



The Scottish Parliament  
Pàrlamaid na h-Alba

Published 3 June 2020  
SP paper 740  
5th Report, 2020 (Session 5)

**Environment, Climate Change and Land Reform  
Committee**  
**Comataidh Atharrachadh Clìomaid is Ath-leasachaidh  
Fearann**

**The Scottish Animal Welfare  
Commission Regulations 2020 [draft]**



**Published in Scotland by the Scottish Parliamentary Corporate Body.**

---

All documents are available on the Scottish  
Parliament website at:  
[http://www.parliament.scot/abouttheparliament/  
91279.aspx](http://www.parliament.scot/abouttheparliament/91279.aspx)

For information on the Scottish Parliament contact  
Public Information on:  
Telephone: 0131 348 5000  
Textphone: 0800 092 7100  
Email: [sp.info@parliament.scot](mailto:sp.info@parliament.scot)

# Contents

<b>Introduction</b>	<b>1</b>
<b>What the Regulations do</b>	<b>2</b>
<b>Consideration by the Delegated Powers and Law Reform Committee</b>	<b>3</b>
<b>Consideration by the Environment, Climate Change and Land Reform Committee</b>	<b>4</b>

# Environment, Climate Change and Land Reform Committee

To consider and report on matters falling within the responsibility of the Cabinet Secretary for Environment, Climate Change and Land Reform.



<http://www.parliament.scot/environment-committee>



[Ecclr.committee@parliament.scot](mailto:Ecclr.committee@parliament.scot)



0131 348 5240

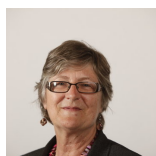
# Committee Membership



**Convener**  
**Gillian Martin**  
Scottish National Party



**Deputy Convener**  
**Finlay Carson**  
Scottish Conservative  
and Unionist Party



**Claudia Beamish**  
Scottish Labour



**Angus MacDonald**  
Scottish National Party



**Mark Ruskell**  
Scottish Green Party



**Stewart Stevenson**  
Scottish National Party



**Annie Wells**  
Scottish Conservative  
and Unionist Party

# Introduction

1. The [Scottish Animal Welfare Commission Regulations 2020 \[draft\]](#) were laid on 1 May 2020 and referred to the Environment, Climate Change and Land Reform Committee. The Committee must report by 9 June 2020.
2. The draft instrument (regulations) is subject to the affirmative procedure; the parliamentary procedure is set out in Chapter 10 of the [Standing Orders of the Scottish Parliament](#).

## What the Regulations do

3. The instrument is made under section 36(1) of the [Animal Health and Welfare \(Scotland\) Act 2006](#). It is being made alongside a declaration under section 23(1)(b) of the [Wildlife and Countryside Act 1981](#).
4. The purpose of this instrument is to allow for the appointment and, where appropriate, reappointment of members, early termination of membership, payment of reasonable expenses and places a duty on the Commission to prepare and publish an annual work plan and report annually to the Scottish Ministers on progress with delivering the plan.
5. The Commission will be required to submit annual reports on the performance of its functions to the Minister for Rural Affairs and Natural Environment. Reports will be laid before the Scottish Parliament.
6. The Commission will advise on the welfare of companion animals and wild animals in Scotland. The Commission's remit does not include zoo animals, as this is covered by the Zoos Expert Committee<sup>i</sup> that advises all GB administrations, or animals used in scientific procedures (this is already covered by the Animals in Science Committee<sup>ii</sup>).

---

<sup>i</sup> The ZEC provides UK Ministers including the Devolved Governments with access to independent, authoritative, impartial technical advice on zoo matters. This supports Government policies, priorities and responsibilities.

<sup>ii</sup> ASC is an advisory non-departmental public body, sponsored by the Home Office.

# Consideration by the Delegated Powers and Law Reform Committee

7. The Committee considered the instrument on [12 May 2020](#) and made no comment on the draft regulations.



# Consideration by the Environment, Climate Change and Land Reform Committee

8. The Committee considered the regulations at its meeting on [26 May 2020](#) and took evidence from Mairi Gougeon, Minister for Rural Affairs and the Natural Environment.
9. The Committee's questioning focussed on the membership of the Commission and its expert knowledge and its budget and oversight of that budget. The Minister told the Committee that the Scottish Government's animal health and welfare division has allocated around £50,000 to cover the expenses of members of the Commission (who are unpaid) and the publication of papers. It is anticipated that the budget would be reviewed and revised accordingly, once the Commission has been operational for a year.
10. The Committee also questioned the Minister on the Commission's plans for its work programme and its working relationship with other bodies and its duties in relation to human rights.
11. Following her evidence, the Minister moved motion S5M-21671—That the Environment, Climate Change and Land Reform Committee recommends that the Scottish Animal Welfare Commission Regulations 2020 [draft] be approved.
12. The motion was agreed to.

The Environment, Climate Change and Land Reform Committee recommends that the Scottish Animal Welfare Commission Regulations 2020 [draft] be approved.

