The Committee will meet at 2.00 pm in the Committee Room 4.

1. **Subordinate Legislation:** The Committee will consider the following negative instrument—

   Act of Sederunt (Fees of Sheriff Officers) 2003 (SSI 2003/538).

2. **Vulnerable Witnesses (Scotland) Bill:** The Committee will consider the Bill at Stage 2 (Day 1).

Gillian Baxendine / Lynn Tullis
Clerks to the Committee
Tel 0131 348 5054
The following papers are enclosed for this meeting:

**Item 1 – Subordinate Legislation**

Note by the Clerk (SSI 538 attached) J2/S2/03/16/1

**Item 2 - Vulnerable Witnesses (Scotland) Bill**

Members are reminded to bring with them copies of the Bill and Accompanying Documents, available from Document Supply Centre or at the following website: [http://www.scottish.parliament.uk/bills/index.htm#5](http://www.scottish.parliament.uk/bills/index.htm#5), together with any papers from the Stage 1 process that are considered relevant (such as the Committee’s Stage 1 Report). Copies of the Marshalled List will be available from Document Supply on Monday morning and will also be available at the meeting on Tuesday. A list of groupings will be available at the beginning of the meeting and be circulated directly to members on Monday.

**Forthcoming Meetings:**

Tuesday 9 December - Justice 2 Committee meeting (afternoon)
Tuesday 16 December - Justice 2 Committee meeting (afternoon)
Tuesday 6 January – Justice 2 Committee meeting (all day)
JUSTICE 2 COMMITTEE

16th Meeting 2003 (Session 2)

Tuesday 2 December 2003

Act of Sederunt (Fees of Sheriff Officers) 2003 (SSI 2002/538)

Note by the Clerk

The Instrument

This Act of Sederunt increases the fees payable to sheriff officers by 3.2% with effect from 1 January 2004.

Acts of Sederunt are not Scottish Executive instruments. They are made by the Lord President of the Court of Session who is independent of the Executive. The majority of Acts of Sederunt relate to procedure in the courts and are neither laid before the Scottish Parliament nor subject to any parliamentary procedure. It is generally the fiscal element of these instruments which leads Parliament to consider them under the negative resolution procedure.

Procedure

The Justice 2 Committee has been designated lead Committee and is required to report to Parliament by 15 December 2003.

The Subordinate Legislation Committee considered this instrument on 11 November and had no comment to make. The instrument was laid on 11 November and comes into force on 1 January 2004.

Under Rule 10.4, the instrument is subject to negative resolution procedure - which means that the Order remains in force unless the Parliament passes a resolution, not later than 40 days after the instrument is laid, calling for its annulment. Any MSP may lodge a motion seeking to annul such an instrument and, if such a motion is lodged, there must be a debate on the instrument at a meeting of the Committee.

20 November 2003

Clerk to the Committee