



ENTERPRISE AND CULTURE COMMITTEE

19th Meeting, 2004 (Session 2)

Tuesday, 22nd June 2004

The Committee will meet at 2 pm in Committee Room 4, Committee Chambers, George IV Bridge, Edinburgh.

- 1. Item in Private:** The Committee will consider whether to take item 3 in private.
- 2. Subordinate Legislation:** the Committee will consider the following negative instruments –
 - the Education (Student Loans) Amendment (Scotland) Regulations 2004 (SSI/2004/256);
 - the Individual Learning Account (Scotland) Amendment Regulations 2004 (SSI 2004/270);
 - the Education Maintenance Allowances (Scotland) Regulations 2004 (SSI 2004/273);
 - the Glasgow Metropolitan College (Establishment) Order 2004 (SSI 2004/274).
- 3. Area Tourist Board Review:** the Committee will consider the outcome of its scrutiny of the Area Tourist Board Review.
- 4. Renewable Energy Inquiry (in private):** the Committee will consider a draft report on its inquiry into renewable energy.

Simon Watkins
Clerk to the Committee
Room 2.7, Committee Chambers
Ext. 0131 348 5207

The following meeting papers are enclosed:

Agenda Item 2

the Education Maintenance Allowances (Scotland) Regulations 2004 (SSI 2004/273) and associated papers [EC/S2/04/19/1](#)

Agenda Item 3

SSIs and associated papers [EC/S2/04/19/2](#)

Agenda Item 4

Outcome of Scrutiny of Area Tourist Board Review (PRIVATE PAPER) [EC/S2/04/19/3](#)

Agenda Item 5

Draft Renewable Energy Report (PRIVATE PAPER) [EC/S2/04/19/4](#)

Enterprise and Culture Committee

Meeting 22 June 2004

Consideration of Motion to Annul

Introduction

On 10 June the Executive laid the Education Maintenance Allowances (Scotland) Regulations 2004 (SSI 2004/273) before the Parliament. It is a negative instrument which is due to come into force on 2 July and which will only cease to be law if a motion to annul is agreed by both the Committee and the Parliament. The instrument is attached at Annex A.

The Subordinate Legislation Committee raised a question with the Scottish Executive on paragraph 6 of Schedule 1 of the Education Maintenance Allowances (Scotland) Regulations 2004, (SSI 2004/273). This paragraph refers to Scottish Ministers determining whether a person is recognised as a refugee, and the Subordinate Legislation Committee queried whether that decision would not remain with Ministers of the Crown. The Subordinate Legislation Committee is due to consider the Executive's response at its meeting on the morning of 15 June. The Committee will receive an oral report from the Convener, who is a member of the Subordinate Legislation Committee, at the meeting.

Consideration of Motion to Annul

Prior to the formal consideration of the motion to annul there will be a short question and answer session with the Minister.

Murdo Fraser MSP has lodged the following motion:

S2M-1490 – That the Enterprise and Culture Committee recommends that nothing further be done under the Education Maintenance Allowances (Scotland) Regulations 2004 (SSI 2004/273).

Under Standing Orders, the member of the Scottish Executive or junior Minister in charge of the instrument is entitled to attend the Committee and participate in the proceedings for the purpose of debating the motion. The Minister may not however vote. Rule 10.4.2 states that the debate on the motion cannot last more than 90 minutes.

At the close of the debate, if the motion has not been withdrawn, members will be invited to vote upon it. The convener may vote, as other members, and in the event of a tie must use their casting vote (Standing Orders Rule 11.8.4 b).

Simon Watkins
Clerk

Enterprise and Culture Committee

Meeting 20 April 2004

Subordinate Legislation

Introduction

The following instrument was laid before Parliament on 2 June 2004 and is attached at Annex A:

the Education (Student Loans) Amendment (Scotland) Regulations 2004, (SSI 2004/256)

The following instrument was laid before Parliament on 8 June 2004 and is attached at Annex A:

the Individual Learning Account (Scotland) Amendment Regulations 2004, (SSI 2004/270)

The following instrument was laid before Parliament on 10 June 2004 and is attached at Annex A:

the Glasgow Metropolitan College (Establishment) Order 2004, (SSI 2004/274)

Purpose of instruments

the Education (Student Loans) Amendment (Scotland) Regulations 2004, (SSI 2004/256)

These regulations increase the maximum amounts that may be lent to students in relation to an academic year, in line with inflation. They amend the Education (Student Loans) Regulations 1998, which govern mortgage-style loans for students.

the Individual Learning Account (Scotland) Amendment Regulations 2004, (SSI 2004/270)

These regulations amend the Individual Learning Account (Scotland) Regulations 2004 which specify arrangements which qualify under section 2 of the Education and Training (Scotland) Act 2000. The changes enable EU citizens who are not working in the UK to qualify for Individual Learning Accounts, and reflect the correct definition and nomenclature of the qualifying benefit for pensioners.

the Glasgow Metropolitan College (Establishment) Order 2004, (SSI 2004/274)

This Order creates a new college and board of management, to be called the Glasgow Metropolitan College. This is as a result of the merger of the Glasgow College of Building and Printing, and the Glasgow College of Food Technology. The

Executive Note states, inter alia, that ‘the creation of the new college is intended to benefit students by enhancing the student experience through curricular synergies and a more coherent and integrated range of courses.’ The two merged colleges will be closed by means of a further Order when all transitional issues have been completed.

Subordinate Legislation Committee report

The Subordinate Legislation Committee had no points to make on the Education (Student Loans) Amendment (Scotland) Regulations 2004, (SSI 2004/256), the Individual Learning Account (Scotland) Amendment Regulations 2004, (SSI 2004/270) or on the Glasgow Metropolitan College (Establishment) Order 2004, (SSI 2004/274).

Recommendation

The Committee is invited to consider any issues that it wishes to raise in reporting to the Parliament on these instruments.

Simon Watkins
Clerk