

SCHEDULE

STANDING ORDERS OF THE SCOTTISH PARLIAMENT

CHAPTER 6: COMMITTEES

Rule 6.1 Establishment of committees

1. The Parliament may, on a motion of the Parliamentary Bureau, establish such committees as it thinks fit.

2. Any member may by motion propose the establishment of a committee.

3. The Parliamentary Bureau may, whether in response to such a proposal or otherwise, by motion propose the establishment, membership, remit and duration of a committee.

4. A committee established by the Parliament to deal with a particular subject, other than a mandatory committee, is referred to as a subject committee.

5. In addition, the Parliament shall, on a motion of the Parliamentary Bureau, establish the following mandatory committees—

- (a) the Procedures Committee;
- (b) the Standards Committee;
- (c) the Finance Committee;
- (d) the Audit Committee;
- (e) the European Committee;
- (f) the Equal Opportunities Committee;
- (g) the Public Petitions Committee;
- (h) the Subordinate Legislation Committee.

6. The Parliamentary Bureau shall by motion propose the establishment of—

- (a) the Procedures, Standards and Finance Committees within 21 sitting days of a general election; and
- (b) the other mandatory committees mentioned in paragraph 5 within 42 sitting days of a general election.

Rule 6.2 Functions of all committees

1. A committee shall examine such matters within its remit (referred to as “competent matters”) as it may determine appropriate or as may be referred to it by the Parliament or another committee and shall report to the Parliament on any such matter.

2. In particular, each committee shall conduct such inquiries into such competent matters as it may consider appropriate or as the Parliament or another committee may require, and may—

- (a) consider the policy and administration of the Scottish Administration upon any competent matter;
- (b) consider any proposals for legislation which relate to or affect any competent matter, including proposals for primary or secondary legislation, whether before the Scottish Parliament or the United Kingdom Parliament;

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- (c) consider any European Communities legislation or any international conventions or agreements or any drafts which relate to or affect any competent matter;
- (d) consider the need for the reform of the law which relates to or affects any competent matter;
- (e) initiate Bills on any competent matter; and
- (f) consider the financial proposals and financial administration of the Scottish Administration (including variation of taxes, estimates, budgets, audit and performance) which relate to or affect any competent matter.

Rule 6.3 Membership of committees

1. The membership of each committee shall be approved by the Parliament on a motion of the Parliamentary Bureau.
2. Each committee shall have at least than 5 but not more than 15 members.
3. A member may indicate to the Parliamentary Bureau his or her interest in serving on a particular committee.
4. In proposing a member to be a committee member, the Parliamentary Bureau shall have regard to the balance of political parties in the Parliament and, where that member has expressed an interest in serving on that committee, to his or her qualifications and experience as indicated by him or her.
5. A committee member shall serve as a member of a committee for the duration of that committee unless—
 - (a) he or she resigns from that office by intimating his or her resignation to the Parliamentary Bureau;
 - (b) he or she is removed from that office by the Parliament on a motion of the committee; or
 - (c) he or she ceases to be a member of the Parliament otherwise than by virtue of a dissolution.
6. A committee member may not be represented at a meeting of the committee by a substitute.

Rule 6.4 Procedures Committee

1. The remit of the Procedures Committee is to consider and report on the practice and procedures of the Parliament in relation to its business.

Rule 6.5 Standards Committee

1. The remit of the Standards Committee is to consider and report on—
 - (a) whether a member's conduct is in accordance with these Rules and any Code of Conduct for members, matters relating to members' interests, and any other matters relating to the conduct of members in carrying out their Parliamentary duties; and
 - (b) the adoption, amendment and application of any Code of Conduct for members.
2. Where the Committee considers it appropriate, it may by motion recommend that a member's rights and privileges be withdrawn to such extent and for such period as are specified in the motion.

Rule 6.6 Finance Committee

1. The remit of the Finance Committee is to consider and report on—
 - (a) any report or other document laid before the Parliament by members of the Scottish Executive containing proposals for, or budgets of, public expenditure or proposals for the making of a tax-varying resolution, taking into account any report or recommendations

concerning such documents made to them by any other committee with power to consider such documents or any part of them;

- (b) any report made by a committee setting out proposals concerning public expenditure; and
- (c) Budget Bills.

2. The Committee may also consider and, where it sees fit, report to the Parliament on the timetable for the Stages of Budget Bills and on the handling of financial business.

3. In these Rules, “public expenditure” means expenditure of the Scottish Administration, other expenditure payable out of the Scottish Consolidated Fund and any other expenditure met out of taxes, charges and other public revenue.

Rule 6.7 Audit Committee

1. The remit of the Audit Committee is to consider and report on—

- (a) any accounts laid before the Parliament;
- (b) any report laid before the Parliament by the Auditor General for Scotland; and
- (c) any other document laid before the Parliament concerning financial control, accounting and auditing in relation to public expenditure.

2. No member of the Scottish Executive or junior Scottish Minister may be a member of the Committee and no member who represents a political party which is represented in the Scottish Executive may be convener of the Committee.

Rule 6.8 European Committee

1. The remit of the European Committee is to consider and report on—

- (a) proposals for European Communities legislation;
- (b) the implementation of European Communities legislation; and
- (c) any European Communities or European Union issue.

2. The Committee may refer matters to the Parliamentary Bureau or other committees where it considers it appropriate to do so.

3. The convener of the Committee shall not be the convener of any other committee whose remit is, in the opinion of the Parliamentary Bureau, relevant to that of the Committee.

4. The Parliamentary Bureau shall normally propose a person to be a member of the Committee only if he or she is a member of another committee whose remit is, in the opinion of the Parliamentary Bureau, relevant to that of the Committee.

Rule 6.9 Equal Opportunities Committee

1. The remit of the Equal Opportunities Committee is to consider and report on matters relating to equal opportunities and upon the observance of equal opportunities within the Parliament.

2. In these Rules, “equal opportunities” includes the prevention, elimination or regulation of discrimination between persons on grounds of sex or marital status, on racial grounds, or on grounds of disability, age, sexual orientation, language or social origin, or of other personal attributes, including beliefs or opinions, such as religious beliefs or political opinions.

Rule 6.10 Public Petitions Committee

1. The remit of the Public Petitions Committee is to consider and report on—

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- (a) whether a public petition is admissible; and
- (b) what action should be taken upon the petition,

in accordance with the Rules in Chapter 15.

Rule 6.11 Subordinate Legislation Committee

1. The remit of the Subordinate Legislation Committee is to consider and report on—
 - (a) subordinate legislation which is laid before the Parliament and, in particular, to determine whether the attention of the Parliament should be drawn to any of the matters mentioned in Rule 10.3.1;
 - (b) proposed powers to make subordinate legislation in particular Bills or other proposed legislation; and
 - (c) general questions relating to powers to make subordinate legislation.

Rule 6.12 Duration of committees

1. The mandatory committees referred to in Rule 6.1.5 shall be established for the whole session of the Parliament.
2. The Parliament shall, on a motion of the Parliamentary Bureau, determine the duration of any other committee.
3. The Parliament may decide, on a motion of the Parliamentary Bureau, that any other committee be disbanded.

Rule 6.13 Questions regarding competence

1. Any question whether a matter is within the remit of a committee shall be determined by the Parliamentary Bureau.
2. If a matter falls within the remit of more than one committee the Parliament may, on a motion of the Parliamentary Bureau, name one of the committees as the lead committee responsible for that matter. The other committee or committees shall be asked to give their opinion to the lead committee. This is without prejudice to Rule 6.14.

Rule 6.14 Joint consideration by committees

1. Where a matter falls within the remit of more than one committee, the committees concerned may, with the agreement of the Parliamentary Bureau, decide to consider that matter jointly.
2. Where a matter is to be considered jointly under paragraph 1, any meeting to consider that matter shall be held jointly by the committees concerned. Such a meeting may be convened by the convener of any of those committees. At such a meeting the convener of any of those committees may take the chair.
3. Any report on the joint consideration of a matter shall be produced jointly by those committees.
4. Any of those committees may establish a sub-committee to consider the matter jointly with a sub-committee of another of those committees.