How NGBU supports the Member’s Bill process

The Non-Government Bills Unit (NGBU) is available to support any member wishing to take forward a Member’s Bill. Working closely with Parliamentary lawyers and external drafters, NGBU can assist with policy development, summarise consultation responses, secure the drafting of a Bill, prepare briefing and give procedural advice.

Steps in the process

1. NGBU’s initial aim is to understand what the member is seeking to achieve with a Bill, and then to work with the member to develop an initial policy (or policy options) as a basis for consultation. This early stage is crucial in ensuring that any legal, practical or political constraints are identified and (where possible) resolved before a draft proposal is lodged.
2. The draft proposal is consulted on for a minimum of 12 weeks. (In some cases, a member may be able to lodge a “statement of reasons” as to why a consultation is not necessary.)
3. NGBU prepares a summary of responses to the consultation for the member to lodge alongside a final proposal.
4. The final proposal appears in the Business Bulletin for a month. The member secures the right to introduce a Bill if, during that time, the final proposal gains the support of at least 18 other members from at least half of the political parties or groups represented on the Parliamentary Bureau.
5. NGBU works with the member to further refine the policy, taking account of feedback from the consultation and (via the Parliament’s solicitors) instructs the drafting of the Bill. NGBU prepares the accompanying documents to the Bill (Policy Memorandum, Explanatory Notes and Financial Memorandum).
6. The Bill is introduced and proceeds through the same 3-stage process as other Public Bills. At each Stage, NGBU supports the member, for example by providing briefing material, drafting speeches or accompanying the member when giving evidence to a Committee.

Important points to bear in mind

In many cases, it can take at least a year from initial contact with NGBU to the introduction of a Bill. For this reason, members are advised to begin the process in the first half of the session if possible. Members’ Bills cannot normally be introduced after the beginning of June in the year before a Scottish Parliament election.

Members’ Bills can only be introduced if they conform fairly closely to the proposal that was lodged. This makes it important to get the policy right from the outset, and to ensure it is within the Parliament’s legislative competence. Accordingly, members are strongly advised to contact NGBU at an early stage, before any public announcement about the Bill is made.

NGBU is a confidential and impartial clerking service that is available to all MSPs (other than Ministers), regardless of party affiliation.

NGBU assists members with their Bills on a first-come-first-served basis – another reason to approach the Unit sooner rather than later.

Members wishing to pursue a Member’s Bill are not obliged to use NGBU’s services. However, members who prefer to use external sources of support must still lodge their draft and final proposals with NGBU.