The Committee will meet at 2 pm in Committee Room 5.

1. **Declaration of Interests:** Alex Neil MSP.

2. **Choice of Convener:** the Committee will choose a new Convener.

3. **Subordinate Legislation:** the Committee will consider the following negative instruments—

   - the Education Maintenance Allowances (Scotland) Amendment Regulations 2004, (SSI/2004/301);

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

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The following meeting papers are enclosed:

**Agenda Item 3**

SSI Cover paper including: EC/S2/04/20/1

The Education Maintenance Allowances (Scotland) Amendment Regulations 2004, (SSI/2004/301) – **Hard copy only**

The Sports Grounds and Sporting Events (Designation) (Scotland) Amendment Order 2004, (SSI/2004/356) – **Hard copy only**
Introduction

The following instrument was laid before Parliament on 24th June 2004 and is attached at Annex A:

the Education Maintenance Amendment (Scotland) Regulations 2004, (SSI 2004/301)

The following instrument was laid before Parliament on 27th August 2004 and is attached at Annex A:

the Sports Grounds and Sporting Events (Designation) (Scotland) Amendment Order 2004, (SSI 2004/356)

Purpose of instruments

the Education Maintenance Amendment (Scotland) Regulations 2004, (SSI 2004/301)

These regulations correct a technical defect in paragraph 6(a) (i) of Schedule 1 to the Education Maintenance Allowance (Scotland) Regulations 2004 ("the principal regulations"), which refers to the Scottish Ministers instead of the Secretary of State for the Home Department. The principal regulations were considered by the Enterprise and Culture Committee on 22nd June last. The Committee agreed not to make any recommendation to the Parliament on the principal regulations.

The Education Maintenance Amendment (Scotland) Regulations 2004 is a negative instrument which is subject to annulment by way of a resolution of the Parliament. It should have been laid before the Parliament not less than 21 days before the regulations were due to come into force. These regulations have not followed this requirement. A letter from the Department of Enterprise, Transport and Lifelong Learning giving an explanation for this (as required by the Scotland Act 1998) is attached to the regulations.

the Sports Grounds and Sporting Events (Designation) (Scotland) Amendment Order 2004, (SSI 2004/356)

Heart of Midlothian Football Club recently announced it will play its home UEFA cup matches at Murrayfield Stadium. The first home match of the UEFA cup is scheduled for 16 September 2004. Currently Murrayfield is designated under the Criminal Law (Consolidation) (Scotland) Act 1995 only in respect of international rugby union matches. This Order extends the designation of Murrayfield to include association football matches and comes into force on
15 September to ensure the necessary alcohol controls are in place prior to the first UEFA home match.

This Order is a negative instrument which is subject to annulment by way of a resolution of the Parliament. It should have been laid before the Parliament not less than 21 days before the regulations were due to come into force. This Order does not follow this requirement and a letter from the Department of Enterprise, Transport and Lifelong Learning giving an explanation (as required by the Scotland Act 1998) is attached to the regulations.

Subordinate Legislation Committee report

The Subordinate Legislation Committee considered the Education Maintenance Amendment (Scotland) Regulations 2004, (SSI 2004/301) at its meeting on 29th June and the Sports Grounds and Sporting Events (Designation) (Scotland) Amendment Order 2004, (SSI 2004/356) at its meeting on 14th September. The Subordinate Legislation had no recommendations to make to the Parliament on either of these regulations.

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
15 September 2004