

SCHEDULE

STANDING ORDERS OF THE SCOTTISH PARLIAMENT

CHAPTER 13:

STATEMENTS AND PARLIAMENTARY QUESTIONS

Rule 13.1 Personal statements

1. Any member may, at the discretion of the Presiding Officer, make a personal statement to a meeting of the Parliament.
2. A member wishing to make a personal statement shall notify the Presiding Officer that he or she wishes to do so.
3. If the Presiding Officer decides that a personal statement may be made, he or she shall notify the Parliamentary Bureau who shall include notice of that statement in a business programme.
4. Where a personal statement is made, it may not be debated.

Rule 13.2 Ministerial statements

1. Where a member of the Scottish Executive or junior Scottish Minister wishes to make a statement to a meeting of the Parliament (“a ministerial statement”), notice shall be given to the Presiding Officer. The Presiding Officer shall then notify the Parliamentary Bureau who shall include notice of the ministerial statement in a business programme. A ministerial statement may be debated.
2. Where a ministerial statement is of an urgent nature, the member of the Scottish Executive or junior Scottish Minister wishing to make the statement may, on giving notice of the statement to the Presiding Officer, request that it be made on that day. If the statement is, in the opinion of the Presiding Officer, sufficiently urgent, he or she shall allow the statement to be made and debated and shall make any necessary alteration to the daily business list. Members shall be notified that any such statement is to be made and of any subsequent alteration to the daily business list.

Rule 13.3 Questions to the Scottish Executive

1. Any member may put a question to the Scottish Executive for answer in the Parliament.
2. Questions shall be in writing and lodged with the Clerk.
3. A question shall—
 - (a) be brief, clearly worded, and address specific points;
 - (b) relate to a matter for which the First Minister, the Scottish Ministers or the Scottish Law Officers have general responsibility;
 - (c) be in English;
 - (d) be prefaced by the name of the member asking it;
 - (e) not contain offensive language;
 - (f) not express a point of view; and
 - (g) not breach any enactment or rule of law or be contrary to the public interest.
4. A question shall specify whether it is for oral answer (“an oral question”) or for written answer (“a written question”).

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5. A member may withdraw a question lodged by him or her at any time before it is answered by notifying the Clerk.

Rule 13.4 Admissibility of questions

1. A question is admissible unless—
 - (a) it does not comply with the requirements of Rule 13.3.3; or
 - (b) the information sought has been provided in response to a similar question in the 6 months before the member seeks to lodge the question.
2. Any dispute as to whether a question is admissible shall be determined by the Presiding Officer.

Rule 13.5 Written questions

1. A written question concerning a matter for which the First Minister is alone responsible may be answered only by the First Minister. A written question concerning the operation of the systems of criminal prosecution and investigation of deaths in Scotland may be answered only by the Lord Advocate or the Solicitor General for Scotland. Other written questions may be answered by any member of the Scottish Executive.
2. The answer to a written question shall be lodged with the Clerk. An answer shall be lodged normally within 14 days of the question being lodged.
3. The Clerk shall publish all written questions in the Business Bulletin. An answer to a written question shall be published along with the question in the Official Report.

Rule 13.6 Oral questions

1. Oral questions may be answered at Question Time or Open Question Time.
2. Question Time shall be a period of up to 30 minutes each week (normally on Thursdays) at a meeting of the Parliament during which questions selected under paragraph 6 may be put to and answered by members of the Scottish Executive or junior Scottish Ministers.
3. Open Question Time shall be a period of up to 15 minutes each week immediately following Question Time during which questions selected under paragraph 5 may be put to and answered by members of the Scottish Executive or junior Scottish Ministers.
4. A member may lodge an oral question only on the eighth or ninth days before the Question Time at which he or she wishes the question to be answered. A question may be lodged at any time during the ninth day before Question Time but may be lodged only up to 14:00 during the eighth day before Question Time. A member may lodge only one question for answer at any Question Time.
5. At the end of the eighth day before Question Time the Presiding Officer may select, from all admissible oral questions lodged on the eighth or ninth days before Question Time, up to 3 questions (“Open Questions”) for answer at Open Question Time.
6. After any Open Questions have been selected, the Clerk shall select, from the remaining admissible oral questions lodged on the eighth or ninth days before Question Time, questions for answer at Question Time. These questions shall be selected on a random basis.
7. Notice of questions selected under paragraphs 5 and 6 shall be given to members in the Business Bulletin.

Rule 13.7 Question Time and Open Question Time

1. An oral question concerning a matter for which the First Minister is alone responsible shall normally be answered by the First Minister but may exceptionally be answered by any other member of the Scottish Executive. An oral question concerning the operation of the systems of criminal prosecution and investigation of deaths in Scotland shall normally be answered by the Lord Advocate or the Solicitor General for Scotland but may exceptionally be answered by another member of the Scottish Executive. Other oral questions may be answered by any member of the Scottish Executive or a junior Scottish Minister.

2. A question is taken at Question Time or Open Question Time when it is called by the Presiding Officer.

3. Questions shall be taken in the order in which they are printed in the Business Bulletin.

4. When a question is taken at Question Time or Open Question Time, it may be asked only by the member who lodged it.

5. At Question Time, after a question is answered, the member who asked it may ask one supplementary question and may, at the discretion of the Presiding Officer, ask further supplementary questions.

6. At Open Question Time, after a question is answered, any member may, at the discretion of the Presiding Officer, ask a supplementary question.

7. A member asking a question shall, in asking the question, not depart from the terms of the question.

8. A member may ask a supplementary question only on the same subject matter as the original question and shall, in asking the question, do so briefly.

9. A question selected for answer at Question Time or Open Question Time but which is not taken shall be treated as a written question and shall be answered in accordance with Rule 13.5.

Rule 13.8 Emergency Questions

1. Where an oral question is of an urgent nature the member lodging it may, if it is lodged by 10:00 on a day on which there is a meeting of the Parliament, request that it is answered that day, whether or not there is a period set aside for Question Time that day. The Clerk shall notify the Presiding Officer of the lodging of such a question as soon as possible after it is lodged. Such a question is referred to as “an emergency question”.

2. If an emergency question is, in the opinion of the Presiding Officer, sufficiently urgent, he or she shall allow the question to be put and answered at an appropriate point during the meeting of the Parliament and shall make any necessary alteration to the daily business list. Members shall be notified that any such question is to be put and of any subsequent alteration to the daily business list.

3. An emergency question concerning a matter for which the First Minister is alone responsible shall normally be answered by the First Minister but may exceptionally be answered by any other member of the Scottish Executive. An emergency question concerning the operation of the systems of criminal prosecution and investigation of deaths in Scotland shall normally be answered by the Lord Advocate or the Solicitor General for Scotland but may exceptionally be answered by another member of the Scottish Executive. Other emergency questions may be answered by any member of the Scottish Executive or a junior Scottish Minister.

4. When an emergency question is taken it may be asked only by the member who lodged it.

5. After an emergency question is answered the member who asked it may ask one supplementary question and may, at the discretion of the Presiding Officer, ask further supplementary questions.

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6. A member asking an emergency question shall, in asking the question, not depart from the terms of the question. A member asking a supplementary question shall, in asking the question, do so briefly.

7. A member may ask a supplementary question only on the same subject matter as the original question and shall, in asking the question, do so briefly.

Rule 13.9 Questions to Presiding Officer

1. Any member may address a question on a matter concerning the Parliamentary corporation or the staff of the Parliament to the Presiding Officer. Such a question may be answered by any member of the Parliamentary corporation.

2. A question addressed to the Presiding Officer under paragraph 1 shall normally be for written answer but may, exceptionally, be for oral answer.

3. Rules 13.3 to 13.7 shall apply to questions to the Presiding Officer under paragraph 1 as they apply to questions to the Scottish Executive with such modifications as are appropriate.