



OFFICIAL REPORT
AITHISG OIFIGEIL

DRAFT

Delegated Powers and Law Reform Committee

Tuesday 5 March 2024

Session 6



The Scottish Parliament
Pàrlamaid na h-Alba

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DELEGATED POWERS AND LAW REFORM COMMITTEE

8th Meeting 2024, Session 6

CONVENER

*Stuart McMillan (Greenock and Inverclyde) (SNP)

DEPUTY CONVENER

*Bill Kidd (Glasgow Anniesland) (SNP)

COMMITTEE MEMBERS

*Jeremy Balfour (Lothian) (Con)

Foysol Choudhury (Lothian) (Lab)

*Oliver Mundell (Dumfriesshire) (Con)

*attended

LOCATION

The Adam Smith Room (CR5)

Scottish Parliament

Delegated Powers and Law Reform Committee

Tuesday 5 March 2024

[The Convener opened the meeting at 10:04]

Decision on Taking Business in Private

The Convener (Stuart McMillan): Good morning, and welcome to the eighth meeting in 2024 of the Delegated Powers and Law Reform Committee. I remind everyone to switch off, or put to silent, mobile phones and other electronic devices.

The first item of business is to decide whether to take items 5, 6 and 7 in private. Is the committee content to take those items in private?

Members *indicated agreement.*

Instrument subject to Made Affirmative Procedure

10:04

The Convener: Under agenda item 2, we are considering one instrument, on which no points have been raised.

Scottish Landfill Tax (Standard Rate and Lower Rate) Order 2024 (SSI 2024/60)

The Convener: Is the committee content with the instrument?

Members *indicated agreement.*

Instruments subject to Negative Procedure

10:05

The Convener: Under agenda item 3, we are considering seven instruments. Issues have been raised on the following instrument.

Packaging Waste (Data Reporting) (Scotland) Amendment Regulations 2024 (SSI 2024/42)

The Convener: The instrument makes a number of amendments to the Packaging Waste (Data Reporting) (Scotland) Regulations 2023. The 2023 regulations require producers of products to collect and/or report data on the amount and type of packaging that they place on the market, as part of extended producer responsibility for packaging.

In correspondence with the Scottish Government, which has been published alongside the papers for this meeting, the committee asked about the adequacy of the explanatory note for the regulations—they amount to just one substantive paragraph—given the length and complexity of the regulations. On reflection, the Scottish Government agreed that additional information would aid understanding of the instrument and has undertaken to amend the explanatory note by way of correction slip at the earliest opportunity.

Does the committee wish to draw the instrument to the attention of the Parliament on the general reporting ground, on the basis that the explanatory note is too brief?

Members indicated agreement.

The Convener: Does the committee wish to welcome the Scottish Government's undertaking to amend the explanatory note?

Members indicated agreement.

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

National Health Service (Common Staffing Method) (Scotland) Regulations 2024 (SSI 2024/43)

Non-Domestic Rates (Islands and Remote Areas Hospitality Relief) (Scotland) Regulations 2024 (SSI 2024/55)

Regulation of Care (Social Service Workers) (Scotland) Order 2024 (SSI 2024/56)

Discretionary Financial Assistance (Scotland) Revocation Regulations 2024 (SSI 2024/58)

Non-Domestic Rates (Transitional Relief) (Scotland) Amendment Regulations 2024 (SSI 2024/59)

Greenhouse Gas Emissions Trading Scheme (Amendment) Order 2024 (SI 2024/192)

The Convener: Is the committee content with the instruments?

Members indicated agreement.

The Convener: In relation to SSI 2024/43, the committee obtained further information from the Scottish Government regarding why the tools that are specified in the instrument are not publicly available. Does the committee wish to draw that correspondence to the attention of the lead committee?

Members indicated agreement.

The Convener: The committee notes the correspondence that it received from the Royal College of Nursing Scotland and understands that it has written in similar terms to the lead committee.

In relation to SSI 2024/59, does the committee wish to welcome that the instrument fulfils a commitment by the Scottish Government to correct an error that the committee identified in the Non-Domestic Rates (Transitional Relief) (Scotland) Regulations 2024 (SSI 2024/5)?

Members indicated agreement.

Instruments not subject to Parliamentary Procedure

10:07

The Convener: Under agenda item 4, we are considering three instruments, on which no points have been raised.

**Social Security (Scotland) Act 2018
(Commencement No 10 and Transitional
Provision) Regulations 2024 (SSI 2024/57
(C 5))**

**Social Security (Gibraltar) (Iceland)
(Liechtenstein) (Norway) (Further
provision in respect of Scotland) Order
2024 (SSI 2024/62)**

**Charities (Regulation and Administration)
(Scotland) Act 2023 (Commencement No 1,
Transitional and Saving Provisions)
Regulations 2024 (SSI 2024/63 (C 6))**

The Convener: Is the committee content with the instruments?

Members *indicated agreement.*

The Convener: With that, I move the committee into private.

10:08

Meeting continued in private until 10:41.

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