



The Scottish Parliament
Pàrlamaid na h-Alba

Holyrood and Westminster – who does what?



What is devolution?

Devolution is the transfer of powers from a central to a regional authority.

In 1999 an Act of the UK Parliament created a **Scottish Parliament** and passed to it the power to make laws on a range of issues. These are known as **devolved matters**, and they include:

- health
- education
- justice
- police and fire services
- housing
- local government
- the environment
- sport and the arts
- social work
- agriculture
- many aspects of transport, including roads and buses.

However, the **UK Parliament** retained the power to make laws for Scotland on certain issues. These issues, which generally have a UK-wide or international impact, are known as **reserved matters**. They include:

- benefits and social security
- immigration
- defence
- foreign policy
- employment
- broadcasting
- trade and industry
- nuclear energy, oil, coal, gas and electricity
- consumer rights
- data protection
- the Constitution.

The Scottish Parliament



What is the Scottish Parliament?

The Scottish Parliament – often referred to as Holyrood – is the law-making body in Scotland for devolved matters.

What does the Scottish Parliament do?

The Scottish Parliament's main function is to make laws on devolved matters. It is also where elected representatives from across Scotland – known as Members of the Scottish Parliament (MSPs) – debate topical issues and highlight matters of concern on behalf of the people they represent.

In addition, the Scottish Parliament is responsible for scrutinising the work, policies and spending plans of the Scottish Government (see page 7).

Who sits in the Scottish Parliament?

The Scottish Parliament is made up of 129 MSPs.

Eight MSPs are elected to represent you: one constituency MSP and seven regional MSPs. All MSPs have equal status in the Scottish Parliament.

How is the Scottish Parliament elected?

MSPs are elected using a form of proportional representation called the Additional Member System.

The MSPs for the constituency seats are elected using the first-past-the-post system. The candidate who gets the largest number of votes in the constituency ballot wins the seat.

A photograph of the Scottish Government building, a modern structure with a glass facade and a prominent Scottish flag on the left side. The text 'The Scottish Government' is visible on the building's facade. The image is partially obscured by a white curved shape on the left and a purple shape on the right.

Regional seats are allocated using a formula known as the d'Hondt formula. Within each region, this formula takes into account the number of regional votes that a party has received and the number of constituency seats it has already won.

Independent candidates can stand for election as well as those representing a political party.

How often are Scottish Parliament elections held?

Elections to the Scottish Parliament normally take place every four years. However, it is anticipated that the next election will take place in May 2016.

Where does the Scottish Parliament meet?

The Scottish Parliament building is located at Holyrood, at the foot of Edinburgh's Royal Mile.

What is the Scottish Government?

The Scottish Government is the government of Scotland for devolved matters. It is normally formed from the party or parties holding most seats in the Scottish Parliament, and is headed by the First Minister.



The main role of the Scottish Government is to formulate and implement policies on devolved matters. Often, this will include drafting proposals for new laws – known as bills – which must be approved by the Scottish Parliament before they can come into force.

You can find out more about the Scottish Government in the leaflet 'The Scottish Parliament and the Scottish Government – what is the difference?'.
A decorative graphic consisting of two white diagonal lines on a purple background, located at the bottom of the purple text box.

The United Kingdom Parliament



What is the UK Parliament?

The UK Parliament – often referred to as Westminster – is the national law-making body for the UK. For people living in Scotland, it makes laws on reserved matters; for people living in England, it makes laws on all matters.

What does the UK Parliament do?

In addition to making laws, one of the main functions of the UK Parliament is to scrutinise the work and policies of the UK Government (see page 11).

Who sits in the UK Parliament?

The UK Parliament is made up of the House of Commons, the House of Lords and the Crown.

There are 650 Members of Parliament (MPs) in the House of Commons.

59 of these MPs are from Scottish constituencies. These MPs represent their constituents on reserved matters.

The House of Lords, which is the second chamber of the UK Parliament, is made up of around 790 Members who are generally known as Peers. Peers work on behalf of the UK as a whole, rather than for specific constituencies.

How is the UK Parliament elected?

MPs are elected to the House of Commons using the first-past-the-post system. Under this system, the candidate who gets most votes at the election wins the seat.

At present, the House of Lords is not elected by members of the public; most Peers are appointed by HM The Queen on the advice of the Prime Minister.



How often are UK Parliament elections held?

Under the Fixed-term Parliaments Act 2011, UK Parliament general elections will normally be held on the first Thursday in May every five years. The next election is scheduled to take place on 7 May 2015.

Where does the UK Parliament meet?

The Houses of Parliament are located in the Palace of Westminster, London.

What is the UK Government?

The UK Government is formed by the party or parties holding the largest number of seats in the House of Commons and is headed by the Prime Minister.

i For the people of Scotland, the UK Government formulates and implements policy on reserved matters.

There is a member of the UK Government known as the Secretary of State for Scotland whose role is to represent Scotland's interests on reserved matters within the UK Government. The Secretary of State for Scotland is head of a department of the UK Government known as the Scotland Office.

Frequently asked questions



Are Scottish MPs also MSPs?

No, the two roles are entirely separate. However, it is possible to be elected to both positions. Individuals who become both an MP and an MSP are said to hold a 'dual mandate'.

Do bills passed by the Scottish Parliament also have to be approved by the UK Parliament?

No. However, it is true that all bills passed by the Scottish Parliament must be given royal assent by HM The Queen before they can come into force.

Do the Scottish Parliament and UK Parliament have different structures?

Yes. A key difference is that the UK Parliament is a bicameral legislature – in other words, a law-making body that has two chambers (the House of Commons and the House of Lords).

In contrast, the Scottish Parliament has only one chamber. This means that the Scottish Parliament's committees have a very important role in scrutinising proposed laws.

Can the UK Parliament still pass laws that affect Scotland on devolved matters?

Yes. However, by convention, the UK Parliament would not normally do so without seeking the consent of the Scottish Parliament.

The way in which the UK Parliament obtains this consent is through a legislative consent motion. Essentially, this is a short statement indicating that the Scottish Parliament is content for the UK Parliament to legislate on a devolved matter. This motion is usually proposed by a member of the Scottish Government, but it can be put forward by any MSP. MSPs will have an opportunity to discuss and vote on it.



Are there changes planned for the UK and Scottish Parliaments?

The Scotland Act 2012, which was passed by the UK Parliament and received royal assent in May 2012, gives the Scottish Parliament and Scottish Government a range of additional powers. These include powers relating to borrowing, income tax, speed limits and air guns.

Following the referendum on Scottish independence on 18 September 2014, a process is underway to transfer further powers to the Scottish Parliament. Both the UK Parliament and the Scottish Parliament will be involved in considering proposals for further devolution.

The Scottish Parliament

Public Information at the Scottish Parliament can provide information about all aspects of the membership, business and procedures of the Scottish Parliament. Contact details can be found at the end of this leaflet.

In addition, the Scottish Parliament website at www.scottish.parliament.uk contains information on current business, including bills and legislative consent motions (formerly known as 'Sewel motions').

The UK Parliament

You can telephone the House of Commons Information Office on 020 7219 4272 and the House of Lords Information Office on 020 7219 3107.

Information on both Houses of Parliament can be found at www.parliament.uk

For more information on the Scottish Parliament, its membership, business and procedures, **please contact us.**



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