Scotland Bill

AMENDMENTS
TO BE MOVED
IN COMMITTEE

[Supplementary to the Second Marshalled List]

Clause 68

LORD WALLACE OF TANKERNESS
LORD STEPHEN

Page 74, line 31, leave out paragraph (c)
Page 75, line 11, leave out paragraphs (c) and (d)

After Clause 68

LORD McCLUSKEY

Insert the following new Clause—

“The Scottish Fiscal Commission

(1) The Scottish Parliament shall have an express power to expand the independent scrutiny of Scotland’s public finances in recognition of the additional variability and uncertainty that the devolution of further tax and spending powers will introduce into the budgeting process in Scotland.

(2) The power created by subsection (1) may be exercised by the creation by the Scottish Parliament of a Scottish Fiscal Commission that is both independent of the Scottish Executive, and clearly seen to be independent of that Executive.

(3) The Scottish Fiscal Commission shall, as far as is possible, be modelled on the Office for Budget Responsibility.

(4) The duties and responsibilities of the Scottish Fiscal Commission shall, as far as is possible, be the same for Scotland as those of the Office for Budget Responsibility are for the United Kingdom.
After Clause 68—continued

(5) If any person elected as a member of the Scottish Parliament challenges the independence of any person nominated to be a member of the Scottish Fiscal Commission, the Lord President of the Court of Session shall determine whether that person is independent; and shall do so on the basis of written submissions made to him by any person or body invited by the Lord President to make representations to him on the matter; and the ruling of the Lord President on the matter shall be final and not reviewable.

(6) If the Lord President rules that a person nominated to be a member of the Scottish Fiscal Commission is not independent, that person shall not be appointed to be a member of the Commission.

(7) In this section “independence” means independence from the Scottish Government and from any political party with representation in the United Kingdom Parliament or the Scottish Parliament.”

Clause 69

LORD McCLUSKEY

Page 75, line 27, at end insert “, or after the Scottish Fiscal Commission has been created under (the scottish fiscal commission), whichever is the later date.”
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17th February 2016