



The Scottish Parliament
Pàrlamaid na h-Alba

Published 19 January 2021
SP Paper 908
2nd Report, 2021 (Session 5)

Local Government and Communities Committee Comataidh Riaghaltas Ionadail is Coimhearsnachdan

Report on the Corporate Insolvency and Governance Act 2020 (Meetings of Scottish Charitable Incorporated Organisations) (Coronavirus) (No. 2) Regulations 2020 (Made affirmative)



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>

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

Contents

Introduction	1
Consideration by the Committee	1
Conclusion	2

Local Government and Communities Committee

To consider and report on communities, housing, local government, measures against poverty, planning and regeneration matters falling within the responsibility of the Cabinet Secretary for Communities and Local Government.



LGCCCommittee@parliament.scot



0131 348 5206

Committee Membership



Convener
James Dornan
Scottish National Party



Deputy Convener
Sarah Boyack
Scottish Labour



Keith Brown
Scottish National Party



Gordon MacDonald
Scottish National Party



Alexander Stewart
Scottish Conservative
and Unionist Party



Annie Wells
Scottish Conservative
and Unionist Party



Andy Wightman
Independent

Introduction

1. The Local Government and Communities Committee reports to the Parliament as follows-
2. The [Corporate Insolvency and Governance Act 2020 \(Meetings of Scottish Charitable Incorporated Organisations\) \(Coronavirus\) \(No. 2\) Regulations 2020 \(Made affirmative\)](#) was laid before the Parliament on 9 December 2020 and came into force on 30 December 2020. This made affirmative requires the approval of Parliament within 40 days from the date it was made in order to remain in force. It was referred to the Local Government and Communities Committee for consideration.
3. The [Policy Note](#) explains that these Regulations amend the end date of the “relevant period” in paragraph 2(1)(b) of schedule 14 of the Corporate Insolvency and Governance Act 2020 (the “2020 Act”) from 30 December 2020 to 30 March 2021. The 2020 Act makes provision about meetings of Scottish charitable incorporated organisations (“SCIOs”) to give them more flexibility as to when and how general meetings (such as annual general meetings) and some other meetings are held.
4. The Act allows SCIOs to hold such meetings remotely (regardless of whether that is permitted by their constitutions) in the “relevant period”. The “relevant period” began with 26 March 2020 and (as amended by the Corporate Insolvency and Governance Act 2020 (Meetings of Scottish Charitable Incorporated Organisations) (Coronavirus) Regulations 2020) will end with 30 December 2020. This instrument will further amend when the “relevant period” will end for SCIOs to 30 March 2021. The amendment will allow SCIOs to hold meetings remotely until 30 March 2021.
5. In evidence to the Committee the Cabinet Secretary stated that SCIOs are legally required to hold certain meetings, but these would not be possible to hold in person given the current Covid-19 restrictions. This further set of regulations allows SCIOs to continue to hold remote meetings with their members, even when their constitution would not normally allow that, until 30 March 2021.

Consideration by the Committee

6. The Delegated Powers and Law Reform Committee considered this instrument at its meeting on [22 December 2020](#) and [determined](#) that it did not need to draw the attention of the Parliament to the instrument on any grounds within its remit.
7. At its meeting on [13 January 2021](#) the Local Government and Communities Committee took evidence on the instrument from:
 - Aileen Campbell, Cabinet Secretary for Communities and Local Government, Scottish Government.
8. Following an opening statement, with no further questions from members of the Committee, the Cabinet Secretary for Communities and Local Government moved motion [S5M-23666](#)-

That the Local Government and Communities Committee recommends that the Corporate Insolvency and Governance Act 2020 (Meetings of Scottish Charitable Incorporated Organisations) (Coronavirus) (No. 2) Regulations 2020 (Made affirmative) be approved.

9. The motion was agreed to without debate or division.

Conclusion

10. The Local Government and Communities Committee recommends that the Corporate Insolvency and Governance Act 2020 (Meetings of Scottish Charitable Incorporated Organisations) (Coronavirus) (No. 2) Regulations 2020 (Made affirmative) be approved.

