



# Scotland Act 1998

## 1998 CHAPTER 46

### PART I

#### THE SCOTTISH PARLIAMENT

##### *Legislation*

### **31 Scrutiny of Bills [<sup>F1</sup>for legislative competence and protected subject-matter] .**

- (1) [<sup>F2</sup>A person] in charge of a Bill shall, on or before introduction of the Bill in the Parliament, state that in his view the provisions of the Bill would be within the legislative competence of the Parliament.
- (2) The Presiding Officer shall, on or before the introduction of a Bill in the Parliament, decide whether or not in his view the provisions of the Bill would be within the legislative competence of the Parliament and state his decision.
- [<sup>F3</sup>(2A) The Presiding Officer shall, after the last time when a Bill may be amended but before the decision whether to pass or reject it, decide whether or not in his view any provision of the Bill relates to a protected subject-matter and state his decision.]
- (3) The form of any statement, and the manner in which it is to be made, shall be determined under standing orders, and standing orders may provide for any statement to be published.
- [<sup>F4</sup>(4) For the purposes of this Part a provision of a Bill relates to a protected subject-matter if it would modify, or confer power to modify, any of the matters listed in subsection (5) (but not if the provision is incidental to or consequential on another provision of the Bill).
- (5) The matters are—
  - (a) the persons entitled to vote as electors at an election for membership of the Parliament,
  - (b) the system by which members of the Parliament are returned,
  - (c) the number of constituencies, regions or any equivalent electoral area, and

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*Changes to legislation: There are currently no known outstanding effects for the Scotland Act 1998, Section 31. (See end of Document for details)*

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- (d) the number of members to be returned for each constituency, region or equivalent electoral area.]

#### **Textual Amendments**

- F1** Words in s. 31 heading substituted (18.5.2017) by [Scotland Act 2016 \(c. 11\)](#), **ss. 11(3)**, 72(4)(a); S.I. 2017/608, [reg. 2\(1\)\(i\)](#)
- F2** Words in s. 31(1) substituted (15.10.2012) by [Scotland Act 2012 \(c. 11\)](#), **ss. 6**, 44(5); S.I. 2012/1710, [art. 3](#)
- F3** S. 31(2A) inserted (18.5.2017) by [Scotland Act 2016 \(c. 11\)](#), **ss. 11(4)**, 72(4)(a); S.I. 2017/608, [reg. 2\(1\)\(i\)](#)
- F4** S. 31(4)(5) inserted (18.5.2017) by [Scotland Act 2016 \(c. 11\)](#), **ss. 11(5)**, 72(4)(a); S.I. 2017/608, [reg. 2\(1\)\(i\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Scotland Act 1998, Section 31.