

Chapter 13: Statements and Parliamentary Questions

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Rule 13.1 Personal statements

1. Any member may, at the discretion of the Presiding Officer, make a personal statement to a meeting of the Parliament.
2. A member wishing to make a personal statement shall notify the Presiding Officer that the member wishes to do so.
3. If the Presiding Officer decides that a personal statement may be made, the Presiding Officer shall notify the Parliamentary Bureau which shall include notice of that statement in a business programme.
4. Where a personal statement is made, it may not be debated.

Rule 13.2 Ministerial statements

1. Where a member of the Scottish Government or junior Scottish Minister wishes to make a statement to a meeting of the Parliament (“a ministerial statement”), notice shall be given to the Presiding Officer. The Presiding Officer shall then notify the Parliamentary Bureau who shall include notice of the ministerial statement in a business programme. A ministerial statement may be debated.
2. Where a ministerial statement is of an urgent nature, the member of the Scottish Government or junior Scottish Minister wishing to make the statement may, on giving notice of the statement to the Presiding Officer, request that it be made on that day. If the statement is, in the opinion of the Presiding Officer, sufficiently urgent, the Presiding Officer shall allow the statement to be made and debated and shall make any necessary alteration to the daily business list. Members shall be notified that any such statement is to be made and of any subsequent alteration to the daily business list.

Rule 13.3 Questions to the Scottish Government

1. Any member may put a question to the Scottish Government for answer in the Parliament.
2. Questions shall be in writing and lodged with the Clerk.
2. Questions (other than First Minister’s Questions) shall be in writing and lodged with the Clerk.
3. A question shall—
 - (a) be brief, clearly worded, and address specific points;

- (b) relate to a matter for which the First Minister, the Scottish Ministers or the Scottish Law Officers have general responsibility;
- (c) be in English;
- (d) be prefaced by the name of the member asking it;
- (e) not contain offensive language;
- (f) not express a point of view;
- (g) not breach any enactment or rule of law or be contrary to the public interest; and
- (h) not contravene Rule 7.5.1.

3A. Paragraph 3 (other than sub-paragraph (d)) applies to a First Minister's Question as it applies to a question lodged under paragraph 2.

4. A question shall specify whether it is for written answer ("a written question") or for oral answer ("an oral question") and, if for oral answer, whether it is for answer at First Minister's Question Time ("a First Minister's Question"), at General Question Time ("a General Question"), at Portfolio Question Time ("a Portfolio Question") or at Topical Question Time ("a Topical Question").

4A. Where an expected date of dissolution has been notified in accordance with Rule 2.1.4, the last day on which written questions may be lodged in that session is—

- (a) the day that is 14 days before the date so notified; or
- (b) the day on which the notification is given,

whichever is the later.

5. A question may be withdrawn by the member who lodged it at any time before it is answered by notifying the Clerk. A question which is withdrawn shall not receive an answer.

Rule 13.4 Admissibility of questions

1. A question is admissible unless—

- (a) it does not comply with the requirements of Rule 13.3.3;
- (b) the information sought has been provided in response to a similar question in the 6 months before the member seeks to lodge the question;
- (c) it is lodged for answer at General Question Time in a particular week but is relevant to Portfolio Question Time that week;

(d) it is lodged for answer at that part of Portfolio Question Time that relates to a particular portfolio, but is not relevant to that portfolio; or

(e) it is lodged for answer at Topical Questions but is not topical in nature.

2. Any dispute as to whether a question is admissible shall be determined by the Presiding Officer.

Rule 13.5 Written questions

1. A written question concerning a matter for which the First Minister is alone responsible may be answered only by the First Minister. A written question concerning the operation of the systems of criminal prosecution and investigation of deaths in Scotland may be answered only by the Lord Advocate or the Solicitor General for Scotland. Other written questions may be answered by any member of the Scottish Government or by a junior Scottish Minister.

2. The answer to a written question shall be lodged with the Clerk. An answer shall normally be lodged within 10 counting days of the day on which the question is lodged. In the case of a question lodged during the 14 days before a period when the Parliament is in recess for more than 4 days and during that recess, an answer shall normally be lodged within 20 counting days of the day on which the question is lodged.

2A. In Rule 13.5.2 “counting days” means days when the office of the Clerk is open.

3. The Clerk shall publish all admissible written questions and answers.

Rule 13.6 First Minister’s Questions

A1. A question for oral answer at First Minister’s Questions may be lodged in writing in advance, or may be called by the Presiding Officer at First Minister’s Questions, in accordance with paragraphs 1 to 5.

1. A member may lodge a First Minister’s Question during the period commencing with the completion of the preceding First Minister’s Question Time and ending at 12:00 on the Monday before the First Minister’s Question Time at which the member wishes the question to be answered (or such time and day as may, exceptionally, be specified by the Parliament on a motion of the Parliamentary Bureau). A member may lodge only one question for answer at any First Minister’s Question Time.

2. The Presiding Officer may select, from all admissible First Minister’s Questions lodged, up to 8 questions for answer at First Minister’s Question Time.

3. In addition to questions selected in advance under paragraph 2, the Presiding Officer may call any of the following members to ask a question at First Minister’s Question Time -

(a) a leader of a political party represented by 5 or more members of the Parliament, or a representative of that leader;

(b) a representative of any group formed in accordance with Rule 5.2.2.

4. The Presiding Officer may also, at First Minister's Questions, call any member to ask a question, so long as that question is not one which has been selected in advance.

5. The requirements of these Standing Orders, so far as they relate to questions being in writing and so far as they provide for lodging requirements, do not apply where a question has been called by the Presiding Officer under paragraphs 3 or 4.

Rule 13.6 First Minister's Questions

1. The Presiding Officer may call any of the following members to ask a question or questions during First Minister's Question Time:

(a) the leader of a political party represented by 5 or more members of the Parliament, or a representative of that leader ("a party leader");

(b) a representative of any group formed in accordance with Rule 5.2.2 ("a group representative");

(c) a member who is not a member of the Scottish Government or junior Scottish Minister and who is not a party leader or group representative ("a backbencher").

2. At the first First Minister's Question Time in each week, the Presiding Officer shall normally call only backbenchers to ask questions, and at the second such Question Time in each week, the Presiding Officer shall normally call only party leaders or group representatives to ask questions.

3. The requirements of these Rules, so far as they relate to questions being in writing and so far as they provide for lodging requirements, do not apply to First Minister's Questions.

Rule 13.6A Portfolio and General Questions

1. A member who wishes to lodge a Portfolio or General Question shall first submit that member's name for selection for that purpose. A member may submit that member's name for one or more of—

(a) General Question Time; and

(b) the portfolios to be included in Portfolio Question Time.

2. A member shall submit that member's name for selection during the period commencing with the completion of the General Question Time or Portfolio Question Time (whichever is the later) in the second week before the week in which the member wishes to ask a question and ending at 12:00 on the

Monday of the week before that week (or such time and day as may, exceptionally, be specified by the Parliament on a motion of the Parliamentary Bureau).

3. The Clerk shall select, from the names submitted, such number of members to put questions for answer at General Question Time and for each portfolio at Portfolio Question Time as, in each case, shall be determined by the Presiding Officer. Each selection of names shall be carried out on a random basis and the selections shall be carried out in the order in which the proceedings to which they relate are to take place. A member's name, once selected, shall be disregarded in any subsequent selection of names for the same week.

3A. After members have been notified that they have been selected and before the deadline for lodging questions under paragraph 4, members whose names are included in those selections may arrange with other such members to swap places, and notify the Clerk accordingly. The Clerk shall ensure that information about any such swaps is published alongside the information notified to members under paragraph 5.

4. Each member whose name has been selected under paragraph 3 shall lodge that member's oral question by 12:00 on the Wednesday of the week before the week in which the question is to be answered (or such time and day as may, exceptionally, be specified by the Parliament on a motion of the Parliamentary Bureau).

5. Names selected under paragraph 3 and admissible questions lodged under paragraph 4 shall be notified to members in the Business Bulletin.

Rule 13.6B Topical Questions

1. A member may lodge a Topical Question during the period commencing at 12:30 on the Thursday and ending at 12.00 on the Monday before the Topical Question Time at which the member wishes the question to be answered (or such time and day as may, exceptionally, be specified by the Parliament on a motion of the Parliamentary Bureau). A member may lodge only one question for answer at any Topical Question Time.

2. The Presiding Officer may select, from all admissible Topical Questions lodged, such number of questions for answer at Topical Question Time as the Presiding Officer may determine.

3. Questions selected under paragraph 2 shall be notified to members in the Business Bulletin.

Rule 13.7 Oral Questions in the Chamber

A1. First Minister's Question Time shall be a period of up to 45 minutes each week (normally on Thursdays). General Question Time shall normally be a period of up to 20 minutes each week (normally on Thursdays). Portfolio Question Time shall normally be a period of up to 40 minutes each week

(normally on Wednesdays). Topical Question Time shall normally be a period of up to 15 minutes each week (normally on Tuesdays).

A1. First Minister's Question Time shall be a period of up to 30 minutes, normally each Tuesday, and another period of up to 30 minutes, normally each Thursday. General Question Time shall be a period of up to 25 minutes, normally each Tuesday, and another period of up to 30 minutes, normally each Thursday. Portfolio Question Time shall be a period of up to 60 minutes, normally each Wednesday.

A2. [deleted]

A3. The Parliament shall, on a motion of the Parliamentary Bureau, decide which portfolios are to be included in each Portfolio Question Time.

1. An oral question concerning a matter for which the First Minister is alone responsible shall normally be answered by the First Minister but may exceptionally be answered by any other member of the Scottish Government. An oral question concerning the operation of the systems of criminal prosecution and investigation of deaths in Scotland shall normally be answered by the Lord Advocate or the Solicitor General for Scotland but may exceptionally be answered by another member of the Scottish Government. Other oral questions may be answered by any member of the Scottish Government or a junior Scottish Minister. An oral question selected for answer asked at First Minister's Question Time shall normally be answered by the First Minister but may, if the First Minister is unable to attend First Minister's Question Time or any part of it, be answered by another member of the Scottish Government.

2. An oral question is taken when it is called by the Presiding Officer at a meeting of the Parliament.

3. Questions shall be taken in the order in which they are printed in the Business Bulletin except where the Presiding Officer does not call a question under paragraph 11.

4. When a question is taken, it may be asked only by the member who lodged it.

5. After a question is answered, the member who asked it may ask the first supplementary question and any member may, at the discretion of the Presiding Officer, ask further supplementary questions. If the member who asked the question does not ask the first supplementary question, any member may, at the discretion of the Presiding Officer, ask a supplementary question or questions.

6. [deleted]

7. A member asking a question shall, in asking the question, not depart from the terms of the question.

8. A member may ask a supplementary question only on the same subject matter as the original question and shall, in asking the question, do so briefly.

9. A question—

(a) selected for answer at First Minister's Question Time or Topical Question Time; or

(b) lodged for answer at General Question Time or Portfolio Question Time,

which is not taken shall be treated as a written question and an answer shall normally be lodged on or before the next day when the office of the Clerk is open.

10. A question which is taken but which is not asked and has not been withdrawn, shall be treated as a written question and an answer shall normally be lodged on or before the next day when the office of the Clerk is open.

11. Where a member is not in the Chamber at the time the question that member had lodged is due to be asked, the Presiding Officer shall not call the question. Such a question shall be treated as a written question and an answer shall normally be lodged on or before the next day when the office of the Clerk is open.

Rule 13.8 Urgent Questions

1. Where an oral question is of an urgent nature the member lodging it may, if it is lodged by 10:00 on a day on which there is a meeting of the Parliament, request that it be answered that day. The Clerk shall notify the Presiding Officer of the lodging of such a question as soon as possible after it is lodged. Such a question is referred to as "an urgent question".

2. If such a question is, in the opinion of the Presiding Officer, sufficiently urgent, the Presiding Officer shall allow the question to be put and answered at an appropriate point during the meeting of the Parliament and shall make any necessary alteration to the daily business list. Members shall be notified that any such question is to be put and of any subsequent alteration to the daily business list.

3. An urgent question concerning a matter for which the First Minister is alone responsible shall normally be answered by the First Minister but may exceptionally be answered by any other member of the Scottish Government. An urgent question concerning the operation of the systems of criminal prosecution and investigation of deaths in Scotland shall normally be answered by the Lord Advocate or the Solicitor General for Scotland but may exceptionally be answered by another member of the Scottish Government. Other urgent questions may be answered by any member of the Scottish Government or a junior Scottish Minister.

4. When an urgent question is taken it may be asked only by the member who lodged it.
5. After an urgent question is answered the member who asked it may ask the first supplementary question and other members may, at the discretion of the Presiding Officer, ask further supplementary questions. If the member who asked the question does not ask the first supplementary question, any member may, at the discretion of the Presiding Officer, ask a supplementary question or questions.
6. A member asking an urgent question shall, in asking the question, not depart from the terms of the question. A member asking a supplementary question shall, in asking the question, do so briefly.
7. A member may ask a supplementary question only on the same subject matter as the original question and shall, in asking the question, do so briefly.

Rule 13.9 Questions to the Scottish Parliamentary Corporate Body

1. Any member may address a question on any matter concerning the Parliamentary corporation or the staff of the Parliament to the Scottish Parliamentary Corporate Body. Where such a question is for oral answer it may be answered by any member of the Parliamentary corporation at SPCB Question Time.
2. Rules 13.3 (except paragraphs 1 and 3(b)), 13.4.1 (a) and (b) and 13.5.2, 2A and 3 shall apply to questions referred to in paragraph 1 as they apply to questions to the Scottish Government.
3. SPCB Question Time shall be a period of up to 15 minutes at a meeting of the Parliament at which questions selected under paragraph 5 may be put to and answered by members of the Parliamentary corporation.
4. A member may lodge an oral question for answer at any SPCB Question Time during the period commencing when the Parliament decides under Rule 5.4.1 to include that SPCB Question Time in a business programme and ending at 16:30 on the Wednesday of the week before the SPCB Question Time at which the member wishes the question to be answered (or such time and day as may, exceptionally, be specified by the Parliament on a motion of the Parliamentary Bureau). A member may lodge only one question for answer at any SPCB Question Time.
5. The Clerk shall select, from all admissible oral questions lodged for answer at SPCB Question Time, such number of questions for answer at SPCB Question Time as the Presiding Officer may determine. These questions shall be selected on a random basis.
6. Rules 13.7.2 to 5 and 13.7.7 to 11 shall apply to questions referred to in paragraph 1 as they apply to questions to the Scottish Government except that any reference to any or all of First Minister's Question Time, General Question

Time and Portfolio Question Time shall be read as a reference to SPCB Question Time.

Rule 13.9A Urgent Questions to the Scottish Parliamentary Corporate Body

1. Where an oral question on any matter concerning the Parliamentary corporation is of an urgent nature the member lodging it may, if it is lodged by 10:00 on a day on which there is a meeting of the Parliament, request that it be answered that day. The Clerk shall notify the Presiding Officer of the lodging of such a question as soon as possible after it is lodged. Such a question is referred to as “an urgent question to the SPCB”.
2. If such a question to the SPCB is, in the opinion of the Presiding Officer, both sufficiently urgent and the most appropriate way of raising the issue concerned, the Presiding Officer shall allow the question to be put and answered at an appropriate point during the meeting of the Parliament and shall make any necessary alteration to the daily business list. Members shall be notified that any such question is to be put and of any subsequent alteration to the daily business list.
3. An urgent question under this Rule may be put to and answered by any member of the Parliamentary corporation.
4. Paragraphs 4 to 7 of Rule 13.8 shall apply also to this Rule.