

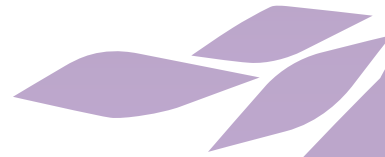


The Scottish Parliament
Pàrlamaid na h-Alba

Published 1 May 2019
SP Paper 520
5th Report 2019 (Session 5)

Economy, Energy and Fair Work Committee Comataidh Eaconamaidh, Lùth is Obair Chothromach

Companies Act 2006 (Scottish public sector companies to be audited by the Auditor General for Scotland) Order 2019



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Economy, Energy and Fair Work Committee

Remit: To consider and report on economy and fair work matters falling within the responsibilities of the Cabinet Secretary for Finance, Economy and Fair Work; matters relating to the digital economy within the responsibilities of the Minister for Public Finance and Digital Economy, and matters relating to energy falling within the responsibilities of the Minister for Energy, Connectivity and the Islands.

(As agreed by resolution of Parliament on 6 September 2018)



<http://www.parliament.scot/parliamentarybusiness/CurrentCommittees/economy-committee.aspx>



economyenergyandfairwork@parliament.scot



0131 348 5403

Committee Membership



Convener
Gordon Lindhurst
Scottish Conservative
and Unionist Party



Deputy Convener
John Mason
Scottish National Party



Jackie Baillie
Scottish Labour



Colin Beattie
Scottish National Party



Angela Constance
Scottish National Party



Jamie Halcro Johnston
Scottish Conservative
and Unionist Party



Dean Lockhart
Scottish Conservative
and Unionist Party



Gordon MacDonald
Scottish National Party



Andy Wightman
Scottish Green Party

Companies Act 2006 (Scottish public sector companies to be audited by the Auditor General for Scotland) Order 2019

1. The Committee took evidence on the [Companies Act 2006 \(Scottish public sector companies to be audited by the Auditor General for Scotland\) Order 2019](#) from Joe FitzPatrick, Minister for Public Health, Sport and Wellbeing and Nadine Murphy, Solicitor at its meeting on 30 April 2019. The Official Report will be available on the [Committee's website](#).
2. This instrument is made in order to enable the accounts of ILF Scotland, a qualifying non-departmental public body, to be audited by the Auditor General for Scotland with effect from 24 May 2019.
3. The [Delegated Powers and Law Reform Committee](#) (DPLR Committee) considered the instrument at its meeting on 2 April 2019 and agreed to draw to the attention of the Parliament on the general reporting ground in respect of a failure to follow proper drafting practice. The DPLR Committee noted that the instrument is only intended to extend to Scotland yet uses an enabling power that has a wider extent; drafting practice is to include an extent provision in the instrument. The Scottish Government responded that whilst the Order would technically extend across the whole of the United Kingdom it was difficult to see if this would have any legal significance. ILF Scotland are a Scottish registered company limited by guarantee and predominantly carry out functions in Scotland. The correspondence can be viewed [here](#). The issue was also raised at the meeting following the Minister's opening statement; the Official Report will be available on the [Committee's website](#).
4. Following evidence, the Minister for Business, Fair Work and Skills moved motion S5M-17063—

That the Economy, Energy and Fair Work Committee recommends that the Companies Act 2006 (Scottish public sector companies to be audited by the Auditor General for Scotland) Order 2019 be approved.

5. The motion was agreed to without debate or dissent.

The Economy, Energy and Fair Work Committee recommends that the Public Procurement etc. (Scotland) (Amendment) (EU Exit) Regulations 2019 [draft] be approved.

