



# Scotland Act 1998

## 1998 CHAPTER 46

### PART I

#### THE SCOTTISH PARLIAMENT

##### *Legislation*

### **36 Stages of Bills.**

- (1) Standing orders shall include provision—
  - (a) for general debate on a Bill with an opportunity for members to vote on its general principles,
  - (b) for the consideration of, and an opportunity for members to vote on, the details of a Bill, and
  - (c) for a final stage at which a Bill can be passed or rejected.
- (2) Subsection (1) does not prevent standing orders making provision to enable the Parliament to expedite proceedings in relation to a particular Bill.
- (3) Standing orders may make provision different from that required by subsection (1) for the procedure applicable to Bills of any of the following kinds—
  - (a) Bills which restate the law,
  - (b) Bills which repeal spent enactments,
  - (c) private Bills.
- (4) Standing orders shall provide for an opportunity for the reconsideration of a Bill after its passing if (and only if)—
  - (a) the [<sup>F1</sup>Supreme Court decides] that the Bill or any provision of it would not be within the legislative competence of the Parliament,
  - [<sup>F2</sup>(aa) the Supreme Court decides on a reference made in relation to the Bill under section 32A(2)(b) that any provision of the Bill relates to a protected subject-matter,]

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*Status: Point in time view as at 18/05/2017. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Scotland Act 1998, Section 36. (See end of Document for details)*

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- (b) a reference made in relation to the Bill under section 33 is withdrawn following a request for withdrawal of the reference under section 34(2)(b), or
- (c) an order is made in relation to the Bill under section 35.

[<sup>F3</sup>(4A) Standing orders shall provide for an opportunity for the reconsideration of a Bill after its rejection if (and only if), on a reference made in relation to the Bill under section 32A(2)(a), the Supreme Court decides that no provision that is subject to the reference relates to a protected subject-matter.]

- (5) Standing orders shall, in particular, ensure that [<sup>F4</sup>—
- (a) any Bill amended on reconsideration in accordance with standing orders made by virtue of subsection (4)(a), (b) or (c), and
  - (b) any Bill reconsidered in accordance with standing orders made by virtue of subsection (4)(aa) or (4A),]

is subject to a final stage at which it can be approved or rejected.

- (6) References in subsection (4), sections 28(2)[<sup>F5</sup>, 31(2A), 31A, 32A(2)(b)] and 38(1)(a) and paragraph 7 of Schedule 3 to the passing of a Bill shall, in the case of a Bill [<sup>F6</sup>to which subsection (5)(a) or (b) applies], be read as references to the approval of the Bill.

#### Textual Amendments

- F1** Words in s. 36(4) substituted (1.10.2009) by Constitutional Reform Act 2005 (c. 4), ss. 40(4), 148(1), **Sch. 9 para. 99**; S.I. 2009/1604, **art. 2**
- F2** S. 36(4)(aa) inserted (18.5.2017) by Scotland Act 2016 (c. 11), **ss. 11(16)**, 72(4)(a); S.I. 2017/608, reg. 2(1)(i)
- F3** S. 36(4A) inserted (18.5.2017) by Scotland Act 2016 (c. 11), **ss. 11(17)**, 72(4)(a); S.I. 2017/608, reg. 2(1)(i)
- F4** S. 36(5)(a)(b) substituted (18.5.2017) for words by Scotland Act 2016 (c. 11), **ss. 11(18)**, 72(4)(a); S.I. 2017/608, reg. 2(1)(i)
- F5** Words in s. 36(6) inserted (18.5.2017) by Scotland Act 2016 (c. 11), **ss. 11(19)(a)**, 72(4)(a); S.I. 2017/608, reg. 2(1)(i)
- F6** Words in s. 36(6) substituted (18.5.2017) by Scotland Act 2016 (c. 11), **ss. 11(19)(b)**, 72(4)(a); S.I. 2017/608, reg. 2(1)(i)

**Status:**

Point in time view as at 18/05/2017. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Scotland Act 1998, Section 36.