

PARLIAMENTARY BUREAU

PROPOSED CORONAVIRUS (DISCRETIONARY COMPENSATION FOR SELF-ISOLATION) (SCOTLAND) BILL: TIMETABLE AND PARLIAMENTARY PROCEDURE

Introduction

1. The Coronavirus (Discretionary Compensation for Self-isolation) (Scotland) Bill was introduced by the Cabinet Secretary for Covid Recovery, John Swinney MSP on 15 November 2021.
2. This paper invites the Bureau to:
 - recommend to Parliament the designation of a lead committee at Stage 1, and
 - agree a proposed timetable for considering the Bill.

COMMITTEE DESIGNATION

3. The Bill temporarily modifies the duty on health boards in the Public Health etc. (Scotland) Act 2008 to compensate someone who is self-isolating due to coronavirus. The Bill also gives Scottish Ministers regulation-making powers to either bring forward or extend this modification.
4. The Bill falls within the remit of the following committees:

| | |
|-------------------|---|
| COVID-19 Recovery | The remit of the COVID-19 Recovery Committee includes to consider and report on matters relating to COVID-19 falling within the responsibility of the Cabinet Secretary for COVID Recovery. The Bill relates to discretionary compensation for self-isolation as a result of COVID-19. As such, the remit of this Committee is engaged. |
|-------------------|---|

| | |
|-------------------------------|---|
| Health, Social Care and Sport | The remit of the Health, Social Care and Sport Committee includes to consider and report on matters falling within the responsibility of the Cabinet Secretary for Health and Social Care. The Bill engages this remit since it pertains to the functions of health boards. |
|-------------------------------|---|

5. It is understood that the COVID-19 Recovery Committee has the main interest in this Bill.

Recommendation

6. It is suggested that the Bureau recommends to the Parliament that the COVID-19 Recovery Committee be designated as the lead committee. We are not aware of any desire on the part of any other committee to be designated as a secondary committee. However, the lack of a formal designation does not prevent any committee from considering the Bill if it so wishes.

7. A draft motion can be found in Annex A.

PROPOSED TIMETABLE

Parliamentary procedure

8. The Scottish Government has confirmed that it intends to propose that the Parliament agrees to an expedited timetable for considering this Bill.

9. To accommodate the proposed expedited timetable, the Bureau is required to consider proposing to the Parliament a motion to suspend or vary various Standing Orders.

Timetable for consideration

10. Subject to the Parliament's agreement, the Scottish Government proposes that the three Stages take place as follows—

- a. The Stage 1 debate on the afternoon of Thursday 20 January 2022;
- b. Stage 2 being taken by the COVID-19 Recovery Committee on the morning of Thursday 27 January 2022;
- c. Stage 3 on the afternoon of Wednesday 9 February 2022.

11. To accommodate this timetable would require the Bureau to propose by motion to the Parliament that Rule 9.5.3A (minimum period between Stage 1 and Stage 2) and Rule 9.5.3B (minimum period between Stage 2 and Stage 3) be suspended.

12. Rule 9.6.3A requires the lead committee to report to the Parliament no later than the fifth sitting day before Stage 1 proceedings. Where, as in the case of this Bill, there is a tight timetable being proposed, the committee would be unable to publish the report within the normal timeframe stipulated in Standing Orders. It is, therefore, proposed that this rule be suspended for the purposes of consideration of this Bill in order to allow the committee to publish the Stage 1 report at any point prior to the Stage 1 debate.

13. Rules 9.7.8A and 9.7.8B require the member in charge of a Bill to produce, in certain circumstances, revised or supplementary Explanatory Notes and Financial Memorandum where the Bill is amended at Stage 2. Where, as in the case of this Bill, there is a very short gap between Stages 2 and 3, it is proposed that the rules

be varied in order to adjust the dates on which the relevant revised accompanying documents must be lodged.

14. Rule 9.7.9 requires the Delegated Powers and Law Reform Committee to consider any changes made at Stage 2 which would insert or substantially alter provision conferring powers to make subordinate legislation, and report to the Parliament. Considering the tight timescale, it is proposed that the rule be varied in order to adjust the date on which the member in charge must produce a revised or supplementary Delegated Powers Memorandum.

Deadlines for lodging amendments at Stages 2 and 3

15. The timetable proposed for considering the stages of the Bill means that the standard deadlines for lodging amendments are not suitable. The Scottish Government, after consultation with the COVID-19 Recovery Committee, proposes that the deadlines should be as follows—

- a. The deadline for lodging amendments at Stage 2 to be 12 noon on Tuesday 25 January 2022. This will allow two and a half sitting days after the decision on the general principles of the Bill for amendments to be lodged;
- b. The Bureau is asked to note that the Marshalled List and Groupings for Stage 2 will also be issued on Tuesday 25 January 2022, allowing for one sitting day before Stage 2 for the Parliament to consider all amendments that have been lodged;
- c. The deadline for lodging amendments at Stage 3 to be 12 noon on Thursday 3 February 2022. This will allow four and half sitting days after Stage 2 proceedings have been completed for amendments to be lodged;
- d. The Bureau is asked to note that the Marshalled List and Groupings for Stage 3 will be issued on Friday 4 February, allowing for two sitting days before Stage 3 proceedings for the Parliament to consider all amendments that have been selected.

16. The arrangements for lodging amendments above seek to balance the need to allow for some time after the end of the preceding Stage for amendments to be lodged with the need to ensure that any amendments lodged are published in time for all Members to be able to consider them prior to relevant proceedings.

17. As a result, Rule 9.10.2 (amendment deadline for Stage 2) and Rule 9.10.2A (amendment deadline for Stage 3) will need to be varied to accommodate the condensed amendment deadline timetable.

18. If the Bureau agrees to propose these arrangements to the Parliament, and the Parliament subsequently agrees to them, the timetable and deadlines will be announced in the Business Bulletin and communicated to all Members by email.

19. A draft motion is attached at **Annex B**. This would give effect to the required suspension and variation of Rules to allow for the Bill to be considered on the proposed timetable.

Parliamentary Business Team
November 2021

ANNEX A

Designation of Lead Committee: That the Parliament agrees that the COVID-19 Recovery Committee be designated as the lead committee in consideration of the Coronavirus (Discretionary Compensation for Self-isolation) (Scotland) Bill.

ANNEX B**Draft Parliamentary Bureau motion on the Coronavirus (Discretionary Compensation for Self-isolation) (Scotland) Bill:**

Timetable and procedures for consideration – That subject to the Parliament's agreement to the general principles of the Coronavirus (Discretionary Compensation for Self-isolation) (Scotland) Bill, the Parliament agrees for the purposes of further consideration of the Bill that:

- Rules 9.5.3A and 9.5.3B be suspended;
- Rule 9.6.3A be suspended;
- Rule 9.7.8A be varied to replace the word “fourth” with “third”, so that the deadline for lodging revised or supplementary Explanatory Notes will be the third sitting day before the day on which Stage 3 is due to start;
- in Rule 9.7.8B, the words “whichever is the earlier of” be suspended;
- Rule 9.7.8B(a) be varied to replace the word “tenth” with “sixth”, so that the deadline for lodging a revised Financial Memorandum will be the sixth sitting day after the day on which Stage 2 ends;
- Rule 9.7.8B(b) is suspended;
- in Rule 9.7.9(a), the words “whichever is the earlier of” be suspended;
- Rule 9.7.9(a)(i) be varied to replace the word “tenth” with “second”, so that the deadline for lodging a revised or supplementary Delegated Powers Memorandum will be the second sitting day after the day on which Stage 2 ends;
- Rule 9.7.9(a)(ii) is suspended;
- Rule 9.10.2 be varied, in so far as it applies to an amendment at Stage 2, to replace the word “fourth”, in both places it occurs, with “second”, so that the deadline for lodging a Stage 2 amendment will be the second sitting day in advance of proceedings; and
- Rule 9.10.2A be varied to replace the word "fifth" with "fourth", so that the deadline for lodging a Stage 3 amendment will be the fourth sitting day in advance of proceedings.”