Scotland Bill

AMENDMENTS
TO BE MOVED
IN COMMITTEE

Clause 1

LORD FORSYTH OF DRUMLEAN
Page 1, line 9, after “are” insert “recognised as”

LORD CORMACK
Page 1, line 17, leave out “Scotland voting in a referendum” and insert, “a two-thirds majority in a vote of the House of Commons in which 75 per cent of the members elected by Scottish constituencies voted for abolition”

Clause 2

LORD CORMACK
Page 2, line 6, leave out “normally”
Page 2, line 7, at end insert “, save in times of war or national emergency”

After Clause 10

LORD FORSYTH OF DRUMLEAN
Insert the following new Clause—

“Provision under sections 3 to 10

The Scottish Parliament and Scottish Ministers may only alter arrangements for elections to the Scottish Parliament under the provisions inserted by sections 3 to 10 with the consent of the Secretary of State.”
After Clause 12

LORD FORSYTH OF DRUMLEAN

Insert the following new Clause—

“Convention

The Secretary of State shall establish a convention to assess the impact of the provisions of this Act on the relationship between the United Kingdom and Scotland; and to make recommendations designed to secure a stable settlement between the United Kingdom and Scotland.”

After Clause 19

LORD McAVOY
LORD DAVIDSON OF GLEN CLOVA

Insert the following new Clause—

“Non-devolved taxes and the Scottish Consolidated Fund: further provisions

Before the end of the first month of each financial year, the Secretary of State must lay before Parliament a full record, including minutes of meetings and Ministerial correspondence, of discussions between the Secretary of State, the Treasury and Scottish Ministers relating to the non-budget expenditure to be voted by Parliament authorising the payment of grants to the Scottish Consolidated Fund for that financial year.”

Clause 20

LORD McAVOY
LORD DAVIDSON OF GLEN CLOVA

Page 23, leave out lines 4 to 12 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.”

After Clause 28

LORD McAVOY
LORD DAVIDSON OF GLEN CLOVA

Insert the following new Clause—

“Joint Committee on Welfare Devolution

(1) There shall be a Joint Committee on Welfare Devolution to examine the transfer, implementation and operation of the powers devolved to the Scottish Parliament by Part 3 of this Act.

(2) The Joint Committee on Welfare Devolution shall be responsible for ensuring full co-operation, consultation and information-sharing between the United Kingdom Government, the Scottish Government and relevant stakeholders.
After Clause 28—continued

(3) The Joint Committee on Welfare Devolution shall publish a report—
(a) on the transfer and implementation of the powers devolved to the Scottish Parliament by Part 3 of this Act, at least once every three months for the first three years from the date on which this Act is passed, and
(b) on the operation of the powers devolved to the Scottish Parliament by Part 3 of this Act, at least once in each calendar year, starting three years from the date on which this Act is passed.

(4) Schedule (The Joint Committee on Welfare Devolution), which makes further provision in relation to the Joint Committee on Welfare Devolution, has effect.”

Clause 29

LORD McAVOY
LORD DAVIDSON OF GLEN CLOVA

Page 30, line 20, at end insert—
“( ) 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,”

Clause 34

LORD McAVOY
LORD DAVIDSON OF GLEN CLOVA

Page 33, line 18, leave out “may” and insert “must”
Page 33, line 20, leave out “Ministers” and insert “Parliament”

Clause 35

LORD McAVOY
LORD DAVIDSON OF GLEN CLOVA

Page 37, leave out lines 6 to 23 and insert—
““The subject-matter of Part 11, Chapter 1, of the Equality Act 2010 (public sector equality duty).”
Clause 35 — continued

Equal opportunities in relation to the Scottish functions of any Scottish public authority or cross-border public authority including appointments to the board of any Scottish public authority. The provision falling within this exception includes provision that reproduces or applies an enactment contained in the Equality Act 2006 or the Equality Act 2010 without affecting the enactment as it applies for the purposes of those Acts. It does not include any modification of those Acts, other than modifications of the types specified in paragraphs (a) to (e) —

(a) provision that supplements or is otherwise additional to provision made by those Acts, and which may enhance but may not diminish the protection and promotion of equal opportunities afforded by the provision made by those Acts;

(b) in particular, provision imposing a requirement to take action that the Acts do not prohibit;

(c) provision that extends application of the existing powers and duties of, or grants additional powers to, the Equality and Human Rights Commission in respect of provisions made under any part of subsection (3);

(d) provision that requires the Equality and Human Rights Commission to attend the proceedings of the Scottish Parliament for the purposes of giving evidence and to send each annual report of the Commission to the Scottish Ministers and that requires the Scottish Ministers to lay each annual report received before the Scottish Parliament;

(e) provisions in relation to candidates at an election for membership of the Scottish Parliament and a local government election in Scotland.”

Clause 43

LORD McAVOY
LORD DAVIDSON OF GLEN CLOVA

The above-named Lords give notice of their intention to oppose the Question that Clause 43 stand part of the Bill.

Clause 49

LORD McAVOY
LORD DAVIDSON OF GLEN CLOVA

Page 51, line 37, at end insert “and the designation of licensing standards officers in Scotland as authorised persons for the exercise of inspection and enforcement functions in respect of such licences”
Clause 54

LORD McAVOY
LORD DAVIDSON OF GLEN CLOVA

Page 53, line 38, after “operator” insert “or not for profit operator”
Page 54, line 1, leave out “does not” and insert “may”

Clause 58

LORD WALLACE OF TANKERNESS
LORD STEPHEN

Page 67, line 21, after “electricity” insert “or heat”
Page 67, line 22, after “electricity” insert “or heat”
Page 67, line 24, after “scheme” insert “or renewable heat incentive scheme”
Page 67, line 35, at end insert “or renewable heat incentive scheme”
Page 67, line 36, after “scheme” insert “or a “renewable heat incentive scheme””
Page 68, line 4, at end insert—
“(d) section 100 of the Energy Act 2008 (renewable heat incentives).”

After Clause 58

LORD WALLACE OF TANKERNESS
LORD STEPHEN

Insert the following new Clause—

“Ofgem’s Energy Strategy and Policy Statement

In section 131 of the Energy Act 2013 (strategy and policy statement), at the end of subsection (3) insert “after consultation with the Scottish Ministers”.”

Clause 69

BARONESS HAYTER OF KENTISH TOWN
LORD McAVOY

Page 75, line 32, at end insert—

“( ) Section 50 comes into force at the end of 12 months beginning with the day on which this Act is passed.”
After Schedule 1

LORD McAVOY
LORD DAVIDSON OF GLEN CLOVA

Insert the following new Schedule—

“SCHEDULE

THE JOINT COMMITTEE ON WELFARE DEVOLUTION

Membership

(1) The Joint Committee on Welfare Devolution shall comprise the Secretary of State, who is to be the chair of the Committee, and the following other members—

(a) the Scottish Minister who is responsible to the Scottish Parliament for welfare policy and payments, who is to be the deputy chair of the Committee;

(b) the Member of the House of Commons who is for the time being the Chair of the Work and Pensions Select Committee of the House of Commons;

(c) the Member of the Scottish Parliament who is for the time being the Chair of the Welfare Reform Committee of the Scottish Parliament;

(d) two Members of Parliament who are not Ministers of the Crown;

(e) two Members of the Scottish Parliament who are not Scottish Ministers; and

(f) two persons representing local government in Scotland.

(2) The members of the Joint Committee on Welfare Devolution mentioned in paragraph 1(d) are to be appointed by the Speaker of the House of Commons and the Lord Speaker of the House of Lords.

(3) The members of the Joint Committee on Welfare Devolution mentioned in paragraph 1(e) are to be appointed by the Presiding Officer of the Scottish Parliament.

(4) The members of the Joint Committee on Welfare Devolution mentioned in paragraph 1(f) are to be appointed by Scottish Ministers after consultation with the Convention of Scottish Local Authorities.

(5) In this Schedule, references to the Work and Pensions Select Committee of the House of Commons are—

(a) if the name of that Committee is changed, to be taken (subject to sub-paragraph (b)) to be references to the Committee by its new name;

(b) if the functions of that Committee with respect to welfare policy and payments (or functions substantially corresponding thereto) become functions of a different committee of the House of Commons, to be taken to be references to the committee by whom the functions are for the time being exercisable.
After Schedule 1 — continued

(6) In this Schedule, references to the Welfare Reform Committee of the Scottish Parliament are—
   (a) if the name of that Committee is changed, to be taken (subject to sub-paragraph (b)) to be references to the Committee by its new name;
   (b) if the functions of that Committee at the passing of this Act with respect to welfare policy and payments (or functions substantially corresponding thereto) become functions of a different committee of the Scottish Parliament, to be taken to be references to the committee by whom the functions are for the time being exercisable.

Term of office of Committee members

(7) A member may resign from the Committee at any time by giving notice to the Secretary of State.

(8) A member may be re-appointed (or further re-appointed) to membership of the Committee.

Committee proceedings

(9) The Joint Committee on Welfare Reform may determine its own procedure.

(10) The validity of any proceedings of the Joint Committee on Welfare Reform is not affected by—
       (a) any vacancy among, or
       (b) any defect in the appointment of any of, the members of the Committee.

(11) The Joint Committee on Welfare Reform may appoint a member of the Committee to act at any meeting of the Committee in the absence of both the Secretary of State and the Scottish Minister who is deputy chair of the Committee.

Advisory Panel

(12) The Secretary of State and Scottish Ministers acting jointly may make regulations appointing a panel to advise the Joint Committee on Welfare Reform on the transfer, implementation and operation of the powers devolved to the Scottish Parliament by Part 3 of this Act, comprising academics, representatives of the third sector and voluntary organisations, and other relevant stakeholders.

(13) The Joint Committee on Welfare Reform must consult any advisory panel appointed under paragraph 12 of this Schedule.”