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Gordon Lindhurst MSP
Convener
Economy, Jobs and Fair Work Committee
The Scottish Parliament

By email

08 January 2018

Dear Gordon,

FINANCIAL GUIDANCE AND CLAIMS BILL – LEGISLATIVE CONSENT MOTION

Thank you for your letter of 20 December 2017 regarding the Legislative Consent Motion for the Financial Guidance and Claims Bill, lodged at the Scottish Parliament on 13 December, and your Committee's request for further information in advance of its evidence session with me later this month.

I can confirm that the Scottish Government did not seek to amend Part 1 of the Bill, which is concerned with the Single Finance Guidance Body (SFGB) and provisions making it a criminal offence to pretend to provide information, guidance or advice on behalf of the SFGB when this is not the case.

With regard to Part 2 of the Bill – which is concerned with the transfer of claims management regulation in England and Wales from the Claims Management Regulation Unit of the Ministry of Justice to the Financial Conduct Authority (FCA) – I can confirm that the Scottish Government sought amendments which will have the effect of extending the regulation of claims management companies by the FCA to Scotland and was successful in securing this change. These are attached for your information.

You may have noted that the Justice Committee has published its Stage 1 report on the Civil Litigation (Expenses and Group Proceedings) (Scotland) Bill and welcomed (at paragraph 325) this development.

I am copying this letter to Graham Simpson, Convener of the Delegated Powers and Law Reform Committee, Bruce Crawford, Convener of the Finance and Constitution Committee and Margaret Mitchell, Convener of the Justice Committee.

Yours sincerely



KEITH BROWN

Financial Guidance and Claims Bill [HL]

AMENDMENTS

TO BE MOVED

ON THIRD READING

Clause 20

BARONESS BUSCOMBE

Page 15, line 32, leave out “England or Wales” and insert “Great Britain”

Page 15, line 42, leave out “England or Wales” and insert “Great Britain”

Page 16, line 6, leave out “England and Wales” and insert “Great Britain”

Page 16, line 8, leave out “England and Wales” and insert “Great Britain”

Page 16, line 11, leave out “England and Wales” and insert “Great Britain”

Page 16, line 15, leave out “England and Wales” and insert “Great Britain”

Page 16, line 16, leave out “England and Wales” and insert “Great Britain”

Page 16, line 20, leave out “England and Wales” and insert “Great Britain”

Page 16, line 22, leave out “England and Wales” and insert “Great Britain”

Page 17, line 7, leave out “England or Wales” and insert “Great Britain”

Page 17, line 12, leave out “England or Wales” and insert “Great Britain”

Clause 22

BARONESS BUSCOMBE

Page 19, line 24, leave out subsection (3) and insert—

“(3) The following provisions in Part 2 extend to England and Wales—

(a) section 20(12) and Schedule 4;

(b) section (*PPI claims: restriction on charges before transfer of regulation to FCA*).

(3A) The other provisions in Part 2 extend to England and Wales and Scotland.”