

**PARLIAMENTARY BUREAU**

**REFERRAL OF DRAFT PROPOSALS**

**COMMISSIONER FOR OLDER PEOPLE (SCOTLAND) BILL**

1. A draft proposal for a Commissioner for Older People (Scotland) Bill was lodged on 12 June 2023 by Colin Smyth MSP.
2. The proposal is for a Bill to establish an independent commissioner to promote and safeguard the rights and interests of older people.
3. The draft proposal is accompanied by a consultation document which runs from 13 June 2023 to 12 September 2023.
4. In terms of Standing Orders (Rule 9.14.5) the Parliamentary Bureau is required to refer the draft proposal to a committee (or committees) within whose remit the subject matters falls.
5. This referral is for information only – there is no expectation that the committee will scrutinise or report on the draft proposal at this stage.
6. The proposal falls within the remit of the following committees.

<b>Committee</b>	<b>Remit and relevance</b>
Equalities, Human Rights and Civil Justice Committee	<p>To consider and report on the following (and any additional matter added under Rule 6.1.5A)—</p> <ol style="list-style-type: none"><li>a. matters relating to equal opportunities, and upon the observance of equal opportunities within the Parliament; and</li><li>b. matters relating to human rights.</li><li>c. matters relating to civil justice within the responsibility of the Cabinet Secretary for Justice and Home Affairs.</li></ol> <p>“Equal Opportunities” includes the prevention, elimination or regulation of discrimination between persons on grounds of sex or marital status, on racial grounds or on grounds of disability, age, sexual orientation, language or social origin or of other personal attributes, including beliefs or opinions such as religious beliefs or political opinions.</p>

7. The proposal seeks to establish a commissioner to promote and safeguard the rights of older people. The Equalities, Human Rights and Civil Justice Committee's remit includes consideration of matters relating to the prevention, elimination or regulation of discrimination on grounds of age. In

addition, under its remit, it may consider matters for which the Minister for Equalities, Migration and Refugees holds responsibility, which includes equalities issues relating to older people. As such it is recommended that the Bureau refer the proposal to the Equalities, Human Rights and Civil Justice Committee, for information only.

**LAND OWNERSHIP AND PUBLIC INTEREST (SCOTLAND) BILL**

8. A draft proposal for a Land Ownership and Public Interest (Scotland) Bill was lodged on 6 June 2023 by Mercedes Villalba MSP.
9. The proposal is for a Bill to address the concentrated pattern of land ownership in Scotland by introducing a presumed limit of 500 hectares on individual sales or transfers of land and on the aggregate amount of land any person can own, and by strengthening the regulation of Scotland’s land market by making land transfers over the 500-hectare limit subject to a public interest test.
10. The draft proposal is accompanied by a consultation document. The consultation runs from 7 June 2023 to 12 September 2023.
11. In terms of Standing Orders (Rule 9.14.5) the Parliamentary Bureau is required to refer the draft proposal to a committee (or committees) within whose remit the subject matters falls.
12. This referral is for information only – there is no expectation that the committee will scrutinise or report on the draft proposal at this stage.
13. The proposal falls within the remit of the following committee.

<b>Committee</b>	<b>Remit and relevance</b>
Net Zero, Energy and Transport	To consider and report on matters falling within the responsibility of the Cabinet Secretary for Net Zero and Just Transition, with the exception of matters relating to just transition; on matters relating to land reform, natural resources and peatland, Scottish Land Commission; Crown Estate Scotland, and Royal Botanic Garden within the responsibility of the Cabinet Secretary for Rural Affairs, Land Reform and Islands; and on matters relating to energy within the responsibility of the Cabinet Secretary for Wellbeing Economy, Fair Work and Energy.

14. The proposed bill is concerned with placing a presumed limit on land transfers and strengthening the regulation of Scotland’s land market. In

addition, it would create a public interest test for land sales and transfers over a prescribed limit. The Net Zero, Energy and Transport Committee's remit includes matters within the Cabinet Secretary for Rural Affairs, Land Reform and Islands in relation to land reform, it is apparent that the proposed bill would fall within the Committee's remit

15. Further to this, it is the member's intention that the Scottish Land Commission be designated as the regulatory body which would administer the public interest test. This is relevant as the Committee's remit includes matters relating to the Scottish Land Commission that fall within the Cabinet Secretary for Rural Affairs, Land Reform and Islands remit.

### **Recommendation**

16. **The Bureau is invited to refer the draft proposal on the Commissioner for Older People (Scotland) Bill to the Equalities, Human Rights and Civil Justice Committee.**
17. **The Bureau is invited to refer the draft proposal on the Land Ownership and Public Interest (Scotland) Bill to the Net Zero, Energy and Transport Committee.**

**Non-Government Bills Unit  
June 2023**