

# South of Scotland Enterprise Bill

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## Marshalled List of Amendments selected for Stage 3

The Bill will be considered in the following order—

Sections 1 to 22  
Long Title

Schedules 1 and 2

Amendments marked \* are new (including manuscript amendments) or have been altered.

### Section 5

#### **Colin Smyth**

- 9** In section 5, page 2, line 4, after first <the> insert <sustainable>

#### **Colin Smyth**

- 2** In section 5, page 2, line 8, at end insert—  
<( ) supporting rural businesses, enterprises and communities,>

#### **Fergus Ewing**

- 3** In section 5, page 2, line 14, leave out from <social> to end of line and insert <inclusive business models (such as social enterprises and co-operatives of any kind),>

#### **Colin Smyth**

- 10** In section 5, page 2, line 20, at end insert—  
<( ) promoting the development of affordable housing,>

#### **Joan McAlpine**

#### **Supported by: Colin Smyth**

- 11** In section 5, page 2, line 23, after <natural> insert <and cultural>

#### **Emma Harper**

- 12** In section 5, page 2, line 26, leave out from <transition> to end of line and insert <transitions required to meet the net-zero emissions target (as defined in section A1 of the Climate Change (Scotland) Act 2009).>

#### **Claudia Beamish**

- 13** In section 5, page 2, line 26, at end insert—

<( ) encouraging persons and bodies with an interest in the environment to co-operate in achieving environmental objectives.>

**Maureen Watt**

**Supported by: Colin Smyth**

**14** In section 5, page 2, line 26, at end insert—

<( ) encouraging and facilitating collaborations between persons that will advance one or more of South of Scotland Enterprise's aims.>

## **Section 6**

**Colin Smyth**

**15** In section 6, page 2, line 34, leave out <and section 6A>

**Colin Smyth**

**16** In section 6, page 3, line 2, leave out <and section 6A>

## **Section 6A**

**Colin Smyth**

**17** Leave out section 6A, and insert—

### **<Consultation on action plan**

- (1) South of Scotland Enterprise must—
  - (a) consult about its action plan before first making it, and
  - (b) thereafter, begin to consult about its action plan within 5 years of completing the last consultation under this subsection.
- (2) Before carrying out a consultation under subsection (1), South of Scotland Enterprise must prepare, and make publicly available, a document describing its strategy for consulting with—
  - (a) people who live and work in the South of Scotland, and
  - (b) businesses and public authorities that operate there.
- (3) In carrying out a consultation under subsection (1), South of Scotland Enterprise must—
  - (a) follow its most recently prepared consultation strategy, and
  - (b) seek views from—
    - (i) Dumfries and Galloway Council,
    - (ii) Scottish Borders Council.
- (4) Having completed a consultation under subsection (1), South of Scotland Enterprise must—
  - (a) prepare a report setting out what (if anything) it intends to do in light of the views elicited through the consultation process, and
  - (b) send a copy of the report to—

- (i) the Scottish Ministers, and
  - (ii) the local authorities mentioned in subsection (3)(b).
- (5) The Scottish Ministers are to lay before the Scottish Parliament a copy of each report received by them under subsection (4).
- (6) The Scottish Ministers may by regulations change the date by which the next consultation under subsection (1) must begin to a date later than would otherwise be allowed by paragraph (b) of that subsection if, in the Scottish Ministers' opinion, it would be expedient to do so in order to synchronise South of Scotland Enterprise's consultation process with any equivalent consultation process being undertaken by, or on behalf of, Scottish Enterprise or Highlands and Islands Enterprise.>

## **Section 7**

### **John Finnie**

- 1 In section 7, page 3, line 31, at end insert—
- <(3A) Despite the generality of subsection (1), South of Scotland Enterprise may not do anything which contributes financially to the arms trade, whether—
- (a) directly through the exercise of its own powers, or
  - (b) knowingly by its support for another company or body which so contributes.
- (3B) In subsection (3A), “the arms trade” means sales of munitions, including both sales for domestic procurement and sales for export.>

## **After section 7**

### **Colin Smyth**

- 19\* After section 7, insert—

#### **<Duty to facilitate co-operation with other relevant bodies**

South of Scotland Enterprise must encourage and facilitate co-operation between it and other Scottish public authorities operating in the South of Scotland and having functions relevant to any of the aims of South of Scotland Enterprise.>

## **After section 9**

### **Fergus Ewing**

- 4 After section 9, insert—

#### **<Workers' interests committee**

- (1) South of Scotland Enterprise must establish a committee to advise it on what might be done to advance the interests of workers in the South of Scotland.
- (2) The committee must include at least one member nominated by a trade union operating in the South of Scotland.>

## **Section 14**

### **Colin Smyth**

**18** In section 14, page 5, line 16, at end insert—

- <( ) Each report prepared under subsection (1) must include an assessment of how the activities of South of Scotland Enterprise during the year have contributed to the achievement of—
- (a) the things set out in its action plan,
  - (b) its aims.>

## **After section 15**

### **Fergus Ewing**

**5** After section 15, insert—

#### **<Fair work direction**

- (1) The Scottish Ministers must issue a direction under section 15 to South of Scotland Enterprise about fair work within 1 year of this section coming into force.
- (2) The direction—
  - (a) must—
    - (i) stipulate that South of Scotland Enterprise is to seek to promote fair work in exercising its functions,
    - (ii) set out what fair work means for the purposes of the direction, and
  - (b) may contain any other provision which the Scottish Ministers consider appropriate in relation to the promotion of fair work by South of Scotland Enterprise.
- (3) Before issuing the direction, the Scottish Ministers must consult—
  - (a) persons who appear to the Scottish Ministers to represent the interests of those who work in the South of Scotland, and
  - (b) persons who appear to the Scottish Ministers to represent the interests of employers in the South of Scotland.>

## **Schedule 1**

### **Fergus Ewing**

**6** In schedule 1, page 7, line 14, leave out first <and> and insert <or>

### **Fergus Ewing**

**7** In schedule 1, page 7, line 14, leave out second <and> and insert—

- <(ab) has experience or knowledge of the issues facing those who work in the South of Scotland,>

**Colin Smyth**

**7A** As an amendment to amendment 7, line 2, leave out <or> and insert <and>

**Fergus Ewing**

**8** In schedule 1, page 7, line 15, at end insert—

<( ) In considering, for the purpose of sub-paragraph (2A)(ab), the particular experience or knowledge the membership should have, the Scottish Ministers must consult—

- (a) persons appearing to them to represent trade unions operating in the South of Scotland,
- (b) persons appearing to them to represent businesses operating in the South of Scotland.>



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