How the Scottish Parliament works
The Scottish Parliament was established in 1999. It is made up of 129 elected representatives, who are known as Members of the Scottish Parliament or MSPs.

The Scotland Act 1998 gave the Scottish Parliament power to pass laws affecting Scotland on a wide range of domestic issues and to vary the basic rate of income tax by up to three pence in the pound. The Scotland Act 2012 gives the Scottish Parliament enhanced powers, which will come fully into effect in 2016.

What can the Scottish Parliament decide?

The Scottish Parliament has power to make laws on a range of issues that are known as devolved matters.

Devolved matters include:

- agriculture
- civil and criminal justice
- education
- environment
- health
- housing
- local government
- planning
- police and fire services
- social work
- sport and the arts
- transport
- transport

What cannot be decided by the Scottish Parliament?

Some issues concerning Scotland that have a UK or international impact remain the responsibility of the UK Parliament alone. These are known as reserved matters and include foreign affairs, defence, immigration and social security.
The **Scottish Parliament** and the
Scottish Government

The Scottish Government is a separate organisation from the Scottish Parliament, with a different role and different functions.

**The Scottish Parliament:**
- is the law-making body in Scotland for devolved matters and scrutinises the work of the Scottish Government
- is made up of the 129 MSPs
- elects a Presiding Officer who chairs meetings of the Parliament and represents the Parliament externally
- is located in the Scottish Parliament Holyrood building at the foot of Edinburgh’s Royal Mile.

**The Scottish Government:**
- is responsible for developing and implementing policy on devolved matters
- is normally formed from the party holding most seats in the Scottish Parliament
- is led by the First Minister, and comprises Cabinet Secretaries and Ministers chosen by the First Minister
- is located in buildings across Scotland, with its main offices in central Edinburgh and Glasgow.

Both the Scottish Government and the Scottish Parliament are accountable to the people of Scotland through elections.
Each person in Scotland is normally represented by one constituency MSP and seven regional MSPs. All MSPs have equal status in the Parliament and constituents may contact any of the eight who represent them.

Elections to the Scottish Parliament normally take place every four years. The voting system used is a type of proportional representation known as the Additional Member System (AMS).

With one vote, people choose between candidates standing in their constituency. The candidate winning the largest number of votes will gain the constituency seat. There is a total of 73 constituency MSPs.

The other vote is for a political party, or for a candidate standing as an individual, within a larger electoral area called a Scottish Parliament region. There are eight Scottish Parliament regions. Each region has seven seats in the Parliament. In each region, parties are allocated seats depending on the number of votes they receive in this regional ballot, and taking into account the number of constituency seats they win in the region. The members chosen to fill these additional 56 seats are known as regional MSPs.

How are MSPs elected to the Scottish Parliament?

There are 129 MSPs; 73 are constituency MSPs and 56 represent the eight larger regional areas.
What do MSPs do?

MSPs represent their constituents on matters that can be decided by the Scottish Parliament, such as education, health and the environment.

MSPs generally spend Mondays and Fridays working in their constituencies. The main parliamentary business days are Tuesdays, Wednesdays and Thursdays, when MSPs attend committee meetings and debates in the Chamber. In addition, MSPs may hold constituency surgeries or attend other meetings in the evenings and at weekends.

Most MSPs are members of at least one parliamentary committee, and many also have a role as spokesperson for their party on a particular subject such as justice, education or health.

In representing their constituents, MSPs can:

- lodge a motion to get support for an issue or to put it forward for debate in the Parliament
- attend committee meetings
- speak in a debate
- introduce a bill to change the law
- propose an amendment (a change) to a bill
- ask a question of the Scottish Government
- refer matters to, or ask questions of, another person or organisation
- ask a question of the Scottish Parliamentary Corporate Body.
Which political parties are represented in the Scottish Parliament?

Following the fourth Scottish Parliament general election on 5 May 2011, the Scottish National Party (SNP) has an overall majority. The number of seats won by each party was as follows:

- The Scottish National Party: 69
- The Scottish Labour Party: 37
- The Scottish Conservative and Unionist Party: 15
- The Scottish Liberal Democrats: 5
- The Scottish Green Party: 2
- One independent MSP was also elected.

The current Scottish Government is an SNP majority government. Previous governments were a minority government or coalitions.
The Presiding Officer,
Tricia Marwick MSP (above)
and Deputy Presiding Officers
(below left) John Scott MSP,
(below right) Elaine Smith MSP
chairing meetings of the Parliament

What does the Presiding Officer do?

At the start of the parliamentary session after a general election, one of the MSPs is elected by the others to serve as Presiding Officer. Two MSPs are also elected as Deputy Presiding Officers.

The Presiding Officer:

• chairs meetings of the Parliament
• chairs meetings of the Scottish Parliamentary Corporate Body and the Parliamentary Bureau
• represents the Parliament in discussions with other parliamentary or governmental bodies
• represents the Parliament at events across Scotland and abroad.

The Scottish Parliamentary Corporate Body (SPCB) is made up of four members elected by the Parliament from among the MSPs. The SPCB makes decisions about how the Parliament is run, ensuring it has the staff and facilities it needs to carry out its work.

The Presiding Officer has no party affiliation while in post but continues to serve constituents as a constituency or regional MSP.
How is parliamentary business organised?

The Parliamentary Bureau is a group of MSPs representing political parties and groupings with five members or more in the Parliament. They meet regularly to propose the programme of business for the Parliament.

The Parliament works in two main ways:

Meetings of the full Parliament
All MSPs can attend these meetings, which are normally held on Tuesdays, Wednesdays and Thursdays in the Debating Chamber. Each party is allocated time in the Chamber on the basis of the number of MSPs it has.

Committee meetings
Committees are small groups of MSPs who focus on a specific subject, such as justice or health. Committee meetings generally take place on Tuesday, Wednesday and Thursday mornings.

A record of what is said at all public meetings of the Parliament and its committees is published in the Official Report.

Members of the public can book tickets for meetings of the Parliament and committees.
What happens in the Debating Chamber?

As well as deciding on new laws, Chamber business can include:

**Time for Reflection**: This is when an invited person addresses the Parliament for up to four minutes. It is normally the first item of business each week.

**Debates**: These are discussions between MSPs in the Parliament, normally based on a motion. A motion is a proposition that is considered and decided upon by the Parliament or a committee.

**First Minister’s Question Time**: This is when MSPs ask questions of the First Minister. Six questions are selected by the Presiding Officer.

**Question Time**: This is when MSPs ask questions of Cabinet Secretaries and Ministers. Time is allocated each week for topical questions and for general questions. Time is also allocated weekly on a rota basis for portfolio questions based on ministerial remits.

**Ministerial statements**: These are used by Ministers to inform the Parliament about urgent matters or to make announcements on policy. After the statement, there is an opportunity for MSPs to ask questions.

**Decision Time**: This is when MSPs decide on the motions discussed that day, often by voting. Decision Time generally takes place from 5pm on Tuesday, Wednesday and Thursday.

**Members’ business**: This is a debate proposed by an MSP who is not a member of the Scottish Government. Generally the topic discussed is of concern to the MSP’s local area or of particular interest to the MSP.
Committees play an important role in the Scottish Parliament because, unlike the UK Parliament at Westminster, the Scottish Parliament is a single-chamber parliament, with no upper house or second chamber.

Each committee is chaired by a convener, and most committees currently have seven or nine MSPs as members. These are selected with regard to the balance of the various political parties and groupings in the Parliament.

A committee can invite any person to attend a meeting as a witness. Witnesses give evidence or provide documents related to the business of the committee.

Committee meetings are normally held in public and can take place anywhere in Scotland.

Under parliamentary rules, the Parliament must establish a number of mandatory committees. These include the Public Petitions Committee and the Public Audit Committee. The Parliament can also set up subject committees to look at areas of policy such as justice, education and health. In addition, committees can be established to consider specific issues or pieces of legislation.

Committee work includes:

Legislation: Committees can consider and amend proposals for new laws. They can also propose new laws themselves in the form of committee bills.

Inquiries: Committees can investigate any area that is within their remit and publish a report setting out their recommendations. These reports might then be discussed at a meeting of the full Parliament.

Other areas: Committees can also consider and report on the policy and operation of the Scottish Government, on European legislation, on secondary (or subordinate) legislation and on public petitions concerning any subject within their remit.
The Scottish Parliament considers and makes laws for Scotland on devolved matters. Proposals for new laws are introduced in the Parliament as bills.

How does the Parliament make laws?

A public bill to change the general law of Scotland can be introduced to the Parliament by members of the Scottish Government, by parliamentary committees or by individual MSPs. A private bill can be introduced by an individual person, company or group of people in order to obtain powers to do things that they would not otherwise be able to do.

The stages of a bill

The parliamentary process followed by a bill depends on the type of bill, but usually consists of three stages:

Stage 1: The appropriate parliamentary committee(s) takes evidence on the bill and produces a report on its general principles. A meeting of the Parliament then considers the report and debates whether to agree to the bill’s general principles. If the Parliament agrees, the bill goes on to stage 2. If it does not agree, the bill fails.

Stage 2: The bill is considered in detail by a committee or, occasionally, by a Committee of the Whole Parliament. Amendments to the bill can be made at this stage.

Stage 3: The bill is again considered at a meeting of the Parliament. Further amendments can be made and the Parliament then debates and decides whether to pass the bill in its final form.

Once a bill has been passed, there is a four-week period during which it may be challenged if it is believed to be outside the law-making powers of the Scottish Parliament. If it is not challenged, it is then submitted by the Presiding Officer to HM The Queen for royal assent.

On receiving royal assent, a bill becomes an Act of the Scottish Parliament. Some Acts, or sections of an Act, come into force as soon as royal assent is granted. However, the Scottish Government is often responsible for setting a date or dates on which the Act, or parts of it, will come into force.
Examples of Acts of the Scottish Parliament include:

The Community Care and Health (Scotland) Act 2002 introduced a range of measures designed to meet the care needs of Scotland’s older population, including free personal and nursing care.

The Freedom of Information (Scotland) Act 2002 gave people the legal right to access information held by a wide range of Scottish public authorities, including the Scottish Parliament, the Scottish Government and local councils.

The Smoking, Health and Social Care (Scotland) Act 2005 introduced a ban on smoking in public places such as bars and restaurants. It also introduced universal free eye and dental checks.

The Disabled Persons’ Parking Places (Scotland) Act 2009 made disabled persons’ parking places legally enforceable, preventing the misuse of such parking places by those not entitled to use them.

The Marriage and Civil Partnerships (Scotland) Act 2014 introduced same-sex marriage and the religious and belief registration of civil partnerships.

In the first 15 years of the Scottish Parliament, more than 220 bills were passed and became Acts of the Scottish Parliament.
How can I find out more?

- You can follow debates and most committee meetings live on the internet using our webcast service. Access to the internet is available from most libraries in Scotland.
- You can visit the Parliament and watch meetings in the Debating Chamber or a committee room. To book tickets, please contact the Visitor Information Desk in the Main Hall, telephone 0131 348 5200 or 0800 092 7600, or email sp.bookings@scottish.parliament.uk.
- You can request copies of other leaflets in this series or read them and Frequently Asked Questions (FAQs) on our website.

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