

SCHEDULE

STANDING ORDERS OF THE SCOTTISH PARLIAMENT

CHAPTER 5:

THE PARLIAMENTARY BUREAU AND MANAGEMENT OF BUSINESS

Rule 5.1 Parliamentary Bureau

1. The Parliament shall establish the Parliamentary Bureau in accordance with these Rules.
2. The main functions of the Parliamentary Bureau shall be—
 - (a) to propose the business programme as mentioned in Rule 5.4;
 - (b) to propose alterations to the daily business list;
 - (c) to propose the establishment, remit, membership, and duration of any committee or sub-committee; and
 - (d) to determine any question regarding the competence of a committee to deal with a matter and, if two or more committees are competent to deal with a matter, to determine which of those committees is to be the lead committee responsible for that matter.
3. The Parliamentary Bureau shall have such other functions relating to the business of the Parliament or of any committee or sub-committee as may be conferred upon it by these Rules or by the Parliament.
4. The Parliamentary Bureau shall not be regarded as a committee for the purpose of these Rules.

Rule 5.2: Members of the Parliamentary Bureau

1. The Parliamentary Bureau shall consist of—
 - (a) the Presiding Officer; and
 - (b) a representative of each political party represented by more than 5 members of the Parliament (“a party representative”) who is nominated by the leader within the Parliament of that party; and
 - (c) a representative of any group formed under paragraph 2 (“a group representative”) who is nominated by that group.
2. Members who represent a political party with fewer than 5 representatives in the Parliament and members who do not represent a political party may join together to form a group for the purposes of nominating a group representative under paragraph 1(c). The number of members in any such group shall be at least 5.
3. A nomination of a party or group representative may be made to the Presiding Officer at any time during a Parliamentary session but must be made in writing and, in the case of the nomination of a group representative, must be signed by each member of the group.
4. If a member wishes to join a group or no longer wishes to form part of that group, he or she shall notify the Presiding Officer and the group representative that the group representative represents or, as the case may be, no longer represents him or her.
5. If, at any time and for whatever reason, a party or group representative no longer represents 5 or more members (including himself or herself), he or she shall cease to hold office as a member of the Parliamentary Bureau and the Presiding Officer shall notify the Parliament accordingly.

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6. Where a party or group representative ceases to hold office as a member of the Parliamentary Bureau in any circumstances other than those mentioned in paragraph 5, the leader of the party or the group which nominated that representative shall nominate another representative to it in place of him or her.

7. A party or group representative may arrange for another member to take his or her place at a meeting of the Parliamentary Bureau if the Presiding Officer has been notified in writing in advance of that meeting.

Rule 5.3 Procedure of Parliamentary Bureau

1. The Presiding Officer shall convene and chair meetings of the Parliamentary Bureau. He or she shall have a casting vote but shall not otherwise vote in the proceedings.

2. The Parliamentary Bureau shall meet in private.

3. The Parliamentary Bureau shall not consider any business if the number of members of the Bureau who are present is fewer than half of the total number of members of the Bureau.

4. Matters to be decided by the Parliamentary Bureau shall, in the event of any disagreement, be decided by a vote. The vote shall be conducted in such a manner as the Presiding Officer may determine.

5. A party or group representative shall carry one vote for each member of the party or group which he or she represents (including himself or herself). The representative shall notify the Presiding Officer and other members of the Parliamentary Bureau of the number of votes which he or she carries and of any changes to that number.

6. A deputy Presiding Officer may attend any meeting of the Parliamentary Bureau and may participate in the proceedings but may not vote unless he or she is chairing the meeting in place of the Presiding Officer when he or she shall have a casting vote.

7. The Parliamentary Bureau may invite members who are not members of the Parliamentary Bureau to attend a meeting of the Parliamentary Bureau and those persons may participate in the meeting but may not vote.

Rule 5.4 Business programme

1. The Parliament shall decide, on a business motion of the Parliamentary Bureau, a programme of business (referred to as “the business programme”) for such period as may be specified in that motion.

2. The business programme shall include an agenda of business for any meeting of the Parliament which is due to be held during that period and may include the timetable for consideration by the Parliament, any committee or sub-committee of–

- (a) any Bill or any provision of a Bill;
- (b) any legislation or draft legislation of the European Communities or any provision of such legislation; or
- (c) any subordinate legislation or draft subordinate legislation.

3. The business programme shall be notified to members in the Business Bulletin.

Rule 5.5 Daily business list

1. On the basis of the business programme and other decisions of the Parliament and the Presiding Officer, the Clerk shall publish a daily business list containing details of business to be considered by the Parliament and by each committee or sub-committee on each day when the Parliament or a

committee or sub-committee meets. The daily business list shall also contain details of the times at which particular items of business are to be taken at any meeting if such times have been allocated in the business programme or in the decisions of the Parliament or the Presiding Officer.

2. The daily business list shall be notified to members in the Business Bulletin.

3. The Parliament may, on a motion of the Parliamentary Bureau, make alterations to the daily business list. Any such alterations shall be notified to members in the Business Bulletin.

4. If any emergency business arises, the Presiding Officer may allow that business to be taken at an appropriate point during a meeting of the Parliament and shall make any necessary alteration to the daily business list. Members shall be notified that the emergency business is to be taken and of any subsequent alteration to the daily business list.

Rule 5.6 Special cases of Parliamentary business

1. In proposing the business programme, the Parliamentary Bureau shall ensure that—

- (a) on 12 half sitting days in each Parliamentary year, the business of committees is given priority over the business of the Scottish Executive at meetings of the Parliament;
- (b) on 15 half sitting days in each Parliamentary year, meetings of the Parliament consider business chosen by political parties which are not represented in the Scottish Executive or by any group formed under Rule 5.2.2; and
- (c) at each meeting of the Parliament there is a period of up to 30 minutes for any Members' Business at the end of the meeting following Decision Time.

2. For the purposes of this Rule, a half sitting day is the period between 09:30 and 12:30 or between 14:30 and 17:00 on a sitting day from Monday to Thursday and the period from 09:30 to 12:00 on a sitting day on Friday.

Rule 5.7 Programme of the Scottish Executive

1. When the First Minister wishes to make a statement to a meeting of the Parliament setting out the proposed policy objectives and legislative programme of the Scottish Executive for any Parliamentary year, he or she shall give notice of his or her proposal to the Presiding Officer. The Presiding Officer shall then notify the Parliamentary Bureau.

2. The Parliamentary Bureau shall ensure that sufficient time is set aside in the business programme for the statement to be made and debated.

Rule 5.8 Financial business

1. In proposing the business programme, the Parliamentary Bureau shall ensure that sufficient time is set aside—

- (a) between the beginning of May and the end of June each year for the consideration of financial proposals;
- (b) between the beginning of October and the end of November each year for consideration of draft budgets; and
- (c) between the beginning of January and the end of February each year for the Stages of the main Budget Bill.

2. “Consideration of financial proposals” means consideration by committees of documents laid before the Parliament setting out outline proposals for public expenditure in the forthcoming financial year and consideration by the Parliament of any report and recommendations of the Finance Committee concerning such documents.

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3. “Consideration of draft budgets” means consideration by committees of documents laid before the Parliament setting out preliminary draft budgets of public expenditure in the forthcoming financial year.

4. “Financial year” means the year beginning on 1st April.

Rule 5.9 Business Bulletin

1. The Clerk shall produce the Business Bulletin.

2. The Business Bulletin shall include—

- (a) the business programme;
- (b) the daily business list;
- (c) agendas for committee meetings;
- (d) notices of oral questions for answer at Question Time or Open Question Time;
- (e) written questions;
- (f) notices of motions and amendments to motions;
- (g) notices of Bills introduced into the Parliament and amendments to Bills;
- (h) notices of any subordinate legislation or draft subordinate legislation or any other document which is laid before the Parliament; and
- (i) any other item which requires to be notified to members,

and the Business Bulletin may include any other information which the Clerk considers appropriate.

3. The Business Bulletin shall be issued to members by whatever means the Presiding Officer considers appropriate and shall be made public.

4. The Clerk shall keep the Business Bulletin under review and if necessary shall issue to members an amended version of any part of it.