

## Interests of Members of the Scottish Parliament (Amendment) Bill

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Bill Number: SP Bill 70  
Introduced on: 27 May 2015  
Introduced by: Stewart Stevenson  
Passed: 17 December 2015  
Royal Assent: 21 January 2016

[2016 asp 4](#)

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### Passage of the Bill

The [Interests of Members of the Scottish Parliament \(Amendment\) Bill](#) (SP Bill 70) was a Committee Bill introduced by Stewart Stevenson, Convener of the Standards, Procedures and Public Appointments Committee, on 27 May 2015.

The Stage 1 debate by the Parliament was held on [29 September 2015](#).

The [Interests of Members of the Scottish Parliament \(Amendment\) Bill Committee](#) was designated as the lead committee for the Bill on 7 October 2015.

The Bill was also considered by the Delegated Powers and Law Reform Committee on [1 September](#) and [15 September](#) 2015 and by the Finance Committee on [2 September 2015](#).

The Bill was considered at Stage 2 by the Bill Committee on [10 November 2015](#) and the [Bill as amended at Stage 2](#) was published on 11 November 2015.

The Stage 3 debate took place, and the Bill was passed, with no further amendments, on [17 December 2015](#).

Royal Assent was received on 21 January 2016.

## **Purpose and objectives of the Bill**

The Bill sought to amend the [Interests of Members of the Scottish Parliament Act 2006](#). The Scottish Parliament had been given increased power over its members interests scheme by the provisions of the Scotland Act 2012.

In April 2013, after the new powers had commenced in July 2012, the Standards, Procedures and Public Appointments (SPPA) Committee launched a consultation on a potential Members Interests Bill. It received only three responses. In its 2nd Report of 2015, published on 6 March 2015, the SPPA Committee set out a draft Members' Interest Bill.

The Bill as introduced sought to amend the Political Parties, Elections and Referendum Act 2000 (PPERA ) so that the dual reporting was no longer required for MSPs who are not members of a registered political party, as well as for MSPs who are members of a registered political party. The intention was that the dual reporting would stop after the next ordinary general election to the Parliament in May 2016, but secondary legislation is required to introduce the change to PPERA, which would only be made by the UK Government once it had been informed by the Electoral Commission that the Commission is satisfied that that it would receive from the Parliament all the information it requires relating to political donations.

These changes are intended to streamline the process for MSPs and to make all the information available in one place, on the Parliament's website. The provisions in the Bill would also extend the length of time that records are retained by the Parliament from five to ten years.

## **Provisions of the Bill**

The Bill introduced by the Committee on 27 April 2015 was very similar to the draft Bill.

The provisions in the Bill would introduce amendments to the Interests of Members of the Scottish Parliament 2006 Act which would combine the currently separate processes of members declaring their financial interests in accordance with Parliament's members' interests regime and the reporting of political donations and loans to the Electoral Commission.

Other changes to the 2006 Act included broadening the range of sanctions that can be imposed on members who breach the disclosure requirements.

The offence of paid advocacy would be extended by the provisions in the Bill to include agreeing to receive inducements as well as actually receiving them.

The Bill also addressed the recommendation in the GRECO (Group of States against Corruption) evaluation report so that the specified limit for the threshold for exemption from registration, of, for example, remuneration, stocks and shares or gifts, would be reduced.

## **Parliamentary consideration**

There are special procedures that apply to Committee Bills. In particular, under Rule 9.15 of the Parliament's standing orders, they are not referred to a lead committee at Stage 1. In addition, those MSPs who developed the proposal for the Bill cannot play an active part in scrutinising it at Stage 2 (Rule 9.13A.2(c)). It is for this reason that it is usually necessary to establish an ad hoc committee to undertake Stage 2 scrutiny of a Committee Bill.

The Interests of Members of the Scottish Parliament (Amendment) Bill Committee was established by the Parliament on 22 September 2015.

At Stage 2 the Committee agreed to two amendments lodged on behalf of the SPPA Committee, which dealt with the issue of paid advocacy, which had been raised during the Stage 1 debate. The Bill amended the existing paid advocacy offence to ensure greater consistency with the Bribery Act 2010.

The Bill was passed, with no further amendments at Stage 3, on 17 December 2015.