



The Scottish Parliament
Pàrlamaid na h-Alba

BUSINESS BULLETIN No. 80/2015

Thursday 14 May 2015

ANNOUNCEMENT

Chamber Desk Arrangements - Spring Holidays

Members may wish to note that the Chamber Desk will be closed on Friday 22 May 2015 and Monday 25 May 2015. Arrangements for lodging of First Minister's Questions, Topical Questions, motions and amendments for debate and the random draw for General and Portfolio Questions are set out below.

The deadline for submitting First Minister's Questions for Thursday 28 May is 9.30 am on Tuesday 26 May.

The deadline for submitting Topical Questions for Tuesday 26 May is 9.30 am on Tuesday 26 May.

Motions for debate on Tuesday 26 May should be lodged with the Chamber Desk by no later than 4.30 pm on Wednesday 20 May; amendments to these motions should be lodged by 4.30 pm on Thursday 21 May.

Motions for debate on Wednesday 27 May should be lodged with the Chamber Desk by no later than 4.30 pm on Thursday 21 May; amendments to these motions should be lodged by 4.30 pm on Tuesday 26 May.

Members are advised that the deadline for submitting names for Portfolio Questions on 3 June 2015 and General Questions on 4 June 2015 is 4.30 pm on Thursday 21 May. Members who are selected will be advised by email on that day.

Summary of Today's Business

Meetings of Committees

9.00 am	European and External Relations Committee	the Robert Burns Room (CR1)
10.30 am	Devolution (Further Powers) Committee	the Mary Fairfax Somerville Room (CR2)

Meeting of the Parliament

11.40 am	Parliamentary Bureau Motions
11.40 am	General Questions
12.00 pm	First Minister's Questions
followed by	Members' Business – S4M-13064 Jean Urquhart: Media, Society and Democracy
2.30 pm	Parliamentary Bureau Motions
followed by	Scottish Government Debate: Circular Economy (Waste Management)
followed by	Business Motions
followed by	Parliamentary Bureau Motions
5.00 pm	Decision Time

For full details of today's business, see Section A. For full details of the future business, see sections B and C.

Contents

The sections which appear in today's Business Bulletin are in **bold**

Section A:	<u>Today's Business</u> <ul style="list-style-type: none">- Meetings of Committees- Meeting of the Parliament
Section B:	<u>Future Meetings of the Parliament</u>
Section C:	<u>Future Meetings of Committees</u>
Section D:	<u>Oral Questions</u> <ul style="list-style-type: none">- Questions selected for First Minister's Question Time- Questions selected for response by Ministers and junior Scottish Ministers at Question Time
Section E:	<u>Written Questions</u> – new questions for written answer
Section F:	<u>Motions and Amendments</u>
Section G:	<u>Bills</u> <ul style="list-style-type: none">- New Bills introduced- New amendments to Bills- Members' Bills proposals
Section H:	<u>New Documents</u> – new documents laid before the Parliament and committee reports published
Section I:	<u>Petitions</u> – new public petitions
Section J:	<u>Progress of Legislation</u> – progress of Bills and subordinate legislation
Section K:	<u>Corrections to the Official Report</u>



The Scottish Parliament
Pàrlamaid na h-Alba

Business Bulletin: Thursday 14 May 2015

Section A – Today's Business

Meetings of Committees

All meetings take place in the Scottish Parliament, unless otherwise specified. Contact details for Committee Clerks are provided at the end of the Bulletin.

European and External Relations Committee 8th Meeting, 2015

The Committee will meet at 9.00 am in the Robert Burns Room (CR1)

1. **Scottish Government International Framework:** The Committee will take evidence from—
Fiona Hyslop, Cabinet Secretary for Culture, Europe and External Affairs, Colin Imrie, Deputy Director, Head of European Relations, and Ian Donaldson, Deputy Director, International Division, Scottish Government.
2. **Connecting Scotland:** The Committee will take evidence from—
Elaine Ballantyne, Head of External Relations and Investor Support, Economic Development, the City of Edinburgh Council;
Anil Gupta, Chief Officer - Communities, Convention of Scottish Local Authorities (COSLA);
Malcolm Leitch, European Officer, West of Scotland European Forum (WOSEF);
Joanne Scobie, EU Officer Policy and Partnerships, East of Scotland European Consortium (ESEC);
Gillian Walsh, International Officer, Glasgow City Council.
3. **Annual report:** The Committee will consider a draft annual report for the parliamentary year from 11 May 2014 to 10 May 2015.
4. **Brussels Bulletin:** The Committee will consider the latest issue of the Brussels Bulletin.

Devolution (Further Powers) Committee 14th Meeting, 2015

The Committee will meet at 10.30 am in the Mary Fairfax Somerville Room (CR2)

1. **Scottish Elections (Reduction of Voting Age) Bill (in private):** The Committee will consider a draft Stage 1 report.

Meeting of the Parliament

11.40 am Parliamentary Bureau Motions

11.40 am General Questions

1. Margaret McDougall: To ask the Scottish Government what progress it is making in setting up the public consultation on fracking. (S4O-04324)

2. Roderick Campbell: To ask the Scottish Government whether it will provide an update on its position on the recommendations of the Smith Commission. (S4O-04325)

3. Kenneth Gibson: To ask the Scottish Government when the next meeting of the Joint Exchequer Committee will take place and what will be discussed. (S4O-04326)

4. Mike MacKenzie: To ask the Scottish Government what assistance it is providing to increase affordable housing in rural and remote areas. (S4O-04327)

5. Sarah Boyack: To ask the Scottish Government what action it is taking to support community policing in Edinburgh. (S4O-04328)

6. Patricia Ferguson: [Not Lodged]

7. Neil Bibby: To ask the Scottish Government when it last met NHS Greater Glasgow and Clyde and what issues were discussed. (S4O-04330)

8. Cara Hilton: [Not Lodged]

9. Paul Martin: To ask the Scottish Government what steps it is taking to ensure that communities are protected from dangerous dogs. (S4O-04332)

10. James Kelly: To ask the Scottish Government when it last met officials from NHS Lanarkshire. (S4O-04333)

12.00 pm First Minister's Questions

1. Kezia Dugdale: To ask the First Minister what engagements she has planned for the rest of the day. (S4F-02786)

2. Ruth Davidson: To ask the First Minister when she will next meet the Secretary of State for Scotland. (S4F-02785)

3. Patrick Harvie: To ask the First Minister whether the Scottish Government has made an assessment of the likely impact on Scotland of a £12 billion reduction in the UK welfare system. (S4F-02793)

4. Clare Adamson: To ask the First Minister how Scotland compares with EU member states on LGBTI equality. (S4F-02794)

5. Michael McMahon: To ask the First Minister whether the Scottish Government considers that there is a need to protect private tenants from unfair rent rises. (S4F-02792)

6. Liz Smith: To ask the First Minister what the Scottish Government's response is to the concerns raised by the charity, Clan Childlaw, regarding the data-sharing aspect of the named person legislation. (S4F-02788)

followed by Members' Business

Debate on the subject of—

S4M-13064 Jean Urquhart: Media, Society and Democracy—

That the Parliament believes that there is widespread debate in Scotland about the relationship between the media, political power and democracy; believes that critical and well-supported journalism is essential to a thriving democracy; believes that many Scots have lost trust in a range of media institutions; notes the development of new methods of delivering news and commentary through the internet and social media; notes the importance of local media and press in areas such as the Highlands and Islands, which rely on the many and diverse local news services available, and welcomes the continuing public debate on how media can be held to account by citizens and civil society and how to sustain and develop diverse media outlets that contribute to generating positive engagement with politics, the Parliament and the important issues facing society.

2.30 pm Parliamentary Bureau Motions

followed by Scottish Government Debate: Circular Economy (Waste Management)

S4M-13134 Richard Lochhead: Circular Economy (Waste Management)—

That the Parliament notes the potential opportunities for Scotland of moving toward a more circular economy, in which products and materials are kept in high-value use for as long as possible; recognises that realising the substantial economic and environmental benefits means rethinking the way in which products and services are designed and procured; welcomes the progress made in establishing Resource Efficient Scotland, the Scottish Materials Brokerage Service and the Scottish Institute of Remanufacture, building on the Scottish Government's Safeguarding Scotland's Resources strategy, and believes that Scotland should continue to show leadership in this important area while proposals for EU-wide action emerge later this year.

The Presiding Officer has selected the following amendments

S4M-13134.2 Claudia Beamish: Circular Economy (Waste Management)—As an amendment to motion S4M-13134 in the name of Richard Lochhead (Circular Economy (Waste Management)), after “procured” insert “; recognises the necessity of developing new and transferable skills with Skills Development Scotland and industry and educational partners; recognises concerns about the pressures experienced by those working in waste management services, as Scotland implements its waste strategy, leading to the circular economy, evidenced in Unison Scotland’s survey, *Dumped on: Working in Scotland’s waste management services*; further acknowledges the funding pressures experienced by local authorities in meeting recycling targets and developing new models; also recognises the role of the third sector in developing the circular economy”.

S4M-13134.1 Jamie McGrigor: Circular Economy (Waste Management)—As an amendment to motion S4M-13134 in the name of Richard Lochhead (Circular Economy (Waste Management)), after “strategy” insert “; urges the Scottish Government to work with Scottish businesses and their representative organisations to ensure that unnecessary regulations and bureaucracy are avoided”.

<i>followed by</i>	Business Motions
<i>followed by</i>	Parliamentary Bureau Motions
5.00 pm	Decision Time



The Scottish Parliament
Pàrlamaid na h-Alba

Business Bulletin: Thursday 14 May 2015
Section B – Future Meetings of the Parliament
Business Programme agreed by the Parliament on
13 May 2015

Tuesday 19 May 2015

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Topical Questions (if selected)

followed by Scottish Government Debate: Allied Health Professionals,
Enabling Active and Independent Living

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business – S4M-12302: Kevin Stewart: World Whisky
Day 2015 (for text of motion see [Section F](#) of the Business
Bulletin for Monday 16 February 2015)

Wednesday 20 May 2015

2.00 pm Parliamentary Bureau Motions

followed by Portfolio Question Time
Social Justice, Communities and Pensioners' Rights
Fair Work, Skills and Training (for text of questions see [Section
D](#))

followed by Scottish Labour Party Business

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business – S4M-12348 Paul Martin: Protecting Rent-tied Pub Tenants in Scotland (*for text of motion see [Section F](#) of the Business Bulletin for Friday 20 February 2015*)

Thursday 21 May 2015

11.40 am Parliamentary Bureau Motions

11.40 am General Questions (*for text of questions see [Section D](#)*)

12.00 pm First Minister's Questions

followed by Members' Business – S4M-12535 Clare Adamson: Scottish Fire Sprinkler Coordination Group (*for text of motion see [Section F](#) of the Thursday 5 March 2015*)

2.30 pm Parliamentary Bureau Motions

followed by Devolution (Further Powers) Committee Debate: New Powers for Scotland: An Interim Report on the Smith Commission and the UK Government's Proposals

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

Tuesday 26 May 2015

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Topical Questions (if selected)

followed by Scottish Government Business

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Wednesday 27 May 2015

2.00 pm Parliamentary Bureau Motions

followed by Portfolio Question Time
Finance, Constitution and Economy

followed by Scottish Government Business

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Thursday 28 May 2015

11.40 am Parliamentary Bureau Motions

11.40 am General Questions

12.00 pm First Minister's Questions

followed by Members' Business

2.30 pm Parliamentary Bureau Motions

followed by Scottish Government Business

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time



The Scottish Parliament
Pàrlamaid na h-Alba

Business Bulletin: Thursday 14 May 2015

Section D – Oral Questions

Portfolio Questions selected for answer on 20 May 2015

Social Justice, Communities and Pensioners' Rights

- 1. Bob Doris:** To ask the Scottish Government what representations it will make to the UK Government to oppose the reported additional £12 billion in benefit reductions. (S4O-04334)
- 2. Sarah Boyack:** To ask the Scottish Government what discussions it has had with the City of Edinburgh Council regarding its proposed local development plan. (S4O-04335)
- 3. Nigel Don:** To ask the Scottish Government what the impact will be on young people in Scotland of the UK Government's proposal to end housing benefit for people under 21. (S4O-04336)
- 4. Christian Allard:** [Not Lodged]
- 5. Jackson Carlaw:** To ask the Scottish Government what plans it has to devolve powers to local communities. (S4O-04338)
- 6. Malcolm Chisholm:** To ask the Scottish Government what representations it has made to the UK Government concerning the Human Rights Act. (S4O-04339)
- 7. Jackie Baillie:** To ask the Scottish Government what assessment it has made of the impact on disabled people in Scotland of the Department for Work and Pensions' proposal to cap the Access to Work scheme. (S4O-04340)
- 8. Mary Fee:** To ask the Scottish Government what action it is taking to reduce child poverty in West Scotland. (S4O-04341)
- 9. Clare Adamson:** To ask the Scottish Government what impact a further £12 billion reduction in social security spending across the UK will have on poverty in Scotland. (S4O-04342)
- 10. Colin Beattie:** To ask the Scottish Government whether it will provide an update on the work of the Commission on Local Tax Reform. (S4O-04343)

Fair Work, Skills and Training

- 1. Cameron Buchanan:** To ask the Scottish Government what plans it has to increase the number of apprenticeships in woodwork. (S4O-04344)
- 2. Alex Fergusson:** To ask the Scottish Government what steps it is taking to address skills shortages in key industries of economic growth. (S4O-04345)
- 3. Claire Baker:** To ask the Scottish Government what measures it is taking under the Fair Work, Skills and Training portfolio to support the Fife economy. (S4O-04346)
- 4. Iain Gray:** To ask the Scottish Government what support it will provide for East Lothian Council to increase employment opportunities for young people. (S4O-04347)
- 5. Graeme Dey:** To ask the Scottish Government what its position is on the Department for Work and Pensions report, *Equality analysis for the future of Access to Work*. (S4O-04348)
- 6. Jayne Baxter:** To ask the Scottish Government what action it is taking to identify the skills that will be needed by the future workforce. (S4O-04349)
- 7. Roderick Campbell:** To ask the Scottish Government how it can assist former members of the armed services in training for a new career. (S4O-04350)
- 8. Neil Bibby:** To ask the Scottish Government what action it is taking to meet skills needs in West Scotland. (S4O-04351)
- 9. Jim Eadie:** To ask the Scottish Government how many young people have completed a modern apprenticeship since the scheme was introduced. (S4O-04352)
- 10. Rob Gibson:** To ask the Scottish Government how it is encouraging more women to take up engineering roles in the renewable energy sector. (S4O-04353)

General Questions selected for answer on 21 May 2015

- 1. Adam Ingram:** To ask the Scottish Government what progress has been made with the restoration of abandoned opencast coal sites in East Ayrshire. (S4O-04354)
- 2. Colin Keir:** To ask the Scottish Government what assessment has been made of the recent safety checks on the Forth Road Bridge. (S4O-04355)
- 3. Richard Lyle:** To ask the Scottish Government what steps it is taking to increase the number of doctors in training for general practice. (S4O-04356)
- 4. Annabel Goldie:** To ask the Scottish Government whether it considers that the alcohol licensing regime for public houses and clubs is operating satisfactorily. (S4O-04357)

5. George Adam: To ask the Scottish Government whether all 16 and 17-year-olds will be eligible to vote at the 2016 Scottish Parliament election. (S4O-04358)

6. John Lamont: To ask the Scottish Government how many single application forms for rural payments and services have been fully processed under the new information technology system. (S4O-04359)

7. James Kelly: To ask the Scottish Government what action it is taking to support college students. (S4O-04360)

8. Kenneth Gibson: To ask the Scottish Government what the current status is of the proposed Dalry bypass. (S4O-04361)

9. Neil Findlay: To ask the Scottish Government what its position is on the statement by ScotNursing that it can only fill 40% of vacancies when it could previously fill 90%. (S4O-04362)

10. Gavin Brown: To ask the Scottish Government whether it will provide an update on the Scottish business development bank. (S4O-04363)



The Scottish Parliament
Pàrlamaid na h-Alba

Business Bulletin: Thursday 14 May 2015

Section E – Written questions lodged on 13 May 2015

Questions marked with a triangle (Δ) are initiated by the Scottish Government in order to facilitate the provision of information to the Parliament.

Questions in which a member has indicated a declarable interest are marked with an "R".

S4W-25514 Jackson Carlaw: To ask the Scottish Government how it develops its priorities to improve lives for people living with neurological conditions.

S4W-25515 Jackson Carlaw: To ask the Scottish Government how it works with voluntary sector organisations that support people living with neurological conditions.

S4W-25516 Jim Hume: To ask the Scottish Government when it will publish the follow-up report to *National Mental Health Services Assessment, Towards implementation of the Mental Health (Care and Treatment) (Scotland) Act 2003 Final Report* (the Sandra Grant Report) and, in light of Commitment 1 in *Mental Health Strategy for Scotland 2012-2015*, which said that "The Scottish Government will commission a 10 year on follow up to the Sandra Grant Report to review the state of mental health services in Scotland in 2013. The review report will be published in 2014", for what reason this has not been published.

S4W-25517 Liam McArthur: To ask the Scottish Government how many students have trained as educational psychologists in each of the last three years.

S4W-25518 Liam McArthur: To ask the Scottish Government what assessment the National Scottish Steering Group for Educational Psychologists has made of (a) the suitability of the funding support available for students and (b) current and future staffing levels in the sector.

S4W-25519 Cara Hilton: To ask the Scottish Government for what reason it has not been able to provide substantive answers to questions S4W-24696, S4W-24697, S4W-24698 and S4W-24699 regarding its position on underground coal gasification, which received holding answers on 13 March and 29 April 2015, and when it expects to provide substantive answers.

S4W-25524 Tavish Scott: To ask the Scottish Government what action it is taking to ensure that the harmonisation of pay and conditions for Police Scotland staff from across the former police forces is completed without delay.

S4W-25525 Tavish Scott: To ask the Scottish Government when the harmonisation of pay and conditions for Police Scotland staff from across the former police forces will be completed.

S4W-25526 Tavish Scott: To ask the Scottish Government what representations it has received regarding the timescale for the harmonisation of pay and conditions for Police Scotland staff from across the former police forces.

S4W-25527 Tavish Scott: To ask the Scottish Government whether employees of the former police forces being paid less for the same work than new staff taken on by Police Scotland while working in the same place is consistent with its policy for public service employment.

S4W-25528 Tavish Scott: To ask the Scottish Government what assessment has been made of the annual cost of the outcome of the harmonisation of pay and conditions for Police Scotland staff from across the former police forces.

S4W-25529 Jim Hume: To ask the Scottish Government how many nursing shifts have been unfilled in each month since May 2011, broken down by NHS board.

S4W-25530 Jim Hume: To ask the Scottish Government how many people are enrolled in (a) applied psychology for children and young people and (b) child psychotherapy courses, broken down by educational provider, and how many clinical trainees for child and adolescent mental health services there are.

S4W-25531 Nanette Milne: To ask the Scottish Government, in light of the recommendation by the Expert Working Group on Sexual and Reproductive Health and Community Pharmacy in August 2014, what its position is on including ulipristal acetate on the national patient group direction for emergency hormonal contraception.

S4W-25532 Liz Smith: To ask the Scottish Government how many cases of school vandalism have been reported to the police in each year since 1999.

S4W-25533 Liz Smith: To ask the Scottish Government what the cost of repairs arising from school vandalism has been in each year since 1999.

S4W-25534 Liz Smith: To ask the Scottish Government what discussions it is having with local authorities to take forward flood defence projects.

S4W-25535 Liz Smith: To ask the Scottish Government what plans it has to improve road safety on the A92.

S4W-25536 Liz Smith: To ask the Scottish Government what support it is providing to help town centre regeneration in (a) Perthshire and (b) Kinross-shire.



The Scottish Parliament
Pàrlamaid na h-Alba

Business Bulletin: Thursday 14 May 2015

Section F – Motions and Amendments

Motions and amendments are normally printed the day after they are lodged. If an amendment is lodged to a motion then the original motion will appear alongside the amendment, along with any support lodged that day, in this section.

Each Monday, this section also contains all motions and amendments lodged the previous week that are still live and any motions and amendments that have been lodged for debate in the coming week. A motion or amendment is live if it has not been debated, withdrawn or otherwise deleted from the list.

Where a motion or amendment has been withdrawn, it is indicated in this section the day after it has been withdrawn. Support for motions and amendments received after they are lodged is shown at the end of this section the day after such support is received.

Motions and amendments can be published with various symbols:

- Asterisks before the motion or amendment number indicate a motion or amendment published for the first time;
- Asterisks also identify alterations to the text of a motion or amendment made since it was first published;
- A hash symbol identifies motions eligible for debate at Members' Business;
- A diamond symbol identifies motions lodged for Members' Business that have not yet attracted the required cross-party support;
- An "R", identifies motions or amendments in which the Member who lodged it has a registrable interest.

The Parliamentary Bureau periodically deletes motions or amendments not scheduled for debate and which are over six weeks old.

A search facility is also available on the Scottish Parliament web site at <http://www.scottish.parliament.uk/parliamentarybusiness/28877.aspx>.

Any questions in relation to this section should be directed to the Chamber Desk, for which contact details are provided at the end of the Bulletin.

New and altered motions and amendments

***S4M-13148 Kevin Stewart: Congratulations to Befriend a Child**—That the Parliament congratulates Befriend a Child on 40 years of "turning frowns upside down" by helping Aberdeen's most vulnerable and disadvantaged children; recognises what it considers the dedication of the charity's staff and the invaluable work of the many volunteers who give their time to improve the lives of children by fundraising and befriending; understands that befrienders can introduce the children to new activities and interests that might not otherwise be available to them and that experience shows that children can gain confidence and self-esteem by enjoying a trusting relationship with a caring adult; wishes Befriend a Child and all of its staff and volunteers all the best for the future, and hopes that their celebration event at the Carmelite Hotel on 15 May 2015 is a roaring success.

***S4M-13147 David Stewart: Ross-shire Teen to Represent Scotland in Czech Republic**—That the Parliament congratulates 17-year-old Gregor Russell from Rosemarkie on the Black Isle in Ross-shire on being selected to represent Scotland at the Super Ball Football Freestyle World Championships in Liberec in summer 2015; understands that Gregor played for Ross County FC between the ages of 12 and 15, developing both his football and freestyle skills; notes that his skills have been showcased at the Belladrum Tartan Heart Festival, and he has performed busking shows in city centres across Scotland, including Inverness, Aberdeen and Glasgow, to display his skills to the public; understands that, having gained a place at the competition, he will face stiff competition from competitors from across Europe and the rest of the world, and notes that last year's winner was from Brazil.

Supported by: Jamie McGrigor*, Neil Findlay*, Mary Scanlon*, Margaret McCulloch*, Jackie Baillie*, Anne McTaggart*

***S4M-13146 John Swinney: Scottish Elections (Reduction of Voting Age) Bill: Financial Resolution**—That the Parliament, for the purposes of any Act of the Scottish Parliament resulting from the Scottish Elections (Reduction of Voting Age) Bill, agrees to any expenditure of a kind referred to in Rule 9.12.3(b) of the Parliament's Standing Orders arising in consequence of the Act.

***S4M-13145 Christina McKelvie: Memorandum of Understanding**—That the Parliament welcomes the memorandum of understanding that has been agreed between the Scottish Government and the STUC; understands that this reflects their shared priorities, including concern about the impact of continuous austerity and the reported additional £12 billion in cuts to social security spending; further understands that the memorandum calls for the UK Government to agree to the full devolution of powers over the minimum wage, trade union and employment law, health and safety and equalities and for further devolution of social security powers; believes that the First Minister has said that she is committed to creating a wealthier and more equal society and that a fairer deal for Scotland is needed, and hopes that the UK Government will take the memorandum of understanding into account.

Supported by: Chic Brodie*, John Mason*, Christine Grahame*, Stuart McMillan*, Mike MacKenzie*, Rob Gibson*, Kevin Stewart*, Christian Allard*, Joan McAlpine*, Adam Ingram*

***S4M-13144 Christina McKelvie: Refugee Festival Scotland**—That the Parliament congratulates the Scottish Refugee Council on organising the Refugee Festival Scotland, which is scheduled to take place from 3 June 2015; notes the recently launched campaign to promote the three-week festival, which aims to celebrate a diverse Scotland and to highlight how much refugees bring to Scottish society by enriching the culture and building bonds with communities; sends its best wishes to the Scottish Refugee Council, and hopes that the festival will be a success.

Supported by: Anne McTaggart*, John Mason*, Mike MacKenzie*, Rob Gibson*, Christian Allard*, Neil Findlay*, Hanzala Malik*, Joan McAlpine*, Adam Ingram*, John Wilson*, Jackie Baillie*, David Torrance*

***S4M-13143 Sarah Boyack: Hutchison Vale's New Defibrillator**—That the Parliament congratulates the members of Hutchison Vale Community Sports Club on the forthcoming arrival of a defibrillator for the club, which will be presented at a ceremony on 14 May 2015; understands that the members have been supporting the Shockingly Easy campaign, which is organised by the *Edinburgh Evening News* and aims to ensure that defibrillators are installed at every sports club in the Lothians; notes that the campaign was set up in memory of 13-year-old Jamie Skinner who died in December 2013 following a suspected heart attack while playing football for Tynecastle FC; understands that, every week in the UK, 12 apparently fit and healthy people under 35 lose their lives due to undiagnosed cardiac conditions; believes that the early use of a defibrillator can significantly increase the chances of survival after a heart attack; notes the recent publication of the Scottish Government's *Out-of-Hospital Cardiac Arrest: A Strategy for Scotland*, and calls on it to ensure that the aims identified in the strategy are fully implemented.

Supported by: Anne McTaggart*, Mike MacKenzie*, Jackie Baillie*, Lewis Macdonald*, David Stewart*

***S4M-13142 Christian Allard: 2015 Scottish Education Awards**—That the Parliament congratulates the finalists for the 2015 Scottish Education Awards to be held on 10 June 2015; understands that the awards are available to all publicly funded schools in Scotland and recognise innovation in education including awards for Education Supporter of the Year, Teacher of the Year and Headteacher of the Year; commends this opportunity to showcase nursery, primary, secondary and special education that Scotland can be proud of, and recognises the dedication and commitment of teaching staff and education supporters and the substantial positive effect that these efforts have on individuals, communities and future generations.

Supported by: Gordon MacDonald*

***S4M-13141 Bob Doris: Annie Fae Maryhill**—That the Parliament congratulates North United Communities (NUC) on its production of *Annie* on 9 May 2015 at Maryhill Hub in Wyndford; recognises what it considers the enthusiastic and confident performances from the young cast as well as other club members who assisted with, among other activities, writing the script, set design and costume; acknowledges the ongoing use of drama and performance by NUC when working with young people across various communities in north Glasgow, including

Wyndford, Cadder, Summerston, Ruchill and Milton, and looks forward to future productions by even more budding performers from NUC.

Supported by: Christian Allard*, Stuart McMillan*, Adam Ingram*, Jackie Baillie*, Mike MacKenzie*, Rob Gibson*, David Torrance*, Joan McAlpine*, Anne McTaggart*

***S4M-13140 Clare Adamson: New Rugby Academy at Broadwood Stadium—**That the Parliament welcomes the decision by Scottish Rugby to locate the second BT Sport Scottish Rugby Academy at Broadwood Stadium in Cumbernauld; notes that the new facility, which will house the Glasgow and the West Academy, is being developed in partnership with NL Leisure and will include state-of-the-art fitness and medical equipment; highlights that the development is part of Scottish Rugby's major policy initiative to develop a regional academy system that provides the best possible support to players, both male and female, who have been identified as having genuine potential for the future, and believes that Broadwood Stadium will provide the necessary professional and high performance facility to help support and grow the game across the region. **R**

Supported by: Jackie Baillie*, Nigel Don*, Rob Gibson*, David Torrance*, Richard Lyle*, Hanzala Malik*, Kevin Stewart*, John Wilson*, Mike MacKenzie*, Adam Ingram*

***S4M-13138 Kevin Stewart: Thanks to the Wood Foundation—**That the Parliament expresses its thanks to the Wood Foundation on making up to £10 million available to NHS Grampian to construct a multi-storey car park at the Foresterhill Health Campus; considers this to be fantastic news for the north east of Scotland and for everyone who uses Aberdeen Royal Infirmary and the other medical facilities based at the campus; understands that this charitable gift is one of the largest ever made to the NHS in Scotland, and believes that it is an example of philanthropy at its very best.

Supported by: Kenneth Gibson*, Christian Allard*, Adam Ingram*, Nigel Don*, Anne McTaggart*, Mike MacKenzie*, David Torrance*, Joan McAlpine*, Stuart McMillan*

***S4M-13137 Rob Gibson: 15th Anniversary of the Environmental Research Institute in Thurso—**That the Parliament celebrates the 15th year of the Environmental Research Institute (ERI) in Thurso; understands that the institute has gone from strength to strength and its reputation of excellence and dynamism is firmly established on a global scale for work that includes carbon sequestration in peatlands, fish migration patterns and the effects of turbulent currents on wave and tidal power machines; praises the work done by all associated at the ERI but especially that of its director, Professor Stuart Gibb, who, it considers, works tirelessly to promote the ERI and under whose stewardship it has become a home of true excellence and a jewel in the crown of the University of the Highlands and Islands; wishes all those involved all the best in the future, and looks forward to the continued strength of the ERI as a world-class place of learning and research on the north coast of Scotland.

Supported by: Mike MacKenzie*, Adam Ingram*, Graeme Dey*, David Torrance*, Richard Lyle*, Kevin Stewart*

***S4M-13136 Kevin Stewart: Congratulations to Ferryhill Primary School and Police Scotland**—That the Parliament congratulates Police Scotland in Aberdeen on holding an Operation Whitebeam exercise with pupils from Ferryhill Primary School, targeting speeding motorists in the Bon Accord Street area of the city; believes that this operation, which was headed up by PC Kyle McGivern, was of great value in getting pupils involved and in exposing drivers to the dangers of them speeding near schools; hopes that this exercise can be replicated in other areas of the city and beyond, and wishes Police Scotland in Aberdeen all the best with the continuation of the successful Operation Whitebeam.

Supported by: Rob Gibson*, David Torrance*, Richard Lyle*, Mike MacKenzie*, Adam Ingram*

***S4M-13135 Jim Eadie: Scotland Rated Best Country in Europe on LGBTI Legal Equality**—That the Parliament welcomes the publication of ILGA-Europe’s annual review of lesbian, gay, bisexual, transgender and intersex (LGBTI) equality and human rights legislation across Europe; celebrates the fact that in this year’s review Scotland has been rated as the best country in Europe on LGBTI legal equality, meeting 92% of the 48 criteria; believes that this is a welcome recognition of the huge and historic progress that Scotland has made on LGBTI equality in recent years, from the decriminalisation of homosexuality in 1980 to the first same-sex marriages at the end of 2014; recognises that legal equality is only part of the solution to the prejudice, discrimination and disadvantage that LGBTI people face, and considers that Scotland needs further progress to ensure full legal equality for LGBTI people by improving gender recognition laws and protecting the rights of transgender and intersex people.

Supported by: Kenny MacAskill*, Claire Baker*, Mark McDonald*, Cara Hilton*, Hugh Henry*, Patricia Ferguson*, James Dornan*, Christian Allard*, Jim Hume*, John Pentland*, Joan McAlpine*, Mark Griffin*, Linda Fabiani*, David Torrance*, Nigel Don*, Richard Lyle*, Jackie Baillie*, Kevin Stewart*, Adam Ingram*, Jean Urquhart*, Richard Simpson*, Michael Russell*, Margaret McCulloch*, Rob Gibson*, Neil Findlay*, Patrick Harvie*

S4M-13134 Richard Lochhead: Circular Economy (Waste Management)—That the Parliament notes the potential opportunities for Scotland of moving toward a more circular economy, in which products and materials are kept in high-value use for as long as possible; recognises that realising the substantial economic and environmental benefits means rethinking the way in which products and services are designed and procured; welcomes the progress made in establishing Resource Efficient Scotland, the Scottish Materials Brokerage Service and the Scottish Institute of Remanufacture, building on the Scottish Government’s Safeguarding Scotland’s Resources strategy, and believes that Scotland should continue to show leadership in this important area while proposals for EU-wide action emerge later this year.

Supported by: Aileen McLeod

***S4M-13134.2 Claudia Beamish: Circular Economy (Waste Management)**—As an amendment to motion S4M-13134 in the name of Richard Lochhead (Circular Economy (Waste Management)), after “procured” insert “; recognises the necessity

of developing new and transferable skills with Skills Development Scotland and industry and educational partners; recognises concerns about the pressures experienced by those working in waste management services, as Scotland implements its waste strategy, leading to the circular economy, evidenced in Unison Scotland's survey, *Dumped on: Working in Scotland's waste management services*; further acknowledges the funding pressures experienced by local authorities in meeting recycling targets and developing new models; also recognises the role of the third sector in developing the circular economy".

Supported by: Sarah Boyack*

***S4M-13134.1 Jamie McGrigor: Circular Economy (Waste Management)**—As an amendment to motion S4M-13134 in the name of Richard Lochhead (Circular Economy (Waste Management)), after "strategy" insert "; urges the Scottish Government to work with Scottish businesses and their representative organisations to ensure that unnecessary regulations and bureaucracy are avoided".

Motions and amendments which have attracted additional support

S4M-13133 North Glasgow Football Development Group's 10th Anniversary (lodged on 12 May 2015) David Torrance*, Nigel Don*, Stuart McMillan*, Kevin Stewart*, Adam Ingram*, Anne McTaggart*, Mike MacKenzie*, Richard Lyle*, Rob Gibson*

S4M-13132 Scottish Scaffolding Apprentice of the Year (lodged on 12 May 2015) Nigel Don*, Jamie McGrigor*, Jackie Baillie*, Mary Scanlon*, Anne McTaggart*, Margaret McCulloch*, Richard Lyle*, Neil Findlay*

S4M-13131 North Butcher Picks up Rural Award (lodged on 12 May 2015) Jamie McGrigor*, Jackie Baillie*, David Stewart*, Margaret McCulloch*

S4M-13128 Congratulations to Flora Glekin (lodged on 12 May 2015) Claire Baker*, Roderick Campbell*, Ken Macintosh*, Jamie McGrigor*, Jackie Baillie*, David Stewart*, Richard Lyle*, Hugh Henry*

S4M-13126 Glasgow's Status as a Cultural Capital Confirmed by Landmark Research (lodged on 12 May 2015) Claire Baker*, Jackie Baillie*, David Stewart*

S4M-13125 Circus Wild Animal Ban (lodged on 12 May 2015) Nigel Don*, Adam Ingram*, Dennis Robertson*, Christine Grahame*

S4M-13124 Glasgow's First Darkness into Light 5k Walk (lodged on 12 May 2015) Jackie Baillie*, Adam Ingram*

S4M-13123 New Campaign, Is it Coeliac Disease? (lodged on 12 May 2015) John Mason*, Jackson Carlaw*, Richard Simpson*, Stuart McMillan*, Margaret McCulloch*, Jamie McGrigor*, Jackie Baillie*, Margaret Mitchell*, Murdo Fraser*,

John Wilson*, Mary Scanlon*, Anne McTaggart*, Cameron Buchanan*, John Lamont*, Jim Hume*, Alex Fergusson*, Liz Smith*

S4M-13121 Equality Network's Scottish LGBT Sports Charter (lodged on 12 May 2015) Nigel Don*

S4M-13120 Orkney Library and Archive Named UK Library of the Year (lodged on 12 May 2015) Roderick Campbell*, Nigel Don*, Jean Urquhart*

S4M-13116 North East Firefighters Return from Nepal (lodged on 12 May 2015) Claire Baker*, Nigel Don*, David Stewart*, Jean Urquhart*, Richard Simpson*

S4M-13115 Community Life at Asda Blantyre (lodged on 12 May 2015) Roderick Campbell*, David Stewart*

S4M-13114 Touched by Community Support (lodged on 12 May 2015) Nigel Don*, David Stewart*

S4M-13113 East Kilbride Heroes, Nae Pasaran (lodged on 12 May 2015) Nigel Don*, Jean Urquhart*

S4M-13111 Open University Continuing Success (lodged on 11 May 2015) Hugh Henry*

S4M-13110 Through Our Eyes (lodged on 11 May 2015) Nigel Don*, Jackie Baillie*, Adam Ingram*, Nanette Milne*, Hugh Henry*

S4M-13077 Supporting See Me in Work (lodged on 01 May 2015) Alison McInnes*

S4M-13064 Media, Society and Democracy (lodged on 01 May 2015) Kevin Stewart*

S4M-13063 Sex Workers' Rights (lodged on 01 May 2015) Kevin Stewart*

S4M-13062 Polish Language Learning (lodged on 01 May 2015) Kevin Stewart*

S4M-12875 Deaf Awareness Week 2015 (lodged on 31 March 2015) Gavin Brown*



The Scottish Parliament
Pàrlamaid na h-Alba

Business Bulletin: Thursday 14 May 2015

Section G – Bills

New amendments to Bills lodged on 13 May 2015

Mental Health (Scotland) Bill – Stage 2

Section 1

Dr Richard Simpson

66 In section 1, page 1, line 25, leave out subsection (4) and insert—

<In section 68 (extension of short-term detention pending determination of application)—

(a) in the text following paragraph (b) of subsection (1), for the words “are authorised” there is substituted “may be authorised by the Tribunal providing that either of the conditions set out in subsection (1A) are met”,

(b) after subsection (1) there is inserted—

“(1A) Those conditions are—

(a) that the Tribunal determines on its own initiative that the delay in determining the application made under section 63 is unavoidable; or

(b) that an application is made to the Tribunal by a person mentioned in subsection (1B) and the Tribunal is satisfied that the delay in determining the application made under section 63 is unavoidable.

(1B) Those persons are—

(a) the patient;

(b) if the patient has a responsible medical officer, that officer, but only with the consent of—

(i) the patient; or

(ii) where the patient is incapable of consenting, a person mentioned in paragraph (c); or

(c) where the patient is incapable of making the application—

(i) the patient’s named person;

(ii) any guardian of the patient;

(iii) any legal representative of the patient;

(iv) a person who, to the knowledge of the Tribunal, is providing independent advocacy services to the patient under section 259 of this Act.”,

(c) in subsection (2)(a), for the word “5” there is substituted “10”,

(d) after subsection (2) there is inserted—

“(2A) Where the Tribunal authorises the measures mentioned in subsection (2), the Tribunal must give notice to the persons mentioned in subsection (2B)—

- (a) of its authorisation;
- (b) the reasons for its decision.

(2B) Those persons are—

- (a) if the patient made or consented to the application, the patient;
- (b) in all other cases—
 - (i) the patient’s named person;
 - (ii) any guardian of the patient;
 - (iii) any legal representative of the patient;
 - (iv) the patient’s responsible medical officer;
 - (v) a person who, to the knowledge of the Tribunal, is providing independent advocacy services to the patient under section 259 of this Act;
 - (vi) the Commission.”.>

Section 3

Dr Richard Simpson

- 67 In section 3, page 3, line 20, leave out <may, so far as they consider it appropriate> and insert <must, unless it is impracticable to do so>

Dr Richard Simpson

- 68 In section 3, page 3, line 22, at end insert—
<“(3B) Where it is impracticable for the managers of the hospital to notify any persons mentioned in subsection (4) below, they must notify any person who, to the knowledge of the managers, is providing independent advocacy services to the patient under section 259 of this Act.”.>

Dr Richard Simpson

- 69 In section 3, page 3, line 25, leave out <and (3A)> and insert <, 3A and 3B>

Section 9

Dr Richard Simpson

- 70 In section 9, page 6, line 39, leave out <300> and insert <230>

Dr Richard Simpson

- 71 In section 9, page 7, line 25, leave out <300> and insert <230>

Section 11

Dr Richard Simpson

- 72 In section 11, page 8, line 17, leave out <first> and insert <second>

Dr Richard Simpson

73 In section 11, page 8, line 19, leave out <each> and insert <the second>

Dr Richard Simpson

74 In section 11, page 8, leave out line 23

Dr Richard Simpson

75 In section 11, page 8, leave out lines 25 and 26

Dr Richard Simpson

76 In section 11, page 8, leave out line 29 and insert—

<() subsection (12) is repealed,

() in subsection (13), paragraph (b) is repealed,

() after subsection (14), there is inserted—

“(15) Regulations must specify the minimum period for which a patient must be detained before an application may be made under this section.

(16) Regulations may—

(a) make different provision for different purposes, including providing for different dates for the different measures of security or containment under which a patient is detained to come into force,

(b) include consequential, supplementary, incidental, transitional, transitory or saving provision.”.>

Dr Richard Simpson

77 In section 11, page 8, leave out line 31

Dr Richard Simpson

78 In section 11, page 8, line 36, at end insert—

<() In section 270 (orders under section 269: further provision)—

(a) in subsection (3), the word “qualifying” is repealed,

(b) in subsection (6), for the word “qualifying” there is substituted “hospital in which the patient is detained”.>

Dr Richard Simpson

79 In section 11, page 8, leave out line 38

Dr Richard Simpson

80 In section 11, page 9, line 10, at end insert—

<() In section 326 (orders, regulations and rules), in subsection (4)(c), for the words “to (14)” there is substituted “and (13) to (16)”.>

Section 14

Dr Richard Simpson

- 81 Leave out section 14

After section 20

Dr Richard Simpson

- 82 After section 20, insert—

<Advocacy

Advocacy

- (1) The Mental Health (Care and Treatment) (Scotland) Act 2003 is amended as follows.
- (2) In section 46, after paragraph (d) of subsection (2) there is inserted—
 - “(e) any person who, to the knowledge of the managers, is providing independent advocacy services to the patient under section 259 of this Act.”.
- (3) In section 50, after subsection (3) there is inserted—
 - “(3A) The Tribunal may afford any person who, to the knowledge of the Tribunal, is providing independent advocacy services to the patient under section 259 of this Act the opportunity mentioned under subsection (2).”.
- (4) In section 52, after paragraph (g) there is inserted—
 - “(h) any person who, to the knowledge of the Commission, is providing independent advocacy services to the patient under section 259 of this Act.”.
- (5) In section 54, after paragraph (c) of subsection (3) there is inserted—
 - “(ca) any person who, to the knowledge of the responsible medical officer, is providing independent advocacy services to the patient under section 259 of this Act.”.
- (6) In section 64, after subsection (3) there is inserted—
 - “(3A) The Tribunal may afford any person who, to the knowledge of the Tribunal, is providing independent advocacy services to the patient under section 259 of this Act the opportunity mentioned under subsection (2).”.
- (7) In section 268, after paragraph (e) of subsection (6) there is inserted—
 - “(f) any person who, to the knowledge of the Tribunal, is providing independent advocacy services to the patient under section 259 of this Act.”.>

Dr Richard Simpson

- 83 After section 20, insert—

<Access to advocacy services

- (1) The Mental Health (Care and Treatment) (Scotland) Act 2003 is amended as follows.
- (2) In section 259, after subsection (11) there is inserted—

- “(12) Regulations may make provision for the circumstances in which providers of independent advocacy services under this Act must be—
- (a) notified of matters relating to a patient;
 - (b) afforded an opportunity to make representations on behalf of a patient;
 - (c) afforded an opportunity to make applications on behalf of a patient.”>

Dr Richard Simpson

84 After section 20, insert—

<Review of access to advocacy

- (1) The Mental Health (Care and Treatment) (Scotland) Act 2003 is amended as follows.
- (2) After section 259, there is inserted—

“259A Review of access to advocacy

- (1) The Commission must—
 - (a) monitor the availability and accessibility of independent advocacy services provided under section 259,
 - (b) from time to time, report to the Scottish Ministers on the exercise of the functions under section 259 by the bodies mentioned in subsection (3).
- (2) Each body mentioned in subsection (3) must provide the Commission with a report every 2 years, or at such other intervals as Ministers may determine, setting out—
 - (a) how it has exercised its functions under section 259 during the reporting period,
 - (b) its plans to ensure that it is in a position to secure independent advocacy services for any person requiring such services in the next reporting period.
- (3) Those bodies are—
 - (a) a local authority,
 - (b) a Health Board.
- (4) In this section—
 - “reporting period” means—
 - (a) in the case of the first report, the period of time from the date on which this section comes into force until the date on which the first report is provided,
 - (b) in the case of a subsequent report, the period of time from the date on which the previous report is provided until the date on which the subsequent report is provided.”>

Section 21

Dr Richard Simpson

85 In section 21, page 15, line 7, at end insert—

<276D Access to advance statements

- (1) The Scottish Ministers must, by regulations, set out the circumstances where a person mentioned in subsection (2) may, for the purpose of exercising functions under this Act, access an advance statement or document withdrawing an advance statement held by a Health Board.
- (2) Those persons are—
 - (a) the patient’s named person;
 - (b) any person who, to the knowledge of the Health Board, is providing independent advocacy services to the patient under section 259 of this Act;
 - (c) a designated medical practitioner in respect of section 239(1) or 241(1) of this Act;
 - (d) a person employed by the Health Board;
 - (e) the Commission;
 - (f) the Tribunal.”.>

Dr Richard Simpson

86 In section 21, page 15, line 7, at end insert—

<() In section 326 (orders, regulations and rules), in subsection (4)(c) after the words “to (14),” there is inserted “276D(1),”.>

Bob Doris

87 In section 21, page 15, line 7, at end insert—

<Duty to promote advance statements

Each Health Board, working with each local authority in its area, must regularly publish and promote (in such manner as it considers appropriate and in accordance with guidance in the Code of Practice) information about—

- (a) the existence, effect and status of provisions in this Act about advance statements,
- (b) the exercise of those provisions,
- (c) the arrangements for making, revising and lodging an advance statement in relation to a person who has a mental disorder,
- (d) the support available in the Health Board area to assist a person who has a mental disorder in making, lodging or revising an advance statement.”.>

After section 21

Dr Richard Simpson

88 After section 21, insert—

<Effect of advance statements

- (1) The Mental Health (Care and Treatment) (Scotland) Act 2003 is amended as follows.
- (2) In section 276 (advance statements: effect)—
 - (a) in subsection (1), at beginning there is inserted “Subject to subsection (3A),”

- (b) in subsection (3), at beginning there is inserted “Subject to subsection (3A),”;
- (c) after subsection (3), there is inserted—
 - “(3A) Where the conditions in subsection (3B) apply, the person proposing the medical treatment must make an application to the Tribunal for a decision as to whether the treatment may be given or not.
 - (3B) Those conditions are—
 - (a) the treatment conflicts with wishes specified in the advance statement;
 - (b) the patient’s named person objects to the medical treatment; and
 - (c) it appears to the person proposing the medical treatment or to the patient’s named person that, while the patient’s ability to make decisions about the matters referred to in paragraphs (a) and (b) of subsection (1) of section 275 of this Act, is, because of mental disorder, significantly impaired, the patient is not incapable of consenting to the treatment.
 - (3C) For the purposes of this section, “incapable” means incapable of—
 - (a) acting,
 - (b) making decisions,
 - (c) communicating decisions,
 - (d) understanding decisions, or
 - (e) retaining the memory of decisions,
 by reason of mental disorder or of inability to communicate because of physical disability; but a person does not fall within this definition by reason only of a lack or deficiency in a faculty of communication if that lack or deficiency can be made good by human or mechanical aid (whether of an interpretative nature or otherwise).”.>

Section 25

Dr Richard Simpson

- 89** In section 25, page 17, line 14, leave out <some or all of Part 16> and insert <section 243>

Dr Richard Simpson

- 90** In section 25, page 17, line 18, leave out <that Part> and insert <section 243>

Dr Richard Simpson

- 91** In section 25, page 17, line 19, leave out <any of that Part> and insert <section 243>

After section 40

Dr Richard Simpson

- 92** After section 40, insert—

<Duty on Health Boards and Mental Welfare Commission to review certain criminal behaviour by mentally disordered persons

Duty on Health Boards and Mental Welfare Commission to review certain criminal behaviour by mentally disordered persons

- (1) The Criminal Procedure (Scotland) Act 1995 is amended as follows.
- (2) After section 63 (appeal by prosecutor in case involving insanity), there is inserted—
“Duty on Health Boards and Mental Welfare Commission to review certain criminal behaviour by mentally disordered persons

63A Duty on Health Boards and Mental Welfare Commission to review certain criminal behaviour by mentally disordered persons

- (1) Subsection (2) applies where a person—
 - (a) is charged with a relevant offence, and
 - (b) has prior to being charged with that relevant offence been—
 - (i) in receipt of care and treatment from a health board under the Mental Health (Treatment and Care) (Scotland) Act 2003 (“the 2003 Act”), or
 - (ii) referred to a Health Board for care and treatment under the 2003 Act.
- (2) As soon as practicable after the person is charged with a relevant offence, the procurator fiscal must, where it appears to the procurator fiscal that the person meets the conditions specified in subsection (1), notify—
 - (a) the Health Board—
 - (i) which provided care and treatment to the mentally disordered person under the 2003 Act, or
 - (ii) to which the mentally disordered person was referred for care and treatment under the 2003 Act, and
 - (b) the Mental Welfare Commission,
that the mentally disordered person has been charged with a relevant offence.
- (3) A Health Board which has been notified under subsection (2) must—
 - (a) undertake an inquiry into the mentally disordered person’s interaction with the Health Board,
 - (b) prepare and publish a report setting out the findings of the inquiry, and
 - (c) as soon as practicable after the publication of a report under paragraph (b), prepare an action plan responding to the findings of the report.
- (4) As soon as practicable after the publication of a report and action plan under subsection (3), the Health Board must provide the report and action plan to—
 - (a) the Mental Welfare Commission,
 - (b) any natural person against whom a relevant offence has been perpetrated, provided that the Health Board has ascertained that the person to be given the information wishes to receive it.
- (5) The Mental Welfare Commission must, in accordance with directions given to it by the Scottish Ministers, from time to time, and not less than once in every parliamentary session, lay before the Parliament a report summarising the findings of the reports received since the laying of the last such report.
- (6) Subsections (7) and (8) apply where—

- (a) the Parliament is dissolved before the period of 12 months has elapsed since the commencement of the session of Parliament, and
 - (b) as at the date of dissolution a report under subsection (5) has not been published.
- (7) The session in which the Parliament is so dissolved is not to be regarded as a session in which a report under subsection (5) is to be published.
- (8) A report under subsection (5) must be published in the session of the Parliament which—
 - (a) next follows the session in which the Parliament is so dissolved, and
 - (b) is not itself a session in which the Parliament is so dissolved.
- (9) Health Boards must, in exercising any function under this section, have regard to any guidance issued by the Scottish Ministers.
- (10) The Scottish Ministers must publish any guidance they issue for the purposes of this section.
- (11) The Scottish Ministers may revise and revoke such guidance.
- (12) For the purposes of this section, “relevant offence” means the committing of the offence of—
 - (a) murder,
 - (b) culpable homicide,
 - (c) such other offence as the Scottish Ministers may by regulations prescribe.
- (13) For the purposes of this section, “referred” means referred to a Health Board by a medical practitioner, or such other person as the Scottish Ministers may by regulations prescribe.
- (14) The Scottish Ministers may by regulations amend subsections (1) to (9), so as to—
 - (a) incorporate within the meaning of this section persons charged with a relevant offence who have been in receipt of care and treatment under the 2003 Act from a body other than a Health Board,
 - (b) to require that body to be notified of the charging of that person and to be subject to the requirements of subsections (3) to (6).
- (15) Regulations under subsections (12) and (14) are subject to the affirmative procedure.
- (16) Regulations under subsection (13) are subject to the negative procedure.>



The Scottish Parliament
Pàrlamaid na h-Alba

Business Bulletin: Thursday 14 May 2015

Section H – New Documents

Committee Reports

The following report was published on 8 May 2015—

Devolution (Further Powers) Committee, 3rd Report, 2015 (Session 4): New Powers for Scotland: An Interim Report on the Smith Commission and the UK Government's Proposals (SP Paper 720)

The following reports were published on 13 May 2015—

Delegated Powers and Law Reform Committee, 28th Report 2015 (Session 4): Smoking Prohibition (Children in Motor Vehicles) (Scotland) Bill at Stage 1 (SP Paper 721)

Delegated Powers and Law Reform Committee, 29th Report 2015 (Session 4): Subordinate Legislation (SP Paper 722)

For further information on accessing committee reports, please contact the relevant clerk or webpage (see end of Bulletin for contact details or access general committee webpage)



The Scottish Parliament
Pàrlamaid na h-Alba

Business Bulletin: Thursday 14 May 2015

Section J – Progress of Legislation

For further information on the progress of Bills and subordinate legislation, contact either the relevant clerk or webpage (see end of Bulletin for details).

Bills in Progress

A list of all Bills in progress can be accessed via the Scottish Parliament website at:

<http://www.scottish.parliament.uk/parliamentarybusiness/Bills/576.aspx>

For each Bill, the date of the next (or most recent) event in the Bill's passage is given. Other relevant information, e.g. about lodging amendments, is given in italics.

As soon as a Public Bill (i.e. a Government, Committee or Member's Bill) has completed Stage 1, amendments for consideration at Stage 2 may be lodged; and as soon as Stage 2 is completed, amendments for Stage 3 consideration may be lodged. The last lodging day for amendments at Stage 2 is three sitting days before the meeting at which those amendments will be considered (e.g. Thursday for a meeting on Tuesday); at Stage 3 it is four days before. Amendments may be lodged until 4.30 pm on any sitting day, except on the last lodging day for Stage 2, when the deadline is 12 noon.

A Hybrid Bill is subject to the same rules except in the case of Stage 2 where amendments for consideration may be lodged no earlier than the completion of any consideration of evidence at Stage 2.

Amendments to Private Bills are subject to different deadlines. These are set out in Rule 9A.12 of Standing Orders.

Members are advised to lodge amendments in good time before the beginning of a Stage and as early as possible during the day.

(G) = Government Bill; (M) = Member's Bill; (C) = Committee Bill; (P) = Private Bill; (H) = Hybrid Bill.

Air Weapons and Licensing (Scotland) Bill (G)

Stage 2 (Day 1) (Local Government and Regeneration
Committee)

13 May 2015

*Stage 2 amendments may now be lodged with the clerks in the
Legislation Team (Legislation_Team@scottish.parliament.uk)*

Alcohol (Licensing, Public Health and Criminal Justice) (Scotland) Bill (M)	
Stage 1 (lead committee (Health and Sport))	12 May 2015
Apologies (Scotland) Bill (M)	
Stage 1 (Delegated Powers and Law Reform Committee)	28 April 2015
<i>Lead committee – Justice</i>	
Assisted Suicide (Scotland) Bill (M)	
Stage 1 (lead committee (Health and Sport))	28 April 2015
British Sign Language (Scotland) Bill (M)	
Stage 1 completed	5 May 2015
<i>Stage 2 amendments may now be lodged with the clerks in the Legislation Team (Legislation_Team@scottish.parliament.uk)</i>	
Carers (Scotland) Bill (G)	
Stage 1 (evidence, lead committee (Health and Sport))	12 May 2015
Stage 1 (evidence, Finance Committee)	13 May 2015
Community Empowerment (Scotland) Bill (G)	
Stage 2 completed (Local Government and Regeneration Committee)	18 March 2015
<i>Stage 3 amendments may now be lodged with the clerks in the Legislation Team (Legislation_Team@scottish.parliament.uk)</i>	
Community Justice (Scotland) Bill (G)	
Introduced	7 May 2015
<i>Lead committee – Justice</i>	
Criminal Justice (Scotland) Bill (G)	
Stage 1 completed	27 February 2014
<i>Stage 2 amendments may now be lodged with the clerks in the Legislation Team (Legislation_Team@scottish.parliament.uk)</i>	
Criminal Verdicts (Scotland) Bill (M)	
Introduced	27 November 2013
<i>Lead committee – Justice</i>	
Education (Scotland) Bill (G)	
Stage 1 (evidence, lead committee (Education and Culture))	28 April 2015
Harbours (Scotland) Bill (G)	
Stage 1 (evidence, lead committee (Infrastructure and Capital Investment))	29 April 2015
Human Trafficking and Exploitation (Scotland) Bill (G)	
Stage 1 (debate, meeting of the Parliament)	12 May 2015
<i>Stage 2 amendments may now be lodged with the clerks in the Legislation Team (Legislation_Team@scottish.parliament.uk)</i>	

Inquiries into Fatal Accidents and Sudden Deaths etc. (Scotland) Bill (G)	
Stage 1 (evidence, lead committee (Justice))	12 May 2015
Mental Health (Scotland) Bill (G)	
Stage 2 (Day 1) (Health and Sport Committee)	19 May 2015
<i>Amendments should be lodged by 12 noon on Thursday 14 May with the clerks in the Legislation Team (Legislation_Team@scottish.parliament.uk)</i>	
Pentland Hills Regional Park Boundary Bill (M)	
Introduced	30 April 2015
Prisoners (Control of Release) (Scotland) Bill (G)	
Stage 1 completed	2 April 2015
<i>Stage 2 amendments may now be lodged with the clerks in the Legislation Team (Legislation_Team@scottish.parliament.uk)</i>	
Scottish Elections (Reduction of Voting Age) Bill (G)	
Stage 1 (lead committee (Devolution (Further Powers)))	14 May 2015
Smoking Prohibition (Children in Motor Vehicles) (Scotland) Bill (M)	
Stage 1 (Finance Committee)	23 April 2015
Stage 1 (Delegated Powers and Law Reform Committee)	12 May 2015

Subordinate legislation in progress
(date of laying) (Lead Committee)

Affirmative instruments

Lead committee to report by 26 May 2015

Enhanced Enforcement Areas Scheme (Scotland) Regulations 2015 [draft]
(1 April 2015) **(Infrastructure and Capital Investment)**

Lead committee to report by 29 May 2015

Equality Act 2010 (Specific Duties) (Scotland) Amendment Regulations 2015
[draft] (20 April 2015) **(Equal Opportunities)**

Proceeds of Crime Act 2002 (Cash Searches: Constables in Scotland: Code
of Practice) Order 2015 [draft] (20 April 2015) **(Justice)**

Lead committee to report by 6 June 2015

Public Services Reform (Scotland) Act 2010 (Part 2 Extension) Order 2015
[draft] (28 April 2015) **(Finance)**

Provision of Early Learning and Childcare (Specified Children) (Scotland) Amendment Order 2015 [draft] (28 April 2015) **(Education and Culture)**

Lead committee to report by 20 June 2015

Education (School Lunches) (Scotland) Regulations 2015 [draft] (12 May 2015) **(Education and Culture)**

Negative instruments

Members should note that the deadline for the lead committee to report by is an administrative deadline. Lead committees normally report on negative instruments only after considering a motion recommending annulment of the instrument. Where Members have queries in relation to this deadline, they should contact the clerks to the Delegated Powers and Law Reform Committee.

Subject to annulment by 20 May 2015
Lead committee to report by 18 May 2015

Firemen's Pension Scheme (Amendment) (Scotland) Order 2015 (SSI 2015/140) (26 March 2015) **(Justice)**

Firefighters' Pension Schemes (Amendment) (Scotland) Regulations 2015 (SSI 2015/141) (26 March 2015) **(Justice)**

Police Pension Scheme (Scotland) Regulations 2015 (SSI 2015/142) (26 March 2015) **(Justice)**

Firefighters' Compensation Scheme and Pension Scheme (Amendment) (Scotland) Order 2015 (SSI 2015/143) (26 March 2015) **(Justice)**

Subject to annulment by 21 May 2015
Lead committee to report by 18 May 2015

Housing (Scotland) Act 2006 (Repayment Charge and Discharge) Amendment Order 2015 (SSI 2015/144) (27 March 2015) **(Infrastructure and Capital Investment)**

Subject to annulment by 27 May 2015
Lead committee to report by 25 May 2015

National Health Service (Free Prescriptions and Charges for Drugs and Appliances) (Scotland) Amendment Regulations 2015 (SSI 2015/160) (2 April 2015) **(Health and Sport)**

Certification of Death (Scotland) Act 2011 (Authorisation of Cremation – Death Outwith Scotland) Regulations 2015 (SSI 2015/162) (2 April 2015) **(Health and Sport)**

Certification of Death (Scotland) Act 2011 (Application for Review) Regulations 2015 (SSI 2015/163) (2 April 2015) **(Health and Sport)**

Certification of Death (Scotland) Act 2011 (Consequential Provisions) Order 2015 (SSI 2015/164) (2 April 2015) **(Health and Sport)**

Certification of Death (Scotland) Act 2011 (Post-Mortem Examinations – Death Outwith United Kingdom) Regulations 2015 (SSI 2015/165) (2 April 2015) **(Health and Sport)**

Registration of Births, Deaths and Marriages (Scotland) Act 1965 (Prohibition on Disposal of a Body without Authorisation) Regulations 2015 (SSI 2015/166) (2 April 2015) **(Health and Sport)**

Subject to annulment by 29 May 2015
Lead committee to report by 25 May 2015

Welfare of Animals at the Time of Killing (Scotland) Amendment Regulations 2015 (SSI 2015/161) (7 April 2015) **(Rural Affairs, Climate Change and Environment)**

Common Agricultural Policy Non-IACS Support Schemes (Appeals) (Scotland) Amendment Regulations 2015 (SSI 2015/167) (8 April 2015) **(Rural Affairs, Climate Change and Environment)**

Subject to annulment by 30 May 2015
Lead committee to report by 25 May 2015

Firemen's Pension Scheme (Amendment No. 2) (Scotland) Order 2015 (SSI 2015/173) (21 April 2015) **(Justice)**

Police Pensions (Amendment) (Scotland) Regulations 2015 (SSI 2015/174) (21 April 2015) **(Justice)**

Subject to annulment by 8 June 2015
Lead committee to report by 1 June 2015

Town and Country Planning (Hazardous Substances) (Scotland) Regulations 2015 (SSI 2015/181) (30 April 2015) **(Local Government and Regeneration)**

Town and Country Planning (Hazardous Substances Inquiry Session Procedure) (Scotland) Rules 2015 (SSI 2015/182) (30 April 2015) **(Local Government and Regeneration)**

Outer Hebrides (Landing of Crabs and Lobsters) Order 2015 (SSI 2015/183) (30 April 2015) **(Rural Affairs, Climate Change and Environment)**

Subject to annulment by 9 June 2015
Lead committee to report by 1 June 2015

Scottish Tax Tribunals (Time Limits and Rules of Procedure) Regulations 2015 (SSI 2015/184) (*1 May 2015*) **(Finance)**

Less Favoured Area Support Scheme (Scotland) Amendment Regulations 2015 (SSI 2015/185) (*1 May 2015*) **(Rural Affairs, Climate Change and Environment)**

Subject to annulment by 15 June 2015
Lead committee to report by 8 June 2015

Waste (Meaning of Hazardous Waste and European Waste Catalogue) (Miscellaneous Amendments) (Scotland) Regulations 2015 (SSI 2015/188) (*7 May 2015*) **(Rural Affairs, Climate Change and Environment)**

Subject to annulment by 16 June 2015
Lead committee to report by 15 June 2015

Carbon Accounting Scheme (Scotland) Amendment Regulations 2015 (SSI 2015/189) (*8 May 2015*) **(Rural Affairs, Climate Change and Environment)**

Contacts for Further Information
All telephone numbers 0131 348 XXXX
Web site: www.scottish.parliament.uk

General Enquiries	5000
Chamber Desk (Motions and Questions)	5199
Parliamentary Business Team (Chamber, Parliamentary Bureau)	5187
Legislation Team	5277
Non-Government Bills Unit (NGBU)	6124

Committee web sites at:
<http://www.scottish.parliament.uk/parliamentarybusiness/1569.aspx>

Delegated Powers and Law Reform	5175	Contact
Devolution (Further Powers)	5931	Contact
Economy, Energy and Tourism	5214	Contact
Education and Culture	5222	Contact
Equal Opportunities	5408	Contact
European and External Relations	5226	Contact
Finance	5451	Contact
Health and Sport	5410	Contact
Infrastructure and Capital Investment	5229	Contact
Justice	5047	Contact
Justice Sub-Committee on Policing	5220	Contact
Local Government and Regeneration	5223	Contact
Public Audit	5236	Contact
Public Petitions	5254	Contact
Rural Affairs, Climate Change and Environment	5242	Contact
Standards, Procedures and Public Appointments	5179	Contact
Welfare Reform	5320	Contact

Scottish Parliamentary Corporate Body

<http://www.scottish.parliament.uk/abouttheparliament/16231.aspx>

Parliamentary Bureau

<http://www.scottish.parliament.uk/parliamentarybusiness/9977.aspx>

The Conveners Group

<http://www.scottish.parliament.uk/parliamentarybusiness/21516.aspx>

Scottish Commission for Public Audit

<http://www.scottish.parliament.uk/parliamentarybusiness/1704.aspx>

MSP Details

<http://www.scottish.parliament.uk/msps/177.aspx>

Glossary

<http://www.scottish.parliament.uk/help/769.aspx>

Members who would like a printed copy of the *Business Bulletin* to be forwarded to them should contact Document Supply by email (documentsupply@scottish.parliament.uk) or by telephone (x85360)

Produced and published in Scotland on behalf of the Scottish Parliamentary Corporate Body by APS Group Scotland

All documents are available on the Scottish Parliament website at:

www.scottish.parliament.uk

For details of documents available to order in hard copy format, please contact:
APS Scottish Parliament Publications on 0131 629 9941.

For information on the Scottish Parliament contact Public Information on:

Telephone: 0131 348 5000
Textphone: 0800 092 7100
Email: sp.info@scottish.parliament.uk

ISBN 978-1-78568-581-1
