



The Scottish Parliament Pàrlamaid na h-Alba

MINUTES OF PROCEEDINGS

Parliamentary Year 2, No. 21, Session 6

Meeting of the Parliament

Tuesday 6 September 2022

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

The meeting opened at 2.00 pm.

1. Time for Reflection: Rev Andrew Agnew, Pastor, the Livingroom Church, 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-05882—That the Parliament agrees to the following revision to the programme of business for—

(a) Tuesday 6 September 2022

delete

followed by Scottish Government Business

and insert

followed by First Minister's Statement: Programme for Government

followed by Scottish Government Debate: Programme for Government

(b) Wednesday 7 September 2022

delete

followed by Scottish Government Business

insert

followed by Ministerial Statement: Public Sector Pay and Emergency Budget Review

followed by Scottish Government Debate: Programme for Government - Cost of Living

delete

5.00 pm Decision Time

and insert

5.20 pm Decision Time

(c) Thursday 8 September 2022

delete

followed by Scottish Government Business

and insert

followed by Ministerial Statement: Update on Displaced People from Ukraine

followed by Ministerial Statement: National Mission on Drugs Update

followed by Ministerial Statement: Future of Scottish Ferries

followed by Ministerial Statement: Protecting those Most at Risk – COVID-19 Vaccination Programme Winter 2022

The motion was agreed to.

4. Ministerial Statement: The First Minister (Nicola Sturgeon) made a statement on Programme for Government.

5. Scottish Government Debate: Programme for Government: The Parliament debated Programme for Government.

6. Decision Time: There were no decisions to take at Decision Time on the items noted above.

7. Team Scotland at the 2022 Commonwealth Games: The Parliament debated S6M-05639 in the name of Liz Smith—That the Parliament congratulates Team Scotland on its most successful Commonwealth Games ever outside of Scotland;

sends its congratulations to all of the athletes who earned Team Scotland's 51 medals, 13 of which were gold, to come sixth overall in the Birmingham Commonwealth Games 2022 medal table; recalls the many momentous achievements from Team Scotland's athletes, including Eilish McColgan's games record gold medal in the 10,000m, 32 years after her mother's win, and Laura Muir becoming the first ever Scot to win gold at the 1500m at a Commonwealth Games; recognises the significant impact it believes these special moments will have on inspiring the next generation of Scottish athletes, and wishes new and returning athletes, including from the Mid Scotland and Fife region, the best of luck and success for the 2026 Commonwealth Games in Victoria, as well as for the 2024 Olympic Games in Paris.

The meeting closed at 5.36 pm.

David McGill
Clerk of the Parliament
6 September 2022

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

Legislative Consent Memorandum

The following memorandum was lodged on 19 August 2022—

Angus Robertson, Cabinet Secretary for the Constitution, External Affairs and Culture: Legislative Consent Memorandum on the Northern Ireland Protocol Bill (UK Parliament legislation) (LCM-S6-24)

The following memorandum was lodged on 2 September 2022—

John Swinney, Deputy First Minister and Cabinet Secretary for Covid Recovery: Legislative Consent Memorandum on the UK Infrastructure Bank Bill (UK Parliament legislation) (LCM-S6-25)

Committee Reports

The following report was published on 5 July 2022—

Net Zero, Energy and Transport Committee, 9th Report, 2022 (Session 6): A report by the Net Zero, Energy and Transport Committee on a Legislative Consent Memorandum (LCM) on the High-Speed Rail (Crewe - Manchester) Bill (SP Paper 212)

The following reports were published on 7 July 2022—

Standards, Procedures and Public Appointments Committee, 6th Report, 2022 (Session 6): Standards, Procedures and Public Appointments Committee Report on inquiry into Future Parliamentary Procedures and Practices (SP Paper 213)

Delegated Powers and Law Reform Committee, 41st Report, 2022 (Session 6): Instruments considered by the Delegated Powers and Law Reform Committee during the first quarter of the Parliamentary Year 2021-21 (SP Paper 214)

Delegated Powers and Law Reform Committee, 42nd Report, 2022 (Session 6): Instruments considered by the Delegated Powers and Law Reform Committee during the second quarter of the Parliamentary Year 2021-21 (SP Paper 215)

Delegated Powers and Law Reform Committee, 43rd Report, 2022 (Session 6): Instruments considered by the Delegated Powers and Law Reform Committee during the third quarter of the Parliamentary Year 2021-22 (SP Paper 216)

Delegated Powers and Law Reform Committee, 44th Report, 2022 (Session 6): Instruments considered by the Delegated Powers and Law Reform

Committee during the fourth quarter of the Parliamentary Year 2022-22 (SP Paper 217)

The following report was published on 11 July 2022—

Net Zero, Energy and Transport Committee, 10th Report, 2022 (Session 6):
Report on energy price rises (SP Paper 218)

The following report was published on 2 August 2022—

Education, Children and Young People Committee, 8th Report, 2022 (Session 6):
Scottish Attainment Challenge Inquiry (SP Paper 219)

Subordinate Legislation

Made Affirmative Instruments

The following instrument was laid before the Parliament on 1 July 2022 and is subject to the made affirmative procedure—

Scottish Landfill Tax (Prescribed Landfill Site Activities) Amendment Order 2022 (SSI 2022/233)

laid under section 41(3) of the Landfill Tax (Scotland) Act 2014

Affirmative Instruments

The following instrument was laid before the Parliament on 5 September 2022 and is subject to the affirmative procedure—

Companies Act 2006 (Scottish public sector companies to be audited by the Auditor General for Scotland) (No. 2) Order 2022 [draft]

laid under section 483(5) of the Companies Act 2006

Negative Instruments

The following instrument was laid before the Parliament on 15 August 2022 and is subject to the negative procedure—

Civil Protection Measures, European Protection Order and Victims' Rights (EU Exit) (Scotland) (Amendment Etc.) Regulations 2022 (SSI 2022/249)

laid under paragraph 1(7) of schedule 7 of the European Union (Withdrawal) Act 2018

The following instrument was laid before the Parliament on 30 August 2022 and is subject to the negative procedure—

Coronavirus (Scotland) Acts (Saving Provision) Regulations 2022 (SSI 2022/261)

laid under section 12(10)(b) of the Coronavirus (Scotland) Act 2020 and section 9(11)(b) of the Coronavirus (Scotland) (No.2) Act 2020

The following instrument was laid before the Parliament on 31 August 2022 and is subject to the negative procedure—

Non-Commercial Movement of Pet Animals (Scotland) Amendment (No. 2)
Regulations 2022 (SSI 2022/262)
laid under Article 39(5) of Regulation (EU) 576/2013

The following instrument was laid before the Parliament on 2 September 2022 and is subject to the negative procedure—

Sports Grounds and Sporting Events (Designation) (Scotland) Amendment (No. 2)
Order 2022 (SSI 2022/263)
laid under Section 18(3) of the Criminal Law (Consolidation)(Scotland) Act
1995

The following instruments were laid before the Parliament on 5 September 2022 and are subject to the negative procedure—

Children's Hearings (Scotland) Act 2011 (Rules of Procedure in Children's Hearings)
Amendment Rules 2022 (SSI 2022/264)
laid under sections 177 and 196 of the Children's Hearings (Scotland) Act
2011

Food Information (Transitional Provisions) (Miscellaneous Amendments) (Scotland)
Regulations 2022 (SSI 2022/265)
laid under section 16(3) Food Safety Act 1990

Laid Only Instruments

The following instrument was laid before the Parliament on 1 July 2022 and is not subject to any parliamentary procedure—

Act of Adjournal (Criminal Procedure Rules 1996 Amendment) (Overseas Production
Orders) 2022 (2022/231)
laid under section 30(2) of the Interpretation and Legislative Reform
(Scotland) Act 2010

The following instrument was laid before the Parliament on 19 August 2022 and is not subject to any parliamentary procedure—

Act of Sederunt (Rules of the Court of Session 1994 Amendment) (Court Sittings)
2022 (SSI 2022/250)
laid under section 30(2) of the Interpretation and Legislative Reform
(Scotland) Act 2010

Documents Subject to Approval

The following document was laid before Parliament on 29 July 2022 and is subject to the made affirmative procedure—

Scottish Social Housing Charter: November 2022 (SG/2022/146)
laid under section 33(3) of the Housing (Scotland) Act 2010

Other Documents

The following documents were laid before the Parliament on 1 July 2022 and are not subject to parliamentary procedure—

‘Listen, engage, have fun: Guide on involving children in child rights impact assessment (CRIA) and child rights impact evaluation (CRIE)’ CCYP/2022/02
laid under section 12 of the Commissioner for Children and Young People (Scotland) Act 2003

Statement: Scottish Canals: Fees of Chair and Board Members SG/2022/121
laid under paragraph 8 of Schedule 1 to the Transport Act 1962 as amended by Part II of Schedule 2 to the Scotland Act 1998 (Cross-Border Public Authorities) (Adaptation of Functions etc.) (No. 2) Order 2000

The following document was laid before the Parliament on 4 July 2022 and is not subject to parliamentary procedure—

MG ALBA Annual Report & Statement of Accounts 2021/2022 SG/2022/136 laid under paragraph 12 of Schedule 19 to the Broadcasting Act 1990

The following document was laid before the Parliament on 6 July 2022 and is not subject to parliamentary procedure—

Scotland’s colleges 2022: A report prepared for the Auditor General for Scotland AGS/2022/9 laid under the Public Finance and Accountability (Scotland) Act 2000

The following documents were laid before the Parliament on 7 July 2022 and are not subject to parliamentary procedure—

Financial Reporting Advisory Board Annual Report 2021-22 SG/2022/83 laid at the request of a member of the Scottish Government and not under any laying power

Report on the Implementation of The Islands (Scotland) Act 2018 SG/2022/141 laid under Part 8 Section 28 of The Islands (Scotland) Act 2018

The following document was laid before the Parliament on 8 July 2022 and is not subject to parliamentary procedure—

Report on the Scottish Ministers’ duties under section 23(1) (funding for alternative dispute resolution) and section 24(1) (pilot scheme for mandatory alternative dispute resolution meetings) of the Children (Scotland) Act 2020 SG/2022/140 laid under sections 23(7) and 24(4) of the Children (Scotland) Act 2020

The following document was laid before the Parliament on 12 July 2022 and is subject to parliamentary procedure—

BBC Group Annual Report and Accounts 2021/22 BBC/2022/01 laid by the BBC under the Memorandum of Understanding

The following documents were laid before the Parliament on 13 July 2022 and are not subject to parliamentary procedure—

General Dental Council Annual Report and Accounts 2021 SG/2022/74 laid under section 2B and 2C of the Dentists Act 1984

Transport Focus Annual report and accounts 2021-22 SG/2022/132 laid under paragraph 11(6) of schedule 5 of the Railways Act 2005

The following documents were laid before the Parliament on 14 July 2022 and are not subject to parliamentary procedure—

Nuclear Decommissioning Authority Annual Report and Accounts 2021/22 SG/2022/137 laid under sections 14(8) and 26(11) of the Energy Act 2004

Office of Gas and Electricity Markets (Ofgem) Annual Report and Accounts 2021-22 SG/2022/123 laid under section 5(5A) and section 5XA of the Utilities Act 2000

Climate Change Committee Annual Report and Accounts 2021-22 SG/2022/111 laid under paragraph 24 of schedule 1 of the Climate Change Act 2008

UK Statistics Authority Annual Report and Accounts 2021-22 UKSA/2022/01 laid under section 27(2) of the Statistics and Registration Service Act 2007

British Tourist Authority trading as VisitBritain and VisitEngland Annual Report and Accounts for the year ended 31 March 2022 SG/2022/115 laid under section 88 of the Scotland Act 1998

The following document was laid before the Parliament on 15 July 2022 and is not subject to parliamentary procedure—

British Transport Police Fund Annual Report and Accounts for the year ending 31 March 2022 SG/2022/122 laid under section 88(3) of the Scotland Act 1998

The following document was laid before the Parliament on 18 July 2022 and is not subject to parliamentary procedure—

Criminal Injuries Compensation Authority Annual Report and Accounts 2021-22 (SG/2022/133) laid under Section 6 of the Criminal Injuries Compensation Act 1995

The following documents were laid before the Parliament on 19 July 2022 and are not subject to parliamentary procedure—

Electoral Commission Annual Report and Accounts 2021-22 (ELC/2022/02) laid

under Paragraph 20 A (1) of Schedule 1 to the Political Parties, Elections and Referendums Act 2000

Industrial Development Act 1982 Annual Report by the Secretary of State for Business, Energy and Industrial Strategy, the First Minister of Scotland, and the Welsh Ministers for the year ended 31 March 2022 (SG/2022/110) laid under Section 15 of the Industrial Development Act 1982

National Heritage Memorial Fund: Annual Report and Accounts 2021–2022, For the period 1 April 2021 to 31 March 2022 (SG/2022/118) laid under Section 88 of the Scotland Act 1998

The National Lottery Heritage Fund: National Heritage Memorial Fund National Lottery Distribution Annual Report and Accounts 2021–2022, For the period 1 April 2021 to 31 March 2022 (SG/2022/119) laid under Section 34(6) of the National Lottery etc. Act 1993

The following documents were laid before the Parliament on 20 July 2022 and are not subject to parliamentary procedure—

Gambling Commission Annual Report & Accounts 2021-2022 (SG/2022/91) laid under Section 88 of the Scotland Act 1998

National Crime Agency Annual Report and Accounts 2021-2022 (SG/2022/144) laid under paragraph 8(3) of schedule 2 of the Crime and Courts Act 2013

Security Industry Authority Annual Report & Accounts 2021-22 (SG/2022/142) laid under paragraph 17(3) of Schedule 1 to the Private Security Industry Act 2001

Scottish Public Services Ombudsman: Compendium of Case Reports for July 2022 (SPSO/2022/07) laid under Sections 15(1) and 15(1A) of the Scottish Public Services Ombudsman Act 2002

The following documents were laid before the Parliament on 21 July 2022 and are not subject to parliamentary procedure—

Competition and Markets Authority Annual Report and Accounts 2021 to 2022 (CMA/2022/02) laid under paragraph 14(2)(a) of Schedule 4 to the Enterprise and Regulatory Reform Act 2013 (as amended by section 40(4) of the United Kingdom Internal Market Act 2020)

Ofcom Annual Report and Accounts 2021/22 (SG/2022/117) laid under paragraph 12(4) of Schedule 1 to the Office of Communications Act 2002

The following document was laid before the Parliament on 22 July 2022 and is not subject to parliamentary procedure—

Education Scotland Annual Report and Accounts 2021-2022 (SG/2022/84) laid under section 22(5) of the Public Finance and Accountability (Scotland) Act 2000

The following document was laid before the Parliament on 25 July 2022 and is not subject to parliamentary procedure—

Big Lottery Fund (operating as The National Lottery Community Fund) Annual Report and Accounts 2021-2022 (SG/2022/130) laid under Section 34 and paragraph 21 of Schedule 4A of the National Lottery etc. Act 1993

The following document was laid before the Parliament on 2 August 2022 and is not subject to parliamentary procedure—

HMICS Assurance Review of Police Scotland Strategic Workforce Planning HMICS/2022/02 laid under section 79(3) of the Police and Fire Reform (Scotland) Act 2012

The following document was laid before the Parliament on 5 August 2022 and is not subject to parliamentary procedure—

Scottish Civil Justice Council Annual Report and Programme SCJC/2022/01 laid under section 5(4) of the Scottish Civil Justice Council and Criminal Legal Assistance Act 2013

The following document was laid before the Parliament on 8 August 2022 and is not subject to parliamentary procedure—

Report on Fatal Accident Inquiries that concluded in the financial year 2021/2022 SG/2022/149 laid under section 29(2)(a) of the Inquiries into Fatal Accidents and Sudden Deaths etc. (Scotland) Act 2016

The following document was laid before the Parliament on 9 August 2022 and is not subject to parliamentary procedure—

Coronavirus (Scotland) (No.2) Act 2020: Thirteenth report on the Scottish Ministers' responses to requests for information under the Freedom of Information (Scotland) Act 2002 SG/2022/147 laid under paragraph 12 of schedule 4 of the Coronavirus (Scotland) (No.2) Act 2020

The following document was laid before the Parliament on 12 August 2022 and is not subject to parliamentary procedure—

Coronavirus Acts: fourteenth report to Scottish Parliament SG/2022/135 laid under section 15(5) of the Coronavirus (Scotland) Act 2020

The following document was laid before the Parliament on 19 August 2022 and is not subject to parliamentary procedure—

Office of the Scottish Charity Regulator Annual Report & Accounts 2021-22 SG/2022/159 laid under Chapter 1, Section 2 of the Charities and Trustee Investment (Scotland) Act 2005

The following document was laid before the Parliament on 24 August 2022 and is not subject to parliamentary procedure—

Scottish Public Services Ombudsman: Compendium of investigation reports and report of discontinued investigations August 2022 (SPSO/2022/08) laid under Sections 15(1) and 15(1A) of the Scottish Public Services Ombudsman Act 2002

The following document was laid before the Parliament on 25 August 2022 and is not subject to parliamentary procedure—

Standards Commission for Scotland Annual Report and Accounts Year Ending 31 March 2022 (SG/2022/166) laid under Section 22(5) of the Public Finance and Accountability (Scotland) Act 2000

The following document was laid before the Parliament on 26 August 2022 and is not subject to parliamentary procedure—

Queen's and Lord Treasurer's Remembrancer Annual Report and Accounts for the year ended 31 March 2022 (SG/2022/139) laid under Section 22(5) of the Public Finance and Accountability (Scotland) Act 2000

The following document was laid before the Parliament on 29 August 2022 and is not subject to parliamentary procedure—

The Scottish Commission on Social Security: Draft Winter Heating Assistance (Low Income) (Scotland) Regulations 2022 (SCoSS/2022/04) laid under section 97(8)(a)(ii) of the Social Security (Scotland) Act 2018

The following documents were laid before the Parliament on 30 August 2022 and are not subject to parliamentary procedure—

Forecast Evaluation Report – August 2022 (SFC/2022/3) laid under section 5(3) of the Scottish Fiscal Commission Act 2016

Trends in Scotland's population and effects on the economy and income tax (SFC/2022/4) laid under section 5(3) of the Scottish Fiscal Commission Act 2016

Scottish Housing Regulator: National Report on the Scottish Social Housing Charter - Headline findings 2021/22 (SG/2022/129) laid under section 41 of the Housing (Scotland) Act 2010

The following documents were laid before the Parliament on 31 August 2022 and are not subject to parliamentary procedure—

Scotland's Population 2021 - The Registrar General's Annual Review of Demographic Trends 167th Edition (SG/2022/138) laid under section 1(4) of the Registration of Births, Deaths and Marriages (Scotland) Act 1965

Age of Criminal Responsibility (Scotland) Act 2019 - Independent Reviewer Annual Report and Recommendations (SG/2022/158) laid under section 21(2) of the Age of Criminal Responsibility (Scotland) Act 2019

Scottish Enterprise Annual Report and Accounts for the year ended 31 March 2022 (SG/2022/150) laid under section 22(5) of the Public Finance and Accountability (Scotland) Act 2000

South of Scotland Enterprise Annual Report and Accounts 01 April 2021-31 March 2022 (SG/2022/151) laid under section 16 of the South of Scotland Enterprise Act 2019

The following documents were laid before the Parliament on 6 September 2022 and are not subject to parliamentary procedure—

Children Hearing's Scotland: 'The Feedback Loop' - A Report by the National Convener on the implementation of Compulsory Supervision Orders (under section 181 of the Children's Hearings (Scotland) Act 2011) for years 2016-17, 2017-18, 2018-19 and 2019-20 (SG/2022/171) laid under section 181 of the Children's Hearings (Scotland) Act 2011

The Scottish Commission on Social Security: The Social Security (Residence Requirements) (Ukraine) (Scotland) Regulations 2022 (SCoSS/2022/05) laid under section 97(8)(a)(ii) of the Social Security (Scotland) Act 2018

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