Guidance on Motions 2012

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1. Summary of Chamber Desk Deadlines

The following are the usual deadlines for lodging questions, motions and amendments with the Chamber Desk. Any changes to these deadlines will be notified to members in advance.

Daily deadlines for receipt of written questions, motions and amendments:

- Monday to Thursday - 4.30 pm (Recess 3.00 pm)
- Friday - 3.30 pm (Recess 2.30 pm)

Please note, however, the following specific deadlines in relation to motions to be debated in the Chamber on a Tuesday:

- Motion to be received no later than 10.00 am on the Monday before the debate; and
- Amendments to be received no later than 4.30 pm on the same day

Oral questions:

Submission of names for General Questions and Portfolio Questions
- no later than 12 noon on Monday for the following week’s questions

Submission of questions for General Questions and Portfolio Questions
- no later than 12 noon on Wednesday for the following week’s questions

Submission of Topical Questions
- no later than 12 noon on Monday

First Minister’s Questions (FMQ)
- no later than 12 noon on Monday for that week’s FMQ

SPCB Questions
- no later than 4.00 pm on Tuesday in the week before SPCB Questions (ie eight days before SPCB Questions)

Emergency Questions (note: these are distinct from questions of a local or urgent nature at FMQs)
- no later than 10.00 am on a day when the Parliament is meeting

Scottish Government and party motions for debate and amendments to these:

Motions:
- no later than 4.30 pm two days before the day on which the motion is to be debated (except for debates on Tuesday, see above)

Amendments:
- no later than 4.30 pm on the day before the motion is to be debated
2. The Chamber Desk

The Chamber Desk receives all motions, amendments to motions (not amendments to bills, which should be sent to the legislation team) and support for motions and amendments and—

- checks them for admissibility against the rules and criteria set out in the Parliament’s Standing Orders and this guidance;
- edits the text of these motions and amendments in line with the rules and guidance and with house style;
- advises members on compliance with the rules and guidance;
- produces sections D, E and F for the Business Bulletin; and
- forwards approved motions and amendments to the motions, questions and answers search database so that they are available for online search.

Advice or correspondence from and discussion with Chamber Desk clerks prior to a motion or amendment being submitted or lodged are strictly confidential.

Clerks will make alterations to the format, wording, grammar and spelling of motions and amendments but will not materially alter the meaning without the agreement of the submitter. Please note that, unless directed otherwise, clerks will return edited versions of motions and amendments to the person who submitted them rather than to the member in whose name they are submitted.

Although clerks will endeavour to process all motions and amendments on the day that they are received, this will not always be possible.

The Chamber Desk is in room T1.01 and is open for business—

- Monday to Thursday - 9.00 am to 5.30 pm
- Friday - 9.00 am to 4.30 pm

In recess these times are:
- Monday to Thursday - 10.00 am to 4.00 pm
- Friday - 10.00 am to 3.30 pm

Contact details—

Team Leader – (0131 34)85181
Assistant Clerks - (0131 34)85185
- (0131 34)85196
Support Manager - (0131 34)85199
Admin Support Staff - (0131 34)85193, 85250

Email: chamberdesk@scottish.parliament.uk
3. Purpose of this Guidance

This guidance clarifies the processes and requirements regarding the submission and processing of motions and amendments for members and their staff and has been approved by the Standards, Procedures and Public Appointments Committee.

Separate guidance is available on Private Bills, Public Bills, Hybrid Bills, Committees and Parliamentary Questions.

Additional information is available in the Parliament’s Standing Orders.
4. Admissibility Criteria for Motions

4.1 General
The Parliament’s Standing Orders set out the following admissibility criteria for motions and amendments—

A motion or amendment must—

- be in English;
  If a member wishes a motion to be printed in the Business Bulletin in a language other than English, the member must provide the translation, which will be printed in addition to, and directly after, the English version. Clerks may, where practicable, arrange for the translation to be checked. **However, responsibility for the accuracy of the translation remains with the member.**

- not contain offensive language;
  This includes not only obscenities and swear words, but also language that is intemperate, inflammatory, sarcastic or provocative or to which people might reasonably take offence. There is, however, no requirement to avoid obvious political content.

- not breach any enactment or rule of law or be contrary to the public interest;
  The text of motions and amendments should not disclose any information that is protected by an interdict or court order, that is commercially sensitive or confidential or the publication of which may cause personal distress or loss. Particular care should be taken in relation to any motion that names individuals as their identities may need to be protected in their own interests. In addition, it is generally inappropriate to identify Parliament staff, MSPs’ staff or Scottish Government officials by name as they have no means by which to respond. References to job titles are acceptable.

- not contravene Standing Orders Rule 7.5.1.
  This is the sub judice rule; motions and amendments may not refer to any matter in relation to which legal proceedings are active, except as permitted by the Presiding Officer. If the clerks are in doubt, they will seek advice from the Parliament’s legal advisers.

**Note:** Clerks have no responsibility for the accuracy of assertions made in motions and amendments. It is for the member in whose name a motion or amendment is lodged to determine its accuracy.
4.2 Members’ Business Motions
The Parliamentary Bureau selects motions for Members’ Business debate using the following criteria, on which Chamber Desk clerks can advise—

Motions—
(a) must be explicitly of only local or regional relevance; or
(b) must raise issues of policy in a local or regional context and have cross-party support*; or
(c) must raise issue—commemorating anniversaries or mark national “weeks” or special events and have cross-party support; and
(d) must not “call on” anyone or any organisation to do anything, which includes taking or reversing decisions. This means avoiding the use of calls on, urges, encourages, asks etc and even should and hopes in cases in which it is clear who or what organisation is expected to take action.

*Cross-party support means (as noted by the Parliamentary Bureau on 18 December 2012) that Members’ Business motions now require the support of three parties or groupings represented on the Parliamentary Bureau and not two:

<table>
<thead>
<tr>
<th>If your party</th>
<th>You need</th>
</tr>
</thead>
<tbody>
<tr>
<td>is represented on the Parliamentary Bureau</td>
<td>support from at least one member of two other parties or groupings that are also represented on the Parliamentary Bureau</td>
</tr>
<tr>
<td>is not represented on the Parliamentary Bureau</td>
<td>support from at least one member of three parties or groupings represented on the Parliamentary Bureau</td>
</tr>
</tbody>
</table>

In order for the Parliamentary Bureau to be given as much notice as possible of motions to be debated and for checks to be made against the above criteria, the Parliamentary Bureau will select motions for debate only from those motions that comply with this guidance and are lodged by the Monday of the week preceding the debate.
5. House Style

Chamber Desk clerks edit motions and amendments not only to comply with the rules and guidance but also in line with house style, with the aim of ensuring that motions and amendments published by the Parliament are consistent, unambiguous, searchable and accessible.

House style encompasses a number of points of language and format, including date format, spelling, choice of terminology and presentation of names of reports and other publications. Examples include:

- dates are presented in the format 29 March 2012;
- organization will be changed to organisation unless it is the correct spelling of a name, such as the World Health Organization;
- people who suffer from will be changed to people with a given condition;
- the elderly will be changed to older people;
- the disabled will be changed to disabled people; and
- the names of reports and other publications, where possible, are always shown in full and italicised.

As motions are in the name of the Parliament, the word our can be used in a motion or amendment only if it refers solely to the Parliament or its members.

References such as today, yesterday and this month can be confusing in motions and amendments and will be changed for clarity.

Statements of position or opinion should be expressed using believes, considers, is of the view, understands etc rather that stated as facts (notes, acknowledges, recognises etc).

6. Resolution of Disputes on Admissibility

Where clerks have been unable to resolve a dispute with a member on admissibility, the final decision rests with the Presiding Officer.

7. Structure of Motions

Motions must have a brief title that summarises the subject matter and members should ensure that an appropriate title is supplied when submitting a motion. Motions cannot be processed without a title.

Motions should—

- be clearly worded;
- avoid ambiguity;
- be constructed in one sentence;
- begin That the Parliament (except for certain motions relating to subordinate legislation, such as motions to annul (see section 17).
The clauses are separated by semi-colons, except for the final clause, which is separated by a comma. Each clause starts with an appropriate verb.

Examples—

That the Parliament notes the publication of the report, Name of the Report; considers that the report highlights matters of importance to Scotland; is concerned at the report’s finding that there has been an increase in something problematic; believes that this is an unacceptable situation, and urges all concerned to do something about it.

That the Parliament congratulates [name of person or organisation] in [name of town] on winning an award for something good; considers that [name of person or organisation] has worked hard to win this award, and wishes him/her/it well in the future.

8. Edited Motions – Members’/Staff Availability

If the Chamber Desk clerks make changes to a motion that they consider may materially alter its meaning, they will not publish the motion without seeking approval from the submitter of the motion. If they do not receive such approval by the relevant deadline, the motion will not be published in the next Business Bulletin. Similarly, if the clerks have questions about editing changes or admissibility issues and no one is available in the member’s office to deal with them, the motion will not be published in the next Business Bulletin.

9. Order of Editing/Processing

While priority is given to business items with specific deadlines, such as oral questions and government and party motions and amendments for debate in the chamber, items are otherwise edited in the order in which they are received. In order to be fair to all members, the Chamber Desk clerks cannot prioritise items on any other basis.

10. Changes after Publication

If minor changes have to be made to a motion after it has been published, the motion will be reprinted in the Business Bulletin with asterisks indicating where the changes have been made. More substantial changes may require the original motion to be withdrawn and a fresh one submitted.
11. Submitting a Motion/Amendment

11.1 Authorisation
A motion/amendment may be lodged by—

- the member in whose name it is to appear; or
- someone whom the member has authorised to submit on his/her behalf.

In order to authorise someone to submit on their behalf, members must provide the Chamber Desk in advance with a signed copy of the authorisation form contained in Annexe A. Copies of this form are available from the Chamber Desk. Without such authorisation, Chamber Desk clerks will not accept a motion or amendment from anyone other than the member. The authorisation applies for the whole parliamentary session and can be altered or revoked only by the member personally, not by another authorised person.

11.2 Electronic Submission
Members may lodge a motion or amendment electronically from any of their email addresses where they have provided the Chamber Desk with the necessary authorisation form (Annexe B) stating the full email addresses to be authorised. Emailed motions and amendments will be accepted only from these addresses.

Motions cannot be submitted by fax.

Specific arrangements for the Scottish Government are set out in Rule 17.4.2 of the Parliament’s Standing Orders.

11.3 Timing
With the exception of motions for debate in the chamber on Tuesdays, the deadline for receipt of motions and amendments is 4.30 pm from Monday to Thursday and 3.30 pm on Friday. Motions and amendments received after this time will not appear in the following day’s Business Bulletin. Chamber Desk clerks will record the time of receipt of motions and amendments in hard copy. For those received by email, the time of receipt will be the time that they are delivered to the Chamber Desk email inbox.

Motions and amendments received before 4.30 pm will not appear in the following day’s Business Bulletin if a decision on admissibility cannot be made before that time.

With the exception of motions for debate in the chamber on Tuesdays, motions for debate should be lodged at least two sitting days in advance of the relevant debate and amendments should be lodged at least one day in advance.

11.4 Declaring a Registrable Interest
Members with a registrable interest in a motion/amendment must declare that interest when lodging the motion/amendment. When an interest is declared, the motion/amendment is printed in the Business Bulletin with an R against it. Chamber Desk clerks cannot advise on declaring an interest but advice can be sought from
the clerks of the Standards, Procedures and Public Appointments Committee and
detailed guidance can be found in the Code of Conduct for Members of the Scottish
Parliament.
12. Moving a Motion

A motion to be debated in the chamber can be moved by the member who has lodged it or by any other member who has added his/her name in support by the end of the previous sitting day (see section 1, Summary of Chamber Desk Deadlines).

There are restrictions on who can move certain motions—

<table>
<thead>
<tr>
<th>Motion</th>
<th>Moved only by</th>
</tr>
</thead>
<tbody>
<tr>
<td>To appoint Law Officers, cabinet secretaries and ministers or to remove a judge.</td>
<td>The First Minister</td>
</tr>
<tr>
<td>For a tax-varying resolution</td>
<td>Cabinet secretaries</td>
</tr>
<tr>
<td>Business motions</td>
<td>Members of the Parliamentary Bureau</td>
</tr>
<tr>
<td>Motion for a financial resolution for a bill</td>
<td>Cabinet secretaries</td>
</tr>
</tbody>
</table>

13. Supporting a Motion/Amendment

Members may support any motion/amendment once it has been lodged other than their own motions/amendments and those that are no longer current. Motions remain current for six weeks unless they are withdrawn or have been taken in the chamber. After this time, the Parliamentary Bureau has the power to cull motions that have not been scheduled for debate. The Parliamentary Bureau has agreed that all motions eligible for culling will normally be culled unless they—

- are supported by at least 30 members and the supporters come from more than two political parties; and
- are highly topical; or
- have been selected for Members’ Business debate.

Support submitted for motions/amendments is shown in the Motions, Questions and Answer Search as follows:
This is updated throughout the day when support is entered by the Chamber Desk.

A step-by-step guide on circulating motions/amendments for support is available in Annexe D or from the Chamber Desk.
14. Publication of Motions/Amendments

As soon as a motion/amendment has been finally approved through the Chamber Desk system, it is available online via the **Motions, Questions and Answer Search facility**.

The status of motions/amendments is shown in the **Motions, Questions and Answer Search facility** as follows:

![Motions, Questions and Answers Search](image)

Approved motions/amendments are also published in the next edition of the Business Bulletin and all motions/amendments lodged between Monday and Friday that are current are reprinted in the Business Bulletin published on the following Monday, together with all motions to be debated that week.

15. Withdrawing a Motion/Amendment

15.1 General
The member who lodged a motion/amendment may withdraw it at any time by notifying the Chamber Desk in writing.

15.2 Motions/Amendments for Debate in the Chamber
When a motion/amendment is called in the chamber, the member in whose name it has been lodged may decide not to move it and say “not moved”. The motion can, however, be moved by any other member who has supported it by the end of the previous sitting day and whose name, therefore, appears as a supporter of the motion in the Business Bulletin.
The member who has moved a motion/amendment may seek to withdraw it at any time during the debate and before the question on it is put. The mover should briefly explain why and then say “Accordingly, I seek to withdraw this motion/amendment”. The Presiding Officer will then ask whether any member objects. If no member objects, the motion/amendment is withdrawn. If any member objects, the debate continues.

16. Business Motions

Business motions give an outline of proposed business in the chamber, recommend lead committees for consideration of legislation and give proposed timetables for the stages of bills. Their content is agreed by the Parliamentary Bureau and they are normally lodged in the name of the minister responsible for parliamentary business on behalf of the Parliamentary Bureau.

17. Motions to Annul

When a statutory instrument is subject to negative procedure, any member may submit a motion to annul the instrument. Such motions are worded as follows—

That the [name of committee] recommends that the [name and number of instrument] be annulled.

Example:

S4M-02588 Drew Smith: National Health Service (Superannuation Scheme and Pension Scheme) (Scotland) Amendment Regulations 2012—That the Health and Sport Committee recommends that the National Health Service (Superannuation Scheme and Pension Scheme) (Scotland) Amendment Regulations 2012 (SSI 2012/69) be annulled.

18. Legislative Consent Motions

Under the Sewel Convention, the UK Parliament will not normally legislate on devolved matters or alter the legislative competence of the Parliament or the executive competence of the Scottish Ministers without the express consent of the Scottish Parliament. Motions seeking the Parliament’s consent to such provisions in a bill before the UK Parliament are known as legislative consent motions. Such motions must identify the relevant bill by reference to its short title and the house of the UK Parliament in which, and the date on which, it was introduced.

The following example shows how such a motion is typically worded—

S4M-02496 John Swinney: Financial Services Bill – UK Legislation—That the Parliament agrees that the relevant provisions of the Financial Services Bill, introduced in the House of Commons on 26 January 2012, relating to the enhancement of understanding and knowledge of the public of financial
matters and the ability of members of the public to manage their own financial affairs, so far as these matters fall within the legislative competence of the Scottish Parliament, should be considered by the UK Parliament.

19. Motions on behalf of Committees

Committees lodge motions as a basis for debate in the chamber on committee business, often on committee reports. Such motions are normally lodged by the convener and published in the format—

[name of convener] on behalf of [name of committee]: [title of report]

Example—

S3M-8081 Gil Paterson on behalf of the Standards, Procedures and Public Appointments Committee: Scrutiny of SPCB Supported Bodies—That the Parliament notes the Standards, Procedures and Public Appointments Committee’s 2nd Report 2011 (Session 3), Scrutiny of SPCB supported bodies (SP Paper 566), and agrees that the changes to Standing Orders set out in Annexe A to the report be made with effect from 1 April 2011.

20. Motions relating to Public Appointments

Certain motions relating to public appointments are lodged by a member on behalf of a selection panel and this is reflected in the format of the motion, for example—

S4M-01865 Christine Grahame on behalf of the Selection Panel: Appointment of the Scottish Information Commissioner—That the Parliament nominates Rosemary Agnew to Her Majesty The Queen, for appointment as the Scottish Information Commissioner.

S4M-02533 Iain Gray on behalf of the Selection Panel: Appointment of the Auditor General for Scotland—That the Parliament nominates Caroline Gardner to Her Majesty The Queen for appointment as the Auditor General for Scotland.

21. Motions without Notice/at Short Notice

A motion may be moved without notice for a motion to be taken at shorter notice than is normally allowed under Standing Orders, i.e. on the same day that it is lodged. The process is—

(a) the member seeks the permission of the Presiding Officer to move a motion without notice that motion S4M-XXXXX be taken at that day’s meeting of the Parliament;
(b) if the Presiding Officer grants permission, the member has the opportunity to explain to the Parliament the reasons for debating the motion at short notice; and
(c) the Presiding Officer then puts the question to the Parliament “that motion S4M-XXXXX be taken at this meeting of the Parliament”.

If the Parliament agrees, the member may move the motion on which he/she is seeking a debate. The Presiding Officer decides whether this takes place immediately following the Parliament’s agreement or at a later time on the same day.
22. Amending a Motion/Amendment

22.1 Amending a Motion for Debate in the Chamber
For amendments to motions that are to be debated in the Chamber (other than Members’ Business motions) the Presiding Officer will select amendments to be taken in the debate on the basis of the following criteria—

(a) the extent to which the amendment has supporters other than the mover of the amendment;
(b) the number of competing amendments;
(c) the relevance of the amendment to the subject matter of the motion; and
(d) whether the amendment significantly alters the content of the motion.

The Presiding Officer will additionally take into account any other factors that he/she considers appropriate and seek to ensure that, over time, the proportion of amendments selected from opposition parties reflects their share of opposition representation in the Parliament. When selecting from a large number of admissible amendments, the Presiding Officer pays particular regard to the criteria set out at (c) and (d) above.

22.2 Wording, Style and Layout of Amendments
The following conventions apply to amendments to motions—

- they begin ‘As an amendment to motion S4M-XXXX in the name of [member who lodged the motion] (title of motion), …’;
- to remove words, the wording is ‘leave out [from]’;
- to insert words, the wording options are:
  - ‘after “[word]” insert “[new words]”’;
  - ‘insert at end’;
  - ‘leave out “[word]” and insert’;
  - ‘leave out from “[word]” to “[word]” and insert’;
  - ‘leave out from “[word]” to end and insert’;
- to completely reword a motion beginning ‘That the Parliament notes’, the wording is: ‘leave out from “notes” to end and insert “[new words]”’. If the word ‘notes’ appears more than once in the motion, the wording is ‘leave out from first “notes” to end and insert “[new words]”’.

Examples

Motion—

That the Parliament notes the publication of the report, Name of the Report; considers that the report highlights matters of importance to Scotland; is concerned at the report’s finding that there has been an increase in something problematic; believes that this is an unacceptable situation, and urges all concerned to do something about it.
Amendments, showing the results of various amendments if successful—

As an amendment to motion S4M-XXXXX in the name of [name of member who lodged the motion] (title of motion),

(a) leave out “to Scotland”—

That the Parliament notes the publication of the report, Name of the Report; considers that the report highlights matters of importance; is concerned at the report’s finding that there has been an increase in something problematic; believes that this is an unacceptable situation, and urges all concerned to do something about it.

(b) after “publication” insert “last month”—

That the Parliament notes the publication last month of the report, Name of the Report; considers that the report highlights matters of importance to Scotland; is concerned at the report’s finding that there has been an increase in something problematic; believes that this is an unacceptable situation, and urges all concerned to do something about it.

(c) insert at end “and to ensure that it does not happen again”—

That the Parliament notes the publication of the report, Name of the Report; considers that the report highlights matters of importance to Scotland; is concerned at the report’s finding that there has been an increase in something problematic; believes that this is an unacceptable situation, and urges all concerned to do something about it and to ensure that it does not happen again.

(d) leave out from “considers” to “Scotland”—

That the Parliament notes the publication of the report, Name of the Report; is concerned at the report’s finding that there has been an increase in something problematic; believes that this is an unacceptable situation, and urges all concerned to do something about it.

(e) leave out from “is concerned” to end and insert “, and welcomes its findings.”—

That the Parliament notes the publication of the report, Name of the Report; considers that the report highlights matters of importance to Scotland, and welcomes its findings.

(f) leave out from “notes” to end and insert “welcomes the report, Name of the Report, and commends the [name of organisation] on its work on the study.”—

That the Parliament welcomes the report, Name of the Report, and commends the [name of organisation] on its work on the study.
If members wish to make two or more separate changes to the wording, for example to leave out some words in the second clause and insert a word in the fourth clause, all of the text between the two points should be removed and then reinserted by the amendment.

For example, if the intention is to change *notes* to *welcomes* in the first line of the motion above and insert *commends the [name of the organisation] on its work on the study after Scotland*, the amendment would read—

leave out from “notes” to “Scotland” and insert “welcomes the publication of the report, *Name of the Report*; considers that the report highlights matters of importance to Scotland; commends the [name of organisation] on its work on the study;”. This would result in—

That the Parliament *welcomes* the publication of the report, *Name of the Report*; considers that the report highlights matters of importance to Scotland; *commends [name of organisation] on its work on the study*; is concerned at the report’s finding that there has been an increase in something problematic; believes that this is an unacceptable situation, and urges all concerned to do something about it.

22.3 Amending an Amendment
Amendments to amendments are worded—

As an amendment to amendment S4M-XXXX.1 in the name of [member who lodged the amendment being amended] (title of motion), …

Amendments to an amendment are appropriate only when they change or add only a word or two as the purpose of an amendment to an amendment is to make a specific change or build on a proposition. An amendment to an amendment should not leave out the entire text and replace it, nor should it be used solely as a device to secure a vote at Decision Time.

22.4 Pre-emption of Amendments to Motions for Debate in the Chamber
Pre-emption is when an amendment to a motion renders a subsequent amendment impossible or nonsensical because of the changes that the amendment or amendments already agreed to has or have made to the motion. The Presiding Officer will not call a vote on an amendment if it has, in the Presiding Officer’s opinion, been pre-empted by a previously agreed amendment or amendments.

When the Presiding Officer decides that more than one amendment is to be taken, they appear in the Business Bulletin and are taken in the chamber in order based on the size of the party on whose behalf they have been lodged, with the amendment from the largest party taken first. For amendments to opposition party motions, amendments on behalf of the Scottish Government are taken first.
An amendment is pre-empted if—

(a) the text referred to in the amendment is no longer in the motion once it has been changed by an earlier amendment or amendments, for example:

**Motion**
That the Parliament notes the publication of the report, *Name of the Report*, considers that the report highlights matters of importance to Scotland; is concerned at the report’s finding that there has been an increase in something problematic; believes that this is an unacceptable situation, and urges all concerned to do something about it.

**Amendment One**
leave out from “notes” to end and insert “welcomes the report, *Name of the Report*, and commends the [name of organisation] on its work on the study.”

**Amendment Two**
leave out from “considers” to “Scotland”

In this example, amendment one, if agreed to, pre-empts amendment two as the text referred to in amendment two – from “considers” to “Scotland” – no longer exists once amendment one has taken effect.

(b) the final motion would contain contradictory or incompatible statements, for example, in relation to the same motion:

**Amendment One**
leave out from “notes” to end and insert “welcomes the report, *Name of the Report*, and commends the [name of organisation] on its work on the study.”

**Amendment Two**
insert at end “and questions the validity of the findings.”

In this example, amendment one, if agreed to, pre-empts amendment two as the statements *welcomes the report* and *questions the validity of the findings* are contradictory.

(c) the amendment would result in a final motion that altered the original intention of the amendment as submitted, for example:

**Motion**
That the Parliament is concerned at the reported increase in the number of attempts to circumvent the law in relation to something bad and welcomes the measures that the Scottish Government has put in place to combat this.
Amendment One
leave out from “and welcomes” to end.

Amendment Two
insert at end “and urges the Scottish Government to report on the impact.”

In this example, amendment one, if agreed to, pre-empts amendment two on the basis that the impact referred to in amendment two refers to the impact of the Scottish Government’s measures and this text no longer exists in the motion as amended by amendment one, thus the original intention of amendment two has been altered.

22.5 Amending a Members' Business Motion
Amendments to Members’ Business motions must comply with the criteria for Members’ Business motions (see section 4.2). However, if the motion is selected for debate, the amendment does not appear in section A of the Business Bulletin with the motion and is not taken in the chamber as there is no vote on Members’ Business motions.

22.6 Amending a Business Motion
Amendments may be lodged to business motions and, if they are supported by at least 10 members at the time of lodging, they must be taken by the Parliament.

22.7 Reasoned Amendments
The term reasoned amendment refers to an amendment to a motion relating to legislation in which the member wishes to highlight a concern.

22.7.1 Reasoned Amendments to Public Bill Motions
Public bills are those introduced by a member of the Scottish Government, a parliamentary committee or an individual member of the Parliament dealing with matters of public policy and general law.

Stage 1
The Parliament debates and decides on the general principles of a public bill on the basis of a stage 1 motion—

That the Parliament agrees to the general principles of the [name of bill].

The Presiding Officer has decided that reasoned amendments to such stage 1 motions will be selected for debate only if they are so worded that they cast no doubt on the status of the bill if the amended motion is agreed to. That is—

it is clear from the amended motion that the general principles of the bill would be agreed to and the bill would proceed to stage 2.
Amendments would, therefore, be worded to highlight an area of concern—

insert at end “but, in so doing, expresses reservations/is concerned/believes/recommends/calls on the Scottish Government to…”

**No conditions can be included in reasoned amendments as they would cast doubt on the status of the bill.** This has an impact on the wording of reasoned amendments and, as the use of the following wording would cast doubt on the status of the bill if agreed to, reasoned amendments containing such wording will not be selected—

insert at end “**on condition that** X happens”; or
insert at end “but, in so doing, **agrees** that X should happen”.

**Stage 3**
The Parliament debates and decides whether to pass a bill on the basis of a stage 3 motion—

That the Parliament agrees that the [name of bill] be passed.

The same wording requirements for amendments apply as for stage 1 motions.

**22.7.2 Reasoned Amendments to Hybrid Bill Motions**
A hybrid bill is a public bill that is introduced by a member of the Scottish Government to make provision about the public and general law. However its provisions can also directly affect the interests of particular individuals or bodies.

At stage 1 of a hybrid bill, the Parliament debates and decides on the general principles of the bill and whether the bill should proceed as a hybrid bill on the basis of a stage 1 motion—

That the Parliament agrees to the general principles of the [name of bill] and that the bill should proceed as a hybrid bill.

As with other public bills, reasoned amendments to such stage 1 motions will be selected for debate only if they are so worded that they cast no doubt on the status of the bill if the amended motion is agreed to.

The same considerations apply to the selection of amendments to the stage 3 motion that the bill be passed.

**22.7.3 Reasoned Amendments to Private Bill Motions**
A private bill is introduced by a promoter, who may be a person, a company or a group of people, for the purpose of obtaining particular powers or benefits that are in addition to, or conflict with, the general law. Such bills generally relate to the property or status of the promoter.
Preliminary Stage
The private bill equivalent to a stage 1 motion for a public bill is a motion in the name of the convener of the private bill committee following publication of the committee’s preliminary stage report, such as—

(a) That the Parliament agrees to the general principles of the [name of bill] and that the bill should proceed as a private bill.

or

(b) That the Parliament does not agree to the general principles of the [name of bill] and does not agree that the bill should proceed as a private bill.

If the motion at (a) is agreed to, the bill proceeds to the consideration stage. Whether the motion at (b) is agreed to or not, the bill falls. The bill could proceed to the consideration stage only if such a motion is amended, such as—

leave out “does not agree to the general principles of [name of bill] and does not agree” and insert “despite the recommendation of the [name of committee], agrees to the general principles of the [name of bill] and agrees ...”.

Any member may lodge such an amendment, which is subject to selection by the Presiding Officer.

Final Stage
The Parliament decides whether to pass a private bill on the basis of a motion in the name of the convener of the bill committee—

That the Parliament agrees that the [name of bill] be passed.

Reasoned amendments to such motions are subject to the same criterion as stage 3 motions for public bills (see section 22.7.1).

22.7.4 Reasoned Amendments to Subordinate Legislation
A reasoned amendment may be lodged in relation to motions to approve statutory instruments subject to affirmative procedure, i.e. instruments that need the approval of the Parliament to come into, or remain, in force. These motions will be worded—

**Consideration in committee** - That the [name of committee] recommends that the [name and number of instrument] be approved.

or

**Consideration by the Parliament** - That the Parliament agrees that the [name and number of instrument] be approved.

The convener (or Presiding Officer for motions to be considered by the full Parliament) will select for debate only amendments that are so worded that they
contain no conditions and, if they are agreed, the resulting motion would leave no doubt that the instrument was approved. Such amendments could be worded—

insert at end “but, in so doing, regrets/expresses reservations/is concerned/believes …”

22.7.5 Reasoned Amendments to Legislative Consent Motions
Legislative consent motions can also be subject to reasoned amendment. For example—

S2M-4317.1 Mr David Davidson: Police and Justice Bill - UK Legislation—As an amendment to motion S2M-4317 in the name of Cathy Jamieson (Police and Justice Bill – UK Legislation), insert at end “but, in doing so, expresses serious concerns over the ambiguity of the status of an extradition request in respect of a person domiciled in Scotland against whom the Lord Advocate has decided not to proceed; notes that the United States of America has not, over a period of some three years, ratified the bilateral extradition treaty with the United Kingdom, and accordingly, in the interest of equality between nations and recognising the distinctive nature of the Scottish legal system and the need to protect the civil liberties and human rights of those living in Scotland, urges the Minister for Justice to make representations to the UK Government based upon these concerns
Annexe A - Authorisation Form to Sign on Behalf of MSP

Name of MSP (Please Print)..................................................................................................

Signature of MSP .................................................................................................................

Date .......................................................................................................................................

I hereby authorise the people listed below to lodge in writing and in person on my behalf:

Parliamentary questions
Motions, amendments to motions and support of motions
Amendments to Bills
Support of Bills
Support of a proposal for a Member’s Bill

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Please return completed forms to the Chamber Desk, Room T1.01, Tower 4.
Annexe B - MSP Email Authorisation Form

Name of MSP (Please Print) ………………………………………………………………………

I authorise the Chamber Desk to accept from my parliamentary email address and the home/constituency email address(es) listed below any of the following documents:

Parliamentary questions
Motions, amendments to motions and support of motions
Amendments to Bills
Support of Bills
Support of a proposal for a Member’s Bill

My constituency email address is:

........................................................................................................................................
........................................................................................................................................
........................................................................................................................................

My home email address is:

........................................................................................................................................
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........................................................................................................................................

Signature of MSP …………………………………………………………………………….

Date ……………………………………………………………………………………………

Please note: Only emails from a member’s mailbox are acceptable. If a member of an MSP’s staff wishes to lodge any submissions on behalf of a member to the Chamber Desk, they must send this under delegate access permissions. Instructions may be obtained from IT Services or the Chamber Desk.

Please return completed forms to the Chamber Desk, Room T1.01, Tower 4.
Annexe C - Giving Delegated Access to a Parliament Email Account

To give delegate access permissions to another person in Microsoft Outlook

1. Open Microsoft Outlook;
2. From the Tools menu, select “Options”;
3. In the box that appears, select the “Delegates” tab;
4. Select “Add” and, from the address list that appears, select the name of the person to whom access is to be delegated and click the “Add ->” button;
5. Click “OK”;
6. In the “Delegate Permissions” box that appears, set the permissions for this user as required. To enable a user to send and receive emails on your behalf, set the “Inbox” permissions to “Editor”.

To send an email “on behalf of” another user using delegated inbox editor permissions in Microsoft Outlook

1. Open Microsoft Outlook;
2. Create a new mail message;
3. From the “View” menu, select “From Field”;
4. At the head of the message, a “From” field will now have appeared above the “To” field. Click on the “From” button to call up the address list;
5. From the address list, select the name of the person on whose behalf the message is to be sent and click “OK”. The person’s name will now be displayed in the “From” field.

Proceed with creating and sending the message as normal; the recipient will be able to see that the message has been sent by you from the mailbox of another user.

Please return completed forms to the Chamber Desk, Room T1.01, Tower 4.
Annexe D - How to Send Motions/Amendments out for Support

1. Open a new email message and click on Options in the toolbar.
2. Click on the drop down box in the Use Voting Buttons box.
3. Select Custom.
4. Under Voting and Tracking options, open the drop down box next to Use Voting Buttons, and select Yes;No.
5. Delete ;No and type in I support motion S4M-XXXXX or I support amendment S4M-XXXXX.Y. It is extremely important to distinguish whether support is for a motion or an amendment.
6. Under Delivery options click on Select Names and type in the email address where the reply is to be sent. This should be Chamber Desk or, if emailing from outwith the Parliament network, chamberdesk@scottish.parliament.uk. If you want replies also sent to yourself, include your own email address on the list too.

You will see the following Properties box:
7. Click on **Close**.

8. Insert the motion or amendment number in the subject box of the email that you send out for support. This helps the Chamber Desk to ensure that support is not added to the wrong motion/amendment.

9. It would also be helpful to members and assistants receiving the email if the text of the motion/amendment is inserted into the main body of the email, to enable them to see what they are supporting. However, please note that the motion/amendment number must also go into the subject box of the email.

10. When a recipient has voted, the reply will go to the Chamber Desk (and the sender if the email address was included in the **Delivery options**).

**If you have any questions, please contact the Chamber Desk.**