

Ministerial Submission - Primary Legislation - Bill progress and timetable

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Thu 11/03/2021 12:28

Hi all,

Following on from [redacted - section 38(1)(b)] emails earlier, I have attached our draft submission to the Minister outlining the plans to progress [redacted – out of scope] primary legislation. Annex B also contains a brief draft bill timetable, I'm happy to share our more detailed draft timetable separately if that would be helpful.

Apologies for the tight turn around, I'd be grateful for any comments in tracked changes by **12 noon on Monday 15th March** to allow us to send to the Minister and receive feedback in advance of the start of the election period.

Let me know if you would like any additional information.

Thanks,

[redacted - section 38(1)(b)]@gov.scot]

[redacted - section 38(1)(b)]@gov.scot] **Scottish Government | Building Safer Communities | Safer Communities Division** | [redacted - section 38(1)(b)]@gov.scot]

Please note I am working from home. I am available via email, mobile or Skype.

OFFICIAL SENSITIVE

From: [redacted - section 38(1)(b)]
Safer Communities Division
Directorate for Safer Communities

16 March 2021

Minister for Community Safety

Fireworks Primary Legislation – Bill Progression and Next Steps

Purpose

1. To set out plans to take forward the recommendations of the Firework Review Group that require primary legislation and agree next steps ahead of the election period commencing on 25th March.

Priority

2. **Routine.**

[redacted – out of scope]

Bill Timetable

9. As you outlined in your paper to the Cabinet Sub-Committee on Legislation (CSCL), the primary legislation would need to be progressed early in Year 1 in order to have any of these measures in statute and in practice before November 2022.

[redacted – out of scope]

10. Officials have discussed the draft Bill Timetable with SGLD and PLU colleagues and propose the bill to be introduced in year one (December) to allow partial commencement of the bill, if passed, before November 2022. This should allow time for the bill to pass through parliamentary stages by late June 2022. A draft Bill timetable is outlined in **ANNEX B**.

[redacted – not in scope]

Bill Progression

13. As outlined in the draft bill timeline, it is expected the earliest that some aspects of the bill can come into force will be in September 2022. If primarily legislation is to be progressed to this timescale, there are a number of potential risks and handling issues to be aware of and consider specifically in relation to time needed by stakeholders to introduce new measures, and in terms of businesses investing in stock

that is unlikely to all be used due to intervening legislation. Officials have identified and outlined plans to progress the bill below, along with the associated risks attached.

14. Working to this draft timeline, there are risks in relation to the development and scrutiny of the Bill, particularly in terms of the uncertainties about Bill scheduling in a new parliament. The proposed timetable of December 2021 introduction [redacted – out of scope] will require a degree of expedited scrutiny by the Parliament. Whilst Bills have been progressed within such tight timescales before, this requires agreement with the lead Committee. Committee capacity to take forward a Bill under a compressed timetable will also require to be taken into account. Justice Committee is expected to be dealing with a high volume of legislation early in the Session, including potential priority Covid legislation. One option for addressing this is exploring the possibility of an alternative lead Committee with greater capacity to take forward this work, e.g. the Local Government and Communities Committee.

[redacted – out of scope]

[redacted – out of scope]

[redacted – out of scope]

Next Steps

20. [redacted – out of scope] It is also important to note that while provisional plans can be made, it will be for the new Minister for Parliamentary Business to agree to the bill introduction dates and for the new administration to agree the overall legislative programme.

Recommendation

21. You are invited to note and comment on the content of this submission.

[redacted - section 38(1)(b)]
 Safer Communities Division
 16 March 2021

Copy List:	For Action	For Comments	For Information		
			Portfolio Interest	Constituent Interest	General Awareness
Cabinet Secretary for Justice					
Minister for Business, Fair Work and Skills			X		
Minister for Parliamentary Business and Veterans			X		

DG Education and Justice Wendy Wilkinson, Safer Communities [redacted - section 38(1)(b)]

[redacted - section 38(1)(b)]

[redacted - section 38(1)(b)]

[redacted - section 38(1)(b)]

[redacted - section 38(1)(b)]

Craig French, Solicitor

John McFarlane, Special Adviser

[redacted - section 38(1)(b)]

[redacted - section 38(1)(b)]

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[redacted - section 38(1)(b)]

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Andy Beattie, Chief Parliamentary Counsel

[redacted - section 38(1)(b)]

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ANNEX A POLICY INTENTIONS

[redacted – not in scope]

ANNEX B DRAFT BILL TIMETABLE

THEME	DESCRIPTION	DATES
Pre-Parliamentary Stages		
Consultation	Consultation to launch as soon after the election as possible.	Mid-May to July 2021
Drafting Bill	<ul style="list-style-type: none"> • Policy instructions • [redacted – s30(c)] • PCO draft bill provisions • Cabinet/CSCL approval 	By November 2021
Bill Documentation	<ul style="list-style-type: none"> • Finance memo • Delegated powers memo • Finalise impact assessments • Policy memorandum • Explanatory Notes • Ministerial clearance 	By November 2021
Parliamentary Stages		
Bill Prep and Introduction	<ul style="list-style-type: none"> • Draft Bill and accompanying docs to Presiding officer • [redacted – s36] • Minister for Parly Bus – agree introduction • Introduce to Parliament 	<ul style="list-style-type: none"> • Draft Bill to PO by mid-November • Agreement to introduce from Minister for Parliamentary Business- end September • Bill introduced to Parliament - early December
Stage 1	<ul style="list-style-type: none"> • Committee • Debate 	Stage 1 (est. 5 months) – Stage 1 Debate early March 2022
Stage 2	<ul style="list-style-type: none"> • Amendments 	Stage 2 est. May 2022
Stage 3	<ul style="list-style-type: none"> • Debate • Vote on Bill 	Stage 3 – est. complete by late June 2022
[redacted – out of scope]	[redacted – out of scope]	[redacted – out of scope]
[redacted – out of scope]	[redacted – out of scope]	[redacted – out of scope]