FINANCE COMMITTEE

AGENDA

31st Meeting, 2006 (Session 2)

Tuesday 5 December 2006

The Committee will meet at 10.00 am in Committee Room 1 to consider the following agenda items:

1. **Decision on taking business in private:** The Committee will decide whether to consider item 3 in private.

2. **Statistics and Registration Services Bill (UK Parliament legislation):** The Committee will consider its approach to a potential legislative consent memorandum.

3. **Work Programme:** The Committee will consider its work programme.

4. **Budget Process 2007-08 (in private):** The Committee will consider its draft report on Stage 2 of the Budget Process 2007-08.

Susan Duffy
Clerk to the Committee
Room T3.60
Extn 85215
The papers for this meeting are:

**Agenda Item 2**

Paper from the Clerk

**Agenda Item 3**

PRIVATE PAPER

**Agenda Item 4**

PRIVATE PAPER
Finance Committee

31st Meeting 2006 – Tuesday 5 December 2006

Legislative Consent Memorandum

Introduction

1. The purpose of this agenda item is to alert the Committee to the possibility of a legislative consent motion, the memorandum for which is likely to be referred to the Committee for consideration. This paper outlines the likely timetable for the Committee’s consideration of the memorandum and suggests what form such consideration could take.

2. This issue has been raised with the Committee in advance of the formal lodging of the legislative consent memorandum to enable the Committee to agree an approach as early as possible. This will provide the maximum period of time for the Committee to consider the contents of the memorandum in-between the lodging of the memorandum and the consideration of the motion by the Parliament as a whole.

Background

3. A letter from the Minister for Parliamentary Business to the Presiding Officer, dated 15 November 2006, outlines a number of pieces of UK legislation which will require legislative consent motions for which the Scottish Executive intends to seek Parliament’s agreement.

4. As members will be aware these motions are lodged on the basis of the agreement with the UK Parliament known as the Sewel Convention. Legislative consent motions seek the agreement of the Scottish Parliament for the UK Parliament to consider certain provisions in a bill which will legislate in devolved areas. To inform the Parliament’s consideration of any such motion a lead committee is designated to consider and report on the legislative consent memorandum for any such motion.

Statistics and Registration Services Bill

5. One of the motions detailed in the Minister’s letter is for the Statistics and Registration Services Bill. The Bill is intended to reinforce the independence, integrity and quality of statistics produced in government through the creation of an independent Statistics Board. It is intended that the Board would be established as a non-ministerial department and appointments made through open competition. Given the subject matter of the Bill it is likely that the Finance Committee will

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1 [http://www.scottish.parliament.uk/business/legConMem/pdf/06-1128ForthcomingUKBillsSubjectToLCMs.pdf](http://www.scottish.parliament.uk/business/legConMem/pdf/06-1128ForthcomingUKBillsSubjectToLCMs.pdf)
be designated as lead committee for consideration of the legislative consent memorandum for this motion.

6. Until the legislative consent memorandum is lodged, the exact nature and extent of the provisions which relate to devolved matters within the Bill will not be known.

**Timetable**

*Date of lodging*

7. It is likely that the memorandum will be lodged in advance of the Committee meeting on 5 December. Clerks will circulate copies of the memorandum to members as soon as it is formally lodged. If the lodging is delayed for any reason then this agenda item will be deferred to the Committee’s next meeting.

8. Assuming the legislative consent memorandum is lodged next week it is likely that the motion will need to be agreed by the Scottish Parliament as a whole in early February. In order to allow the Committee’s findings on the memorandum to be given due consideration, rules relating to the consideration of the motion dictate that the motion cannot be taken in the Chamber until the 5th sitting day after publication of the Committee’s report. Should the motion need to be considered in the Chamber on Wednesday 7th or Thursday 8th February, the Committee’s report would need to be published by Thursday 1st or Friday 2nd February. As the Committee has indicated its intention to meet fortnightly in the New Year, and the difficulties with obtaining a committee room in the week beginning Monday 29 January, the two meetings available for the considerations of the draft report would be 16 and 23 January.

**Oral evidence**

9. On that basis, any oral evidence the Committee wishes to take would need to take place in advance of the Christmas and New Year recess to allow time for the *Official Report* of the evidence to be taken into account in the drafting of the report. The Committee has one further meeting timetabled in advance of the recess on Tuesday 12 December where the Committee intends to take evidence from the Deputy Minister for Finance and Public Service Reform on the relocation of public sector jobs. As the Deputy Minister has agreed to attend this meeting, it is proposed that the Committee also take evidence from the Deputy Minister on the LCM on 12 December.

**Written evidence**

10. Taking evidence on 12 December would allow the Executive the opportunity to provide any supplementary written information requested by the Committee to inform consideration of its draft report, and for the Committee to consider written submissions from any affected organisations from whom members may wish to invite evidence.
Recommendation

11. The Committee is invited to agree its approach to the consideration of the legislative consent memorandum in principle, on the basis of the likely timescales outlined above.

Roz Wheeler
Senior Assistant Clerk
Finance Committee