

SCHEDULE

STANDING ORDERS OF THE SCOTTISH PARLIAMENT

CHAPTER 2:

MEETINGS OF THE PARLIAMENT

Rule 2.1 Session of the Parliament

1. A session of the Parliament shall be the period from the date of the first meeting of the Parliament following a general election until the Parliament is dissolved.

2. Each session shall be divided into Parliamentary years. The first Parliamentary year shall be the year beginning with the date of the first meeting of the Parliament following a general election. Subsequent Parliamentary years shall begin on each succeeding anniversary of that date in that session.

3. A sitting day is any day when the office of the Clerk is open but not when the Parliament is in recess or dissolved. The Parliament shall decide, on a motion of the Parliamentary Bureau, the days on which the office of the Clerk is to be open. Until the Parliament has so decided, the Presiding Officer shall appoint those days. The days on which the office of the Clerk is to be open shall be notified to members by the Presiding Officer.

Rule 2.2 Meetings of the Parliament

1. The Parliament shall meet on the day appointed or determined for its first meeting following a general election.

2. The Parliament shall decide, on a motion of the Parliamentary Bureau, the date and time for any other meeting of the Parliament, or, until the Parliament has so determined, the Presiding Officer shall appoint such dates and times. This is subject to the following paragraphs.

3. The Parliament may, except as mentioned in paragraph 4 or in an emergency, meet on any sitting day during the normal Parliamentary week. The normal Parliamentary week is between the hours of 14:30 and 17:30 on Monday, 09:30 and 17:30 on Tuesday, Wednesday and Thursday and 09:30 and 12:30 on Friday.

4. A meeting of the Parliament may continue beyond 17:30 on Monday to Thursday or 12:30 on Friday—

- (a) if it is necessary in order to complete any voting which is not adjourned to a later meeting under Rule 11.2.5;
- (b) if it is necessary in order to complete the election of the Presiding Officer or a deputy Presiding Officer under Rule 11.9 or the election of a member or members of the Parliamentary corporation or selection of a nominee for appointment as First Minister under Rule 11.10;
- (c) if the Parliament so decides, on a motion of the Parliamentary Bureau, in order to consider Members' Business; or
- (d) in other cases, if the Parliament so decides on a motion of a member of the Scottish Executive or of the member who moved the business under consideration at that time.

5. Any motion mentioned in paragraph 4(d) may be moved without notice. It may be debated for up to 10 minutes. Each speaker may speak for no more than 3 minutes. The motion may be amended but only by proposing that the time specified in it is increased or decreased.

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6. A meeting of the Parliament shall normally begin and end on the same day and normally not more than one meeting of the Parliament may take place on the same day.

7. A meeting of the Parliament begins when the Presiding Officer or other person chairing the meeting takes the chair.

8. The Presiding Officer may convene the Parliament on other dates or at other times in an emergency.

9. In these Rules “Members' Business” means any item of business, other than a Member’s Bill, proposed by a member who is neither a member of the Scottish Executive nor a junior Scottish Minister.

Rule 2.3 Parliamentary recess

1. The Parliament shall decide, on a motion of the Parliamentary Bureau, the dates of any Parliamentary recess.

2. In considering dates of any Parliamentary recess, the Parliamentary Bureau shall have regard to the dates when schools in any part of Scotland are to be on holiday.

3. The dates on which a Parliamentary recess is to begin and end shall be notified by the Clerk to members.

Rule 2.4 First meeting following general election

1. The first meeting of the Parliament following the first ordinary general election shall be chaired–

- (a) by the Clerk but only for the purpose of presiding over the proceedings to enable the oldest qualified member to take the oath of allegiance or make a solemn affirmation; and
- (b) thereafter, by the oldest qualified member but only for the purpose of presiding over the proceedings when members are taking the oath of allegiance or making a solemn affirmation and for the election of the Presiding Officer; and
- (c) thereafter, by the elected Presiding Officer.

2. The first meeting of the Parliament following any subsequent general election shall be held on the day and at the time determined by the Presiding Officer. The Presiding Officer shall notify members of the date and time of that meeting.

3. Subject to paragraphs 4 and 5, that meeting shall be chaired–

- (a) by the Clerk but only for the purpose of presiding over the proceedings to enable the former Officer to take the oath of allegiance or make a solemn affirmation; and
- (b) thereafter, by the former Officer but only for the purpose of presiding over the proceedings when members are taking the oath of allegiance or making a solemn affirmation and for the election of the new Presiding Officer; and
- (c) thereafter, by the elected Presiding Officer.

4. If the person holding the office of Presiding Officer as mentioned in section 19(2) is not a member of the Parliament, that meeting shall be chaired by that person but only until a new Presiding Officer is elected. Thereafter it shall be chaired by the elected Presiding Officer.

5. If neither that person nor the former Officer is present at that meeting or able to chair that meeting, that meeting shall be chaired as mentioned in paragraph 1.

6. The chair may be taken by a member only if that member has taken the oath of allegiance or made a solemn affirmation.

7. Any reference to “the oldest qualified member” means the oldest member—
- (a) who is present at the meeting;
 - (b) who has indicated to the Clerk that he or she does not intend to stand as a candidate for the office of Presiding Officer or First Minister; and
 - (c) who is not a leader within the Parliament of a political party represented by more than 5 members of the Parliament.

8. When the Clerk or the oldest qualified member is in the chair, he or she shall, so far as necessary for the purposes of concluding the business over which he or she is presiding, have similar functions as the Presiding Officer has for the purposes of conducting meetings under Rules 7.1 to 7.7 and 8.17.

9. Any reference to “the former Officer” means—
- (a) the member holding the office of Presiding Officer as mentioned in section 19(2); or
 - (b) if that office is vacant or that member is unable to chair the meeting, a member holding the office of deputy Presiding Officer as mentioned in that section,

but only if, in either case, that member has indicated to the Clerk that he or she does not intend to stand as a candidate for election as Presiding Officer.

Rule 2.5 Chairing of meetings

1. Except as provided in Rule 2.4, meetings of the Parliament shall be chaired by the Presiding Officer or by a deputy Presiding Officer.

2. Where the offices of Presiding Officer and of both deputy Presiding Officers are vacant, a meeting of the Parliament shall be chaired by the oldest qualified member but only for the purpose of presiding over the proceedings for the election of the Presiding Officer.

3. Where the Presiding Officer and both deputy Presiding Officers are unable to act, a meeting of the Parliament shall be chaired by the oldest member who is present at the meeting but only during such period as all of those officers are unable to act. When the oldest member is in the chair, he or she shall, so far as necessary for the purposes of concluding the business over which he or she is presiding, have similar functions to those of the Presiding Officer for the purpose of conducting meetings under Rules 7.1 to 7.7 and 8.17.

4. Paragraphs 2 and 3 are subject to the special provisions applying to the first meeting of the Parliament following a general election mentioned in Rule 2.4.

Rule 2.6 Witnesses and documents

1. The Parliament may in connection with any matter invite any person—
- (a) to attend its proceedings for the purpose of giving evidence; or
 - (b) to produce documents in that person’s custody or under that person’s control,

but this is in addition to its power under section 23 (power to call for witnesses and documents) to require any person to do so but subject to and in accordance with the terms of that section and section 24 (notice provisions in relation to witnesses and documents).

2. The Parliament shall arrange for the Parliamentary corporation to pay to persons whom it requires, and may arrange for the Parliamentary corporation to pay to persons whom it invites to attend its proceedings to give evidence or to produce any documents, such allowances and expenses as may be determined by the Parliament.

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Rule 2.7 Location

1. Meetings of the Parliament shall be held in the Church of Scotland Assembly Hall, The Mound, Edinburgh, subject to the following provisions.

2. The Parliament may decide, on a motion of the Parliamentary Bureau, that a meeting of the Parliament shall be held in another place in Scotland.

3. Where it is not practicable for the Parliament to meet to decide the matter, the Presiding Officer may decide that a meeting of the Parliament shall be held in another place in Scotland and members shall be notified of that place.