



**OFFICIAL REPORT**  
AITHISG OIFIGEIL

# Delegated Powers and Law Reform Committee

**Tuesday 13 June 2023**

**Session 6**



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Pàrlamaid na h-Alba

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**DELEGATED POWERS AND LAW REFORM COMMITTEE**  
**20<sup>th</sup> Meeting 2023, Session 6**

**CONVENER**

\*Stuart McMillan (Greenock and Inverclyde) (SNP)

**DEPUTY CONVENER**

\*Bill Kidd (Glasgow Anniesland) (SNP)

**COMMITTEE MEMBERS**

\*Jeremy Balfour (Lothian) (Con)  
\*Oliver Mundell (Dumfriesshire) (Con)  
\*Mercedes Villalba (North East Scotland) (Lab)

\*attended

**CLERK TO THE COMMITTEE**

Greg Black

**LOCATION**

The Adam Smith Room (CR5)



**Scottish Parliament**  
**Delegated Powers and Law  
Reform Committee**

*Tuesday 13 June 2023*

*[The Convener opened the meeting at 10:00]*

**Decision on Taking Business in  
Private**

**The Convener (Stuart McMillan):** Welcome to the 20th meeting in 2023 of the Delegated Powers and Law Reform Committee. I remind everyone present to switch mobile phones to silent.

The first item of business is to decide whether to take items 5 and 6 in private. Is the committee content to take those items in private?

**Members** *indicated agreement.*

**Instrument subject to Affirmative  
Procedure**

10:00

**The Convener:** Under agenda item 2, we are considering an instrument subject to the affirmative procedure, on which no points have been raised.

**Cost of Living (Tenant Protection)  
(Scotland) Act 2022 (Amendment of Expiry  
Date) Regulations 2023 [Draft]**

**The Convener:** Is the committee content with the instrument?

**Members** *indicated agreement.*

## Instruments subject to Negative Procedure

10:00

**The Convener:** Under agenda item 3, we are considering three instruments subject to the negative procedure. An issue has been raised on the following instrument.

### Food (Scotland) Act 2015 (Compliance Notices) Regulations 2023 (SSI 2023/161)

**The Convener:** The purpose of the instrument is to list offences in relation to which compliance notices may be used as an alternative to criminal proceedings, as set out in the Food (Scotland) Act 2015. The committee identified a cross-referencing error in paragraph 33 of the schedule to the instrument. The Scottish Government has accepted that there is a cross-referencing error and has undertaken to rectify it at the earliest available opportunity.

Does the committee wish to draw the instrument to the attention of the Parliament on the general reporting ground, for a cross-referencing error, in that paragraph 33 of the schedule should refer to regulation 4 of the Novel Foods (Scotland) Regulations 2017 instead of regulation 6(2)?

**Members** *indicated agreement.*

**The Convener:** Does the committee wish to note that the Scottish Government intends to correct the error by amendment at the earliest available opportunity?

**Members** *indicated agreement.*

**The Convener:** Also under this agenda item, no points have been raised on the following instruments.

**Act of Sederunt (Fees of Solicitors in the Court of Session, Sheriff Appeal Court and Sheriff Court) (Taxation of Judicial Expenses Rules) (Amendment) 2023 (SSI 2023/165)**

**Lews Castle College (Transfer and Closure) (Scotland) Order 2023 (SSI 2023/171)**

**Coronavirus (Recovery and Reform) (Scotland) Act 2022 (Early Expiry of Provisions) Regulations 2023 (SSI 2023/172)**

**National Health Service (Charges to Overseas Visitors) (Scotland) Amendment Regulations 2023 (SSI 2023/173)**

**The Convener:** Is the committee content with the instruments?

**Members** *indicated agreement.*

## **Instruments not subject to Parliamentary Procedure**

10:02

**The Convener:** Under agenda item 4, we are considering three instruments not subject to any parliamentary procedure, on which no points have been raised.

### **Valuation Timetable (Scotland) Amendment (No 2) Order 2023 (SSI 2023/166)**

### **Act of Sederunt (Rules of the Court of Session 1994 and Ordinary Cause Rules 1993 Amendment) (Attendance at Hearings) (SSI 2023/168)**

### **Act of Adjournal (Criminal Procedure Rules 1996 Amendment) (European Union (Future Relationship) Act 2020) 2023 (SSI 2023/169)**

**The Convener:** Is the committee content with the instruments?

**Members** *indicated agreement.*

**The Convener:** That concludes the public part of the meeting.

10:02

*Meeting continued in private until 10:02.*





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Published in Edinburgh by the Scottish Parliamentary Corporate Body, the Scottish Parliament, Edinburgh, EH99 1SP

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