



# The Scottish Parliament Pàrlamaid na h-Alba

## MINUTES OF PROCEEDINGS

Parliamentary Year 2, No. 101, Session 6

Meeting of the Parliament

Wednesday 3 May 2023

Note: (DT) signifies a decision taken at Decision Time.

The meeting opened at 2.00 pm.

**1. Portfolio Questions:** Questions on Wellbeing Economy, Fair Work and Energy, and then on Finance and Parliamentary Business, were answered by Cabinet Secretaries and Ministers.

**2. Transparency of Scotland's Governing Party:** Douglas Ross moved S6M-08764—That the Parliament believes that the First Minister, as leader of the governing party of Scotland, should make a statement to the chamber of the Scottish Parliament about the governance of the Scottish National Party (SNP); agrees that these are matters of public interest and should be properly scrutinised and debated in the national parliament; notes that the Scottish Government has lacked transparency and openness in its administration of government across Scotland; calls, therefore, on the Scottish Government to end its pre-release access of statistics, deliver a more transparent budget process, give arm's-length bodies control over information publication, publish a transparency list of public sector officials who earn more than the First Minister, set swifter publication dates for ministerial expenses and transport dates and improve scrutiny of breaches of the ministerial code, and condemns the SNP for its lack of candour about its membership and governance, and for its abject failure to concentrate on the priorities of the people of Scotland.

The Minister for Cabinet and Parliamentary Business (George Adam) moved amendment S6M-08764.2—

As an amendment to motion S6M-08764 in the name of Douglas Ross (Transparency of Scotland's Governing Party), leave out from "believes" to end and insert "agrees that good governance and transparency are matters of the utmost importance; believes that democracy is best served when all political parties are transparent on their party membership and sources of income; recognises the improvements made to the transparency and openness of the Scottish budget process as a result of cooperation between the Scottish Government and parliamentary committees; welcomes the upcoming review of the Chief Executive Pay Framework and encourages all parties to clearly lay out their position on public sector pay policy ahead of the annual budget process; calls on all political parties represented in the Scottish Parliament to refuse and return any donations from unincorporated associations that do not publish their sources of funding in full; believes that all political parties should refuse to nominate their donors for any form of honour bestowed by the Crown, including membership of the House of Lords; recognises that the only parties represented in the Scottish Parliament to have published up-to-date membership numbers are the Scottish National Party and the Scottish Green Party, and calls on the leaders of the Scottish Conservative and Unionist Party, Scottish Labour Party and Scottish Liberal Democrats, in the interests of democracy and transparency, to publish their membership numbers as a matter of urgency."

After debate, the amendment was agreed to ((DT) by division: For 67, Against 48, Abstentions 4).

Jackie Baillie moved amendment S6M-08764.1—

As an amendment to motion S6M-08764 in the name of Douglas Ross (Transparency of Scotland's Governing Party), insert at end " ; believes that the culture of secrecy, spin and cover-up has no place in good government; considers that there is a need to strengthen the ability of the Parliament to hold the governing party to account, and so calls for a limit on the number of MSPs who can take up cabinet secretary or ministerial roles in government and the creation of binding sanctions for breaches of the Ministerial Code, and supports the introduction of parliamentary privilege for MSPs, the election of committee conveners by the whole Parliament, stronger powers for parliamentary committees to compel the provision of evidence and the appearance of witnesses, and a right of recall for MSPs who have been convicted of a crime or face serious sanction by the Scottish Parliament."

After debate, the amendment was disagreed to ((DT) by division: For 52, Against 67, Abstentions 0).

The motion, as amended, was agreed to ((DT) by division: For 67, Against 48, Abstentions 4).

Accordingly, the Parliament resolved—

That the Parliament agrees that good governance and transparency are matters of the utmost importance; believes that democracy is best served when all political

parties are transparent on their party membership and sources of income; recognises the improvements made to the transparency and openness of the Scottish budget process as a result of cooperation between the Scottish Government and parliamentary committees; welcomes the upcoming review of the Chief Executive Pay Framework and encourages all parties to clearly lay out their position on public sector pay policy ahead of the annual budget process; calls on all political parties represented in the Scottish Parliament to refuse and return any donations from unincorporated associations that do not publish their sources of funding in full; believes that all political parties should refuse to nominate their donors for any form of honour bestowed by the Crown, including membership of the House of Lords; recognises that the only parties represented in the Scottish Parliament to have published up-to-date membership numbers are the Scottish National Party and the Scottish Green Party, and calls on the leaders of the Scottish Conservative and Unionist Party, Scottish Labour Party and Scottish Liberal Democrats, in the interests of democracy and transparency, to publish their membership numbers as a matter of urgency.

**3. Reconsidering Highly Protected Marine Areas:** Rachael Hamilton moved S6M-08766—That the Parliament values the £560 million that fishing contributes to Scotland’s economy and the communities that rely on that industry; recognises fish and shellfish as Scotland’s climate-smart food; further recognises that the fishing industry has worked constructively with the Scottish Government for many years on the network of Marine Protected Areas (MPAs) covering 37% of Scotland’s seas; notes that the Scottish Government’s plans to arbitrarily designate 10% of Scotland’s waters as Highly Protected Marine Areas (HPMAs) with no scientific basis, or proper analysis of any ecological justification; further notes the significant concerns of the fishing sector as a whole and the coastal communities that rely on it, in relation to the Scottish Government’s HPMA proposals and that those proposals have failed to gain the support of coastal communities and that many local authorities also oppose them; notes the lack of any baseline, reliable methodology or modelling and a lack of suitable indicators for assessing their impact; believes that the HPMA policy is at odds with the Scottish Government’s own established cycle of reviewing the MPA network that has been carefully and rigorously developed, and calls upon the Scottish Government to fundamentally reconsider its HPMA proposals and the timeframe for their introduction.

The Cabinet Secretary for Net Zero and Just Transition (Màiri McAllan) moved amendment S6M-08766.3—

As an amendment to motion S6M-08766 in the name of Rachael Hamilton (Reconsidering Highly Protected Marine Areas), leave out from “the Scottish Government’s plans” to end and insert “Scotland is in the midst of a climate and nature crisis and that decision-makers must be prepared to take action commensurate with the scale of that challenge, including enhanced marine protection, through a fair and just transition; believes that Scotland’s seas must remain a source of economic prosperity for the nation, especially in remote, coastal and island communities; recognises the considerable strength of feeling on Highly Protected Marine Areas (HPMAs); highlights that no sites have been selected, and welcomes the Scottish Government’s commitment to work with island and coastal communities, including the fishing sector,

throughout the site selection process to ensure that their views are listened to and understood; notes the Scottish Government's commitment that it will not impose HMPAs on communities that are vehemently opposed to them; understands that comparable levels of high protection are found internationally, and that Scotland's proposals are similar to the EU's commitment; notes the clear evidence base that shows the positive impact that enhanced marine protection makes, once in place, on recovering ecosystems and supporting a sustainable fishery sector; believes that the experience of the Lamlash Bay no-take zone has shown the benefits for both the marine environment and the people who rely on it; remains committed to supporting Scotland's fishing sector, which plays such a key role in contributing to the country's economic prosperity, especially in remote, rural and island communities, and believes that the real threat to the Scottish fishing industry is the continuing adverse impacts of Brexit and the UK Government's immigration policies."

After debate, the amendment was agreed to ((DT) by division: For 61, Against 55, Abstentions 3).

Rhoda Grant moved amendment S6M-08766.1—

As an amendment to motion S6M-08766 in the name of Rachael Hamilton (Reconsidering Highly Protected Marine Areas), insert at end “, and urges the Scottish Government to work with fishing communities and economies that have safeguarded the seas for generations to support and empower them to protect these fishing grounds for future generations, and to ensure that appropriate exclusions are put in place to benefit local communities and economies without being to the detriment of the marine environment.”

After debate, the amendment was agreed to (DT).

Liam McArthur moved amendment S6M-08766.2—

As an amendment to motion S6M-08766 in the name of Rachael Hamilton (Reconsidering Highly Protected Marine Areas), insert at end “; recalls the passing of the Islands (Scotland) Act 2018, which allows for the ‘island proofing’ of legislation, meaning that the needs of island communities must be taken into consideration when creating policy or legislation, and believes that this approach must be followed in relation to Highly Protected Marine Areas.”

After debate, the amendment was agreed to (DT).

The motion, as amended, was agreed to ((DT) by division: For 62, Against 53, Abstentions 2).

Accordingly, the Parliament resolved—

That the Parliament values the £560 million that fishing contributes to Scotland's economy and the communities that rely on that industry; recognises fish and shellfish as Scotland's climate-smart food; further recognises that the fishing industry has

worked constructively with the Scottish Government for many years on the network of Marine Protected Areas (MPAs) covering 37% of Scotland's seas; notes that Scotland is in the midst of a climate and nature crisis and that decision-makers must be prepared to take action commensurate with the scale of that challenge, including enhanced marine protection, through a fair and just transition; believes that Scotland's seas must remain a source of economic prosperity for the nation, especially in remote, coastal and island communities; recognises the considerable strength of feeling on Highly Protected Marine Areas (HPMAs); highlights that no sites have been selected, and welcomes the Scottish Government's commitment to work with island and coastal communities, including the fishing sector, throughout the site selection process to ensure that their views are listened to and understood; notes the Scottish Government's commitment that it will not impose HMPAs on communities that are vehemently opposed to them; understands that comparable levels of high protection are found internationally, and that Scotland's proposals are similar to the EU's commitment; notes the clear evidence base that shows the positive impact that enhanced marine protection makes, once in place, on recovering ecosystems and supporting a sustainable fishery sector; believes that the experience of the Lamlash Bay no-take zone has shown the benefits for both the marine environment and the people who rely on it; remains committed to supporting Scotland's fishing sector, which plays such a key role in contributing to the country's economic prosperity, especially in remote, rural and island communities; believes that the real threat to the Scottish fishing industry is the continuing adverse impacts of Brexit and the UK Government's immigration policies; urges the Scottish Government to work with fishing communities and economies that have safeguarded the seas for generations to support and empower them to protect these fishing grounds for future generations, and to ensure that appropriate exclusions are put in place to benefit local communities and economies without being to the detriment of the marine environment; recalls the passing of the Islands (Scotland) Act 2018, which allows for the 'island proofing' of legislation, meaning that the needs of island communities must be taken into consideration when creating policy or legislation, and believes that this approach must be followed in relation to Highly Protected Marine Areas.

**4. Urgent Question:** An urgent question, to ask the Scottish Government whether it will provide further explanation of the removal of the previously announced £46 million of funding for universities and colleges in Scotland, was answered by the Minister for Higher and Further Education (Graeme Dey).

**5. Business Programme:** The Minister for Cabinet and Parliamentary Business (George Adam), on behalf of the Parliamentary Bureau, moved S6M-08795—That the Parliament agrees—

(a) the following programme of business—

Tuesday 9 May 2023

2.00 pm Time for Reflection

*followed by* Parliamentary Bureau Motions

*followed by* Topical Questions (if selected)

*followed by* The Coronation of King Charles III and The Queen

*followed by* Ministerial Statement: Europe Day 2023 - The Scottish Government's Commitment to Remain Aligned with EU Laws

*followed by* Scottish Government Debate: Transforming Justice in Scotland - Person-centred and Trauma-informed Approaches for Victims and Witnesses

*followed by* Committee Announcements

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

*followed by* Members' Business

Wednesday 10 May 2023

2.00 pm Parliamentary Bureau Motions

2.00 pm Portfolio Questions: Rural Affairs, Land Reform and Islands; NHS Recovery, Health and Social Care

*followed by* Stage 1 Debate: Patient Safety Commissioner for Scotland Bill

*followed by* Financial Resolution: Patient Safety Commissioner for Scotland Bill

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

*followed by* Approval of SSIs (if required)

5.00 pm Decision Time

*followed by* Members' Business

Thursday 11 May 2023

11.40 am Parliamentary Bureau Motions

11.40 am General Questions

12.00 pm First Minister's Questions

*followed by* Members' Business

2.30 pm Parliamentary Bureau Motions

2.30 pm Portfolio Questions: Social Justice

*followed by* Stage 1 Debate: Charities (Regulation and Administration) (Scotland) Bill

*followed by* Financial Resolution: Charities (Regulation and Administration) (Scotland) Bill

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

Tuesday 16 May 2023

2.00 pm Time for Reflection

*followed by* Parliamentary Bureau Motions

*followed by* Topical Questions (if selected)

*followed by* Scottish Government Business

*followed by* Committee Announcements

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

*followed by* Members' Business

Wednesday 17 May 2023

2.00 pm Parliamentary Bureau Motions

2.00 pm Portfolio Questions: Constitution, External Affairs and Culture; Justice and Home Affairs

*followed by* Scottish Labour Party Business

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

*followed by* Approval of SSIs (if required)

5.10 pm Decision Time

*followed by* Members' Business

Thursday 18 May 2023

11.40 am Parliamentary Bureau Motions

11.40 am General Questions

12.00 pm First Minister's Questions

*followed by* Members' Business

2.00 pm Parliamentary Bureau Motions

2.00 pm Portfolio Questions: Education and Skills

*followed by* Scottish Government Business

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

5.00 pm Decision Time

(b) that, for the purposes of Portfolio Questions in the week beginning 8 May 2023, in rule 13.7.3, after the word "except" the words "to the extent to which the Presiding Officer considers that the questions are on the same or similar subject matter or" are inserted.

The motion was agreed to.

**6. Substitution on Committees:** The Minister for Cabinet and Parliamentary Business (George Adam), on behalf of the Parliamentary Bureau, moved S6M-08796—That the Parliament agrees that Keith Brown be appointed to replace Fergus Ewing as the Scottish National Party substitute on the Finance and Public Administration Committee.

The motion was agreed to (DT).

**7. Designation of Lead Committee:** The Minister for Cabinet and Parliamentary Business (George Adam), on behalf of the Parliamentary Bureau, moved S6M-08797—That the Parliament agrees that the Equalities, Human Rights and Civil Justice Committee be designated as the lead committee in consideration of the Regulation of Legal Services (Scotland) Bill at stage 1.

The motion was agreed to (DT).

**8. Decision Time:** The Parliament took decisions on items 2, 3, 6 and 7 as noted above.

**9. Impact of Long-term Historical Site Closures Managed by Historic Environment Scotland:** The Parliament debated S6M-07369 in the name of Sharon Dowey—That the Parliament recognises what it sees as the importance of historic sites to communities across the South Scotland region, and the rest of Scotland; believes that any long-term closures to sites managed by Historic Environment Scotland (HES) could have a severe impact for Scotland's tourism industry, and a devastating impact on any communities and businesses that rely on these attractions being fully open; understands that the heritage sector is a vital part of Scotland's tourism industry, and considers that it is responsible for attracting millions of visitors from around the world to Scotland each year; further understands that 60 historical sites managed by HES are closed, and that the inspection programme is expected to conclude in April 2024; recognises what it sees as the need to address the shortage of skilled labourers, such as stonemasons; notes the calls on the Scottish Government to make additional funding available to accelerate the reopening of closed sites, and further notes the view that it is vital that all efforts are made to secure the long-term viability of Scotland's historic sites.

The meeting closed at 6.12 pm.

**David McGill**  
Clerk of the Parliament  
3 May 2023



## **Appendix**

**(Note: this Appendix does not form part of the Minutes)**

### **Committee Reports**

The following report was published on 3 May 2023—

Delegated Powers and Law Reform Committee, 29th Report, 2023 (Session 6): Subordinate Legislation considered by the Delegated Powers and Law Reform Committee on 2 May 2023 (SP Paper 360)

The following report will be published on 4 May 2023—

Criminal Justice Committee, 5th Report, 2023 (Session 6): Post-legislative scrutiny of the Domestic Abuse (Scotland) Act 2018 (SP Paper 358)

### **Other Documents**

The following document was laid before the Parliament on 3 May 2023 and is not subject to parliamentary procedure—

**Scottish Courts and Tribunals Service Corporate Plan 2023-26 (SCTS/2023/01)**  
laid under section 66(4)(a) of the Judiciary and Courts (Scotland) Act 2008

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