

## PARLIAMENTARY BUREAU

### REFERRAL OF BILLS AT STAGE 1

#### VISITOR LEVY (SCOTLAND) BILL

1. The Visitor Levy (Scotland) Bill was introduced in the Parliament on 24 May 2023 by the Cabinet Secretary for Finance, Shona Robinson MSP.
2. This Bill gives local authorities power to impose a levy to be charged on overnight accommodation to visitors. The remainder of the Bill provides for the various mechanisms and further powers to achieve this aim.
3. The Bill appears to engage the remits of the Local Government, Housing and Planning Committee and Economy and Fair Work Committee.
4. The remit of the Economy and Fair Work Committee is to consider and report on matters relating to the economy falling within the responsibility of the Cabinet Secretary for Finance. The Bill makes provision impacting on local government finance which falls within the responsibility of Cabinet Secretary for Finance and accordingly the Committee's remit is engaged.
5. The remit of the Local Government, Housing and Planning Committee is to consider and report on matters relating to local government, housing and planning. This falls within the responsibility of the Minister for Local Government Empowerment and Planning who supports the Cabinet Secretary for Finance. The main provision of the Bill is giving local authorities a new power which relates to place-based investment. Accordingly, the remit of the Local Government, Housing and Planning Committee is engaged.
6. It would appear that the Local Government, Housing and Planning Committee has the primary interest in the Bill. Moreover, Economy and Fair Work Committee does not plan to scrutinise the Bill and are not seeking to be designated as secondary committee. Designation of one committee as lead committee does not preclude any other committee whose remit is engaged from considering the Bill if it wishes to do so.

#### POLICE (ETHICS, CONDUCT AND SCRUTINY) (SCOTLAND) BILL

7. The Police (Ethics, Conduct and Scrutiny) (Scotland) Bill was introduced in the Parliament on 6 June 2023 by the Cabinet Secretary for Justice and Home Affairs, Angela Constance MSP.
8. The Bill makes provision to amend two Acts relating to police conduct – the Police, Public Order and Criminal Justice (Scotland) Act 2006, and the Police and Fire Reform (Scotland) Act 2012. It makes changes in four broad categories:
  - Ethics of the police

- Requiring the police to have a code of ethics
- Placing a duty of candour on the police in primary legislation
- Police conduct
  - Enabling changes to procedures for misconduct, including:
    - the Commissioner having a greater role in those procedures
    - those procedures being applied even after someone has left the police
    - an independent panel deciding misconduct cases against senior officers
  - Requiring the creation of an advisory list and barred list of people who are, or have been, subject to proceedings under the procedures for misconduct
- Functions of the Police Investigations and Review Commissioner
  - Increasing the range of possible functions of the Commissioner
  - Clarifying some issues in the existing legal framework around the functions of the Commissioner
- Governance of the Commissioner
  - Introducing an advisory board to the Commissioner

9. The Bill is focussed solely on issues relating to the conduct and standards of the police. This falls into the remit of the Cabinet Secretary for Justice and Home Affairs. The remit of the Criminal Justice Committee is to consider and report on matters relating to criminal justice within the responsibility of the Cabinet Secretary for Justice and Home Affairs.

10. No other committee remit appears to be engaged.

## Recommendations

**11. The Bureau is invited to consider recommending to the Parliament by motion that it agrees, under Rule 9.6.1, to designate the Local Government, Housing and Planning Committee as lead committee for consideration of the Visitor Levy (Scotland) Bill at Stage 1.**

**12. The Bureau is therefore invited to agree to refer the Police (Ethics, Conduct and Scrutiny) (Scotland) Bill to the Criminal Justice Committee under Rule 9.6.1 for consideration at Stage 1.**

**Parliamentary Business Team  
June 2023**