SCOTLAND BILL

[THIRD DAY]

CLASSES 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 39, leave out from “of” to the end of line 7 on page 22 and insert “a disabled person or person with a physical or mental impairment or health condition in respect of effects or needs arising from that disability, impairment or health condition.”

Negatived on division 128

Ian Murray
Kate Green

Clause 19, page 22, leave out lines 6 and 7

Not called 112

Ian Murray
Wayne David
Angus Robertson
Mike Weir
Dr Eilidh Whiteford
Stewart Hosie
Michelle Thomson Natalie McGarry

Clause 19, page 22, line 45, leave out sub-paragraph (a).

Clause agreed to.
Scotland Bill, continued

Angus Robertson
Mike Weir
Dr Eilidh Whiteford
Stewart Hosie
Michelle Thomson
Natalie McGarry

Ian Murray
Clause 20, page 23, line 27, after “financial”, insert “or other”

Ian Murray
Wayne David
Clause 20, page 23, line 33, leave out “8” and insert “9”

Clause agreed to.

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

Clause agreed to.

Mr Graham Allen
Clause 22, page 24, line 27, leave out from “who” to “appears” in line 32.

Angus Robertson
Mike Weir
Dr Eilidh Whiteford
Stewart Hosie
Michelle Thomson
Natalie McGarry

Clause 22, page 24, leave out lines 36 to 48
Scotland Bill, continued

Ian Murray
Wayne David
Kate Green

Clause 22, page 24, leave out lines 36 and 37

Mr Graham Allen

Clause 22, page 25, leave out lines 1 to 8

Clause agreed to.

Ian Murray
Wayne David
Kate Green
Angus Robertson
Mike Weir
Dr Eilidh Whiteford
Stewart Hosie
Michelle Thomson
Natalie McGarry

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

Angus Robertson
Mike Weir
Dr Eilidh Whiteford
Stewart Hosie
Michelle Thomson
Natalie McGarry

Clause 23, page 25, leave out lines 30 to 37

Ian Murray
Wayne David
Kate Green
Angus Robertson
Mike Weir
Dr Eilidh Whiteford
Stewart Hosie
Michelle Thomson
Natalie McGarry

Clause 23, page 25, line 39, leave out “occasional”

Angus Robertson
Mike Weir
Dr Eilidh Whiteford
Stewart Hosie
Michelle Thomson
Natalie McGarry

Clause 23, page 25, line 40, after “individuals”, insert “(a)”
Scotland Bill, continued

Angus Robertson
Mike Weir
Dr Eilidh Whiteford
Stewart Hosie
Michelle Thomson
Natalie McGarry

Ian Murray

Clause 23, page 25, line 45, at end add “or
(b) who are part of a family facing exceptional pressure.”

Clause agreed to.

Angus Robertson
Mike Weir
Dr Eilidh Whiteford
Stewart Hosie
Michelle Thomson
Natalie McGarry

Ian Murray

Clause 24, page 26, line 20, leave out from “unless” to end of line 25 and insert “they have consulted the Secretary of State”

Ian Murray
Wayne David
Kate Green

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.’

Clause agreed to.

Angus Robertson
Mike Weir
Dr Eilidh Whiteford
Stewart Hosie
Michelle Thomson
Natalie McGarry

Ian Murray

Clause 25, page 26, line 45, leave out from “unless” to end of line 5 on page 27 and insert “they have consulted the Secretary of State”
Scotland Bill, continued

Ian Murray
Wayne David
Kate Green

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

Ian Murray
Wayne David
Kate Green

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.”

Clause agreed to.

Angus Robertson
Mike Weir
Dr Eilidh Whiteford
Stewart Hosie
Michelle Thomson
Natalie McGarry

Ian Murray

Clause 26, page 27, line 22, leave out from beginning to “for” in line 23 and insert
“Arrangements”

Angus Robertson
Mike Weir
Dr Eilidh Whiteford
Stewart Hosie
Michelle Thomson
Natalie McGarry

Ian Murray

Clause 26, page 27, leave out lines 27 to 29 and insert—
“(b) assisting persons (including persons claiming reserved benefits) who are unemployed or at risk of long-term unemployment to select, obtain and retain employment”

Ian Murray
Kate Green

Clause 26, page 27, line 29, leave out “where the assistance is for at least a year”
Scotland Bill, continued

Angus Robertson
Mike Weir
Dr Eilidh Whiteford
Stewart Hosie
Michelle Thomson
Natalie McGarry

Ian Murray

Clause 26, page 27, line 34, leave out “another person” and insert “a person other than the person making the arrangements”

Ian Murray
Wayne David
Kate Green

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

Ian Murray
Kate Green

Clause 26, page 27, line 39, at end insert—
“(b) provision of support for disabled persons in the form of non-repayable payments to enable them to access employment, remain in employment, or move into self-employment or start a business.”

Ian Murray
Wayne David
Kate Green

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.”

Clause agreed to.

Clauses 27 to 30 agreed to.
Scotland Bill, continued

Ian Murray
Wayne David
Kate Green

To move the following Clause—

“Housing benefit

In Section F1 of Part 2 of Schedule 5 to the Scotland Act 1998, in the Exceptions, after exception 8 (see section 23 above) insert—

“Exception 9

Housing benefit.”"

--

Ian Murray
Wayne David
Kate Green
Angus Robertson
Mike Weir
Dr Eilidh Whiteford
Stewart Hosie
Michelle Thomson
Natalie McGarry

To move the following Clause—

“New benefits

In Section F1 of Part 2 of Schedule 5 to the Scotland Act 1998, in the Exceptions, after exception 8 (see section 23 above) insert—

“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

Angus Robertson
Mike Weir
Dr Eilidh Whiteford
Stewart Hosie
Michelle Thomson
Natalie McGarry

To move the following Clause—  

*National Insurance*
(1) Section F1 of Schedule 5 to the Scotland Act 1998 is amended as follows.  
(2) In the illustrations, omit “National Insurance;”  
(3) In the exceptions, at the beginning insert—  

“National Insurance.”

---

Angus Robertson
Mike Weir
Dr Eilidh Whiteford
Stewart Hosie
Michelle Thomson
Natalie McGarry

To move the following Clause—

*National Insurance: employers’ contributions*
(1) Section F1 of Schedule 5 to the Scotland Act 1998 is amended as follows.  
(2) In the illustrations, omit “National Insurance;”  
(3) In the Exceptions, after exception 11 (see section (*Benefits relating to children*)) insert—  

“Exception 12  
National Insurance so far as relating to contributions payable by employers.”

---
Scotland Bill, continued

Angus Robertson
Mike Weir
Dr Eilidh Whiteford
Stewart Hosie
Michelle Thomson
Natalie McGarry

Not called NC43

To move the following Clause—

“Job search and support

In Part 2 of Schedule 5 to the Scotland Act 1998, omit Section H3 (job search and support).”

Angus Robertson
Mike Weir
Dr Eilidh Whiteford
Stewart Hosie
Michelle Thomson
Natalie McGarry

Not called NC44

To move the following Clause—

“Working age benefits

In Section F1 of Part 2 of Schedule 5 to the Scotland Act 1998, in the Exceptions, after exception 9 (see section 23A above) insert—

“Exception 10

Benefits entitlement to which, or the purposes of which, are the same as or similar to those of any of the following benefits—

(a) universal credit under Part 1 of the Welfare Reform Act 2012,
(b) jobseeker’s allowance (whether contributions-based or income-based) under the Jobseekers Act 1995,
(c) employment and support allowance (whether contributory or income-related) under Part 1 of the Welfare Reform Act 2007,
(d) income support under section 124 of the Social Security and Benefits Act 1992,
(e) housing benefit under section 130 of that Act,
(f) child tax credit and working tax credit under the Tax Credits Act 2002.

The benefits referred to in paragraphs (a) to (f) above are—

(a) in the case of income-based jobseeker’s allowance and income-related employment support allowance, those benefits as they existed on 28 April 2013 (the day before their abolition),
Scotland Bill, continued

(b) in the case of the other benefits, those benefits as they existed on 28 May 2015 (the date of introduction into Parliament of the Bill for the Scotland Act 2015).”

Not called NC45

To move the following Clause—

“Universal credit: powers to vary other elements

(1) A function of making regulations to which this section applies, so far as it is exercisable by the Secretary of State in or as regards Scotland, is exercisable by the Scottish Ministers concurrently with the Secretary of State.

(2) This section applies to—

(a) regulations under section 8(3)(a) of the Welfare Reform Act 2012 (amount in respect of earned income) so far relating to the work allowance (that is, the amount of a claimant’s earned income that is to be disregarded in calculating the amounts to be deducted from the maximum amount in accordance with section 8(3) of that Act),

(b) regulations under section 10 of that Act (amount in respect of responsibility for children and young persons),

(c) regulations under section 12 of that Act (amounts in respect of other particular needs or circumstances) so far as relating to—

(i) the needs or circumstances referred to in subsection (2)(c) of that section (caring responsibilities for a severely disabled person), or

(ii) needs or circumstances of a claimant in paid work relating to childcare costs,

(d) regulations under any of sections 14 to 22, 24 and 25 of that Act (work-related requirements), and

(e) regulations under any of sections 26 to 28 of that Act (sanctions).

(3) The Scottish Ministers may not exercise the function of making regulations to which this section applies unless they have consulted the Secretary of State.

(4) The Secretary of State may not exercise the function of making regulations to which this section applies in or as regards Scotland unless he or she has consulted the Scottish Ministers.

(5) Where regulations are made by the Scottish Ministers by virtue of subsection (1)—

(a) section 43 of the Welfare Reform Act 2012 (regulations: procedure) does not apply, and

(b) the regulations are subject to the negative procedure (see Part 2 of the Interpretation and Legislative Reform (Scotland) Act 2010).”
Scotland Bill, continued

Angus Robertson
Mike Weir
Dr Eilidh Whiteford
Stewart Hosie
Michelle Thomson
Natalie McGarry

To move the following Clause—

“Benefits relating to children

In Section F1 of Part 2 of Schedule 5 to the Scotland Act 1998, in the Exceptions, after exception 10 (see section (Working age benefits) above) insert—

“Exception 11

Benefits entitlement to which, or the purposes of which, are the same as or similar to those of any of the following benefits—

(a) guardian’s allowance under section 77 of the Social Security Contributions and Benefits Act 1992,
(b) child benefit under Part 9 of that Act.

The benefits referred to in paragraphs (a) and (b) are those benefits as they existed on 28 May 2015 (the date of introduction into Parliament of the Bill for the Scotland Act 2015).”

Ian Murray
Wayne David
Kate Green

To move the following Clause—

“Childcare element of universal credit

In Section F1 of Part 2 of Schedule 5 to the Scotland Act 1998, in Exceptions, after exception 6 (see section 22 above) insert—

“Exception 7

The subject-matter of regulations 31 to 34 of the Universal Credit Regulations 2013.”

Sir Edward Leigh

To move the following Clause—

“Social security

In Part 2 of Schedule 5 to the Scotland Act 1998, leave out Head F (Social security).”