

Call for evidence

Inquiry into the procedures for considering legislation

The Standards, Procedures and Public Appointments Committee has agreed to conduct an inquiry into the procedures for considering legislation.

The remit of the inquiry is—

To examine the general procedures and practice for considering public bills in the Scottish Parliament, whether any changes are required, and if so, what these should be. The main focus of the inquiry is on public bills introduced under the general rule set out in Chapter 9 of the Standing Orders.

The Committee is interested in receiving views as part of this inquiry.

Details of how to submit your views can be found below. The deadline for responses is **Friday 21 March 2014**.

Background

The origins of the inquiry can be found in the legacy paper by the SPPA Committee in 2011, which highlighted concerns around the transparency of the process of grouping, debating and voting on amendments; and the timetabling of stages of bills.

In addition, some of the submissions to the Committee's parliamentary reform inquiry raised points about the scrutiny of legislation. These included the extent of consultation, the challenges for outside organisations in engaging with the Parliament at stages 2 and 3, and limitations to stage 3 scrutiny because of time constraints.

Finally, several witnesses during the Committee's recent post-legislative scrutiny inquiry argued that if the current legislative process in the Parliament worked more effectively there may be less need for post-legislative scrutiny.

Scope of the inquiry

The Committee has agreed that the inquiry should focus on the general rules on public bills, rather than public bills which have special procedural rules (for example members' bills, committee bills, hybrid bills, Scottish Law Commission bills, emergency bills, and consolidation bills) or private bills.

The focus of the inquiry is therefore is on public bills introduced under the general rule set out in Chapter 9 of the Standing Orders.

Background information and guidance on the legislation process [can be found on the Scottish Parliament's website](#).

Key questions

The Committee has highlighted some issues on which it would be interested to hear your views. These are set out in the box below.

You are invited to respond to as many or as few of these questions as you wish. You are also welcome to raise any other issues within the remit of the inquiry.

Public bill process – overview

1. Does the current three stage process deliver legislative scrutiny that is fit for purpose? In particular, how effective are the procedures for each of the main stages, the timescales allowed for these stages, and the time allowed between stages? To what extent does the current legislative process encourage engagement from interested parties?

Accompanying documents

2. Are any changes needed to the rules on the supporting documents which should accompany a bill on introduction?

Purpose of stage 1

3. Stage 1 involves a lead committee considering whether the general principles behind a bill should be agreed to. In recent times stage 1 reports have frequently looked in detail at the specifics of a bill, including recommending amendments at the amendment stages. Does the stage 1 procedure provide for adequate scrutiny? Are there any changes which could be made to improve stage 1 scrutiny of public bills?

Time allowed for stage 1

4. Are changes needed to the timescales for stage 1 and how they are set?

Amendment stages

5. The amendment stages involve line by line consideration of a bill in committee (stage 2) and then in the Chamber (stage 3). Are any changes needed to the rules on the deadlines for lodging amendments? Is the procedure for considering amendments in committee and the Chamber (using a marshalled list of amendments and groups of amendments) sufficiently transparent and understandable? Are there any alternative approaches which might be less technical and more accessible?

The role of secondary committees

6. Committees considering primary legislation receive reports from the Delegated Powers and Law Reform Committee (DP&LR) and the Finance Committee and from other subject committees which have an interest in a particular bill. How well does this reporting process work in practice at stage 1? To what extent do the DP&LR and Finance Committees have an opportunity to scrutinise changes made to bills at stage 2?

Next steps

The call for written evidence will help the Committee gather information and opinions about the procedures for considering legislation.

This will inform a decision by the Committee on whether to take oral evidence as part of the inquiry and, if so, from which individuals / organisations.

How to submit your views

The call for written evidence will close on **Friday 21 March 2014**.

Before making a submission, please read our [policy on treatment of written evidence by subject and mandatory committees](#). Our normal practice is to publish all relevant evidence that is sent to us on our website and we may also include it in the hard copy of any committee report.

Owing to the timescale required to process and analyse evidence, late submissions will only be accepted with the advance agreement of the Committee Convener. Responses should be no more than four sides of A4 in length.

We welcome written views in English, Gaelic, Scots or any other language.

Responses should be sent, where possible, electronically in Word format to the following address:

sppa.committee@scottish.parliament.uk

You may also make hard copy written submissions to:

Standards, Procedures and Public Appointments Committee
TG.01
Scottish Parliament
EH99 1SP