#### STATUTORY INSTRUMENTS

#### 1999 No. 1095

# CONSTITUTIONAL LAW DEVOLUTION, SCOTLAND

The Scotland Act 1998 (Transitory and Transitional Provisions) (Standing Orders and Parliamentary Publications) Order 1999

Made - - - - 7th April 1999
Laid before Parliament 12th April 1999
Coming into force 6th May 1999

## THE SCOTLAND ACT 1998 (TRANSITORY AND TRANSITIONAL PROVISIONS)(STANDING ORDERS AND PARLIAMENTARY PUBLICATIONS) ORDER 1999

- 1. Citation and commencement
- 2. Interpretation
- 3. Standing orders of the Parliament.
- 4. Publication of statements under the authority of the Parliament
- 5. Any statement which is required or authorised to be published...
- 6. Duration
- 7. Unless earlier revoked by an order under section 129(1) of... Signature

## SCHEDULE — STANDING ORDERS OF THE SCOTTISH PARLIAMENT CHAPTER 1 — **MEMBERS**

- 1. Rule 1.1 The Scottish Parliament
- 2. The members of the Parliament returned for each constituency or...
- 1. Rule 1.2 Oath of allegiance
- 2. A member may, immediately after taking the oath or making...
- 3. The member shall then sign a register kept by the...
- 4. The Parliament's power under section 84(3) (where a member fails...
- 5. In these Rules, "oath of allegiance" means the oath in...
- 1. Rule 1.3 Term of office
- 2. A member may at any time resign his or her...
- 3. A member may also cease to be a member in...

- 1. Rule 1.4 Disqualification
- 2. Any member may, within 3 sitting days of such notification,...
- 1. Rule 1.5 Vacancies
- 2. The date on which a constituency vacancy is to be...
- 3. If, in any of the cases mentioned in paragraph 2(a)...
- 4. For the purposes of section 10 (regional vacancies), the date...
- 1. Rule 1.6 Code of Conduct
- 1. Rule 1.7 Withdrawal of rights and privileges

#### CHAPTER 2: — MEETINGS OF THE PARLIAMENT

- 1. Rule 2.1 Session of the Parliament
- 2. Each session shall be divided into Parliamentary years. The first...
- 3. A sitting day is any day when the office of...
- 1. Rule 2.2 Meetings of the Parliament
- 2. The Parliament shall decide, on a motion of the Parliamentary...
- 3. The Parliament may, except as mentioned in paragraph 4 or...
- 4. A meeting of the Parliament may continue beyond 17:30 on...
- 5. Any motion mentioned in paragraph 4(d) may be moved without...
- 6. A meeting of the Parliament shall normally begin and end...
- 7. A meeting of the Parliament begins when the Presiding Officer...
- 8. The Presiding Officer may convene the Parliament on other dates...
- 9. In these Rules "Members' Business" means any item of business,...
- 1. Rule 2.3 Parliamentary recess
- 2. In considering dates of any Parliamentary recess, the Parliamentary Bureau...
- 3. The dates on which a Parliamentary recess is to begin...
- 1. Rule 2.4 First meeting following general election
- 2. The first meeting of the Parliament following any subsequent general...
- 3. Subject to paragraphs 4 and 5, that meeting shall be...
- 4. If the person holding the office of Presiding Officer as...
- 5. If neither that person nor the former Officer is present...
- 6. The chair may be taken by a member only if...
- 7. Any reference to "the oldest qualified member" means the oldest...
- 8. When the Clerk or the oldest qualified member is in...
- 9. Any reference to "the former Officer" means—
- 1. Rule 2.5 Chairing of meetings
- 2. Where the offices of Presiding Officer and of both deputy...
- 3. Where the Presiding Officer and both deputy Presiding Officers are...
- 4. Paragraphs 2 and 3 are subject to the special provisions...
- 1. Rule 2.6 Witnesses and documents
- 2. The Parliament shall arrange for the Parliamentary corporation to pay...
- 1. Rule 2.7 Location
- 2. The Parliament may decide, on a motion of the Parliamentary...
- 3. Where it is not practicable for the Parliament to meet...

#### CHAPTER 3: — OFFICERS OF THE PARLIAMENT

- 1. Rule 3.1 Presiding Officer and deputy Presiding Officers
- 2. The Presiding Officer shall have such other functions as may...
- 3. In exercising any functions, the Presiding Officer and deputy Presiding...
- 4. The Presiding Officer's functions may be exercised by a deputy...
- 5. The Presiding Officer may authorise a deputy Presiding Officer to...
- 1. Rule 3.2 Election of Presiding Officer
- 2. If the Presiding Officer ceases to hold office before the...
- 3. In the case of the election of the Presiding Officer...
- 4. In the case of the election of a Presiding Officer...

- 5. For the purposes of paragraph 4, the date on which...
- 6. A member may, at any time during the period which...
- 7. Where there are 2 elected deputy Presiding Officers who represent...
- 8. A person nominated as a candidate must take the oath...
- 9. At the beginning of the voting period, the person chairing...
- 10. After the person chairing the meeting has declared the result...
- 1. Rule 3.3 Election of deputy Presiding Officers
- 2. If a deputy Presiding Officer ceases to hold office before...
- 3. Where there is a vacancy in the office of Presiding...
- 4. Where there are vacancies in the offices of both deputy...
- 5. In the case of the election of deputy Presiding Officers...
- 6. Paragraph 5 shall also apply in any other case where...
- 7. In the case of an election under paragraph 5 or...
- 8. In the case where there is a vacancy in only...
- 9. In the case of an election under paragraph 8, where...
- 10. For the purposes of paragraphs 6 and 8, the date...
- 11. The following paragraphs apply to an election in any of...
- 12. A member may at any time during the period which...
- 13. A person nominated as a candidate must take the oath...
- 12. At the beginning of a voting period, the Presiding Officer...
- 1. Rule 3.4 Resignation of Presiding Officer and deputy Presiding Officers
- 2. The Clerk shall notify the Parliament of any such resignation....
- 1. Rule 3.5 Removal of Presiding Officer and deputy Presiding Officers
- 2. The Presiding Officer or deputy Presiding Officer is removed from...
- 1. Rule 3.6 Members of the Parliamentary corporation
- 1. Rule 3.7 Election of members of the Parliamentary corporation
- 2. An election shall also be held to fill any vacancy...
- 3. In the case of an election under paragraph 1, the...
- 4. Paragraph 3 shall also apply in any other case where...
- 5. In the case of an election under paragraph 3 or...
- 6. In the case where there is a vacancy in only...
- 7. Any member may, not later than 30 minutes before the...
- 8. A nomination of a candidate shall be valid only if...
- 9. At the beginning of a voting period, the Presiding Officer...
- 10. The Presiding Officer shall appoint as a member of the...
- 1. Rule 3.8 Appointment of members of the Parliamentary corporation
- 2. The Presiding Officer shall notify the Parliament of any appointment...
- 1. Rule 3.9 Resignation of members of the Parliamentary corporation
- 2. The Presiding Officer shall notify the Parliament of the resignation....
- 1. Rule 3.10 Removal of members of the Parliamentary corporation
- 2. An appointed member is removed from office as a member...
- 1. Rule 3.11: Auditor General for Scotland
- 2. The members of the Selection Panel shall be the Presiding...
- 3. The Selection Panel shall recommend to a meeting of the...
- 4. Any member of the Selection Panel may by motion propose...
- 5. Any debate on such a motion shall be restricted to...
- 6. If there is a division on such a motion, the...
- 1. Rule 3.12 Removal of Auditor General for Scotland
- 2. If there is a division on such a motion, the...

#### CHAPTER 4: — THE SCOTTISH EXECUTIVE

- 1. Rule 4.1 Nomination of First Minister
- 2. The date and time for the voting period to select...
- 3. Any member may, not later than 30 minutes before the...

- 4. A nomination shall be valid only if it is seconded...
- 5. A member nominated as a candidate must take the oath...
- 6. At the time appointed for the voting period to select...
- 1. Rule 4.2 Designation of person to exercise functions of First Minister
- 1. Rule 4.3 Appointment of Scottish Law Officers
- 2. Such a motion may relate to one or both of...
- 3. Before the Presiding Officer puts to the Parliament the question...
- 4. If there is a division on such a motion, the...
- 1. Rule 4.4 Removal of Scottish Law Officers
- 1. Rule 4.5 Participation of Scottish Law Officers in proceedings
- 2. The Scottish Law Officer may (subject always to the provision...
- 3. These Rules shall apply to the Scottish Law Officer, when...
- 4. Paragraphs 2 and 3 are without prejudice to section 27(2)...
- 1. Rule 4.6 Appointment of other Scottish Ministers
- 2. He or she shall by motion seek the agreement of...
- 3. Before the Presiding Officer puts to the Parliament the question...
- 4. If there is a division on such a motion, the...
- 1. Rule 4.7 Appointment of junior Scottish Ministers
- 1. Rule 4.8 Resignation of Ministers
- 2. Where any other member of the Scottish Executive or a...

### CHAPTER 5: — THE PARLIAMENTARY BUREAU AND MANAGEMENT OF BUSINESS

- 1. Rule 5.1 Parliamentary Bureau
- 2. The main functions of the Parliamentary Bureau shall be-
- 3. The Parliamentary Bureau shall have such other functions relating to...
- 4. The Parliamentary Bureau shall not be regarded as a committee...
- 1. Rule 5.2: Members of the Parliamentary Bureau
- 2. Members who represent a political party with fewer than 5...
- 3. A nomination of a party or group representative may be...
- 4. If a member wishes to join a group or no...
- 5. If, at any time and for whatever reason, a party...
- 6. Where a party or group representative ceases to hold office...
- 7. A party or group representative may arrange for another member...
- 1. Rule 5.3 Procedure of Parliamentary Bureau
- 2. The Parliamentary Bureau shall meet in private.
- 3. The Parliamentary Bureau shall not consider any business if the...
- 4. Matters to be decided by the Parliamentary Bureau shall, in...
- 5. A party or group representative shall carry one vote for...
- 6. A deputy Presiding Officer may attend any meeting of the...
- 7. The Parliamentary Bureau may invite members who are not members...
- 1. Rule 5.4 Business programme
- 2. The business programme shall include an agenda of business for...
- 3. The business programme shall be notified to members in the...
- 1. Rule 5.5 Daily business list
- 2. The daily business list shall be notified to members in...
- 3. The Parliament may, on a motion of the Parliamentary Bureau,...
- 4. If any emergency business arises, the Presiding Officer may allow...
- 1. Rule 5.6 Special cases of Parliamentary business
- 2. For the purposes of this Rule, a half sitting day...
- 1. Rule 5.7 Programme of the Scottish Executive
- 2. The Parliamentary Bureau shall ensure that sufficient time is set...
- 1. Rule 5.8 Financial business

- 2. "Consideration of financial proposals" means consideration by committees of documents...
- "Consideration of draft budgets" means consideration by committees of documents
- 4. "Financial year" means the year beginning on 1st April.
- 1. Rule 5.9 Business Bulletin
- 2. The Business Bulletin shall include—(a) the business programme;
- 3. The Business Bulletin shall be issued to members by whatever...
- 4. The Clerk shall keep the Business Bulletin under review and...

#### CHAPTER 6: — COMMITTEES

- 1. Rule 6.1 Establishment of committees
- 2. Any member may by motion propose the establishment of a...
- 3. The Parliamentary Bureau may, whether in response to such a...
- 4. A committee established by the Parliament to deal with a...
- 5. In addition, the Parliament shall, on a motion of the...
- 6. The Parliamentary Bureau shall by motion propose the establishment of—...
- 1. Rule 6.2 Functions of all committees
- 2. In particular, each committee shall conduct such inquiries into such...
- 1. Rule 6.3 Membership of committees
- 2. Each committee shall have at least than 5 but not...
- 3. A member may indicate to the Parliamentary Bureau his or...
- 4. In proposing a member to be a committee member, the...
- 5. A committee member shall serve as a member of a...
- 6. A committee member may not be represented at a meeting...
- 1. Rule 6.4 Procedures Committee
- 1. Rule 6.5 Standards Committee
- 2. Where the Committee considers it appropriate, it may by motion...
- 1. Rule 6.6 Finance Committee
- 2. The Committee may also consider and, where it sees fit,...
- 3. In these Rules, "public expenditure" means expenditure of the Scottish...
- 1. Rule 6.7 Audit Committee
- 2. No member of the Scottish Executive or junior Scottish Minister...
- 1. Rule 6.8 European Committee
- 2. The Committee may refer matters to the Parliamentary Bureau or...
- 3. The convener of the Committee shall not be the convener...
- 4. The Parliamentary Bureau shall normally propose a person to be...
- 1. Rule 6.9 Equal Opportunities Committee
- 2. In these Rules, "equal opportunities" includes the prevention, elimination or...
- 1. Rule 6.10 Public Petitions Committee
- 1. Rule 6.11 Subordinate Legislation Committee
- 1. Rule 6.12 Duration of committees
- 2. The Parliament shall, on a motion of the Parliamentary Bureau,...
- 3. The Parliament may decide, on a motion of the Parliamentary...
- 1. Rule 6.13 Questions regarding competence
- 2. If a matter falls within the remit of more than...
- 1. Rule 6.14 Joint consideration by committees
- 2. Where a matter is to be considered jointly under paragraph...
- 3. Any report on the joint consideration of a matter shall...
- 4. Any of those committees may establish a sub-committee to consider...

#### CHAPTER 7: — CONDUCT OF MEETINGS

- 1. Rule 7.1 Languages
- 2. Any person addressing the Parliament on the invitation of the...

- 1. Rule 7.2 Calling speakers and content of speeches
- 2. The Presiding Officer may allocate speaking time, whether for proceedings...
- 3. The Presiding Officer may order a member to stop speaking...
- 4. A speaker may not be interrupted except by the Presiding...
- 1. Rule 7.3 Order in the chamber
- 2. Members shall at all times conduct themselves in an orderly...
- 3. Any member who is in breach of paragraph 2 may...
- 4. A motion under paragraph 3(b) may not be amended. If...
- 1. Rule 7.4 Disturbances
- 1. Rule 7.5 Sub judice
- 2. For the purposes of paragraph 1, legal proceedings are active...
- 3. Where any member refers to a matter in relation to...
- 4. Nothing in this Rule shall prevent the Parliament from legislating...
- 1. Rule 7.6 Forms of address
- 1. Rule 7.7 Calculating the length of debates or the number of speakers
- 1. Rule 7.8 Committee proceedings

#### CHAPTER 8: — MOTIONS AND POINTS OF ORDER

- 1. Rule 8.1 Motions
- 2. A motion may be moved without notice being given only...
- 3. Where these Rules provide for a motion of a committee...
- 1. Rule 8.2 Notice of motions
- 2. A motion shall—(a) be in English;
- 3. The Clerk may refuse to accept notice of a motion...
- 4. Any member may indicate his or her support for a...
- 5. The text of a motion and the name of the...
- 6. Normally, a motion shall not be taken before the sitting...
- 7. Where time has been allocated for a debate on a...
- 1. Rule 8.3 Motions taken by the Parliament
- 2. When a motion is taken by the Parliament the motion...
- 3. Before the member moves the motion, he or she may...
- 4. Immediately after the motion is moved, the Presiding Officer may...
- 5. All motions may be debated, except as provided in these...
- 6. After a motion is moved, it may be withdrawn by...
- 7. After the debate has been closed or, where there is...
- 1. Rule 8.4 Amendments to motions
- 2. A motion without notice may be amended without notice.
- 1. Rule 8.5 Notice of amendments
- 2. An amendment shall– (a) be in English;
- 3. The Clerk may refuse to accept notice of an amendment...
- 4. Any member may indicate his or her support for an...
- 5. The text of an amendment and the name of the...
- 6. The Presiding Officer shall examine all amendments of which notice...
- 1. Rule 8.6 Amendments taken by the Parliament
- 2. When an amendment is taken, it may be moved by...
- 3. Before the member moves the amendment, he or she may...
- 4. An amendment may be debated only if the motion may...
- 5. The question on an amendment shall be put in accordance...
- 1. Rule 8.7 Amendments to amendments
- 1. Rule 8.8 Application to committees
- 1. Rule 8.9 Motions of First Minister
- 1. Rule 8.10 Tax-varying resolutions
- 2. Subject to paragraph 3, a motion for a tax-varying resolution...

- 3. A motion for a tax-varying resolution may be moved after...
- 1. Rule 8.11 Business motions
- 2. A business motion may be moved, and notice of such...
- 3. Any debate on a business motion shall be restricted to...
- 4. Members may propose amendments to a business motion. If, when...
- 1. Rule 8.12 Motions of no confidence
- 2. If notice of a motion of no confidence is supported...
- 3. Members shall normally be given at least 2 sitting days'...
- 1. Rule 8.13 Procedural motions
- 2. A motion referred to in paragraph 1 shall take precedence...
- 1. Rule 8.14 Closure of a debate
- 2. A member may, by motion without notice, propose that a...
- 3. Any member may, by motion without notice, propose that a...
- 4. If a debate is closed or extended under this Rule...
- 1. Rule 8.15 Motions for adjournment of a debate
- 2. If the motion is agreed to, the Parliament shall proceed...
- 3. If the motion is not agreed to, the same or...
- 1. Rule 8.16 Adjournment and closure of meetings
- 2. The Presiding Officer may, if he or she considers it...
- 1. Rule 8.17 Points of order
- 2. In making a point of order, a member may not...
- 3. The Presiding Officer shall normally take an immediate decision on...

#### CHAPTER 9: — BILL PROCEDURES

- 1. Rule 9.1 General Rules and Special Rules
- 1. Rule 9.2 Form and introduction of Bills
- 2. A Bill shall be introduced by being lodged with the...
- 3. A Bill may not be introduced unless it is in...
- 4. A Bill must, before introduction, be signed by the member...
- 5. The Clerk shall ensure that notice of the introduction of...
- 6. No Bill, other than a Budget Bill, may be introduced...
- 1. Rule 9.3 Accompanying documents
- 2. A Bill shall on introduction be accompanied by a Financial...
- 3. A Bill introduced by a member of the Scottish Executive...
- 4. A Bill which contains any provision charging expenditure on the...
- 5. The documents which must accompany a Bill under this Rule...
- 6. A Bill may be introduced without one or more of...
- 1. Rule 9.4 Printing and publishing of Bills and accompanying documents
- 1. Rule 9.5 Stages of Bills
- 2. A Bill which has been passed by the Parliament may...
- 3. The business programme shall set out the time or times...
- 4. If at any Stage a Bill falls or is rejected...
- 5. A Bill introduced in any session of the Parliament falls...
- 1. Rule 9.6 Stage 1
- 2. The Parliamentary Bureau shall also refer any provision in the...
- 3. In considering the general principles of the Bill and preparing...
- 4. Once the lead committee has reported on the Bill, the...
- 5. Any member may by motion propose that the Bill be...
- 6. If the motion is agreed to, consideration of the Bill's...
- 7. If the Parliament agrees to the Bill's general principles the...
- 1. Rule 9.7 Stage 2
- 2. The Presiding Officer shall be the convener of a Committee...
- 3. At Stage 2, each section and schedule and the long...
- 4. Unless the Parliament has decided, on a motion of the...

- 5. A Bill may be amended at Stage 2. Notice of...
- 6. At Stage 2, amendments to any section or schedule or...
- 7. In addition to the provisions of Rule 12.2.2–
- 8. At the end of Stage 2, the Clerk shall, if...
- 9. If the Bill has been amended at Stage 2 so...
- 1. Rule 9.8 Stage 3
- 2. At Stage 3, the Parliament shall decide the question whether...
- 3. A Bill may be amended at Stage 3. Notice of...
- 4. The Presiding Officer may select, as he or she sees...
- 5. Unless the Parliament has decided, on a motion of the...
- 6. At the beginning of the debate on the question whether...
- 7. This Rule, apart from paragraph 6, shall apply to the...
- 8. At Stage 3 a Bill may be referred back to...
- 9. If there is a division at Stage 3 on the...
- 10. If the result of such a division is not valid...
- 1. Rule 9.9 Reconsideration of Bills passed
- 2. The member in charge of a Bill may by motion...
- 3. Proceedings on reconsideration shall be taken at a meeting of...
- 4. A Bill may be amended on reconsideration of the Bill...
- 5. After amendments have been disposed of, the Parliament shall consider...
- 1. Rule 9.10 Amendments to Bills
- 2. Subject to paragraph 6, where a member intends to move...
- 3. Notice of an amendment shall set out the text of...
- 4. The convener or, as the case may be, the Presiding...
- 5. An amendment is admissible unless– (a) it is not in...
- 6. An amendment may be moved at Stage 2 with notice...
- 7. An amendment may be made to an amendment and this...
- 8. Where, at any Stage, notice of amendments to a Bill...
- 9. An amendment to insert a new section or schedule shall...
- 10. An amendment to an amendment shall be disposed of before...
- 11. An amendment at any Stage which would be inconsistent with...
- 12. The convener or, as the case may be, the Presiding...
- 13. The member moving an amendment may speak in support of...
- 14. If a member who has given notice of an amendment...
- 15. An amendment may be withdrawn by the member who moved...
- 1. Rule 9.11 Crown consent
- 1. Rule 9.12 Financial Resolutions
- 2. Where a Bill, or an amendment to a Bill, contains...
- 3. Where a Bill, or an amendment to a Bill, contains...
- 4. A motion for a resolution under this Rule may be...
- 5. Any Bill which contains any provisions such as are mentioned...
- 6. Unless the Parliament passes a resolution required in relation to...
- 1. Rule 9.13 Withdrawal of Bills
- 1. Rule 9.14 Member's Bills
- 2. Each member may introduce no more than 2 Member's Bills...
- 3. A member who is not a member of the Scottish...
- 4. Any other member may notify the Clerk of his or...
- 5. A Member's Bill may be introduced by a member only...
- 6. If the proposal has not by the end of that...
- 1. Rule 9.15 Committee Bills
- 2. A committee may make a proposal for a Bill in...
- 3. For the purposes of deciding whether to make a proposal...
- 4. Any member may submit to the Parliamentary Bureau a draft...

- 5. A proposal for a Bill under this Rule shall be...
- 6. A time shall be appointed in the business programme for...
- 7. If the Parliament agrees to the proposal, the convener of...
- 8. At Stage 1 of a Committee Bill, the Bill shall...
- 1. Rule 9.16 Budget Bills
- 2. A Budget Bill may be introduced only by a member...
- 3. At Stage 1 of a Budget Bill, the Bill shall...
- 4. The requirement in Rule 9.5.3 that there be at least...
- 5. Stage 3 shall begin no earlier than 20 days after...
- 6. Amendments to a Budget Bill may be moved, and notice...
- 7. If a Budget Bill is dependent upon the Parliament passing...
- 8. If a Budget Bill falls or is rejected at any...
- 1. Rule 9.17 Private Bills
- 2. A Private Bill may be introduced in the Parliament only...
- 3. A Private Bill introduced in the Parliament shall be signed...
- 4 At Stage 1 of a Private Bill, the lead committee...
- 5. If any requirement imposed by the committee is not complied...
- 6. For the purposes of determining whether any of the provisions...
- 1. Rule 9.18 Consolidation Bills
- 2. A Consolidation Bill shall not require to be accompanied by...
- 3. Where a Consolidation Bill has been introduced in the Parliament,...
- 4. In proposing the membership of a Consolidation Committee under Rule...
- 5. At Stage 1 of a Consolidation Bill, the Consolidation Committee...
- 6. Stage 2 of a Consolidation Bill shall be taken by...
- 7. At Stage 3 of a Consolidation Bill, the Parliament shall,...
- 1. Rule 9.19 Statute Law Repeals Bills
- 2. Rule 9.18 shall apply to a Statute Law Repeals Bill...
- 1. Rule 9.20 Statute Law Revision Bills
- 2. Rule 9.18 shall apply to a Statute Law Revision Bill...
- 1. Rule 9.21 Emergency Bills
- 2. At Stage 1, an Emergency Bill shall be referred immediately...
- 3. Stage 2 of an Emergency Bill shall be taken by...
- 4. The requirement in Rule 9.5.3 that there be at least...
- 5. Unless the Parliament decides otherwise on a motion of the...

#### CHAPTER 10: — SUBORDINATE LEGISLATION PROCEDURE

- 1. Rule 10.1 Laying of instruments
- 2. The Clerk may require the person laying the instrument or...
- 3. Where any instrument or draft instrument is laid before the...
- 1. Rule 10.2 Lead committee
- 2. Where the subject matter of the instrument falls within the...
- 1. Rule 10.3 Subordinate Legislation Committee
- 2. The Committee shall report its decision with its reasons in...
- Rule 10.4 Motion for annulment 1.
- 2. In addition to the provisions of Rule 12.2.2, that member...
- 3. The lead committee shall report to the Parliament on the...
- 4. If the lead committee makes a recommendation as mentioned in...
- 1. Rule 10.5 Motion that draft instrument be not made or submitted
- 2. In addition to the provisions of Rule 12.2.2, that member... 3.
- The lead committee shall report to the Parliament on the...
- 4. If the lead committee recommends that the instrument be not...
- 1. Rule 10.6 Motion for approval
- Any member of the Scottish Executive or junior Scottish Minister... 2.
- In addition to the provisions of Rule 12.2.2, that member...

- 4. The lead committee shall report to the Parliament on the...
- 5. If the lead committee recommends that the draft instrument be...
- 1. Rule 10.7 Instruments considered by the Parliament
- 1. Rule 10.8 Withdrawal of instruments
- 1. Rule 10.9 Notice of instruments and draft instruments
- 1. Rule 10.10 Application to other documents
- 1. Rule 10.11 Calculation of days

#### CHAPTER 11: — **DECISIONS AND VOTING**

- 1. Rule 11.1 Decisions of the Parliament
- 2. A matter requiring a decision of the Parliament shall be...
- 3. Where any question requires to be put to the Parliament,...
- 1. Rule 11.2 Decision Time
- 2. Decision Time is the period which normally begins at 17:00...
- 3. Normally, Decision Time shall end not later than 30 minutes...
- 4. The Parliament may, on a motion of the Parliamentary Bureau,...
- 5. The Parliament may, on a motion of any member moved...
- 6. Where– (a) a motion is listed on the daily business...
- 1. Rule 11.3 Decisions at times other than Decision Time
- 2. The Presiding Officer shall put the question on an amendment...
- 3. Decisions may, at the discretion of the Presiding Officer, be...
- 1. Rule 11.4 Order in which questions are put
- 2. Questions on amendments to a motion shall be put in...
- 3. If any member disagrees with the question put under paragraph...
- 4. The provisions of this Rule shall apply to amendments to...
- 1. Rule 11.5 Right to vote
- 2. A member shall vote only in person and shall not...
- 3. A member may vote although he or she did not...
- 4. A member shall vote only once on any question.
- 5. Except in the case of a vote of an election...
- 1. Rule 11.6 Divisions
- 2. The Presiding Officer shall repeat the question. The Presiding Officer...
- 3. Once the Presiding Officer has repeated the question, no-one except...
- 4. Points of order concerning the validity of the division may...
- 5. The Presiding Officer shall establish the numerical result of the...
- 6. In the event of a tie, the Presiding Officer shall...
- 1. Rule 11.7 Manner of voting
- 2. If it appears to the Presiding Officer that the electronic...
- 3. In a roll call vote, the roll shall be called...
- 1. Rule 11.8 Committees
- 2. The convener shall put the question on an amendment to...
- 3. Except as provided in any direction given to a committee...
- 4. Rule 11.5 applies where members vote in a committee or...
- 5. Rules 11.4 and 11.11 shall apply to the taking of...
- 1. Rule 11.9 Election of Presiding Officer and deputy Presiding Officers
- 2. The vote at an election shall be by secret ballot...
- 3. The result of any vote under this Rule is valid...
- 4. Each candidate may appoint a member to act as a...
- 5. Any member may, at the beginning of a round of...
- 6. Where there is only one candidate in a round of...
- 7. Where there is more than one candidate in a round...
- 8. Where there are two candidates in a round of voting,...
- 9. Where there are more than 2 candidates in a round...
- 10. Where there are more than 2 candidates in a round...

- 11. Where in any round of voting the candidates all receive...
- 12. A candidate may withdraw his or her candidature at any...
- 13. In counting the votes, the Clerk may disregard any ballot...
- 14. When a candidate has been elected in accordance with this...
- 15. Where no candidate is elected at an election held in...
- 16. Following a declaration that a candidate has been elected or...
- 1. Rule 11.10 Election of members of Parliamentary corporation and selection of First Minister
- 2. Voting under this Rule shall be held using the electronic...
- 3. A member may only vote once in a round of...
- 4. The result of any vote under this Rule is valid...
- 5. Where there is only one candidate in a round of...
- 6. Where there is more than one candidate in a round...
- 7. Where there are 2 candidates in a round of voting,...
- 8. Where there are more than 2 candidates in a round...
- 9. Where there are more than 2 candidates in any round...
- 10. Where in any round of voting the candidates all receive...
- 11. A candidate may withdraw his or her candidature at any...
- 12. When a candidate has been elected or selected in accordance...
- 13. Where no candidate is elected at an election or selected...
- 1. Rule 11.11 Simple and absolute majority
- 2. A simple majority means that the number of members voting...
- 3. An absolute majority means that the number of members voting...

#### CHAPTER 12: — **COMMITTEE PROCEDURES**

- 1. Rule 12.1 Conveners of committees
- 2. The Parliament shall decide, for each committee, on a motion...
- 3. In making a proposal under paragraph 2, the Parliamentary Bureau...
- 4. At the first meeting of a committee after it is...
- 5. The convener of a committee shall be a member of...
- 6. The convener of a committee shall hold office for the...
- 7. Where the convener of a committee ceases to hold office,...
- 8. Each committee shall have a deputy convener who shall be...
- 9. Where the convener is not available for any meeting of...
- 10. Where the office of convener is vacant, a meeting of...
- 11. When the deputy convener or oldest member of the committee...
- 12. This Rule is subject to any other Rule making express...
- 1. Rule 12.2 Procedure in committee
- 2. Any member of the Parliament may attend any meeting, or...
- 3. Where a committee is considering any of the business mentioned...
- 1. Rule 12.3 Committee meetings
- 2. A committee shall meet in Scotland at such place as...
- 3. A committee meeting shall not be held at the same...
- 4. Committee meetings shall be held in public except as mentioned...
- 5. All or part of a meeting of a committee may...
- 1. Rule 12.4 Witnesses and documents
- 2. For the purposes of section 26(1), the convener of a...
- 3. The committee shall arrange for the Parliamentary corporation to pay...
- 1. Rule 12.5 Sub-committees
- 2. The remit of any sub-committee of a committee shall be...
- 3. The membership of any sub-committee shall be determined by the...
- 4. In considering the membership of a sub-committee, the committee shall...
- 5. The convener of a sub-committee shall be a member of...
- 6. The duration of a sub-committee shall be determined by the...

- 7. A sub-committee shall report to the committee which established it....
- 8. Rules 6.3.5, 6.3.6, 12.1.7 to 12.1.10, 12.2 to 12.4 and...
- 1. Rule 12.6 Reporters
- 1. Rule 12.7 Advisers
- 1. Rule 12.8 Reports of committees
- 2. Where the report is addressed to the Parliament, the Clerk...
- 3. Any committee report lodged with the Clerk shall be published...
- 1. Rule 12.9 Annual reports
- 1. Rule 12.10 Travelling outwith the United Kingdom

#### CHAPTER 13: — STATEMENTS AND PARLIAMENTARY QUESTIONS

- 1. Rule 13.1 Personal statements
- 2. A member wishing to make a personal statement shall notify...
- 3. If the Presiding Officer decides that a personal statement may...
- 4. Where a personal statement is made, it may not be...
- 1. Rule 13.2 Ministerial statements
- 2. Where a ministerial statement is of an urgent nature, the...
- 1. Rule 13.3 Questions to the Scottish Executive
- 2. Questions shall be in writing and lodged with the Clerk....
- 3. A question shall—(a) be brief, clearly worded, and address...
- 4. A question shall specify whether it is for oral answer...
- 5. A member may withdraw a question lodged by him or...
- 1. Rule 13.4 Admissibility of questions
- 2. Any dispute as to whether a question is admissible shall...
- 1. Rule 13.5 Written questions
- 2. The answer to a written question shall be lodged with...
- 3. The Clerk shall publish all written questions in the Business...
- 1. Rule 13.6 Oral questions
- 2. Question Time shall be a period of up to 30...
- 3. Open Question Time shall be a period of up to...
- 4. A member may lodge an oral question only on the...
- 5. At the end of the eighth day before Question Time...
- 6. After any Open Questions have been selected, the Clerk shall...
- 7. Notice of questions selected under paragraphs 5 and 6 shall...
- 1. Rule 13.7 Question Time and Open Question Time
- 2. A question is taken at Question Time or Open Question...
- 3. Questions shall be taken in the order in which they...
- 4. When a question is taken at Question Time or Open...
- 5. At Question Time, after a question is answered, the member...
- 6. At Open Question Time, after a question is answered, any...
- 7. A member asking a question shall, in asking the question,...
- 8. A member may ask a supplementary question only on the...
- 9. A question selected for answer at Question Time or Open...
- 1. Rule 13.8 Emergency Questions
- 2. If an emergency question is, in the opinion of the...
- 3. An emergency question concerning a matter for which the First...
- 4. When an emergency question is taken it may be asked...
- 5. After an emergency question is answered the member who asked...
- 6. A member asking an emergency question shall, in asking the...
- 7. A member may ask a supplementary question only on the...
- 1. Rule 13.9 Questions to Presiding Officer
- 2. A question addressed to the Presiding Officer under paragraph 1...
- 3. Rules 13.3 to 13.7 shall apply to questions to the...

#### CHAPTER 14: — LAYING AND PUBLICATION OF DOCUMENTS

- 1. Rule 14.1 Laying of reports and other documents
- 2. The Clerk may require the person laying the report or...
- 3. A report or other document may be laid before the...
- 4. No report or other document shall be laid before the...
- 5. The Clerk shall ensure that notice of any report or...
- 1. Rule 14.2 Laying of financial reports and documents
- 2. Any document laid before the Parliament setting out preliminary draft...
- 1. Rule 14.3 Publication of documents
- 2. If the Parliament so decides, the Clerk shall publish any...
- 3. In these Rules, "document" means anything in which information is...
- 1. Rule 14.4 Publication under the authority of the Parliament
- 2. In these Rules, "statement" has the same meaning as in...

#### CHAPTER 15: — OPENNESS AND ACCESSIBILITY

- 1. Rule 15.1 Meetings in public
- 2. Paragraph 1 is subject to the conditions which require to...
- 1. Rule 15.2 Public access
- 2. Members of the public admitted to the public gallery during...
- 3. The Presiding Officer may order that any member of the...
- 4. This Rule shall apply to meetings of committees as it...
- 1. Rule 15.3 Access to chamber
- 2. If the person holding the office of Presiding Officer or...
- 3. Any person mentioned in paragraph 1(b), (d) or (e) may...
- 4. Only a member, or the Lord Advocate or Solicitor General...
- 5. Any person may, on the invitation of the Parliament, address...
- 1. Rule 15.4 Bringing a petition
- 2. A petition shall clearly indicate—(a) the name of the...
- 3. All petitions shall be in English.
- 4. The Public Petitions Committee shall determine the proper form of...
- 5. A petition may be lodged with the Clerk, or sent...
- 1. Rule 15.5 Admissibility of petitions
- 2. A petition is admissible unless– (a) it does not comply...
- 3. If a petition is inadmissible it shall be rejected by...
- 1. Rule 15.6 Action on a petition
- 2. When the Committee has considered the petition it may—
- 3. The petitioner shall be notified of the action taken by...

#### CHAPTER 16: — **REPORTING OF PROCEEDINGS**

- 1. Rule 16.1 Minutes of proceedings
- 2. The minutes shall record all the items of business taken...
- 3. The Clerk shall arrange for the minutes of proceedings to...
- 1. Rule 16.2 Scottish Parliament Official Report
- 2. The Official Report shall also contain all written questions, together...
- 3. The Clerk shall ensure that the Official Report is printed...
- 1. Rule 16.3 Journal of the Scottish Parliament
- 2. The Journal shall contain—(a) minutes of proceedings;
- 1. Rule 16.4 Broadcast of proceedings
- 2. Until such a Code of Conduct has been made by...
- 1. Rule 16.5 Committee proceedings
- 2. Unless the Parliament decides otherwise, no substantially verbatim report

#### CHAPTER 17: — MISCELLANEOUS

- 1. Rule 17.1 Making and amending standing orders
- 2. The draft set of standing orders proposed by the Procedures...
- 3. After the Parliament has made its own standing orders the...

- 1. Rule 17.2 Suspension of standing orders
- 1. Rule 17.3 Notice to members
- 2. Where the Parliament is in recess, notice shall be given...
- 3. Where notice is given in accordance with paragraph 1 or...
- 1. Rule 17.4 Lodging of documents
- 2. In addition, anything to be lodged with, or notified to,...

#### CHAPTER 18: — GLOSSARY

- 1. Rule 18.1 Interpretation
- 1. Rule 18.2 Index of defined expressions
- 1. Rule 18.3 Other references

— INDEX

**Explanatory Note**