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Rural Economy and Connectivity Committee Comataidh Eaconomaidh Dùthchail is Co- cheangailteachd

Subordinate Legislation considered by the Rural Economy and Connectivity Committee on 8 May 2019



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Rural Economy and Connectivity Committee

To consider and report on matters falling within the responsibility of the Cabinet Secretary for the Rural Economy and the matters falling within the responsibility of the Cabinet Secretary for Transport, Infrastructure and Connectivity.



<http://www.scottish.parliament.uk/parliamentarybusiness/CurrentCommittees/rural-committee.aspx>



Rec.committee@parliament.scot



0131 348 5244

Committee Membership



Convener
Edward Mountain
Scottish Conservative
and Unionist Party



Deputy Convener
Gail Ross
Scottish National Party



Peter Chapman
Scottish Conservative
and Unionist Party



John Finnie
Scottish Green Party



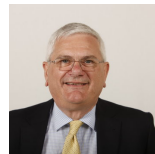
Jamie Greene
Scottish Conservative
and Unionist Party



Richard Lyle
Scottish National Party



John Mason
Scottish National Party



Mike Rumbles
Scottish Liberal
Democrats



Colin Smyth
Scottish Labour



Stewart Stevenson
Scottish National Party



Maureen Watt
Scottish National Party

Executive summary

1. This report details the Rural Economy and Connectivity Committee's consideration of the draft Public Appointments and Public Bodies etc (Scotland) Act 2003 (Treatment of South of Scotland Enterprise as Specified Authority) Order 2019.
2. The Committee agreed to recommend to the Parliament that it approves the draft instrument.

Public Appointments and Public Bodies etc (Scotland) Act 2003 (Treatment of South of Scotland Enterprise as Specified Authority) Order 2019 [draft]

The Committee reports to the Parliament as follows—

3. On 29 March 2019, the Public Appointments and Public Bodies etc (Scotland) Act 2003 (Treatment of South of Scotland Enterprise as Specified Authority) Order 2019 [draft] was laid before the Parliament and was subject to the affirmative resolution procedure.

Purpose of the instrument

4. The Public Appointments and Public Bodies etc (Scotland) Act 2003 (Treatment of South of Scotland Enterprise as Specified Authority) Order 2019 relates to the South of Scotland Enterprise Bill, which has been considered by the Rural Economy and Connectivity Committee at Stages 1 and 2. The instrument would allow South of Scotland Enterprise to be treated as a regulated body ahead of the Bill being passed by Parliament and coming into force.
5. Following the precedent being set by a number of other new public bodies, this Order is being laid following the conclusion of the Stage 1 debate. This is to allow the appointment of members to begin so that the Chair will be in place in Summer 2019 and can be involved in the recruitment of the Chief Executive. The remaining members will then be recruited and be in place in early Spring 2020. Advice from Audit Scotland is that the leadership of merged and new bodies should be in place 6 months ahead of the new body taking on its full functions.

Delegated Powers and Law Reform Committee consideration

6. The Delegated Powers and Law Reform Committee considered this instrument at its meeting on [23 April 2019](#), and determined that it did not need to draw the attention of the Parliament to the instrument on any grounds within its remit.

Rural Economy and Connectivity Committee consideration

7. At its 15th meeting of 2019, held on 8 May, the Rural Economy and Connectivity Committee took evidence on this instrument from Fergus Ewing, Cabinet Secretary for the Rural Economy, and his officials.

8. In discussions, the Committee asked for clarity as to how issues related to appointments to the South of Scotland Enterprise agency's board would be handled in the context of any relevant Stage 2 amendments to the South of Scotland Enterprise Bill. The Cabinet Secretary agreed to take this point fully into account in the implementation of the instrument.
9. The Cabinet Secretary subsequently moved the following motion in his name—

S5M-17046—That the Rural Economy and Connectivity Committee recommends that the Public Appointments and Public Bodies etc (Scotland) Act 2003 (Treatment of South of Scotland Enterprise as Specified Authority) Order 2019 [draft] be approved.
10. The Committee agreed the motion without division.
11. The [Official Report](#) of the meeting is a full transcript of the discussion.

Recommendation

12. The Rural Economy and Connectivity Committee recommends to the Parliament that the Public Appointments and Public Bodies etc (Scotland) Act 2003 (Treatment of South of Scotland Enterprise as Specified Authority) Order 2019 [draft] be approved.

