



Scotland Act 1998

1998 CHAPTER 46

PART I

THE SCOTTISH PARLIAMENT

Legislation

36 Stages of Bills.

- (1) Standing orders shall include provision—
 - (a) for general debate on a Bill with an opportunity for members to vote on its general principles,
 - (b) for the consideration of, and an opportunity for members to vote on, the details of a Bill, and
 - (c) for a final stage at which a Bill can be passed or rejected.
- (2) Subsection (1) does not prevent standing orders making provision to enable the Parliament to expedite proceedings in relation to a particular Bill.
- (3) Standing orders may make provision different from that required by subsection (1) for the procedure applicable to Bills of any of the following kinds—
 - (a) Bills which restate the law,
 - (b) Bills which repeal spent enactments,
 - (c) private Bills.
- (4) Standing orders shall provide for an opportunity for the reconsideration of a Bill after its passing if (and only if)—
 - (a) the [^{F1}Supreme Court decides] that the Bill or any provision of it would not be within the legislative competence of the Parliament,
 - [^{F2}(aa) the Supreme Court decides on a reference made in relation to the Bill under section 32A(2)(b) that any provision of the Bill relates to a protected subject-matter,]
 - (b) ^{F3}... or

Changes to legislation: There are currently no known outstanding effects for the Scotland Act 1998, Section 36. (See end of Document for details)

(c) an order is made in relation to the Bill under section 35.

[^{F4}(4A) Standing orders shall provide for an opportunity for the reconsideration of a Bill after its rejection if (and only if), on a reference made in relation to the Bill under section 32A(2)(a), the Supreme Court decides that no provision that is subject to the reference relates to a protected subject-matter.]

- (5) Standing orders shall, in particular, ensure that [^{F5}—
- (a) any Bill amended on reconsideration in accordance with standing orders made by virtue of subsection (4)(a) ^{F6}... or (c), and
 - (b) any Bill reconsidered in accordance with standing orders made by virtue of subsection (4)(aa) or (4A),]

is subject to a final stage at which it can be approved or rejected.

- (6) References in subsection (4), sections 28(2)[^{F7}, 31(2A), 31A, 32A(2)(b)] and 38(1)(a) and paragraph 7 of Schedule 3 to the passing of a Bill shall, in the case of a Bill [^{F8}to which subsection (5)(a) or (b) applies], be read as references to the approval of the Bill.

Textual Amendments

- F1** Words in s. 36(4) substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 40(4), 148(1), [Sch. 9 para. 99](#); S.I. 2009/1604, [art. 2](#)
- F2** S. 36(4)(aa) inserted (18.5.2017) by [Scotland Act 2016 \(c. 11\)](#), ss. [11\(16\)](#), 72(4)(a); S.I. 2017/608, [reg. 2\(1\)\(i\)](#)
- F3** S. 36(4)(b) omitted (31.12.2020) by virtue of [European Union \(Withdrawal\) Act 2018 \(c. 16\)](#), s. 25(4), [Sch. 3 para. 12\(2\)](#) (with s. 19, [Sch. 8 para. 37](#)); S.I. 2020/1622, [reg. 3\(l\)](#) (with regs. 10, 11, 22)
- F4** S. 36(4A) inserted (18.5.2017) by [Scotland Act 2016 \(c. 11\)](#), ss. [11\(17\)](#), 72(4)(a); S.I. 2017/608, [reg. 2\(1\)\(i\)](#)
- F5** S. 36(5)(a)(b) substituted (18.5.2017) for words by [Scotland Act 2016 \(c. 11\)](#), ss. [11\(18\)](#), 72(4)(a); S.I. 2017/608, [reg. 2\(1\)\(i\)](#)
- F6** Word in s. 36(5)(a) omitted (31.12.2020) by virtue of [European Union \(Withdrawal\) Act 2018 \(c. 16\)](#), s. 25(4), [Sch. 3 para. 12\(3\)](#) (with s. 19, [Sch. 8 para. 37](#)); S.I. 2020/1622, [reg. 3\(l\)](#) (with regs. 10, 11, 22)
- F7** Words in s. 36(6) inserted (18.5.2017) by [Scotland Act 2016 \(c. 11\)](#), ss. [11\(19\)\(a\)](#), 72(4)(a); S.I. 2017/608, [reg. 2\(1\)\(i\)](#)
- F8** Words in s. 36(6) substituted (18.5.2017) by [Scotland Act 2016 \(c. 11\)](#), ss. [11\(19\)\(b\)](#), 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 36.