power by order to exempt certain fireplaces)—
 - (a) the existing text becomes subsection (5); and for the word “The” at the beginning of that subsection substitute “Except where subsection (1) applies, the”.
 - (b) before that subsection insert—
 - “(1) For the purposes of this Part, the Scottish Ministers may exempt any class or description of fireplace from the provisions of section 20 (prohibition of smoke emissions in smoke control areas) if they are satisfied that such fireplaces can be used for burning fuel other than authorised fuels without producing any smoke or a substantial quantity of smoke.
 - (2) An exemption under subsection (1) may be made subject to such conditions as the Scottish Ministers consider appropriate.
 - (3) The Scottish Ministers must—
 - (a) publish a list of those classes or descriptions of fireplace that are exempt under subsection (1), including details of any conditions to which an exemption is subject; and
 - (b) publish a revised copy of the list as soon as is reasonably practicable after any change is made to the classes or descriptions of fireplace that are so exempt or to the conditions to which an exemption is subject.
 - (4) The list must be published in such manner as the Scottish Ministers consider appropriate.”.
- (4) In the title of section 21, the words “by order” are repealed.

- (5) In section 29 (interpretation of Part 3), in the definition of “authorised fuel”, for “20(6)” substitute “20”.>

Section 42

Fergus Ewing

- 66 In section 42, page 30, line 29, leave out <one> and insert <a food authority in Scotland>

Paul Wheelhouse

- 67 In section 42, page 30, line 30, after <subsection> insert—
<(a)>

Fergus Ewing

- 68 In section 42, page 30, line 33, at end insert <, or
- (b) where no such food authority has registered the establishment for those purposes, a food authority which is—
 - (i) the licensing authority to which the application mentioned in subsection (4) in respect of the activity is made, or
 - (ii) another licensing authority to which an application for a street trader’s licence in respect of the activity is or has been made.”>

Schedule 3

Paul Wheelhouse

- 69 In schedule 3, page 43, line 33, at end insert—
<*Sewerage (Scotland) Act 1968*
- (1) The Sewerage (Scotland) Act 1968 is amended as follows.
 - (2) In section 29A (priority substances etc.), in subsection (3)—
 - (a) the word “or” immediately following paragraph (a) is repealed, and
 - (b) for paragraph (b) substitute—
 - “(b) regulations made under section 10 of the Regulatory Reform (Scotland) Act 2013, or
 - (c) any directive concerning the same subject-matter as the directive mentioned in subsection (1).”.
 - (3) In section 38H (Controlled Activities Regulations), for subsection (3)(b) substitute—
 - “(b) regulations made under section 10 of the Regulatory Reform (Scotland) Act 2013.”>

Paul Wheelhouse

- 70 In schedule 3, page 44, line 5, at end insert—
<() In section 46 (receptacles for household waste), in subsection (4)—

- (a) the word “and” immediately following paragraph (d) is repealed,
- (b) after paragraph (e) add—
 - “(f) the removal of the receptacles placed for the purpose of facilitating the emptying of them; and
 - (g) the time when the receptacles must be placed for that purpose and removed.”.
- () In section 47 (receptacles for commercial or industrial waste), in subsection (4)—
 - (a) the word “and” immediately following paragraph (d) is repealed,
 - (b) after paragraph (e) add—
 - “(f) the removal of the receptacles placed for the purpose of facilitating the emptying of them; and
 - (g) the time when the receptacles must be placed for that purpose and removed.”.>

Paul Wheelhouse

- 71 In schedule 3, page 47, leave out lines 1 to 5

Paul Wheelhouse

- 72 In schedule 3, page 47, leave out lines 10 to 14

Paul Wheelhouse

- 73 In schedule 3, page 47, line 14, at end insert—

<Water Resources (Scotland) Act 2013

- (1) The Water Resources (Scotland) Act 2013 is amended as follows.
- (2) In section 5 (qualifying abstraction), in subsection (2), for the words from “20(3)(b)” to the end of the subsection substitute “23(5) of the 2003 Act.”.
- (3) In section 21 (Controlled Activities Regulations), for subsection (5)(b) substitute—
 - “(b) regulations made under section 10 of the Regulatory Reform (Scotland) Act 2013.”.
- (4) In section 50 (Controlled Activities Regulations), for subsection (5)(b) substitute—
 - “(b) regulations made under section 10 of the Regulatory Reform (Scotland) Act 2013.”.>

Paul Wheelhouse

- 74 In schedule 3, page 47, leave out lines 21 to 24 and insert—

- <(a) in subsection (1), in paragraph (a)—
 - (i) for the words “officer of a local authority” substitute “person or a constable”, and
 - (ii) the words from “in” to the end of paragraph (b) are repealed,

- (b) in subsection (4), paragraph (b) and the word “or” immediately preceding it are repealed,
- (c) after subsection (8) insert—
 - “(8A) If an authorised person proposes to give a person a notice under this section, the authorised person may require the person to give him his name and address.
 - (8B) A person commits an offence if he fails to give his name and address when required to do so under subsection (8A) above.
 - (8C) A person who commits an offence under subsection (8B) above is liable on summary conviction to a fine not exceeding level 3 on the standard scale.”,
- (d) in subsection (11), in paragraph (a), for the words from “the” where it first occurs to “committed” substitute “a proper officer”,
- (e) after subsection (11) insert—
 - “(11A) In subsection (11) above, “proper officer” means—
 - (a) in a case where a notice under this section is given by an officer of a local authority authorised as mentioned in paragraph (a) of the definition of “authorised person” in subsection (13) below, the officer who has, as respects the authority, the responsibility mentioned in section 95 of the Local Government (Scotland) Act 1973 (financial administration);
 - (b) in a case where a notice under this section is given by an officer of Loch Lomond and The Trossachs National Park Authority authorised as mentioned in paragraph (b) of that definition, the proper officer for that Authority appointed under paragraph 12(3) of schedule 2 to the National Parks (Scotland) Act 2000.”,
- (f) in subsection (12)—
 - (i) after “payable”, where it second occurs, insert—
 - “(a) in a case such as is mentioned in paragraph (a) of subsection (11A) above,”, and
 - (ii) at the end insert—
 - “(b) in a case such as is mentioned in paragraph (b) of that subsection, to Loch Lomond and The Trossachs National Park Authority; and as respects the sums received by that Authority, those sums shall accrue to that Authority.”,
- (g) in subsection (13)—
 - (i) for the definition of “authorised officer” substitute—
 - ““authorised person” means—
 - (a) an officer of a local authority who is authorised in writing by the authority for the purpose of issuing notices under this section in relation to a relevant offence committed in the area of the authority;
 - (b) an officer of Loch Lomond and The Trossachs National Park Authority who is authorised in writing by the Authority for the purpose of issuing notices under this section in relation to a relevant offence committed in the area designated as the National Park for which the Authority is established; or

- (c) such other persons as may be specified by order made by the Scottish Ministers.”, and
- (ii) the definition of “proper officer” is repealed, and
- (h) after subsection (13) insert—
 - “(13A) The Scottish Ministers may by order make such modifications of this section as they consider necessary or expedient in connection with the specification of a person by an order under paragraph (c) of the definition of “authorised person” in subsection (13) above.
 - (13B) An order under subsection (13A) above may include provision—
 - (a) applying any provision of this section to such a person with such modifications as may be specified in the order;
 - (b) for any such provision not to apply in relation to such a person.”.>

Paul Wheelhouse

75 In schedule 3, page 47, line 32, at end insert—

- <() In section 88 (fixed penalty notices for leaving litter)—
 - (a) in subsection (1), in paragraph (a)—
 - (i) for the words “officer of a litter authority” substitute “person or a constable”, and
 - (ii) the words from “in” to the end of paragraph (b) are repealed,
 - (b) in subsection (5A), for the words “to the litter authority in whose area the offence was committed” substitute—
 - “(a) where the notice is given by an officer of a litter authority authorised as mentioned in paragraph (a) of the definition of “authorised person” in subsection (10) below, to that litter authority;
 - (b) where the notice is given by an officer of Loch Lomond and The Trossachs National Park Authority authorised as mentioned in paragraph (b) of that definition, to that Authority.”,
 - (c) in subsection (6)—
 - (i) the words from “a litter” to the end become paragraph (a) of that subsection, and
 - (ii) after that paragraph insert—
 - “(b) Loch Lomond and The Trossachs National Park Authority, shall accrue to that Authority.”,
 - (d) in subsection (8), in paragraph (a)(ii), for the words from “the” where it first occurs to “committed” substitute “a proper officer”,
 - (e) after subsection (8) insert—
 - “(8A) In subsection (8) above, “proper officer” means—
 - (a) in a case where a notice under this section is given as mentioned in paragraph (a) of subsection (5A) above, the officer who has, as respects the litter authority, the responsibility mentioned in section 95 of the Local Government (Scotland) Act 1973 (financial administration);

- (b) in a case where a notice is given as mentioned in paragraph (b) of that subsection, the proper officer for that Authority appointed under paragraph 12(3) of schedule 2 to the National Parks (Scotland) Act 2000.
- (8B) If an authorised person proposes to give a person a notice under this section, the authorised person may require the person to give him his name and address.
- (8C) A person commits an offence if he fails to give his name and address when required to do so under subsection (8B) above.
- (8D) A person who commits an offence under subsection (8C) above is liable on summary conviction to a fine not exceeding level 3 on the standard scale.”,
- (f) in subsection (10)—
 - (i) for the definition of “authorised officer” substitute—
 - ““authorised person” means—
 - (a) an officer of a litter authority who is authorised in writing by the authority for the purpose of issuing notices under this section in relation to an offence under section 87 above committed in the area of the authority;
 - (b) an officer of Loch Lomond and The Trossachs National Park Authority who is authorised in writing by the Authority for the purpose of issuing notices under this section in relation to an offence under section 87 above committed in the area designated as the National Park for which the Authority is established; or
 - (c) such other persons as may be specified by order made by the Scottish Ministers.”, and
 - (ii) the definition of “proper officer” is repealed, and
 - (g) after subsection (10) insert—
 - “(10A) The Scottish Ministers may by order make such modifications of this section as they consider necessary or expedient in connection with the specification of a person by an order under paragraph (c) of the definition of “authorised person” in subsection (10) above.
 - (10B) An order under subsection (10A) above may include—
 - (a) provision applying any provision of this section to such a person with such modifications as may be specified in the order;
 - (b) provision for any such provision not to apply in relation to such a person.”.>

Paul Wheelhouse

- 76 In schedule 3, page 50, line 12, at end insert—
 <() section 69 (execution of works by local authority),>

Paul Wheelhouse

- 77 In schedule 3, page 50, line 20, at end insert—
 <() In section 30Y (introductory), in subsection (1) (meaning of “abandonment” in relation to a mine), in paragraph (b)—

- (a) the word “or” immediately following sub-paragraph (i) is repealed, and
- (b) after sub-paragraph (ii) insert “or
 - (iii) any disclaimer by notice signed by the Queen’s and Lord Treasurer’s Remembrancer under section 1013 of the Companies Act 2006 (Crown disclaimer of property vesting as *bona vacantia*).”.>

Paul Wheelhouse

78 In schedule 3, page 51, line 8, at end insert—

<() In section 104 (orders and regulations)—

- (a) in subsection (1), the following words are repealed—
 - (i) “(except sections 63 and 65(6))”, and
 - (ii) “regulations made by virtue of section 18 of this Act or”, and
- (b) in subsection (2), the following words are repealed—
 - (i) “regulations shall be made by virtue of section 18 of this Act and no”, and
 - (ii) “regulations or”.>

Paul Wheelhouse

79 In schedule 3, page 51, line 12, at end insert—

<*Scottish Board of Health Act 1919*

In the Scottish Board of Health Act 1919, in section 4 (transfer of powers and duties to and from the Board), paragraph (d) of subsection (1) is repealed.>

Paul Wheelhouse

80 In schedule 3, page 51, line 18, leave out <paragraph 18 is> and insert <paragraphs 10, 14 and 18 are>

Paul Wheelhouse

81 In schedule 3, page 51, line 25, at end insert—

<*Water Act 1989*

In the Water Act 1989, in Schedule 23 (control of water pollution in Scotland), paragraphs 2 and 3 are repealed.

Planning (Consequential Provisions) Act 1990

In the Planning (Consequential Provisions) Act 1990, in Schedule 2 (consequential amendments), paragraph 31(1) is repealed.>

Paul Wheelhouse

82 In schedule 3, page 51, line 27, at end insert—

<() in section 79 (statutory nuisances and inspections therefor), in subsection (10), the words from “Part I” to “under”, where it third occurs, are repealed,>

Paul Wheelhouse

83 In schedule 3, page 51, line 27, at end insert—

<() in section 80 (summary proceedings for statutory nuisances)—

- (i) in paragraph (a) of subsection (9), the words “or 65” are repealed,
- (ii) paragraph (b) of that subsection, and the word “or” immediately preceding it, are repealed,
- (iii) paragraph (c) of that subsection, and the word “or” immediately preceding it, are repealed, and
- (iv) subsection (10) is repealed,>

Paul Wheelhouse

84 In schedule 3, page 51, line 31, at end insert—

<() paragraph 2 is repealed,>

Paul Wheelhouse

85 In schedule 3, page 51, line 33, at end insert—

<() in Schedule 16 (repeals), in Part 1 (enactments relating to processes), the entry relating to 1990 c.43 (Environmental Protection Act 1990) is repealed.>

Paul Wheelhouse

86 In schedule 3, page 52, line 16, at end insert—

<*Clean Air Act 1993*

In the Clean Air Act 1993, in section 42 (colliery spoilbanks)—

(a) in subsection (2), for the words “or quarry” substitute “, or the operator of a quarry,”, and

(b) in subsection (6), for the words from “mine” to the end substitute—

““mine” is to be construed in accordance with section 180 of the Mines and Quarries Act 1954;

“operator”, in relation to a quarry, has the meaning given by regulation 2(1) of the Quarries Regulations 1999 (S.I. 1999/2024);

“owner”, in relation to a mine, is to be construed in accordance with section 181(1) and (4) of the Mines and Quarries Act 1954;

“quarry” is to be construed in accordance with regulation 3 of the Quarries Regulations 1999.”.>

Paul Wheelhouse

87 In schedule 3, page 52, line 29, at end insert—

<() In section 21 (transfer of functions to SEPA)—

- (a) in subsection (1)—
 - (i) paragraph (a)(i), (iii) and (iv) are repealed,
 - (ii) in paragraph (a)(ii), the words from “Part III” to “and” are repealed,
 - (ii) paragraphs (c), (d), (f) and (h) are repealed, and
- (b) in subsection (2), paragraph (b) is repealed.>

Paul Wheelhouse

88 In schedule 3, page 52, line 31, at end insert—

- <() In section 56 (interpretation of Part 1), in subsection (1), in the definition of “disposal authority”, paragraph (b) is repealed.>

Paul Wheelhouse

89 In schedule 3, page 52, line 31, at end insert—

- <() In section 91 (interpretation of Part 4), in subsection (1), in the definition of “action plan”, for “84(2)(b)” substitute “84(2)”.>

Paul Wheelhouse

90 In schedule 3, page 52, line 31, at end insert—

- <() In section 110 (offences)—
 - (a) in subsection (1), after “to” insert “assault, hinder or”,
 - (b) in subsection (4)—
 - (i) in paragraph (a), after “of” where it second occurs insert “assaulting, hindering or”,
 - (ii) in sub-paragraph (i) of that paragraph, after “maximum” insert “or to imprisonment for a term not exceeding 12 months, or to both”,
 - (iii) in paragraph (b), for the words “level 5 on the standard scale” substitute “the prescribed sum within the meaning of section 225(8) of the Criminal Procedure (Scotland) Act 1995 or to imprisonment for a term not exceeding 12 months, or to both”, and
 - (c) after subsection (5) insert—
 - “(5A) A person may be convicted of the offence under subsection (1) above of hindering or obstructing even though it is—
 - (a) effected by means other than physical means, or
 - (b) effected by action directed only at any vehicle, apparatus, equipment or other thing used or to be used by an authorised person.
 - (5B) Subsection (5C) applies where, in the trial of a person (“the accused”) charged in summary proceedings with an offence under subsection (1) above, the court—
 - (a) is not satisfied that the accused committed the offence, but
 - (b) is satisfied that the accused committed an offence under subsection (2) above.

(5C) The court may acquit the accused of the charge and, instead, find the accused guilty of an offence under subsection (2) above.”.>

Paul Wheelhouse

91 In schedule 3, page 52, line 33, at end insert—

- <() In Schedule 11 (air quality: supplemental provisions)—
- (a) in paragraph 1(1)(b), the words “or 84” are repealed, and
 - (b) in paragraph 4(2)(b), the words “or 84” are repealed.>

Paul Wheelhouse

92 In schedule 3, page 53, line 3, at end insert—

- <() paragraph 1 is repealed,>

Paul Wheelhouse

93 In schedule 3, page 53, line 8, at end insert—

- <() paragraph 93 is repealed,>

Paul Wheelhouse

94 In schedule 3, page 53, line 9, at end insert—

- <() In Schedule 23 (transitional and transitory provisions and savings), the following paragraphs are repealed—
- (a) paragraph 4,
 - (c) paragraph 6,
 - (d) paragraph 8, and
 - (e) paragraph 18.>

Paul Wheelhouse

95 In schedule 3, page 53, leave out lines 10 to 20

Paul Wheelhouse

96 In schedule 3, page 53, line 20, at end insert—

- <The amendments made by paragraph 25 to subsection (4) of section 110 of the Environment Act 1995 do not affect the penalty for an offence under that section committed before the coming into force of those amendments.>

Paul Wheelhouse

97 In schedule 3, page 53, line 24, at end insert—

<Planning (Consequential Provisions) (Scotland) Act 1997

- In the Planning (Consequential Provisions) (Scotland) Act 1997, in Schedule 2 (consequential amendments), paragraph 23(1) is repealed.>

Paul Wheelhouse

98 In schedule 3, page 53, line 33, at end insert—

<Pollution Prevention and Control Act 1999

In the Pollution Prevention and Control Act 1999, in Schedule 3 (repeals), in the third column of the entry relating to the Environmental Protection Act 1990, the words “In section 79(10), the words “under Part I or”” are repealed.>

Section 44

Fergus Ewing

99 In section 44, page 31, line 10, leave out <12 or section 15> and insert <7B, 7E, 12 or 15>



The Scottish Parliament
Pàrlamaid na h-Alba

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Section H – New Documents

Subordinate Legislation

Negative instruments

The following instrument was laid before the Parliament on 21 November 2013 and is subject to the negative procedure—

Food Safety, Food Hygiene and Official Controls (Sprouting Seeds) (Scotland) Regulations 2013 (SSI 2013/333)
laid under paragraph 2(2) of Schedule 2 to the European Communities Act 1972

Other Documents

The following documents were laid before the Parliament on 21 November 2013 and are not subject to Parliamentary procedure—

Mental Health Tribunal for Scotland Annual Report 2013 (SG/2013/257)
laid under paragraph 14(3) of schedule 2 to the Mental Health (Care and Treatment) (Scotland) Act 2003

The Sea Fish Industry Authority Annual Report and Accounts 2012/2013 (SG/2013/133)
laid under section 11(8) of the Fisheries Act 1981

Committee Reports

For further information on accessing committee report, please contact the relevant clerk or webpage (see end of Bulletin for contact details or access general committee webpage)



The Scottish Parliament
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Section J – Progress of Legislation

For further information on the progress of Bills and subordinate legislation, contact either the relevant clerk or webpage (see end of Bulletin for details).

Bills in Progress

A list of all Bills in progress can be accessed via the Scottish Parliament website at:

<http://www.scottish.parliament.uk/parliamentarybusiness/Bills/576.aspx>

For each Bill, the date of the next (or most recent) event in the Bill's passage is given. Other relevant information, e.g. about lodging amendments, is given in italics.

As soon as a Public Bill (i.e. a Government, Committee or Member's Bill) has completed Stage 1, amendments for consideration at Stage 2 may be lodged; and as soon as Stage 2 is completed, amendments for Stage 3 consideration may be lodged. The last lodging day for amendments at Stage 2 is three sitting days before the meeting at which those amendments will be considered (e.g. Thursday for a meeting on Tuesday); at Stage 3 it is four days before. Amendments may be lodged until 4.30 pm on any sitting day, except on the last lodging day for Stage 2, when the deadline is 12 noon.

A Hybrid Bill is subject to the same rules except in the case of Stage 2 where amendments for consideration may be lodged no earlier than the completion of any consideration of evidence at Stage 2.

Amendments to Private Bills are subject to different deadlines. These are set out in Rule 9A.12 of Standing Orders.

Members are advised to lodge amendments in good time before the beginning of a Stage and as early as possible during the day.

(G) = Government Bill; (M) = Member's Bill; (C) = Committee Bill; (P) = Private Bill; (H) = Hybrid Bill.

Assisted Suicide (Scotland) Bill (M)

Introduced

13 November

Bankruptcy and Debt Advice (Scotland) Bill (G)

Stage 1 (lead committee (Economy, Energy and Tourism))

27 November

Burrell Collection (Lending and Borrowing) (Scotland) Bill (P)	
Preliminary Stage completed	21 November
<i>Consideration stage amendments may now be lodged with the clerks in the Legislation Team</i>	
(Legislation_Team@scottish.parliament.uk)	
Children and Young People (Scotland) Bill (G)	
Stage 1 completed	21 November
<i>Stage 2 amendments may now be lodged with the clerks in the Legislation Team</i>	
(Legislation_Team@scottish.parliament.uk)	
After Stage 1 (Delegated Powers and Law Reform Committee)	26 November
Stage 2 (evidence, lead committee (Education and Culture))	3 December
City of Edinburgh Council (Leith Links and Surplus Fire Fund) Bill (P)	
Preliminary Stage (evidence, lead committee (City of Edinburgh Council (Leith Links and Surplus Fire Fund) Bill))	14 November
City of Edinburgh Council (Portobello Park) Bill (P)	
Preliminary Stage (lead committee (City of Edinburgh Council (Portobello Park) Bill))	13 November
Criminal Justice (Scotland) Bill (G)	
Stage 1 (evidence, lead committee, (Justice))	26 November
Defective and Dangerous Buildings (Recovery of Expenses) (Scotland) Bill (M)	
Stage 1 (lead committee, Local Government and Regeneration)	6 November
Housing (Scotland) Bill (G)	
Introduced	21 November
Landfill Tax (Scotland) Bill (G)	
Stage 2 completed	20 November
<i>Stage 3 amendments may now be lodged with the clerks in the Legislation Team</i>	
(Legislation_Team@scottish.parliament.uk)	
Marriage and Civil Partnership (Scotland) Bill (G)	
Stage 1 completed	20 November
<i>Stage 2 amendments may now be lodged with the clerks in the Legislation Team</i>	
(Legislation_Team@scottish.parliament.uk)	
After Stage 1 (Delegated Powers and Law Reform Committee)	26 November
Procurement Reform (Scotland) Bill (G)	
Stage 1 (evidence, lead committee, Infrastructure and Capital Investment)	13 November
Public Bodies (Joint Working) (Scotland) Bill (G)	
Stage 1 (debate, meeting of the Parliament)	26 November
Stage 1 (Delegated Powers and Law Reform Committee)	26 November

Regulatory Reform (Scotland) Bill (G)

Stage 2 (Economy, Energy and Tourism Committee) 4 December
*Stage 2 amendments should be lodged by 12 noon on
Thursday, 28 November with the clerks in the Legislation Team
(Legislation_Team@scottish.parliament.uk)*

Scottish Independence Referendum Bill (G)

Passed 14 November

Tribunals (Scotland) Bill (G)

Stage 1 completed 7 November
*Stage 2 amendments may now be lodged with the clerks in the
Legislation Team (Legislation_Team@scottish.parliament.uk)*

Victims and Witnesses (Scotland) Bill (G)

Stage 2 completed 19 November
*Stage 3 amendments may now be lodged with the clerks in the
Legislation Team (Legislation_Team@scottish.parliament.uk)*

**Subordinate legislation in progress
(date of laying) (Lead Committee)**

Affirmative Instruments

Lead committee to report by 9 December 2013

Register of Young Voters (Anonymous Entries) (Scotland) Order 2013 [draft]
(31 October 2013) (**Referendum (Scotland) Bill**)

Lead committee to report by 10 December 2013

Scottish Charitable Incorporated Organisations (Removal from Register and
Dissolution) Amendment Regulations 2013 [draft] (1 November 2013)
(**Justice**)

Lead committee to report by 17 December 2013

Health Boards (Membership and Elections) (Scotland) Order 2013 [draft]
(8 November 2013) (**Health and Sport**)

Freedom of Information (Scotland) Act 2002 (Historical Periods) Order 2013
[draft] (8 November 2013) (**Local Government and Regeneration**)

Lead committee to report by 20 December 2013

Land Reform (Scotland) Act 2003 (Modification) Order 2013 [draft]
(11 November 2013) (**Rural Affairs, Climate Change and Environment**)

Negative Instruments

Members should note that the deadline for the lead committee to report by is an administrative deadline. Lead committees normally report on negative instruments only after considering a motion recommending annulment of the instrument. Where Members have queries in relation to this deadline, they should contact the clerks to the Delegated Powers and Law Reform Committee.

Subject to annulment by 24 November 2013
Lead committee to report by 18 November 2013

Public Contracts (Scotland) Amendment Regulations 2013 (SSI 2013/282)
(30 September 2013) **(European and External Relations)**

Subject to annulment by 4 December 2013
Lead committee to report by 2 December 2013

Marine Licensing (Pre-application Consultation) (Scotland) Regulations 2013
(SSI 2013/286) (10 October 2013) **(Rural Affairs, Climate Change and Environment)**

Council Tax Reduction (Scotland) Amendment (No. 4) Regulations 2013
(SSI 2013/287) (10 October 2013) **(Welfare Reform)**

Subject to annulment by 5 December 2013
Lead committee to report by 2 December 2013

Title Conditions (Scotland) Act 2003 (Conservation Bodies) Amendment Order
2013 (SSI 2013/289) (11 October 2013) **(Justice)**

Subject to annulment by 6 December 2013
Lead committee to report by 2 December 2013

Act of Sederunt (Commissary Business) 2013 (SSI 2013/291) (14 October
2013) **(Justice)**

Subject to annulment by 9 December 2013
Lead committee to report by 2 December 2013

Drugs Courts (Scotland) Amendment Order 2013 (SSI 2013/302) (31 October
2013) **(Justice)**

Electricity Generating Stations (Applications for Variation of Consent)
(Scotland) Regulations 2013 (SSI 2013/304) (31 October 2013) **(Economy,
Energy and Tourism)**

Fruit Juices and Fruit Nectars (Scotland) Regulations 2013 (SSI 2013/305) (31
October 2013) **(Health and Sport)**

Subject to annulment by 10 December 2013

Lead committee to report by 9 December 2013

Animal By-Products (Enforcement) (Scotland) Regulations 2013
(SSI 2013/307) (1 November 2013) **(Rural Affairs, Climate Change and Environment)**

Rural Development Contracts (Land Managers Options) (Scotland)
Amendment Regulations 2013 (SSI 2013/309) (1 November 2013) **(Rural Affairs, Climate Change and Environment)**

Subject to annulment by 13 December 2013

Lead committee to report by 9 December 2013

Adoption (Recognition of Overseas Adoptions) (Scotland) Regulations 2013
(SSI 2013/310) (4 November 2013) **(Education and Culture)**

Subject to annulment by 15 December 2013

Lead committee to report by 9 December 2013

Road Traffic (Permitted Parking Area and Special Parking Area) (East
Dunbartonshire Council) Designation Order 2013 (SSI 2013/311) (6 November
2013) **(Infrastructure and Capital Investment)**

Road Traffic (Parking Adjudicators) (East Dunbartonshire Council)
Regulations 2013 (SSI 2013/312) (6 November 2013) **(Infrastructure and Capital Investment)**

Parking Attendants (Wearing of Uniforms) (East Dunbartonshire Council
Parking Area) Regulations 2013 (SSI 2013/313) (6 November 2013)
(Infrastructure and Capital Investment)

Subject to annulment by 16 December 2013

Lead committee to report by 9 December 2013

Flood Risk Management (Designated Responsible Authorities) (Scotland)
Order 2013 (SSI 2013/314) (7 November 2013) **(Rural Affairs, Climate Change and Environment)**

Litter (Fixed Penalties) (Scotland) Order 2013 (SSI 2013/315) (7 November
2013) **(Rural Affairs, Climate Change and Environment)**

Subject to annulment by 20 December 2013

Lead committee to report by 16 December 2013

Fundable Bodies (Scotland) Order 2013 (SSI 2013/319) (11 November 2013)
(Education and Culture)

Subject to annulment by 7 January 2014

Lead committee to report by 6 January 2014

Criminal Legal Aid (Scotland) (Fees) Amendment Regulations 2013 (SSI 2013/320) (13 November 2013) (**Justice**)

Subject to annulment by 8 January 2014
Lead committee to report by 6 January 2014

Water Environment (River Basin Management Planning: Further Provision) (Scotland) Regulations 2013 (SSI 2013/323) (14 November 2013) (**Rural Affairs, Climate Change and Environment**)

Water Environment (Shellfish Water Protected Areas: Designation) (Scotland) Order 2013 (SSI 2013/324) (14 November 2013) (**Rural Affairs, Climate Change and Environment**)

Water Environment (Shellfish Water Protected Areas: Environmental Objectives etc.) (Scotland) Regulations 2013 (SSI 2013/325) (14 November 2013) (**Rural Affairs, Climate Change and Environment**)

Subject to annulment by 9 January 2014
Lead committee to report by 6 January 2014

Seed (Scotland) (Miscellaneous Amendments) Regulations 2013 (SSI 2013/326) (15 November 2013) (**Rural Affairs, Climate Change and Environment**)

National Health Service (Travelling Expenses and Remission of Charges) (Scotland) (No. 2) Amendment Regulations 2013 (SSI 2013/327) (15 November 2013) (**Health and Sport**)

Subject to annulment by 15 January 2014
Lead committee to report by 13 January 2014

Food Safety, Food Hygiene and Official Controls (Sprouting Seeds) (Scotland) Regulations 2013 (SSI 2013/333) (21 November 2013) (**Health and Sport**)

Other documents

Lead committee to report by 5 December 2013

Model Code of Conduct for Members of Devolved Public Bodies (SG 2013/250) (11 October 2013 (re-laid on 7 November 2013)) (**Local Government and Regeneration**)

Lead committee to report by 11 December 2013

Single Use Carrier Bag Charge (Scotland) Regulations 2014 [draft] (SG/2013/199) (12 September 2013) (**Rural Affairs, Climate Change and Environment**)

Single Use Carrier Bags Charge (Scotland) Regulations 2014 - Accompanying Statement [draft] (SG/2013/200) (*12 September 2013*) (**Rural Affairs, Climate Change and Environment**)

Lead committee to report by 9 January 2014

Land Reform (Scotland) 2003 (Modification) Order 2013 (SG/2013/254) - Statutory Guidance (*15 November 2013*) (**Rural Affairs, Climate Change and Environment**)

Lead committee to report by 19 January 2014

Public Services Reform (Prison Visiting Committees) (Scotland) Order 2014 [draft] and draft Explanatory Document (SG/2013/219 and SG/2013/247) (*4 October 2013 (draft Explanatory Document re-laid on 6 November 2013)*) (**Justice**)

Contacts for Further Information
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Web site: www.scottish.parliament.uk

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Parliamentary Business Team (Chamber, Parliamentary Bureau)	5187
Legislation Team	5277
Non-Government Bills Unit (NGBU)	6124

Committee web sites at:

<http://www.scottish.parliament.uk/parliamentarybusiness/1569.aspx>

Burrell Collection (Lending and Borrowing) (Scotland) Bill Committee	6234	Contact
City of Edinburgh Council (Leith Links and Surplus Fire Fund) Bill Committee	5417	Contact
Delegated Powers and Law Reform	5175	Contact
Economy, Energy and Tourism	5214	Contact
Education and Culture	5222	Contact
Equal Opportunities	5408	Contact
European and External Relations	5226	Contact
Finance	5451	Contact
Health and Sport	5410	Contact
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Justice Sub-Committee on Policing	5220	Contact
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