



# The Scottish Parliament Pàrlamaid na h-Alba

## MINUTES OF PROCEEDINGS

Parliamentary Year 1, No. 15, Session 5

Meeting of the Parliament

Tuesday 28 June 2016

Note: (DT) signifies a decision taken at Decision Time.

The meeting opened at 2.00 pm.

**1. Time for Reflection:** The Reverend Giles Dove MA, MPhil, BD, FRSA, FSA Scot, Chaplain and Head of Divinity & Religious Studies, Glenalmond College, Perth, led Time for Reflection.

**2. Business Motion:** Joe FitzPatrick, on behalf of the Parliamentary Bureau, moved S5M-00624—That the Parliament agrees to the following revision to the programme of business—

(a) Tuesday 28 June 2016—

delete

2:00 pm Time for Reflection

*followed by* Parliamentary Bureau Motions

*followed by* First Minister Statement: EU Referendum

*followed by* Scottish Government Debate: BBC Charter Developments

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

5:00 pm Decision Time

*followed by* Members' Business

and insert

2:00 pm Time for Reflection

*followed by* Parliamentary Bureau Motions

*followed by* First Minister Statement: Implications of the EU Referendum for Scotland  
*followed by* Scottish Government Debate: Implications of the EU Referendum for Scotland  
*followed by* Ministerial Statement: A Delivery Plan for Excellence and Equity in Education  
*followed by* Business Motions  
*followed by* Parliamentary Bureau Motions  
5:30 pm Decision Time  
*followed by* Members' Business

(b) Wednesday 29 June 2016—

delete

*followed by* Ministerial Statement: A Delivery Plan for Excellence and Equity in Education

The motion was agreed to.

**3. First Minister Statement:** The First Minister (Nicola Sturgeon) made a statement on the Implications of the EU Referendum for Scotland.

**4. Implications of the EU Referendum for Scotland:** The Cabinet Secretary for Culture, Tourism and External Affairs (Fiona Hyslop) moved S5M-0601— That the Parliament welcomes the overwhelming vote of the people of Scotland to remain in the European Union; affirms to citizens of other EU countries living here that they remain welcome and that their contribution is valued; mandates the Scottish Government to have discussions with the UK Government, other devolved administrations, the EU institutions and member states to explore options for protecting Scotland's relationship with the EU, Scotland's place in the single market and the social, employment and economic benefits that come from that, and instructs the Scottish Government to report back regularly to parliamentarians, to the European and External Relations Committee and the Parliament on the progress of those discussions and to seek Parliament's approval of the outcome of that process.

Ruth Davidson moved amendment S5M-00601.1 to motion S5M-00601—

Leave out from "welcomes" to end and insert—

"acknowledges that the majority of people in Scotland voted for the UK to remain in the EU; recognises the result of the referendum both in Scotland and across the rest of the UK; affirms to citizens of other EU countries living here that they remain welcome and that their contribution is valued; mandates the Scottish Government to have discussions with the UK Government and other devolved administrations in the UK to explore options for protecting and maximising Scotland's trade with the EU and securing access to the single market; instructs the Scottish Government to report back regularly to parliamentarians, to the European and External Relations Committee and the Parliament on the progress of those discussions and to seek the Parliament's approval of the outcome of that process; acknowledges that the result of the Scottish independence referendum must be respected and the 1.6 million votes cast in the EU referendum in favour of remain do not overturn the two million votes in support of Scotland remaining part of the UK less than two years ago and do not in themselves demonstrate demand for a second independence

vote, and believes that the challenges of leaving the EU are not addressed by leaving the UK, Scotland's own union of nations, biggest market and closest friends."

After debate, the amendment was disagreed to ((DT) by division: For 34, Against 68, Abstentions 21).

The motion was then agreed to ((DT) by division: For 92, Against 0, Abstentions 31).

**5. Ministerial Statement:** The Deputy First Minister and Cabinet Secretary for Education and Skills (John Swinney) made a statement and answered questions on A Delivery Plan for Excellence and Equity in Education.

**6. Substitution on Committees:** Joe FitzPatrick, on behalf of the Parliamentary Bureau, moved S5M-00585—That the Parliament agrees the following nominated committee substitutes, as permitted under Rule 6.3A—

### **Scottish Conservative and Unionist Party**

Delegated Powers and Law Reform: Annie Wells

Economy, Jobs and Fair Work: Brian Whittle

Education and Skills: Miles Briggs

Environment, Climate Change and Land Reform: Peter Chapman

Equal Opportunities: Maurice Golden

European and External Relations: Margaret Mitchell

Finance: Oliver Mundell

Health and Sport: Alison Harris

Justice: Donald Cameron

Local Government and Communities: Douglas Ross

Public Audit: Liz Smith

Public Petitions: Edward Mountain

Rural Economy and Connectivity: Alexander Burnett

Social Security: Dean Lockhart

Standards, Procedures and Public Appointments: Ross Thomson

## **Scottish Labour Party**

Delegated Powers and Law Reform: Monica Lennon

Economy, Jobs and Fair Work: Mark Griffin

Education and Skills: Iain Gray

Environment, Climate Change and Land Reform: Colin Smyth

Equal Opportunities: Jenny Marra

European and External Relations: Daniel Johnson

Finance: Kezia Dugdale

Health and Sport: Anas Sarwar

Justice: Claire Baker

Local Government and Communities: Pauline McNeill

Public Audit: James Kelly

Public Petitions: Mary Fee

Rural Economy and Connectivity: Neil Bibby

Social Security: Richard Leonard

Standards, Procedures and Public Appointments: David Stewart

The motion was agreed to (DT).

**7. Decision Time:** The Parliament took decisions on items 4 and 6 as noted above.

**8. Scottish Team at Euro 2016:** The Parliament debated S5M-00362 in the name of Douglas Ross—That the Parliament congratulates the Scottish referees who have been selected by UEFA as one of the 18 teams of match officials at the Euro 2016 finals in France; notes that the team will be led by the referee, William Collum, who will be assisted by Damien MacGraith, who is from the Republic of Ireland, and fellow Scottish officials, Frankie Connor, Bobby Madden and John Beaton; considers this to be a huge honour for all of the officials and follows a successful season, which started with the team taking charge of the UEFA Super Cup final between Barcelona and Sevilla; believes that the appointment of William and his team will be a boost to Scottish refereeing as it demonstrates to current and potential match officials the fantastic opportunities that are available in the Highlands and Islands and across the country through involvement at the highest level of football, and wishes William, Damien, Frankie, Bobby and John all the best for a successful tournament.

The meeting closed at 6.03 pm.

**P E Grice**  
Clerk of the Parliament  
28 June 2016

**Appendix**  
**(Note: this Appendix does not form part of the Minutes)**

**Negative instruments**

The following instrument was laid before the Parliament on 17 May 2016 and is subject to the negative procedure—

Common Agricultural Policy (Direct Payments etc.) (Scotland) Amendment (No. 2) Regulations 2016 (SSI 2016/178)  
laid under paragraph 2(2) of Schedule 2 to the European Communities Act 1972

The following instruments were laid before the Parliament on 26 May 2016 and are subject to the negative procedure—

Sexual Offences Act 2003 (Prescribed Police Stations) (Scotland) Amendment Regulations 2016 (SSI 2016/187)  
laid under section 138(3) of the Sexual Offences Act 2003

Air Weapons Licensing (Scotland) Regulations 2016 (SSI 2016/188)  
laid under section 85(4) of the Air Weapons and Licensing (Scotland) Act 2015

The following instruments were laid before the Parliament on 3 June 2016 and are subject to the negative procedure—

Foods for Specific Groups (Scotland) Regulations 2016 (SSI 2016/190)  
laid under section 48(3) of the Food Safety Act 1990

Food Information (Scotland) Amendment Regulations 2016 (SSI 2016/191)  
laid under section 48(3) of the Food Safety Act 1990

The following instrument was laid before the Parliament on 9 June 2016 and is subject to the negative procedure—

National Health Service (Free Prescriptions and Charges for Drugs and Appliances) (Scotland) Amendment Regulations 2016 (SSI 2016/195)  
laid under section 105 of the National Health Service (Scotland) Act 1978

**Laid only instruments**

The following instrument was laid before the Parliament on 8 June 2016 and is not subject to any parliamentary procedure—

Land Reform (Scotland) Act 2016 (Commencement No. 1 and Transitional Provision) Regulations 2016 (SSI 2016/193 (C.16))  
laid under section 30(2) of the Interpretation and Legislative Reform (Scotland) Act 2010

The following instruments were laid before the Parliament on 9 June 2016 and are not subject to any parliamentary procedure—

Education (Scotland) Act 2016 (Commencement No. 1) Regulations 2016 (SSI 2016/192 (C.15))

laid under section 30(2) of the Interpretation and Legislative Reform (Scotland) Act 2010

Act of Sederunt (Sheriff Appeal Court Rules 2015 and Sheriff Court Rules Amendment) (Miscellaneous) 2016 (SSI 2016/194)

laid under section 30(2) of the Interpretation and Legislative Reform (Scotland) Act 2010

The following instrument was laid before the Parliament on 10 June 2016 and is not subject to any parliamentary procedure—

Inquiries into Fatal Accidents and Sudden Deaths etc. (Scotland) Act 2016 (Commencement No. 1 and Transitional Provision) Regulations 2016 (SSI 2016/196 (C.17))

laid under section 30(2) of the Interpretation and Legislative Reform (Scotland) Act 2010

The following instruments were laid before the Parliament on 13 June 2016 and are not subject to any parliamentary procedure—

Criminal Justice (Scotland) Act 2016 (Commencement No. 2) Order 2016 (SSI 2016/199 (C.18))

laid under section 30(2) of the Interpretation and Legislative Reform (Scotland) Act 2010

Act of Sederunt (Simple Procedure) 2016 (SSI 2016/200)

laid under section 30(2) of the Interpretation and Legislative Reform (Scotland) Act 2010

The following instrument was laid before the Parliament on 17 June 2016 and is not subject to any parliamentary procedure—

Act of Adjournal (Criminal Procedure Rules 1996 Amendment) (No. 3) (Instruction of Representation in the High Court) 2016 (SSI 2016/201)

laid under section 30(2) of the Interpretation and Legislative Reform (Scotland) Act 2010

## **Legislative Consent Memorandums**

The following memorandums were lodged on 23 June 2016—

Fiona Hyslop, Cabinet Secretary for Culture, Tourism and External Affairs: Legislative Consent Memorandum Cultural Property (Armed Conflicts) Bill (UK Parliament legislation) LCM-S5-1

Michael Matheson, Cabinet Secretary for Justice: Legislative Consent Memorandum Investigatory Powers Bill (UK Parliament legislation) LCM-S5-2, and

Michael Matheson, Cabinet Secretary for Justice: Legislative Consent Memorandum Policing and Crime Bill (UK Parliament legislation) LCM-S5-3.

### **Other Documents**

The following document was laid before the Parliament on the 16 June 2016 and is not subject to any parliamentary procedure—

#### **Scottish Civil Justice Council Annual Report 2015/16 (SCJC/2016/01)**

laid under section 5(4) of the Scottish Civil Justice Council and Criminal Legal Assistance Act 2013

The following document was laid before the Parliament on the 21 June 2016 and is not subject to any parliamentary procedure—

#### **Scottish Water Annual Report and Accounts 2015/16 (SG/2016/97)**

laid under section 57(8) of the Water Industry (Scotland) Act 2002 and section 22(5) of the Public Finance and Accountability (Scotland) Act 2000

The following document was laid before the Parliament on the 22 June 2016 and is not subject to any parliamentary procedure—

#### **Scottish Public Services Ombudsman: Compendium of Case Reports for June 2016 (SPSO/2016/05)**

laid under sections 15(1) and 15(1A) of the Scottish Public Services Ombudsman Act 2002

The following document was laid before the Parliament on the 24 June 2016 and is not subject to any parliamentary procedure—

#### **Judicial Appointments Board for Scotland Annual Report 2015-2016 (SG/2016/71)**

laid under section 18 of the Judiciary and Courts (Scotland) Act 2008

The following document was laid before the Parliament on the 27 June 2016 and is not subject to any parliamentary procedure—

#### **Her Majesty's Inspector of Constabulary in Scotland (HMICS) (HMICS/2016/03)**

laid under section 79(3) of the Police and Fire Reform (Scotland) Act 2012.

The following document was laid before the Parliament on the 28 June 2016 and is not subject to any parliamentary procedure—

#### **General Pharmaceutical Council Annual Report: Annual fitness to practise report and annual accounts 2015/16 (SG/2016/104)**

laid under paragraphs 7 and 8 of Schedule 1 to the Pharmacy Order 2010.



## **Committee Reports**

The following report was published on 28 June 2016—

**Delegated Powers and Law Reform Committee, 2<sup>nd</sup> Report 2016 (Session 5):  
Subordinate Legislation (SP Paper 3)**

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