



SUPPLEMENT TO THE VOTES AND PROCEEDINGS

Tuesday 21 June 2011

REPORT STAGE PROCEEDINGS

SCOTLAND BILL, AS AMENDED

NEW CLAUSES

Definition of Scottish taxpayer for Scottish variable rate

Mr Secretary Moore

Added NC5

To move the following Clause:—

- ‘(1) In Part 4 of the 1998 Act (power to vary income tax rate), for subsections (1) to (6) of section 75 (Scottish taxpayers) substitute—
 - “ Sections 80D to 80F (definition of Scottish taxpayer) apply for the purposes of this Part.”
 - (2) This section ceases to have effect at the end of the last year for which Part 4 has effect (see section 26(2) and (4)).’.
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Exercise of functions relating to Seirbheis nam Meadhanan Gàidhlig

Mr Secretary Moore

Added NC6

To move the following Clause:—

- (1) The Broadcasting Act 1990 is amended as follows.
- (2) In section 183 (financing of programmes in Gaelic out of Gaelic Television Fund) for subsection (1) substitute—
 - “(1) The Scottish Ministers must, for each financial year, pay to OFCOM such amount as they may determine to be appropriate for the purposes of this section.”
- (3) Omit subsection (8) of that section.
- (4) Section 183A (membership of the Gaelic Media Service) is amended as follows.
- (5) In subsection (4) after “the Secretary of State” insert “and the Scottish Ministers”.
- (6) In subsection (6)(b) after “the Secretary of State” insert “with the agreement of the Scottish Ministers”.

Scotland Bill, continued

- (7) In Schedule 19 (Gaelic Media Service: supplementary provisions), paragraph 12 (annual reports) is amended as follows.
- (8) In sub-paragraph (3) for the words from “the Secretary of State” to the end substitute—
- “(a) the Secretary of State, who must lay copies of it before each House of Parliament, and
- (b) the Scottish Ministers, who must lay a copy of it before the Scottish Parliament.”
- (9) Sub-paragraph (4) is omitted.
- (10) In the Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc.) Order 1999 (S.I. 1999/1750)—
- (a) in Schedule 1 (functions transferred to the Scottish Ministers), omit the entry relating to section 183 of the Broadcasting Act 1990;
- (b) in Schedule 2 (functions made exercisable concurrently), omit the reference to paragraph 12(3) of Schedule 19 to that Act;
- (c) in Schedule 5 (modification of enactments), omit paragraph 10(4).’.

Exercise of power to make Order disqualifying persons from membership of the Parliament

Mr Secretary Moore

Added NC12

To move the following Clause:—

- ‘(1) The 1998 Act is amended as follows.
- (2) In section 112 (subordinate legislation: general), after subsection (5) insert—
- “(6) Section 27 of the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10) (functions exercisable by Scottish statutory instrument) applies to the function of making an Order in Council under section 15(1) or (2).”
- (3) In section 92 (Queen’s Printer for Scotland), after subsection (4) insert—
- “(4A) For the purposes of subsection (4)(c), the function of Her Majesty of making an Order in Council under section 15(1) or (2) (power to specify persons disqualified from membership of the Parliament) is to be regarded as being exercisable within devolved competence.”
- (4) In section 104 (power to make provision consequential on legislation of, or scrutinised by, the Parliament), after subsection (2) insert—
- “(3) For the purposes of subsection (2)(c), the function of Her Majesty of making an Order in Council under section 15(1) or (2) (power to specify persons disqualified from membership of the Parliament) is to be regarded as being exercisable within devolved competence.”
- (5) In Schedule 4 (enactments etc protected from modification), in paragraph 11 (general exceptions: subordinate legislation), after sub-paragraph (3) insert—
- “(4) For the purposes of sub-paragraph (3)(c), the function of Her Majesty of making an Order in Council under section 15(1) or (2) (power to

Scotland Bill, *continued*

specify persons disqualified from membership of the Parliament) is to be regarded as being exercisable within devolved competence.”’.

The Lord Advocate: Convention rights and Community law

Mr Secretary Moore

Added NC13

To move the following Clause:—

- ‘(1) The 1998 Act is amended as follows.
- (2) In section 57(3) (Community law and Convention rights: excepted acts of the Lord Advocate), omit the words after paragraph (b).
- (3) After section 98 insert—

“98A The Lord Advocate and Convention rights etc: criminal appeals

- (1) This section applies to an act or failure to act of the Lord Advocate—
 - (a) in prosecuting any offence, or
 - (b) in the capacity of head of the system of criminal prosecution in Scotland.
- (2) In this section “compatibility” means the compatibility of such an act or failure to act with any of the Convention rights or with Community law.
- (3) For the purpose of determining any question relating to compatibility, an appeal shall lie to the Supreme Court against a determination by a court of two or more judges of the High Court of Justiciary.
- (4) An appeal under this section lies from such a court only with the permission of that court or, failing such permission, with permission of the Supreme Court.
- (5) Where the High Court’s determination was on an appeal under section 106 of the Criminal Procedure (Scotland) Act 1995 (appeal from solemn proceedings), subsections (3) to (3D) of that section apply in accordance with subsections (7) and (8) below.
- (6) Where the High Court’s determination was on an appeal under subsection (2) of section 175 of that Act (appeal from summary proceedings), subsections (5) to (5D) of that section apply in accordance with subsection (7) and (8) below.
- (7) The subsections of the 1995 Act referred to in subsections (5) and (6) above (appeal to be on grounds of miscarriage of justice) apply to the Supreme Court in relation to an appeal under this section as they apply to the High Court in relation to any appeal.
- (8) But an alleged miscarriage of justice may not be brought under review of the Supreme Court by virtue of subsection (7) except for the purpose of determining a question relating to compatibility.
- (9) In relation to an appeal under this section, the Supreme Court has all the powers of the court below and may (in consequence of determining a question relating to compatibility)—

Scotland Bill, *continued*

- (a) affirm, set aside or vary any order or judgment made or given by that court;
 - (b) remit any issue for determination by that court;
 - (c) order a new trial or hearing.”
- (4) In paragraph 1 of Schedule 6 (devolution issues), after sub-paragraph (f) insert—
 “But a question whether an act or failure to act is, or would be, incompatible with any of the Convention rights or with Community law is not a devolution issue if it is an act or failure to act of the Lord Advocate in prosecuting any offence or in the capacity of head of the systems of criminal prosecution and investigation of deaths in Scotland.”
- (5) The Criminal Procedure (Scotland) Act 1995 is amended as follows.
- (6) In sections 112(6), 121(5)(a), 121A(5), 122(4) and (5) and 177(8), for “paragraph 13(a) of Schedule 6 to the Scotland Act 1998” substitute “section 98A of the Scotland Act 1998 or paragraph 13(a) of Schedule 6 to that Act”.
- (7) In section 124(2)—
- (a) for “and paragraph 13(a) of Schedule 6 to the Scotland Act 1998” substitute “, section 98A of the Scotland Act 1998 and paragraph 13(a) of Schedule 6 to that Act”;
 - (b) after “appeal under” insert “section 98A of that Act or”.
- (8) In section 288A—
- (a) in subsection (1) omit “in pursuance of paragraph 6 of Schedule 6 to the Scotland Act 1998 (devolution issues)”;
 - (b) for subsection (2) substitute—
 - “(2) Where the Advocate General for Scotland was a party in pursuance of paragraph 6 of Schedule 6 to the Scotland Act 1998 (devolution issues), the Advocate General may refer to the High Court for their opinion any devolution issue which has arisen in the proceedings.
 - (2A) Whether or not subsection (2) applies, the Advocate General for Scotland may refer to the High Court for their opinion any question which has arisen in the proceedings as to whether an act or failure to act of the Lord Advocate in prosecuting in the proceedings or in the capacity of head of the system of criminal prosecution in Scotland was incompatible with any of the Convention rights or with Community law.
 - (2B) If a reference is made under subsection (2) or (2A) the Clerk of Justiciary shall send to the person acquitted or convicted and to any solicitor who acted for that person at the trial a copy of the reference and intimation of the date fixed by the Court for a hearing.”;
 - (c) in subsection (6) after “(2)” insert “or (2A)”.
- (9) In section 288B(1)—
- (a) for “paragraph 13(a) of Schedule 6 to the Scotland Act 1998” substitute “section 98A of the Scotland Act 1998 or paragraph 13(a) of Schedule 6 to that Act”;
 - (b) omit “of a devolution issue”.
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*Scotland Bill, continued**Power to vary retrospective decisions about non-legislative acts*

Mr Secretary Moore

Added NC14

To move the following Clause:—

‘In section 102 of the 1998 Act (powers of courts or tribunals to vary retrospective decisions), in subsection (1) at the end add “, or

- (c) any other purported exercise of a function by a member of the Scottish Government was outside devolved competence.’”.
-

*Funding formula for Scottish Government*Mr Frank Field
Hugh Bayley*Not selected NC1*

To move the following Clause:—

- ‘(1) Within six months of the day on which this Act is passed, the Chancellor of the Exchequer shall lay before the House a report on the formula for allocating funds from the Consolidated Fund to the Scottish Government, and on alternative ways of calculating the sums to be paid.
- (2) Within six weeks of laying the report referred to in subsection (1) above, the Chancellor of the Exchequer shall lay before the House proposals for a new funding formula which would leave the four nations of the UK with a per capita spending figure of no more than $\pm 5\%$ of each other.’”.
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*Food labelling*Edward Miliband
Ann McKechin
Tom Greatrex*Not selected NC2*

To move the following Clause:—

‘In Part 2 of Schedule 5 to the Scotland Act 1998 (reserved matters: specific reservation), at the end of section C8 to add the words “but this exception does not permit the Scottish Parliament to legislate on food labelling of foodstuffs that are placed for sale within Scotland.’”.

Scotland Bill, *continued**Crown Estate*

Mr Angus Brendan MacNeil
Pete Wishart
Stewart Hosie
Angus Robertson
Mr Mike Weir
Dr Eilidh Whiteford

Not selected **NC4**

To move the following Clause:—

- ‘(1) In Part 1 of Schedule 5 of the Scotland Act 1998 paragraphs 2(3) and 3(3)(a) will be omitted.
 - (2) The Crown Estate will be treated as a cross-border public authority for the purposes of sections 88 to 90 of the Scotland Act 1998.
 - (3) In section 1(4) of the Crown Estate Act 1961, for “Secretary of State” wherever it appears substitute “Scottish Minister”.’.
-

Funding formula for Scottish Government (No. 2)

Mr Frank Field
Kate Hoey
Mr Philip Hollobone
Hugh Bayley
John Mann
Mr Graham Brady

Not called **NC8**

To move the following Clause:—

- ‘(1) Within six months of the day on which this Act is passed, the Chancellor of the Exchequer shall lay before the House a report on the formula for allocating funds from the Consolidated Fund to the Scottish Government, and on alternative ways of calculating the sums to be paid.
 - (2) Within six weeks of laying the report referred to in subsection (1) above, the Chancellor of the Exchequer shall lay before the House proposals for a new funding formula which would ensure that the funds allocated to the Scottish Government are no more than 5 per cent. below or above the equivalent figure for each of the other nations of the UK.’.
-

Scotland Bill, continued*Tax on profits of companies*

Stewart Hosie
 Angus Robertson
 Pete Wishart
 Mr Angus Brendan MacNeil
 Dr Eilidh Whiteford
 Mr Mike Weir

Negatived on division NC9

To move the following Clause:—

‘In Part 4A of the 1998 Act (as inserted by section 24), after Chapter 4 (inserted by section 30) insert—

“CHAPTER 5

TAX ON PROFITS OF COMPANIES

80L Tax on profits of companies

The Secretary of State shall, within one month of the coming into force of section 80B of this Act, lay in accordance with Type A procedure as set out in Schedule 7 to this Act a draft Order in Council which specifies as an additional devolved tax a tax charged on the profits of companies.’’.

Composition of Scottish Parliament

Mr Brian H. Donohoe
 Mr Jim Hood
 Mr Michael McCann
 Mr Tom Clarke

Not called NC11

To move the following Clause:—

‘In Schedule 1 to the Scotland Act 1998, as substituted by Schedule 1 to the Scottish Parliament (Constituencies) Act 2004—

(a) for paragraph 1 there is substituted—

“1 The constituencies for the purposes of this Act are—

- (a) the Orkney Islands,
- (b) the Shetland Islands, and
- (c) the parliamentary constituencies in Scotland, except a parliamentary constituency including either of those islands.’;

(b) in paragraph 2(3) for “seven” there is substituted the word “five”;

(c) Paragraphs 3 to 14 are omitted.’.

Scotland Bill, continued
Equal opportunities

Edward Miliband
Ann McKechin
Tom Greatrex

Not selected **NC15**

To move the following Clause:—

‘In part 2 of Schedule 5 to the 1998 Act, under Head L (Miscellaneous) in section L2 (Equal Opportunities)—

- (a) after “1976” delete “and”;
- (b) after “1995” insert “and
(e) the Equality Act 2010”, and
- (c) after “status” in the interpretation section insert “or whether the persons have formed a civil partnership”.’.

Local digital television services and TV licensing

Stewart Hosie
Angus Robertson
Pete Wishart
Mr Angus Brendan MacNeil
Dr Eilidh Whiteford
Mr Mike Weir

Not called **NC16**

To move the following Clause:—

- (1) The Communications Act 2003 is amended as follows.
 - (2) In section 244 (local digital television services), after subsection (8) insert—
 - “(8A) An order under this section to which subsection (8B) applies must not be made without the consent of the Scottish Ministers.
 - (8B) This subsection applies to an order in relation to a description of services which are, or include, services—
 - (a) intended for reception—
 - (i) at a place in Scotland, or
 - (ii) within an area or locality wholly or partly in Scotland, or
 - (b) provided for the purposes of an event in Scotland.”.
 - (3) In section 365 (TV licence fees)—
 - (a) after subsection (5) insert—
 - “(5A) Before making regulations under this section the Secretary of State must consult the Scottish Ministers.”,
 - (b) in subsection (6), after “Treasury” insert “and of the Scottish Ministers”.’.
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Scotland Bill, *continued**Public service broadcasting*

Stewart Hosie
Angus Robertson
Pete Wishart
Mr Angus Brendan MacNeil
Dr Eilidh Whiteford
Mr Mike Weir

Not called **NC17**

To move the following Clause:—

‘In Part 2 of Schedule 5 to the 1998 Act, in section K1 (broadcasting), at the end insert—

“Exception

The establishment, operation, remit and dissolution of corporations to provide public service broadcasting.”.’.

Participation of Scottish Ministers in proceedings of EU institutions

Stewart Hosie
Angus Robertson
Pete Wishart
Mr Angus Brendan MacNeil
Dr Eilidh Whiteford
Mr Mike Weir

Not selected **NC18**

To move the following Clause:—

- ‘(1) The 1998 Act is amended as follows.
- (2) After section 58 insert—

“58A Participation of Scottish Ministers in proceedings of EU institutions

- (1) A Minister of the Crown must—
 - (a) ensure that the United Kingdom delegation attending relevant proceedings of an EU institution includes a member of the Scottish Government or other person nominated by the Scottish Ministers, and
 - (b) agree with the Scottish Ministers the extent to which that person is to participate in the proceedings.
- (2) “Relevant” proceedings are proceedings at which there is to be considered—
 - (a) any matter other than a reserved matter, or
 - (b) any matter relating to a function which is exercisable by the Scottish Ministers.
- (3) The duty in subsection (1) does not apply in any case where the Scottish Ministers otherwise agree.

Scotland Bill, continued

- (4) In complying with subsection (1), the Minister of the Crown and the Scottish Ministers must have regard to any guidance agreed by them.”.
- (3) In Part 1 of Schedule 5, in subparagraph (2) of paragraph 7 (general reservations: foreign affairs, etc), at the end insert—
- “(c) participating in the proceedings of any EU institution, other than proceedings relating to reserved matters.”.’.

Spirits, wine, beer and cider duties

Stewart Hosie
 Angus Robertson
 Pete Wishart
 Mr Angus Brendan MacNeil
 Dr Eilidh Whiteford
 Mr Mike Weir

Not called **NC19**

To move the following Clause:—

- ‘(1) The 1998 Act is amended as follows.
- (2) In Part 2 of Schedule 5 to the Act, in section A1 (specific reservations: fiscal, economic and monetary policy), after the heading “*Exceptions*”, insert—
- “Spirits duties, wine duties and beer and cider duties”.’.

Referendum

Jacob Rees-Mogg

Not selected **NC20**

To move the following Clause:—

- ‘(1) No provision of this Act is to come into force, save for this section, until a referendum is held in Scotland in accordance with this section within four months of Royal Assent to this Act. The question shall be—

The Scotland Act increases the powers devolved to the Scottish Parliament. Should there be full independence for Scotland instead?

- (2) If more votes are cast in the referendum in favour of the answer “No” than in favour of the answer “Yes”, then the Act shall come into force in accordance with section 39 below.
- (3) If more votes are cast in the referendum in favour of the answer “Yes” than in favour of the answer “No”, then the Act shall not come into force.
- (4) The referendum shall be held in accordance with provisions which the Secretary of State shall make by Order made by statutory instrument, applying the provisions in sections 2, 3, 5 and 6 of, and relevant Schedules to, the Parliamentary Voting System and Constituencies Act 2011 so as to reflect the

Scotland Bill, *continued*

limitation of the referendum to Scotland; and the Order shall be subject to annulment in pursuance of a resolution of either House of Parliament.’.

Allocation of percentage of Crown Estate revenue to local authorities

Edward Milliband
Ann McKechin
Tom Greatrex

Not selected **NC21**

To move the following Clause:—

‘Five per cent of the revenue of any asset in any harbour or shores that are owned by the Crown Estate in Scotland shall be paid by the Crown Estate Commissioner for Scotland to the local authority in which such asset is located, such funds to then be used by the relevant local authority for purposes which benefit the community.’.

Mr Secretary Moore

Agreed to **13**

Page **2**, line **43** [*Clause 1*], at end insert—

‘(5) Before making regulations under this section the Secretary of State must consult the Scottish Ministers.’.

Mr Secretary Moore

Agreed to **14**

Page **3**, line **12** [*Clause 2*], at end insert—

‘() After subsection (3) insert—

“(3A) But subsection (2) does not confer power on a returning officer to determine that a Scottish Parliamentary election and a local government election in Scotland are to be taken together.”

() After subsection (5A) insert—

“(5B) Before making provision under subsection (5) in connection with the combination of polls where one of the elections is a Scottish Parliamentary election or a local government election in Scotland, the Secretary of State must consult the Scottish Ministers.’.

Scotland Bill, *continued*

Mr Secretary Moore

Agreed to 30Page 3, line 32 [*Clause* 3], leave out ‘instrument containing the’.Edward Miliband
Ann McKechin
Tom Greatrex*Not selected* 12Page 5, line 12 [*Clause* 6], at end insert—

‘(1A) In section 31(1) of the 1998 Act at end add—

“(1A) A person promoting an amendment to a bill in the Scottish Parliament shall on or before the lodging of the amendment state that, in his opinion, the bill if amended in accordance with the amendment would be within the legislative competence of the Parliament”.

(1B) In section 31(2) of the 1998 Act at end add “and state the reasons for his view”.’.

Edward Miliband
Ann McKechin
Tom Greatrex*Not selected* 8Page 11, line 18 [*Clause* 18], leave out ‘Scottish Crown Estate Commissioner’ and insert ‘Crown Estate Commissioner for Scotland’.Edward Miliband
Ann McKechin
Tom Greatrex*Not selected* 11Page 11, line 19 [*Clause* 18], leave out from ‘who’ to end of line 21 and insert—

‘(a) is qualified in or has expertise in land management in Scotland or the law of Scotland; and

(b) has experience of the functions of the Commissioners.’.

Edward Miliband
Ann McKechin
Tom Greatrex*Not selected* 9Page 11, line 23 [*Clause* 18], leave out ‘Scottish Crown Estate Commissioner’ and insert ‘Crown Estate Commissioner for Scotland’.

Scotland Bill, *continued*

Edward Miliband
Ann McKechin
Tom Greatrex

Not selected **10**

Page **11**, line **24** [*Clause 18*], leave out from first ‘the’ to end of line 25 and insert ‘Scottish Ministers with the agreement of the Chancellor of the Exchequer’.

Edward Miliband
Ann McKechin
Tom Greatrex

Not called **3**

Page **13**, line **18** [*Clause 20*], at end insert—

‘(7A) Section 38 (The Highway Code) is amended as follows.

(7B) After subsection (2) insert—

“(2A) The Secretary of State shall ensure that the provisions of the Code reflect the content of regulations relating to drink driving limits made by Scottish Ministers under section 8(3) or 11(2).”’.

Edward Miliband
Ann McKechin
Tom Greatrex

Not called **4**

Page **13**, line **18** [*Clause 20*], at end insert—

‘(7C) Section 89 (tests of competence to drive) is amended as follows.

(7D) After subsection (3) insert—

“(3A) The Secretary of State shall ensure that tests under this section reflect the content of regulations relating to drink driving limits made by Scottish Ministers under section 8(3) or 11(2).”’.

Edward Miliband
Ann McKechin
Tom Greatrex

Not called **5**

Page **13**, line **25** [*Clause 20*], at end insert—

‘(10A) The Secretary of State and Scottish Ministers shall together make regulations to enforce drink driving limits in the event of the drink driving regime not being the same in England and Scotland.

(10B) Regulations under subsection (10A) above shall be subject to Type F procedure, as defined in Schedule 7 to the Scotland Act 1998.’.

Edward Miliband
Ann McKechin
Tom Greatrex

Not called **6**

Page **15**, line **17** [*Clause 21*], at end insert—

Scotland Bill, *continued*

‘(15A) Section 38 of the Road Traffic Act 1988 (The Highway Code) is amended as follows.

(15B) After subsection (2) insert—

“(2B) The Secretary of State shall ensure that the provisions of the Code reflect the content of regulations relating to speed limits made by Scottish Ministers under sections 17(2), 64 and 88 of the Road Traffic Regulation Act 1984.”.

Edward Miliband
Ann McKechin
Tom Greatrex

Not called 7

Page 15, line 17 [*Clause 21*], at end insert—

‘(15C) Section 89 of the Road Traffic Act 1988 (tests of competence to drive) is amended as follows.

(15D) After subsection (3) insert—

“(3B) The Secretary of State shall ensure that tests under this section reflect the content of regulations relating to speed limits made by Scottish Ministers under sections 17(2), 64 and 88 of the Road Traffic Regulation Act 1984.”.

Stewart Hosie
Angus Robertson
Pete Wishart
Mr Angus Brendan MacNeil
Dr Eilidh Whiteford
Mr Mike Weir

Not called 25

Page 16, line 35 [*Clause 24*], at end insert—

‘(c) Chapter 5 provides for an Order in Council to specify, as an additional devolved tax, a tax charged on the profits of companies.’.

Iain Stewart

Not called 24

Page 20, line 24 [*Clause 26*], at end insert—

‘(3) T is deemed to be in Scotland at the end of a day when T commences a journey in Scotland before midnight and arrives at a destination in England after midnight, irrespective of the time at which the border between Scotland and England is crossed.’.

Mr Secretary Moore

Agreed to 31

Page 22, line 9 [*Clause 27*], at end insert—

Scotland Bill, *continued*

- () In section 989 (definitions), in the definitions of “additional rate”, “basic rate” and “higher rate”, after “section 6(2)” insert “or (2B)”.

Mr Secretary Moore

Agreed to 15

Page 25, line 8 [*Clause 32*], after ‘taxes’, insert ‘, or from income tax charged by virtue of a Scottish rate resolution,’.

Stewart Hosie
Angus Robertson
Pete Wishart
Mr Angus Brendan MacNeil
Dr Eilidh Whiteford
Mr Mike Weir

Not called 26

Page 25, line 10 [*Clause 32*], leave out ‘with the approval of the Treasury, borrow by way of loan’ and insert ‘borrow’.

Stewart Hosie
Angus Robertson
Pete Wishart
Mr Angus Brendan MacNeil
Dr Eilidh Whiteford
Mr Mike Weir

Not called 27

Page 25, line 15 [*Clause 32*], at end insert—

- (1C) In borrowing any sums under subsection (1A), the Scottish Ministers must have regard to any code of practice agreed by them and the Treasury.
- (1D) A code of practice agreed under subsection (1C) may include provision as to—
- (a) how the Scottish Ministers are to determine and keep under review how much they can afford to borrow,
 - (b) the terms and conditions on which sums may be borrowed,
 - (c) limits on the aggregate at any time outstanding in respect of the principal of sums borrowed.’.

Mr Secretary Moore

Agreed to 32

Page 25, line 16 [*Clause 32*], at end insert—

- () After subsection (4) insert—

“(5) The Secretary of State may by order made with the consent of the Treasury amend subsection (1A) so as to vary the means by which the Scottish Ministers may borrow money.”.

Scotland Bill, *continued*

Stewart Hosie
 Angus Robertson
 Pete Wishart
 Mr Angus Brendan MacNeil
 Dr Eilidh Whiteford
 Mr Mike Weir

Not called 28

Page 25, line 26 [*Clause* 32], leave out from beginning to end of line 33.

Mr Secretary Moore

Agreed to 33

Page 25, line 42 [*Clause* 32], at end insert—

‘() In section 114(1) (powers which may be exercised by modifying the 1998 Act), after “sections” insert “66(5),”’.

Stewart Hosie
 Angus Robertson
 Pete Wishart
 Mr Angus Brendan MacNeil
 Dr Eilidh Whiteford
 Mr Mike Weir

Not called 29

Page 25, line 43 [*Clause* 32], leave out subsection (10).

Mr Secretary Moore

Agreed to 34

Page 26, line 1 [*Clause* 32], leave out ‘place’ and insert ‘places’.

Mr Secretary Moore

Agreed to 35

Page 26, line 1 [*Clause* 32], at end insert—

“Section 66(5) | Type E”; and’.

Mr Secretary Moore

Agreed to 36

Page 28, line 5, leave out Clause 37.

Mr Frank Field

Not selected 1

Page 28, line 35 [*Clause* 39], leave out from beginning to end of line 2 on page 29 and insert—

‘(2A) Subject also to the provision made in sections 26(1) to (6), 27, 28, 29, 30 and 31 as to how those sections are to have effect, Part 3 shall come into force at the end of the period of two months after the new funding formula referred to in subsection (2) of section [*Funding formula for Scottish Government*] has been approved by resolution of the House of Commons.’.

Scotland Bill, *continued*

Mr Frank Field
Mr Philip Hollobone
John Mann
Hugh Bayley
Mr Graham Brady
John Glen

Not called 23

Page 28, line 35 [*Clause 39*], leave out from beginning to end of line 2 on page 29 and insert—

‘(2A) Subject also to the provision made in sections 26(1) to (6), 27, 28, 29, 30 and 31 as to how those sections are to have effect, Part 3 shall come into force at the end of the period of two months after the new funding formula referred to in subsection (2) of section [*Funding formula for Scottish Government (No. 2)*] has been approved by resolution of the House of Commons.’.

Stewart Hosie
Angus Robertson
Pete Wishart
Mr Angus Brendan MacNeil
Dr Eilidh Whiteford
Mr Mike Weir

Not called 37

Page 28, line 35 [*Clause 39*], at end insert—

‘(c) section [*Spirits, wine and beer and cider duties*]’.

Stewart Hosie
Pete Wishart
Angus Robertson
Mr Angus Brendan MacNeil
Mr Mike Weir
Dr Eilidh Whiteford

Not called 18

Page 28, line 40 [*Clause 39*], at end insert—

‘(3A) Notwithstanding any provisions in subsection 3(a), (b) or (c), sections 26(1) to (6) and 27, sections 28 and 29, and sections 30 and 31 can not be commenced without the consent of the Scottish Parliament.’.

Stewart Hosie
Pete Wishart
Angus Robertson
Mr Angus Brendan MacNeil
Mr Mike Weir
Dr Eilidh Whiteford

Not called 38

Page 28, line 40 [*Clause 39*], at end insert—

‘(3A) Section [*The Lord Advocate: Convention rights and Community law*] comes into force on such day as the Secretary of State may by order appoint, except the Secretary of State may not make such an order until the Secretary of State has considered the findings and recommendations of the expert group chaired by Lord McCluskey to review the role of the UK Supreme Court in Scottish criminal cases and has laid a report setting out the Secretary of State’s views on those findings and recommendations before both Houses of Parliament.’.

Scotland Bill, *continued*

Edward Miliband
Ann McKechin
Tom Greatrex

Not called **2**

Page **29**, line **2** [*Clause 39*], at end insert 'except new subsections (1A) and (1B) of section 66 of the 1998 Act, inserted by section 32(3), and subsections (9) and (10), which shall come into force on 1 April 2012'.

Bill read the third time, and passed.
