The amendments have been marshalled in accordance with the Instruction of 1st December 2015, as follows—

Clauses 1 to 12
Clauses 34 to 41
Schedule 2
Clauses 42 to 64
Clauses 13 to 18
Schedule 1
Clauses 19 to 33
Clauses 65 to 70
Title

[Amendments marked ★ are new or have been altered]

**Clause 1**

**LORD NORTON OF LOUTH**

1 Page 1, leave out lines 9 and 10

**LORD FORSYTH OF DRUMLEAN**

2 Page 1, line 9, after “are” insert “recognised as”

**LORD NORTON OF LOUTH**

3 Page 1, leave out lines 11 to 14

**LORD McCLUSKEY**

4★ Page 1, line 11, after first “The” insert “only”

5★ Page 1, line 11, leave out from “is” to “to” in line 12
Clause 1—continued

LORD HOPE OF CRAIGHEAD
LORD NORTON OF LOUTH

Page 1, leave out lines 15 to 17 and insert—

“( ) Subsection (1) may only be repealed if—
(a) the Scottish Parliament has consented to the proposed
repeal; and
(b) a referendum has been held in Scotland on the proposed
repeal and a majority of those voting at the referendum
have consented to it.”

LORD CORMACK

Page 1, line 17, leave out from first “of” to end 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”

LORD FORSYTH OF DRUMLEAN

Page 1, line 17, leave out “Scotland” and insert “the United Kingdom”

LORD FORSYTH OF DRUMLEAN
LORD NORTON OF LOUTH

Page 1, line 17, at end insert—

“( ) Nothing in this section alters the sovereignty of the United
Kingdom Parliament.”

Clause 2

LORD FORSYTH OF DRUMLEAN
LORD NORTON OF LOUTH

Page 2, line 2, leave out “The Sewel Convention” and insert “Competence of the
Scottish Parliament”

LORD WALLACE OF TANKERNES
LORD STEPHEN

Page 2, line 3, after “Parliament)” insert “in subsection (7) at the beginning insert
“Except as provided for in subsection (8),””

LORD HOPE OF CRAIGHEAD
LORD NORTON OF LOUTH

Page 2, leave out lines 5 to 7 and insert—

“(8) But the Parliament of the United Kingdom may not pass Acts
applying to Scotland that make provision about a devolved matter
without the consent of the Scottish Parliament.”
Clause 2—continued

(9) A provision is about a devolved matter if the provision—
(a) applies to Scotland and does not relate to reserved matters,
(b) modifies the legislative competence of the Scottish Parliament, or
(c) modifies the functions of any member of the Scottish Government.

(10) In subsection (8), “Acts” includes any Act, whether a public general Act, a local and personal Act or a private Act.”

LORD LANG OF MONKTON

Page 2, line 5, after “Kingdom” insert “, whilst remaining the sovereign Parliament,”

LORD CORMACK
LORD WALLACE OF TANKERNESS
LORD STEPHEN
LORD McClUSKEY

Page 2, line 6, leave out “normally”

LORD WALLACE OF TANKERNESS
LORD STEPHEN
LORD MACKAY OF DRUMADOON

Page 2, line 6, after “legislate” insert “either—
(a) ”

Page 2, line 6, after “matters” insert “, or
(b) to alter the legislative competence of the Scottish Parliament or the executive competence of the Scottish Government,”

LORD FORSYTH OF DRUMLEAN

Page 2, line 6, leave out “without the consent of the Scottish Parliament”

LORD CORMACK

Page 2, line 7, at end insert “, save in times of war or national emergency”

LORD McClUSKEY

Page 2, line 7, at end insert “but the decision as to whether or not the circumstances are such as to allow the Parliament of the United Kingdom to legislate with regard to any devolved matter shall be a decision for that Parliament to take, and shall not be justiciable in any court of law.”
Clause 2—continued

LORD HOPE OF CRAIGHEAD
LORD NORTON OF LOUTH

Page 2, line 7, at end insert—

“(2) After section 28 of the Scotland Act 1998 insert—

“28A Duty to consult the Scottish Government on Bills applying to Scotland

(1) A Minister of the Crown must not introduce a Bill into the Parliament of the United Kingdom for an Act of that Parliament that would make provision applying to Scotland unless a Minister of the Crown has consulted the Scottish Ministers.

(2) Where the Bill is for an Act making provision that would require the consent of the Scottish Parliament by virtue of section 28(8), the requirement to consult under subsection (1) includes a requirement that a Minister of the Crown give the Scottish Ministers a copy of the provisions of the Bill that apply to Scotland no later than—

(a) 21 days before the proposed date of introduction, or

(b) such later date as the Scottish Ministers may agree.

(3) The requirement in subsection (2) does not apply if—

(a) the Scottish Ministers so agree, or

(b) there are exceptional circumstances justifying failure to comply with the requirement.

(4) In section 28(8), “Acts” includes any Act, whether a public general Act, a local and personal Act or a private Act.”"

After Clause 2

LORD FOULKES OF CUMNOCK
BARONESS SUTTIE

Insert the following new Clause—

“Scottish Senate

(1) There shall be a Scottish Senate which shall be the second chamber of the Scottish Parliament.

(2) The Scottish Senate shall consist of 46 members, to be elected using the Single Transferable Vote system in each region of Scotland, in elections to be held on the same day as the elections for the Scottish Parliament.

(3) Each electoral region shall return the following number of Members—

(a) Central Region: 5 members;

(b) Glasgow: 6 members;

(c) Highlands and Islands: 4 members;

(d) Lothian: 7 members;

(e) Mid Scotland & Fife: 5 members;

(f) North East Scotland: 7 members;

(g) South of Scotland: 6 members;
Amendment No.

(4) The Boundary Commission for Scotland must keep under review the regions and the number of Members to be returned for each region, and if appropriate make a report to the Secretary of State recommending changes.

(5) Any reports by the Boundary Commission for Scotland under subsection (4) are subject to the requirements, and to the provision for the implementation of recommendations by Order in Council, contained in Schedule 1 to the Scotland Act 1998.

(6) The proceedings of the Scottish Senate shall be regulated by Standing Orders agreed by the Senate.

(7) Standing Orders agreed by the Senate shall include provision for the Senate to—
   (a) undertake pre-legislative scrutiny of proposed Bills;
   (b) consider and propose amendments to legislation agreed by the Scottish Parliament for future consideration by the Scottish Parliament before it is submitted for Royal Assent;
   (c) debate and pass resolutions on devolved matters; and
   (d) establish committees with the power to call or require Scottish Ministers to give evidence on any devolved matter."

THE EARL OF DUNDEE

22★ Insert the following new Clause—

“Cooperation between the Scottish and United Kingdom institutions:

Cooperation between the Scottish and United Kingdom institutions: reporting

(1) Within a year of the passing of this Act, the Secretary of State must review the impact of the provisions in this Act on cooperation between the Scottish institutions and United Kingdom institutions and prepare a report.

(2) In the review under subsection (1), the Secretary of State must consult such persons as the Secretary of State considers appropriate, and must consider the impact of the provisions in this Act on—
   (a) the level of transparency and sharing of information between the United Kingdom institutions and the Scottish institutions;
   (b) the level of cooperation between the United Kingdom institutions and the Scottish institutions;
   (c) the sharing of examples of best practice between the United Kingdom institutions and the Scottish institutions; and
   (d) the appropriateness of devolution arrangements in Scotland.

(3) The Secretary of State must lay a copy of the report prepared under subsection (1) before Parliament.

(4) In this section, “Scottish institutions” means—
   (a) the Scottish Government,
   (b) the Scottish Parliament, and
   (c) Scottish authorities to which power is transferred under this Act.
(5) In this section “United Kingdom institutions” means—
   (a) the Parliament of the United Kingdom;
   (b) the Government of the United Kingdom; and
   (c) United Kingdom authorities from which power is transferred under this Act.”

Clause 3

LORD FORSYTH OF DRUMLEAN

23 Page 2, line 36, leave out from beginning to end of line 39 on page 3

Clause 4

LORD DUNLOP

24 Page 4, leave out lines 18 to 20

LORD FORSYTH OF DRUMLEAN

25 Page 5, line 9, leave out “the agreement of” and insert “having first consulted”

After Clause 5

LORD FORSYTH OF DRUMLEAN

26 Insert the following new Clause—

“Interval between elections

The Scottish Parliament may not make provision to extend the interval between ordinary general elections as specified in section 2 of the Scotland Act 1998 (ordinary general elections).”

Clause 7

LORD FORSYTH OF DRUMLEAN

Lord Forsyth of Drumlean gives notice of his intention to oppose the Question that Clause 7 stand part of the Bill.

Clause 8

LORD DUNLOP

27 Page 10, line 33, leave out “In paragraphs 3, 4, 7 to 10, 12 and 14”

LORD FORSYTH OF DRUMLEAN

Lord Forsyth of Drumlean gives notice of his intention to oppose the Question that Clause 8 stand part of the Bill.
After Clause 10

LORD FORSYTH OF DRUMLEAN

28 Insert the following new Clause—

“Provision under sections 3 to 10

The Scottish Parliament and the 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.”

Clause 11

LORD McCLUSKEY

29 Page 12, line 5, leave out from “heading” to end of line 6 and insert “, omit “before introduction”."

LORD HOPE OF CRAIGHEAD
LORD NORTON OF LOUTH

30 Page 12, line 9, leave out “decision whether to pass or reject it,” and insert “motion that the Bill be passed is debated,”

LORD WALLACE OF TANKERNESS
LORD STEPHEN
LORD McCLUSKEY
LORD MACKAY OF DRUMADOON

31 Page 12, line 19, at end insert—

“() the period between general elections specified in section 2(2),”

LORD McCLUSKEY
LORD MACKAY OF DRUMADOON

32 Page 12, line 20, at end insert—

“() the alteration of boundaries of constituencies, regions, or any equivalent electoral area,”

LORD HOPE OF CRAIGHEAD
LORD NORTON OF LOUTH

33 Page 12, line 22, after “area,” insert—

“() the period between general elections specified in section 2(2),

() the alteration of boundaries, regions or any equivalent electoral area,”
Amendment No. 34

Page 12, line 24, at end insert—

“( ) the term of a Parliament, except in respect of any Act of the Scottish Parliament passed before 31 March 2016.”

LORD HOPE OF CRAIGHEAD
LORD NORTON OF LOUTH

35

Page 12, line 29, after “unless” insert “it is passed without a division, or”

LORD FORSYTH OF DRUMLEAN

36

Page 12, line 29, leave out from “unless” to end of line 31 and insert “, having been approved at the final stage by the Scottish Parliament, it is then approved by a resolution of each House of the Parliament of the United Kingdom”

LORD HOPE OF CRAIGHEAD
LORD NORTON OF LOUTH

37

Page 13, line 17, at end insert—

“( ) He shall not make a reference by virtue of subsection (2)(a) if the Parliament resolves that it wishes to reconsider the Bill.

( ) He shall not make a reference by virtue of subsection (2)(b) if—
(a) the Bill was passed without a division, or
(b) the Bill was passed on a division, and the number of members voting in favour of it was at least two thirds of the total number of seats for members of the Parliament.”

38

Page 13, line 22, at end insert—

“(4) Subsection (5) applies where—
(a) a reference has been made in relation to a Bill under this section, and
(b) the reference has not been decided or otherwise disposed of.

(5) If the Parliament resolves that it wishes to reconsider the Bill—
(a) the Presiding Officer shall notify the Advocate General, the Lord Advocate and the Attorney General of that fact, and
(b) the person who made the reference shall request the withdrawal of the reference.”

39

Page 13, line 32, at end insert—

“( ) In subsection (4) after paragraph (a) insert—
“(ab) where section 32A(2)(b) applies—
(i) the Supreme Court decides that the Bill or any provision of the Bill relates to a protected subject matter, or
(ii) a reference has been made in relation to the Bill under section 32A and the Parliament subsequently resolves that it wishes to reconsider the Bill.”
Clause 11 — continued

Page 13, line 32, at end insert—
“( ) Standing Orders shall provide for an opportunity for the reconsideration of a Bill after its rejection if (and only if), where section 32A(2)(b) applies—
(a) the Supreme Court decides that the Bill or any provision of the Bill does not relate to a protected subject matter, or
(b) the Parliament resolves that it wishes to reconsider the matter.”

Clause 12

LORD HOPE OF CRAIGHEAD
LORD NORTON OF LOUTH

Page 14, line 6, at end insert—
“( ) In paragraph 1(2)(f) of Schedule 4 (protection of Scotland Act 1998 from modification), after “Human Rights Act 1998” insert “except the Convention rights set out in Schedule 1 to that Act”.

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.”

Clause 34

LORD McAVOY
LORD DAVIDSON OF GLEN CLOVA
LORD WALLACE OF TANKERNESS
LORD STEPHEN

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

LORD WALLACE OF TANKERNESS
LORD STEPHEN
LORD McClUSKEY
LORD MACKAY OF DRUMADOON

Page 33, line 18, leave out “may” and insert “must, following agreement with the Scottish Government,”
<table>
<thead>
<tr>
<th>Amendment No.</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>45</strong></td>
<td>Page 33, line 20, leave out from second “the” to (“the transferee”)” and insert “Scottish Crown Estate Commissioners”</td>
</tr>
<tr>
<td><strong>46</strong></td>
<td>Page 33, line 20, leave out “Ministers” and insert “Parliament”</td>
</tr>
</tbody>
</table>
| **47** | Page 33, line 21, at end insert—

> “(1A) The Secretary of State shall, by regulations made by statutory instrument, specify the powers and functions of the Scottish Crown Estate Commissioners.

> (1B) Regulations under subsection (1A) shall ensure that provision is made for the independence and neutrality of the Scottish Crown Estate Commissioners.

> (1C) A statutory instrument containing regulations under subsection (1A) may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.” |
| **48** | Page 33, line 27, at end insert—

> “(2A) The Treasury and Scottish Ministers must agree a scheme transferring to the control of each of Shetland Islands Council, Orkney Islands Council and Comhairle nan Eilean Siar (“the island authorities”) on the transfer date all the existing Scottish functions and rights of the Commissioners relating to those parts of the Scottish zone surrounding each of the island authorities.

> (2B) The exact extent of the parts of the Scottish zone to be transferred under subsection (2A) will be agreed by the Treasury and Scottish Ministers in consultation with the island authorities and in accordance with the principles contained within the United Nations Convention on the Law of the Sea articles 16, 74 and 84.” |
| **49** | Page 35, line 28, leave out “C” and insert “A” |
| **50** | Page 35, line 34, leave out “then, instead of the type C procedure,” |
| **51** | Page 35, line 34, leave out “I” and insert “A” |
Clause 35

LORD McAVOY
LORD DAVIDSON OF GLEN CLOVA

52 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).

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 149(3) of the Equality Act 2010 (public sector equality duty);

(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.”

After Clause 41

LORD McAVOY
LORD DAVIDSON OF GLEN CLOVA

53 Insert the following new Clause—

“Obstructive parking

(1) In Part 2 of Schedule 5 to the Scotland Act 1998, in section E1 (road transport), after “Exceptions”, insert—

“( ) The subject matter of sections 19 to 22 of the Road Traffic Act 1988 (stopping on verges, etc, or in dangerous positions, etc).
After Clause 41 — continued

(1) The subject matter of section 41(5) of the Road Traffic Act 1988 (regulation of construction, weight, equipment and use of vehicles) in so far as it relates to the making of regulations making it an offence to cause or permit a vehicle to stand on the road so as to cause any unnecessary obstruction of the road."

(2) After section 51 of the Road Traffic Offenders Act 1988 (fixed penalty offences), insert—

“51A Offences under the Road Traffic Act 1988

(1) Any offence in respect of a vehicle under regulations made by Scottish Ministers under section 41(5) of the Road Traffic Act 1988 (regulation of construction, weight, equipment and use of vehicles) is a fixed penalty offence for the purposes of this Part if it is specified as such in those regulations, but subject to subsection (2).

(2) An offence under an enactment so specified is not a fixed penalty offence for those purposes if it is committed by causing or permitting a vehicle to be used by another person in contravention of any provision made or restriction or prohibition imposed by or under any enactment.

(3) Before proposing a change in regulation of a subject matter falling under this section, Scottish Ministers shall—

(a) consult the Secretary of State, and

(b) publish and lay before the Scottish Parliament an assessment of the impact on road safety of any difference between the proposed change in Scotland and road traffic rules in other parts of the United Kingdom.”

Clause 43

LORD FORSYTH OF DRUMLEAN
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 WALLACE OF TANKERNESS
LORD STEPHEN
LORD MACKAY OF DRUMADOON

54 Page 51, line 36, leave out from “authorised” to “(or”

LORD McAVOY
LORD DAVIDSON OF GLEN CLOVA

55 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”
Amendment No.

56  Page 52, line 4, leave out from “authorised” to “, or” in line 5

LORD McAVOY
LORD DAVIDSON OF GLEN CLOVA

57  Page 52, line 7, at end insert—

“( ) In section 304 of that Act (authorised persons), after subsection (4)(c) insert—

“(ca) Licensing Standards Officers of Scottish local authorities, appointed under the terms of section 13 of the Licensing (Scotland) Act 2005 (licensing standards officers),”.”

LORD WALLACE OF TANKERNESS
LORD STEPHEN
LORD MACKAY OF DRUMADOON

58  Page 52, line 22, leave out subsection (6)

After Clause 50

LORD WALLACE OF TANKERNESS
LORD STEPHEN
LORD MACKAY OF DRUMADOON

59  Insert the following new Clause—

“Business associations

(1) Part 2 of Schedule 5 to the Scotland Act 1998 is amended as follows.

(2) In section C1 (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 new 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 state.””

60  Insert the following new Clause—

“Regulation of solicitors

(1) Part 2 of Schedule 5 to the Scotland Act 1998 is amended as follows.

(2) In section A3 (financial services) at end insert—

“The regulation of the advice services and activities provided by a Scottish solicitor within the meaning of section 325(2) of the Financial Services and Markets Act 2000 or by licensed providers under the Legal Services (Scotland) Act 2010.”
(3) In section B6 (Immigration and Nationality), at end insert—

“Exception
The regulation of immigration advice or immigration services by members of the Law Society of Scotland or by licensed providers under the Legal Services (Scotland) Act 2010.’’

(4) In section C2 (insolvency) at end insert—

“The regulation and advice, services and activities of an insolvency practitioner who is a Scottish solicitor within the meaning of Part 13 of the Insolvency Act 1986 (c. 45) or by licensed providers under the Legal Services (Scotland) Act 2010.’’”

61★ Insert the following new Clause—

“Estate agency

In section C7 (consumer protection) of Part 2 of Schedule 5 to the Scotland Act 1998 (reserved matters) omit—

“(e) the Estate Agents Act 1979,”.”

LORD MACKAY OF DRUMADOON

62★ Insert the following new Clause—

“Health and safety

In Part 2 of Schedule 5 to the Scotland Act 1998 (specific reservations) omit Section H2 (health and safety).”

Clause 54

LORD McAVOY
LORD DAVIDSON OF GLEN CLOVA

63 Page 53, line 38, after “operator” insert “or not for profit operator”

64 Page 54, line 1, leave out “does not” and insert “may”

Clause 58

LORD WALLACE OF TANKERNESS
LORD STEPHEN

65 Page 67, line 21, after “electricity” insert “or heat”

66 Page 67, line 22, after “electricity” insert “or heat”

LORD MACKAY OF DRUMADOON

67★ Page 67, line 23, after second “the” insert “Scottish Parliament and the”
Amendment No.

Clause 58—continued

LORD WALLACE OF TANKERNESS
LORD STEPHEN

68 Page 67, line 24, after “scheme” insert “or renewable heat incentive scheme”

LORD MACKAY OF DRUMADOON

69 Page 67, line 33, leave out lines 33 to 35

LORD WALLACE OF TANKERNESS
LORD STEPHEN

70 Page 67, line 35, at end insert “or renewable heat incentive scheme”

71 Page 67, line 36, after “scheme”” insert “or a “renewable heat incentive scheme”

72 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

73 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”.”

After Schedule 1

LORD McAVOY
LORD DAVIDSON OF GLEN CLOVA

74 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 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.

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 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."

After Clause 19

LORD McAVOY
LORD DAVIDSON OF GLEN CLOVA

75 Insert the following new Clause—

“Non-budget expenditure 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.”
Amendment No.

76 Insert the following new Clause—

"Fiscal framework: review"

(1) Any agreement between Her Majesty’s Government and the Scottish Ministers regarding a fiscal framework for operation of the tax powers and funding of the Scottish Parliament shall be reviewed not earlier than 4 years nor later than 5 years following the enactment of this Act.

(2) The review under subsection (1) shall be undertaken by a Commission consisting of an equal number of members from the Scottish Parliament and the Parliament of the United Kingdom, including members from the House of Commons and the House of Lords.

(3) The Commission shall publish a report, which may include recommendations, and shall submit copies of the report to both Houses of the Parliament of the United Kingdom and the Scottish Parliament.”

Clause 20

LORD McAVOY
LORD DAVIDSON OF GLEN CLOVA

77 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

78 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.

(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.
### Amendment No. 79

**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 29

**LORD McAVOY**

**LORD DAVIDSON OF GLEN CLOVA**

### Clause 69

**THE EARL OF KINNOULL**

**Page 75, line 17, leave out subsections (1) to (6) and insert—**

“(1) Sections 13 to 68 of this Act shall not come into force until such time as the relevant Secretary of State has laid before Parliament a statement to the effect that the Secretary of State is satisfied that the Scottish Government and any Scottish authorities to which power is devolved under this Act have the appropriate arrangements in place with which to exercise the relevant power devolved under this Act.

(1A) Each section or subsection to which subsection (1) applies may be the subject of a statement under subsection (1), which once laid before Parliament would cause that section or subsection to come into force.

(1B) The provisions in subsections (3) to (7) are subject to the provision in subsection (1).

(2) Sections 1, 69 and 70 shall come into force on the day on which this Act is passed.”

**Page 75, line 20, at end insert—**

“( ) Section 34 shall not come into force until such time as the Secretary of State has laid a report before Parliament which sets out which persons will initially be nominated by Scottish Ministers under subsection 90B(1) in Part 5 of the Scotland Act 1998 as Scottish Crown Estate Commissioners, what arrangements will be put in place to facilitate the transfer of functions to such persons and what arrangements the Scottish Ministers have made for the further devolution of the management of Crown Estate assets.”

**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.”
Amendment
No.

83★

Page 75, line 38, at end insert—

“( ) Any section or subsection of this Act which grants a power to Scottish Ministers or to other authorities in Scotland is repealed at the end of the period of three years beginning on the day on which this Act is passed if the power granted under that section or subsection has not yet been exercised.”
MARSHALLED
LIST OF AMENDMENTS
TO BE MOVED
IN COMMITTEE

4th December 2015