



The Scottish Parliament Pàrlamaid na h-Alba

MINUTES OF PROCEEDINGS

Parliamentary Year 2, No. 70, Session 6

Meeting of the Parliament

Tuesday 31 January 2023

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

The meeting opened at 2.00 pm.

1. Time for Reflection: Rev Fr Matthew Carlin, Parish Priest of St Francis of Assisi Parish, Port Glasgow, led Time for Reflection.

2. Topical Questions: Questions were answered by Ministers.

3. Revision to Business Programme: The Minister for Parliamentary Business (George Adam), on behalf of the Parliamentary Bureau, moved S6M-07734—That the Parliament agrees to the following revisions to the programme of business for—

(a) Tuesday 31 January 2023—

after

followed by Topical Questions (if selected)

insert

followed by Ministerial Statement: Update on the Management of Transgender Individuals within Prison Custody

(b) Thursday 2 February 2023—

after

5.00 pm Decision Time
insert

followed by Members' Business

Russell Findlay moved amendment S6M-07734.1—

As an amendment to motion S6M-07734 in the name of George Adam (Revision to Business Programme), leave out “Ministerial Statement” and insert “First Minister’s Statement”

After debate, the amendment was disagreed to by division: For 51, Against 67, Abstentions 0.

The motion was agreed to.

4. Ministerial Statement: The Cabinet Secretary (Keith Brown) made a statement and answered questions on Update on the Management of Transgender Individuals within Prison Custody.

5. Three Years On - Brexit and Workers’ Rights: The Minister for Just Transition, Employment and Fair Work (Richard Lochhead) moved S6M-07710— That the Parliament acknowledges that, post-Brexit, the UK Government's Retained EU Law Bill poses a significant risk to workers' rights; further acknowledges that this is further compounded by anti-trade union legislation, such as the Conduct of Employment Agencies and Employment Businesses (Amendment) Regulations 2022, and the new Strikes (Minimum Service Levels) Bill; agrees that a progressive approach to industrial relations along with greater, not fewer, protections for workers is at the heart of a fairer and stronger economy; recognises trade unions as key social partners in delivering economic and social aspiration, and as vital for ensuring that the voices of workers are heard; calls on the UK Government not to erode the hard-won rights of workers, and confirms it is committed to continuing to work in partnership as it responds to the current crisis posed by UK Government legislation post-Brexit.

Alexander Stewart moved amendment S6M-07710.1—

As an amendment to motion S6M-07710 in the name of Richard Lochhead (Three Years On - Brexit and Workers' Rights), leave out from "acknowledges that, post-Brexit" to end and insert "welcomes the UK's proud record of protecting and enhancing workers' rights and welcomes the fact that it has gone further than the EU in a number of areas; notes that, from April 2023, the UK's minimum wage of £10.42 per hour will be among the highest in the world; understands that maternity leave entitlement is nearly three times higher in the UK compared to the EU equivalent and that the UK introduced the right to paternity leave 17 years before the EU did; recognises that the UK Government is working with industry to reduce labour shortages through programmes such as the Seasonal Agricultural Workers Scheme, and calls on the Scottish Government to work constructively with the UK Government to ensure that

workers in Scotland continue to experience the high standard of rights that they rightly expect."

After debate, the amendment was disagreed to ((DT) by division: For 30, Against 89, Abstentions 0).

Sarah Boyack moved amendment S6M-07710.2—

As an amendment to motion S6M-07710 in the name of Richard Lochhead (Three Years On - Brexit and Workers' Rights), leave out from "anti-trade" to end and insert "the UK Conservative administration's anti-trade union legislation, such as the Conduct of Employment Agencies and Employment Businesses (Amendment) Regulations 2022, and the new Strikes (Minimum Service Levels) Bill; agrees that a progressive approach to industrial relations along with greater, not fewer, protections for workers is at the heart of a fairer and stronger economy; recognises trade unions as key social partners in delivering economic and social aspiration, and as vital for ensuring that the voices of workers are heard; calls on the UK Government not to erode the hard-won rights of workers; further calls on the UK and Scottish Governments to work together to solve the problems of the post-Brexit settlement over workers' rights in a way that respects devolution and does not sideline the devolved legislatures, and notes that the next UK General Election is the best opportunity for replacing the current UK Conservative administration, repealing its anti-union legislation and reinforcing workers' rights with a better deal for workers, including ending fire-and-rehire practices, banning zero hour contracts, and delivering government-backed pay negotiations between unions and employers on a sector by sector basis."

After debate, the amendment was disagreed to ((DT) by division: For 24, Against 96, Abstentions 0).

The motion was agreed to ((DT) by division: For 90, Against 30, Abstentions 0).

6. Committee Announcement: Claire Baker, on behalf of the Economy and Fair Work Committee, made an announcement on Inquiries into Just Transition for the Grangemouth Area and Disabled Employment Gap.

7. Business Programme: The Minister for Parliamentary Business (George Adam), on behalf of the Parliamentary Bureau, moved S6M-07735—That the Parliament agrees—

(a) the following programme of business—

Tuesday 7 February 2023

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Topical Questions (if selected)

followed by Ministerial Statement: Scottish Government's Response to the Second Round of the Levelling Up Fund

followed by Scottish Government Debate: Update on the Social Security Programme Business Case

followed by Committee Announcements

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Wednesday 8 February 2023

2.00 pm Parliamentary Bureau Motions

2.00 pm Portfolio Questions: Covid Recovery and Parliamentary Business; Finance and the Economy

followed by Scottish Liberal Democrats 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

followed by Members' Business

Thursday 9 February 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: Net Zero, Energy and Transport

followed by Scottish Government Debate: International Day of Women and Girls in Science

followed by Scottish Government Debate: Scottish Income Tax Rate Resolution 2023-24

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

Tuesday 21 February 2023

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Topical Questions (if selected)

followed by Stage 3 Proceedings: Budget (Scotland) (No. 2) Bill

followed by Committee Announcements

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Wednesday 22 February 2023

2.00 pm Parliamentary Bureau Motions

2.00 pm Portfolio Questions: Rural Affairs and Islands; Health and Social Care

followed by Scottish Conservative and Unionist 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 23 February 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, Housing and Local Government

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 6 February 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.

Stephen Kerr moved amendment S6M-07735.1—

As an amendment to motion S6M-07735 in the name of George Adam (Business Programme), leave out from "Tuesday 7 February 2023" to "followed by Ministerial Statement: Scottish Government's Response to the Second Round of the Levelling Up Fund" and insert—

Tuesday 7 February 2023

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Topical Questions (if selected)

followed by Ministerial Statement: Teacher Strikes

followed by Ministerial Statement: Scottish Government's Response to the Second Round of the Levelling Up Fund".

After debate, the amendment was disagreed to by division: For 54, Against 66, Abstentions 0.

The motion was agreed to.

8. Substitution on Committees: The Minister for Parliamentary Business (George Adam), on behalf of the Parliamentary Bureau, moved S6M-07736—That the Parliament agrees that Paul Sweeney be appointed to replace Rhoda Grant as the Scottish Labour Party substitute on the Citizen Participation and Public Petitions Committee.

The motion was agreed to (DT).

9. Decision Time: The Parliament took decisions on item 5 and 8 as noted above.

10. Concern Regarding Youth Vaping: The Parliament debated S6M-07290 in the name of Siobhian Brown—That the Parliament notes reports of concern regarding vaping and a surge in young people using e-cigarettes; believes that vaping products are not for children, young people or non-smokers and are useful only as a potential route towards stopping smoking; understands from reports that there is potentially strong evidence that e-cigarettes, which can be bright and colourful and come in thousands of e-liquid flavours, can increase attractiveness to children and young people; further understands that the long-term risks of vaping cannot yet be definitively confirmed by research studies; considers that these products are not harmless and are a risk to the long-term health of young people, and notes the view that it is important to highlight this for forthcoming generations in Ayr and across the country.

11. Motion without Notice: Siobhian Brown moved without notice that, under Rule 8.14.3, the debate be extended by up to 30 minutes.

The meeting closed at 6.36 pm.

David McGill
Clerk of the Parliament
31 January 2023

Appendix

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

Committee Reports

The following report was published on 27 January 2023—

Delegated Powers and Law Reform Committee, 11th Report, 2023 (Session 6): Legislative Consent Memorandum: delegated powers relevant to Scotland in the Shark Fins Bill (SP Paper 309)

The following reports were published on 31 January 2023—

Health, Social Care and Sport Committee, 2nd Report, 2023 (Session 6): The Community Care (Personal Care and Nursing Care) (Scotland) Amendment Regulations 2023 (SP Paper 311)

Equalities, Human Rights and Civil Justice Committee, 1st Report, 2023 (Session 6): Subordinate Legislation Considered by the Equalities, Human Rights and Civil Justice Committee, 17 and 31 January 2023 (SP Paper 312)

Subordinate Legislation

Affirmative Instruments

The following instruments were laid before the Parliament on 27 January 2023 and are subject to the affirmative procedure—

National Bus Travel Concession Schemes (Miscellaneous Amendments) (Scotland) Order 2023 [draft]
laid under section 52(3) of the Transport (Scotland) Act 2005

Alcoholic Beverages, Fruit and Vegetables (Miscellaneous Amendment) (Scotland) Regulations 2023 [draft]
laid under Section 48(3C) of the Food Safety Act 1990 and section 9(4) of the Agriculture (Retained EU Law and Data) (Scotland) Act 2020

Cost of Living (Tenant Protection) (Scotland) Act 2022 (Amendment of Expiry Dates and Rent Cap Modification) Regulations 2023 [draft]
laid under section 7(5) of the Cost of Living (Tenant Protection) (Scotland) Act 2022, and sections 23A(4) and 24J(3) of the Housing (Scotland) Act 1988 and section 77(3) of the Private Housing (Tenancies) (Scotland) Act 2016

The following instruments were laid before the Parliament on 31 January 2023 and are subject to the affirmative procedure—

Social Security Up-rating (Scotland) Order 2023 [draft]
laid under sections 150(2), 150A(2) and 190(1) of the Social Security Administration Act 1992

Social Security (Up-rating) (Miscellaneous Amendments) (Scotland) Regulations 2023 [draft]

laid under section 96(2) of the Social Security (Scotland) Act 2018

Negative Instruments

The following instrument was laid before the Parliament on 30 January 2023 and is subject to the negative procedure—

Local Governance (Scotland) Act 2004 (Remuneration) Amendment Regulations 2023 (SSI 2023/21)

laid under section 16(4) of the Local Governance (Scotland) Act 2004

Other Documents

The following documents were laid before the Parliament on 27 January 2023 and are not subject to parliamentary procedure—

Annual Report of the Electoral Management Board for Scotland 2021/22 (EMBS/2023/01) laid under section 8(2) of the Local Electoral Administration (Scotland) Act 2011

Proposed extension of the Cost of Living (Tenant Protection) (Scotland) Act 2022 - Statement of Reasons (SG/2023/023) laid under section 7(6) of the Cost of Living (Tenant Protection) (Scotland) Act 2022

The following documents were laid before the Parliament on 31 January 2023 and are not subject to parliamentary procedure—

Ethical Standards Commissioner Annual Report and Accounts 2021/22 (SG/2023/027) laid under Section 22(5) of the Public Finance and Accountability (Scotland) Act 2000

The 2021/22 audit of the Commissioner for Ethical Standards in Public Life in Scotland (SG/2023/028) laid under Section 22(5) of the Public Finance and Accountability (Scotland) Act 2000

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