Parliamentary Bureau – Consideration of Bills at Stage 2

Referral

Freedom of Information Reform (Scotland) Bill

1. The Standards, Procedures and Public Appointments Committee was designated as the lead committee for consideration of the Freedom of Information Reform (Scotland) Bill at Stage 1. Stage 1 consideration of the Bill was completed on 17 February 2026.

Decision

2. The Parliamentary Bureau is now invited to refer the Bill back to the Standards, Procedures and Public Appointments Committee for consideration at Stage 2.

Visitor Levy (Amendment) (Scotland) Bill

3. The Local Government, Housing and Planning Committee was designated as the lead committee for consideration of the Visitor Levy (Amendment) (Scotland) Bill at Stage 1. Stage 1 consideration of the Bill was completed on 19 February 2026.

Decision

4. The Parliamentary Bureau is now invited to refer the Bill back to the Local Government, Housing and Planning Committee for consideration at Stage 2.

Ecocide (Scotland) Bill

5. The Parliament considered the Bill at its meeting on 5 February 2026 and agreed to the General Principles of the Bill. As the Net Zero, Energy and Transport Committee was the lead Committee in scrutiny of the Bill at Stage 1, the Bureau agreed on 10 February, under Rule 9.7.1(a), to refer the Ecocide (Scotland) Bill back to that Committee for consideration at Stage 2.

6. On 18 February 2026, the Net Zero, Energy and Transport Committee wrote to the Bureau. This letter is set out at Annexe A.

7. The Member in Charge of the Bill, Monica Lennon (who is also a member of the lead Committee), has also written to the Bureau setting out her views on how the Bill could still be considered at Stage 2 and 3. In her letter, she addresses concerns raised by the Committee decision. This letter is set out at Annexe B.

Decision

8. The Bureau is invited to consider the letters from the Net Zero, Energy and Transport Committee and Monica Lennon and consider whether it wishes to take any of the following next steps:

    - Setting a Stage 2 deadline
    - Taking no further action

- Proposing that Stage 2 of the Bill be taken, in whole or in part;
    i. by a Committee of the Whole Parliament,
    ii. or a committee or committees other than the lead committee.
- Proposing that a Committee be established to consider the Bill at Stage 2.

Parliamentary Business Team
February 2026

Annexe A – Correspondence from the Net Zero, Energy and Transport Committee

Rt Hon Alison Johnstone MSP,
Presiding Officer and Convener of the Parliamentary Bureau The Scottish Parliament

18 February 2026

Dear Presiding Officer

Ecocide (Scotland) Bill

In our Stage 1 report, we praised Monica Lennon for bringing the Ecocide (Scotland) Bill forward and launching an important debate about how we deal with the worst sort of environmental damage. We also said that our scrutiny had raised significant questions about certain drafting aspects of the Bill and around implementing and applying it, should it become law. A majority of the Committee concluded that there was no realistic prospect of the key concerns raised in this report being addressed comprehensively within the limited time remaining before the end of this Parliamentary session, and that the Bill should therefore not proceed past Stage 1.

In the Stage 1 debate and the division that followed, a majority of the Parliament disagreed with that view, and all Committee Members of course respect that decision. However, the facts have not changed. We are now little over a month from this Session ending and the Committee's agenda is particularly packed, as we conclude our scrutiny of the draft Climate Change Plan, including agreeing a lengthy report, and hearing from the Climate Change Committee, consider several outstanding items of subordinate legislation, take concluding evidence for this Session from Ferguson Marine Port Glasgow on the Glen Sannox and Glen Rosa, and make time to consider and agree a legacy report.

On top of this, a majority of Members stand by the view set out in our Stage 1 report, that further evidence would be required from expert stakeholders before the Committee moves on to debating and disposing of amendments.

Given all this, and after carefully considering a paper setting out options at our meeting yesterday, the Committee, by majority, agreed that I should write to you in these terms so that the Bureau may consider next steps on the Bill. A majority[1] of the Committee see no way through for the Bill at Stage 2 and 3 with such limited time remaining, and few remaining slots in our work programme - even allowing, where possible, for additional or extended meetings. The issue is not merely the risk of passing rushed legislation, including amendments that stakeholders may have had limited time to consider, but the more fundamental one of the Committee simply being at the limit of what it can realistically do.

Whether one ultimately considers that the Bill should pass or not, this is a regrettable position to find ourselves in: for the Committee, for the wider Parliament, and of

[1] Mark Ruskell and Sarah Boyack (Labour Party substitute) dissented

course for the Member-in-Charge, who has worked so hard on this Bill. In our view, there is a need for a discussion about the timetabling of Members' Bills and about the support and resources available for them, which we hope can lead to an improved outcome for Members' Bills in the next Session.

We also intend to set out views on possible next steps in relation to legislation on ecocide in our legacy report for our successor committee on Session 2026-31, in case the scrutiny the Committee has carried out in this Session can serve as a foundation for law reform in this area in the next.

Yours sincerely,

Edward Mountain MSP Convener

Annexe B – Correspondence from Monica Lennon MSP

Ecocide (Scotland) Bill - Stage 2 consideration

I am writing to provide my perspective to the Parliamentary Bureau as the Member in Charge of the Ecocide (Scotland) Bill in response to the letter from the Convener of the Net Zero, Energy and Transport Committee dated 18 February.

I am very grateful to the Committee for the work undertaken so far on my Bill and I appreciate this is not a decision they can have come to lightly, indeed I understand a number of members of the Committee do not support the decision, as set out in the Minutes.

Naturally I am hugely concerned that the Parliament's clear will, expressed at Stage 1 for the Bill to progress to the amendment stages, is not being taken forward by the Committee – despite a direction from the Bureau to do so. This decision may in turn limit the opportunity of Parliament to scrutinise and decide on the Bill at Stage 3 and I seek the Bureau's guidance in this matter.

Years of time and Parliamentary resource across a number of teams of officials and views from so many stakeholders have gone into this member's bill (3,379 responses to the consultation alone, and over 95% of respondents fully supportive of the proposal).

Timescales / examples of other Bills

The decision by the Committee that Stage 2 cannot be scheduled has been taken 5 weeks before the end of the session. At time of drafting there is a Government Bill at Stage 1 and I assume there is every expectation from the Scottish Government that that Bill will pass. In addition, there is another Member's Bill at Stage 2 where both stages 2 and 3 are scheduled for March with every expectation, given the Parliament's strong support at Stage 1, that it will pass.

There are examples of members bills from last session that demonstrate that the final two stages can certainly still happen within 5 weeks of parliamentary time remaining. In Session 5, three Members' Bills were passed in the final week of parliamentary business. This included the Tied Pubs (Code and Adjudicator) (Scotland) Bill, in which Stage 2 consideration of amendments concluded on 2 March 2021 ahead of Stage 3 proceedings commencing on 23 March 2021; and the Dogs (Protection of Livestock) (Amendment) (Scotland) Bill, where Stage 2 proceedings concluded on 23 February 2021 and Stage 3 proceedings taking place on 24 March 2021, the final day of the Session.

Action taken to address Committee's concerns on timing

I consider that the lead committee, whilst it may not have anticipated scrutinising the bill at Stage 2, has the capacity and the time to do so. During the Stage 1 debate on 5 February 2026 (in which the result of the vote was 90 for, 26 against, and 4 abstentions), the Convener asked for amendments to be lodged as soon as possible. The Government and I had been working for some months on amendments, a number of which address key recommendations from the Committee's report and

matters raised by Committee members during evidence sessions. These amendments were lodged by the Cabinet Secretary on 10 February 2026, and while other amendments remain under consideration this is the extent of the amendments envisaged at this stage. I have also written to the Committee offering to meet any member to discuss any specific amendments, and my drafters are ready to prepare additional amendments to short timescales.

Committee amendments

I would challenge the point made in the Committee's letter about limited time for evidence taking. The Committee has had since 10 February 2026 to send the lodged amendments to key stakeholders to seek their written views, indeed the Scottish Government has engaged with certain organisations in its deliberations over these amendments. Sending these amendments to these timescales would have provided time for written views and also oral evidence should it have been needed. Indeed, I note there was a suggestion at the meeting on 17 February that the Committee seek written evidence at that time and this was opposed by 4 of the 7 members of the Committee.

The Committee members have also had since immediately after the Stage 1 debate on 5 February to lodge amendments to the Bill to address issues raised in the Stage 1 report. To date only one amendment, from Mark Ruskell MSP, has been lodged to reflect the recommendations in the Committee's report.

If the Committee has concerns in relation to changes required to the Bill, and given the Committee had urged me and the Cabinet Secretary to lodge amendments as quickly as possible, I consider Committee members with concerns on elements of the Bill could do the same. Of course I want to guard against legislation being rushed, as does any parliamentarian, but there are actions that could have been pursued by the Committee to guard against this such as lodging amendments to seek to address its concerns.

Timing / Work Programme

The formal consideration and disposal at Stage 2 of amendments on such a short bill is very likely to only require one meeting, or at most one meeting and then reconvening after chamber business that evening as other committees have done this session.

In relation to the work programme forming the basis of being unable to scrutinise the Bill, I have always understood that consideration of primary legislation is prioritised in committee work programmes.

The work programme for the committee, which I am privy to as a member of the committee, includes work that is not linked to legislation. I of course appreciate the importance of this work but consider that primary legislation could have been prioritised.

I also consider that certain items listed by the Convener as being prioritised over this bill could be scheduled after Stage 2 between 10 March and 26 March, for example the legacy report mentioned in the Convener's letter. I also note that the Committee

will conclude work on its report on the Climate Change Plan next week meaning this understandable priority for its scrutiny work will have been formally completed in February.

The Committee at present has a light agenda for 10 March. I consider, if the Bureau is minded to set a stage 2 deadline for the lead committee, that Stage 2 could take place on Tuesday 10 March. This would allow time for written views to be sought on the amendments lodged by the Scottish Government and then formal proceedings to take place on that date. Under Standing Orders that would allow Stage 3 to be scheduled on Wednesday 25 March. If necessary, the Bureau could also consider suspending Standing Orders in order to take the Bill on Tuesday 24 March, one day shy of the usual gap between stages 2 and 3. That said, I am also aware there may be concerns in directing a Committee that has decided it is unable to complete Stage 2 scrutiny to do so.

Other options for Stage 2 scrutiny

I appreciate there are other procedural options available to the Bureau as set out under Standing Orders Rule 9.7.1 which states:

“If the Parliament has agreed to the Bill’s general principles, the Parliamentary Bureau shall—

> (a) refer the Bill back to the lead committee to take Stage 2 of the Bill; or
>
> (b) by motion propose that Stage 2 of the Bill be taken, in whole or in part, by a Committee of the Whole Parliament or a committee or committees other than the lead committee.”

It is of course preferable for the stage 1 lead committee to scrutinise the Bill at stage 2 given the expertise of that Committee on the subject gained at stage 1. To move away from this would be highly unusual. However, in this highly unusual, possibly unprecedented, situation I appreciate this may be necessary and would welcome the Bureau’s views on how to resolve this situation to ensure the will of the Parliament in relation to this Bill is respected.

Yours sincerely,

Monica Lennon MSP