



House of Commons

NOTICES OF AMENDMENTS

given up to and including

Tuesday 9 June 2015

New Amendments handed in are marked thus ★

☆ *Amendments which will comply with the required notice period at their next appearance*

Amendments tabled since the last publication: 36 to 44.

COMMITTEE OF THE WHOLE HOUSE

SCOTLAND BILL

NOTE

This document includes all amendments tabled to date. The amendments have been arranged in accordance with the Order of the House [8 June 2015].

*CLAUSES 1 TO 11, NEW CLAUSES RELATING TO PART 1,
NEW SCHEDULES RELATING TO PART 1*

Mr Alistair Carmichael	16
☆ Clause 1, page 1, line 7, leave out first “A” and insert “The”	
Ian Murray Wayne David	37
★ Clause 1, page 1, line 7, leave out “is recognised as” and insert “shall be”	
Mr Alistair Carmichael	17
☆ Clause 1, page 1, line 7, leave out “recognised as”	

 Scotland Bill, *continued*

Ian Murray
Wayne David

38

- ★ Clause 1, page 1, line 8, at end insert “and may not be abolished without the consent of the Scottish people given effect by an Act of the Scottish Parliament”

Mr Alistair Carmichael

18

- ☆ Clause 1, page 1, line 12, leave out “recognised as”
-

Ian Murray
Wayne David

39

- ★ Clause 2, page 2, line 2, leave out “but it is recognised” and insert “Notwithstanding subsection (7) above”

Ian Murray
Wayne David
Mr Alistair Carmichael

4

- ☆ Clause 2, page 2, line 3, leave out “normally”

Mr Alistair Carmichael

19

- ☆ Clause 2, page 2, line 3, after “legislate”, insert “(a)”

Mr Alistair Carmichael

20

- ☆ Clause 2, page 2, line 3, after “matters”, insert “and (b) to alter the legislative competence of the Scottish Parliament or the executive competence of the Scottish Government”

Ian Murray
Wayne David

41

- ★ Clause 2, page 2, line 4, at end add—
“(9) A Minister of the Crown in charge of a Bill in either House of Parliament must, before second reading of the bill—
(a) make a statement to the effect that in his view the provisions of the bill do not constitute legislation with regard to devolved matters; or
(b) make a statement that the consent of the Scottish Parliament to the Bill is being sought, or will be sought, and specifying the matters in respect of which consent is being sought; and that the Bill will not be presented for Royal Assent without such consent. Such a statement must be in writing and be published in such manner as the Minister making it considers appropriate”.
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Scotland Bill, *continued*Ian Murray
Wayne David

- ★ Clause 3, page 2, leave out lines 24 to 26

42

Ian Murray
Wayne David

- ★ Clause 4, page 3, line 42, at end insert “including provisions about the impact of the ending of the transition to Individual Electoral Registration on the completeness of the register.”

44

Ian Murray
Wayne David

- ★ Clause 5, page 6, line 8, after subsection 3(b) insert—
“(c) A referendum called under reserved powers”

43

Mr Alistair Carmichael

- ☆ Clause 10, page 11, line 27, at end add—
“(aa) the period between general elections specified in section 2(2)”

21

Mr Alistair Carmichael

- ☆ Clause 10, page 11, line 30, at end add—
“(ba) the alteration of boundaries of constituencies, regions, or any equivalent electoral area”

22

Ian Murray
Wayne David

- ☆ To move the following Clause—

NC2

“Constitutional Convention

- (1) The Prime Minister shall establish a Constitutional Convention within one month of the day on which this act is passed.
- (2) The Chair and Members of the Constitutional Convention shall be appointed in accordance with a process to be laid before, and approved by, resolution in each House of Parliament.

Scotland Bill, continued

- (3) The Chair of the Constitutional Convention is not permitted to be a Member of Parliament or a member of a political party.
- (4) Members of the Constitutional must include, but not be limited to, the following—
 - (a) members of the public, chosen by lot through the jury system, who shall comprise the majority of those participating in the convention;
 - (b) elected representatives at all levels;
 - (c) representatives of civil society organisations and, in an advisory role, academia.
- (5) The Constitutional Convention shall review and make recommendations in relation to future governance arrangements for the United Kingdom, including but not limited to the following—
 - (a) the role and voting rights of Members of the House of Commons;
 - (b) democratic reform of the House of Lords;
 - (c) further sub-national devolution within England;
 - (d) codification of the constitution.
- (6) The Constitutional Convention shall engage in widespread consultation across the nations and regions of the UK, and must provide a report to both Houses of Parliament by 31 March 2016.
- (7) The Secretary of State must lay before both Houses of Parliament a formal response to each recommendation of the Constitutional Convention within four months of the publication of the final report from the Constitutional Convention.”

Member's explanatory statement

This New Clause provides an outline for a Constitutional Convention selected from the widest possible number of groups in society to analyse and design future governance arrangements for the United Kingdom, and to report by 31 March 2016.

*CLAUSES 12 TO 17, SCHEDULE 1, CLAUSE 18, NEW CLAUSES RELATING TO PART 2,
NEW SCHEDULES RELATING TO PART 2*

Graham Stringer
Mr Kevan Jones

36

★ Page 19, line 18, leave out Clause 16

Ian Murray
Wayne David

NC1

☆ To move the following Clause—

“Independent Commission on Full Fiscal Autonomy

- (1) The Secretary of State shall appoint a commission of between four and eleven members to conduct an analysis of the impact of full fiscal autonomy on the Scottish economy, labour market and public finances and to report by 31 March 2016.

Scotland Bill, continued

- (2) No Member of the House of Commons or of the Scottish Parliament may be a member of the commission.
- (3) No employee of the Scottish Government or of any government Department or agency anywhere in the United Kingdom may be a member of the commission.
- (4) The Secretary of State shall appoint as members of the commission only persons who appear to the Secretary of State to hold a relevant qualification or to have relevant experience.
- (5) The Secretary of State shall not appoint as a member of the commission any person who is a member of a political party.
- (6) Before appointing any member of the commission, the Secretary of State must consult—
 - (a) the Chair of any select committee appointed by the House of Commons to consider Scottish affairs, and
 - (b) the Chair of any select committee appointed by the House of Commons to examine the expenditure, administration and policy of Her Majesty's Treasury and its associated public bodies.
- (7) The Secretary of State may by regulations issue the commission with terms of reference and guidelines for the commission's working methods, including an outline definition of the policy of full fiscal autonomy for the commission to analyse.
- (8) The Secretary of State must lay copies of the report of the commission before both Houses of Parliament, and must transmit a copy of the report of the commission to the presiding officer of the Scottish Parliament.
- (9) Regulations under this section must be made by statutory instrument, subject to annulment in pursuance of a resolution of either House of Parliament."

Member's explanatory statement

This New Clause requires the Secretary of State for Scotland to establish an independent commission of external experts, appointed in consultation with the Treasury Select Committee and Scottish Affairs Select Committee, to publish a report by 31 March 2016 setting out an analysis of the policy of Full Fiscal Autonomy on the Scottish economy, labour market and public finances.

*CLAUSES 19 TO 30, NEW CLAUSES RELATING TO PART 3,
NEW SCHEDULES RELATING TO PART 3*

Ian Murray
Wayne David
Kate Green

- ☆ Clause 19, page 21, line 28, after "employment", insert—
“(d) housing benefit.”
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 Scotland Bill, *continued*

Ian Murray
Wayne David
Kate Green

- ☆ Clause 21, page 24, leave out lines 9 and 10 12
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Ian Murray
Wayne David
Kate Green

- ☆ Clause 22, page 24, leave out lines 36 and 37 13
-

Ian Murray
Wayne David
Kate Green

- ☆ Clause 23, page 25, line 23, leave out “occasional” 14

Ian Murray
Wayne David
Kate Green

- ☆ Clause 23, page 25, line 28, leave out “short term” 8

Ian Murray
Wayne David
Kate Green

- ☆ Clause 23, page 25, line 46, at end insert— 15

“Exception 9

A benefit not in existence at the relevant date provided entitlement to or the purpose of the benefit is different from entitlement to or the purpose of any benefit that is—

- (a) in existence at the relevant date,
- (b) payable by or on behalf of a Minister of the Crown, and
- (c) otherwise a reserved benefit.

For the purpose of this exception—

“the relevant date” means the date of introduction into Parliament of the Bill that becomes the Scotland Act 2015;

“reserved benefit” means a benefit which is to any extent a reserved matter.”

Scotland Bill, *continued*

Ian Murray
Wayne David
Kate Green

5

- ☆ Clause 24, page 26, line 23, leave out paragraph (b) and insert—
“(b) they have consulted the Secretary of State as to when any change made by the regulations is to start to have effect.”

Ian Murray
Wayne David
Kate Green

7

- ☆ Clause 25, page 27, line 1, after second “of”, insert “the delivery mechanism for”

Ian Murray
Wayne David
Kate Green

6

- ☆ Clause 25, page 27, line 3, leave out paragraph (b) and insert—
“(b) they have consulted the Secretary of State as to when any change made by the regulations is to start to have effect.”

Ian Murray
Wayne David
Kate Green

9

- ☆ Clause 26, page 27, line 36, after “person”, insert “in conjunction with the local authority”

Ian Murray
Wayne David
Kate Green

10

- ☆ Clause 26, page 27, line 41, at end insert “and
(d) temporary jobs paid at least the national minimum wage providing a route back into further work.”

CLAUSES 31 TO 37, SCHEDULE 2, CLAUSES 38 TO 45, NEW CLAUSES RELATING TO PART 4, NEW SCHEDULES RELATING TO PART 4

Mr Alistair Carmichael

23

- ☆ Clause 31, page 30, line 34, leave out “may” and insert “must”

 Scotland Bill, *continued*

- Mr Alistair Carmichael 24
 ☆ Clause 31, page 32, line 25, leave out “C” and insert “A”
- Mr Alistair Carmichael 25
 ☆ Clause 31, page 32, line 31, leave out “then, instead of the type C procedure”
- Mr Alistair Carmichael 26
 ☆ Clause 31, page 32, line 31, leave out “I” and insert “A”
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- Mr Alistair Carmichael 27
 ☆ Clause 33, page 35, leave out lines 18 and 19
- Mr Alistair Carmichael 28
 ☆ Clause 33, page 35, leave out lines 24 and 25
- Mr Alistair Carmichael 29
 ☆ Clause 33, page 35, leave out lines 26 to 30
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- Mr Alistair Carmichael 30
 ☆ Clause 43, page 45, line 7, at end add—
 “(aa) leave out the subject matter of the Estate Agents Act 1979”
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- Mr Alistair Carmichael 31
 ☆ Clause 45, page 47, line 7, leave out “for which the maximum charge for use is
 more than £10”
- Mr Alistair Carmichael 32
 ☆ Clause 45, page 47, line 17, leave out “for which the maximum charge for use is
 more than £10”
- Mr Alistair Carmichael 33
 ☆ Clause 45, page 47, line 35, leave out subsection (6)

Scotland Bill, *continued*

Mr Alistair Carmichael

34

☆ Clause 45, page 47, line 36, at end add—

“() In Section C1 in Part 2 of Schedule 5 to the Scotland Act 1998 (Business Associations) at the end of the exceptions insert—

“(c) the law on partnerships and unincorporated associations,

(d) the creation of new forms of cooperative enterprise,

(e) the creation of new forms of mutual enterprise,

(f) the creation of economic interest groups where the European Economic Interest Group under regulation EEC 2137/85 is not available because the members do not come from more than one member state.””

Mr Alistair Carmichael

35

☆ Clause 45, page 47, line 36, at end add—

“() In Part 2 of Schedule 5 to the Scotland Act 1998 (Employment) leave out “Section H2 (Health and Safety)””

CLAUSES 46 TO 55, NEW CLAUSES RELATING TO PART 5, NEW SCHEDULES RELATING TO PART 5, CLAUSES 56 TO 58, NEW CLAUSES RELATING TO PART 6, NEW SCHEDULES RELATING TO PART 6, CLAUSES 59 TO 64, NEW CLAUSES RELATING TO PART 7, NEW SCHEDULES RELATING TO PART 7, REMAINING PROCEEDINGS ON THE BILL

Ian Murray
Wayne David

1

☆ Clause 63, page 67, line 24, leave out paragraph (a)

Member’s explanatory statement

This amendment provides that section 1 will not come into force on the day on which the Act is passed, in order to link the commencement of Part 1 of the Act (Constitutional arrangements) with the work of the Constitutional Convention, outlined in New Clause NC2, which would be required to report by 31 March 2016.

Ian Murray
Wayne David

2

☆ Clause 63, page 67, line 26, at end insert—

“(1A) Part 1 comes into force within one month of the publication of the report of the Constitutional Convention appointed under section (Constitutional Convention).”

Member’s explanatory statement

This amendment provides that Part 1 of the Act (Constitutional arrangements) comes into force after publication of the report of the Constitutional Convention, as outlined in New Clause NC2, which would be required to report by 31 March 2016.

Ian Murray
Wayne David

3

☆ Clause 63, page 67, line 30, leave out subsection (3) and insert—

Scotland Bill, continued

“(3) Part 2 of the Bill comes into force at the end of 2 months beginning with the publication of the report of the Independent Commission on Full Fiscal Autonomy appointed under section (*Independent Commission on Full Fiscal Autonomy*).”

Member’s explanatory statement

This amendment provides that Part 2 (Tax) will not come into force at the end of two months beginning with the day on which the Act is passed, in order to link the commencement of the tax provisions of the Act with the work of the Independent Commission on Full Fiscal Autonomy, appointed under New Clause N1, which would be required to report by 31 March 2016.

ORDER OF THE HOUSE [8 JUNE 2015]

That the following provisions shall apply to the Scotland Bill:

Committal

1. The Bill shall be committed to a Committee of the whole House.

Proceedings in Committee

2. Proceedings in Committee of the whole House shall be completed in four days.
3. The proceedings shall be taken on the days shown in the first column of the following Table and in the order so shown.
4. The proceedings shall (so far as not previously concluded) be brought to a conclusion at the times specified in the second column of the Table.

TABLE

<i>Proceedings</i>	<i>Time for conclusion of proceedings</i>
First day	
Clauses 1 to 11, new Clauses relating to Part 1, new Schedules relating to Part 1	The moment of interruption on the first day
Second day	
Clauses 12 to 17, Schedule 1, Clause 18, new Clauses relating to Part 2, new Schedules relating to Part 2	The moment of interruption on the second day
Third day	
Clauses 19 to 30, new Clauses relating to Part 3, new Schedules relating to Part 3	The moment of interruption on the third day
Fourth day	
Clauses 31 to 37, Schedule 2, Clauses 38 to 45, new Clauses relating to Part 4, new Schedules relating to Part 4	Three hours after the commencement of proceedings on the Bill on the fourth day

Scotland Bill, *continued*

*Proceedings**Time for conclusion of proceedings*

First day

Clauses 46 to 55, new Clauses relating to Part 5, new Schedules relating to Part 5, Clauses 56 to 58, new Clauses relating to Part 6, new Schedules relating to Part 6, Clauses 59 to 64, new Clauses relating to Part 7, new Schedules relating to Part 7, remaining proceedings on the Bill

The moment of interruption on the fourth day

Consideration and Third Reading

5. Any proceedings on Consideration shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which those proceedings are commenced.
6. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.

Programming committee

7. Standing Order No 83B (Programming committees) shall not apply to proceedings in Committee of the whole House, to any proceedings on Consideration or to proceedings on Third Reading.

Other proceedings

8. Any other proceedings on the Bill (including any proceedings on consideration of Lords Amendments or on any further messages from the Lords) may be programmed.
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