



The Scottish Parliament
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SPICe Briefing

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Dissolution of the Scottish Parliament

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Dissolution marks the end of a Session of the Scottish Parliament. This briefing explains the current arrangements governing timing of elections, dissolution, and the practical consequences that follow.



10 March 2026
SB 26-18

Contents

Summary	3
Current arrangements for dissolving the Parliament	4
Ordinary general elections	4
Statutory timing of Scottish Parliament general elections	4
Timing of dissolution before an ordinary general election	4
The "minimum period" for dissolution	4
Extraordinary general elections	5
Rescheduling of elections	6
Ordinary general elections	7
Interaction with UK Parliamentary general elections	7
Presiding Officer's power to reschedule elections	7
Extraordinary general elections	9
Pre-election campaign period	10
Sitting days, recess and the pre-election campaign period	10
Guidance issued during the pre-election campaign period	11
Consequences of dissolution	12
Status of Members of the Scottish Parliament	12
Status of the Presiding Officer of the Scottish Parliament	12
Status of the Scottish Parliamentary Corporate Body	13
Status of Scottish Ministers	13
Effect of dissolution on parliamentary business	13
Bills	14
Secondary legislation	14
Motions	16
Oral and written questions	16
Petitions	17
Bibliography	19

Summary

The Presiding Officer of the Scottish Parliament Alison Johnstone MSP has determined that the expected date on which the Parliament will be dissolved is 9 April 2026, ahead of the general election that is due on 7 May 2026.

Dissolution marks the formal end of a Session of the Scottish Parliament and brings parliamentary business to a halt until a new Parliament is elected and convened.

Ordinary general elections are held on a fixed five-year cycle, with limited statutory powers allowing Scottish Ministers and the Presiding Officer to adjust polling dates in defined circumstances, including where a Scottish Parliament election would otherwise coincide with a UK Parliamentary general election.

At dissolution, MSPs cease to hold office, committees are dissolved, and parliamentary proceedings stop. Bills that have not been passed fall, while Scottish Statutory Instruments (a form of secondary legislation) remain live but their scrutiny periods are paused and may continue in the new session. Motions that have not been taken before dissolution, including amendments to motions and motions on legislative consent, fall at dissolution. Petitions do not fall but cannot progress until new committees are established.

The Scottish Government and certain parliamentary officeholders such as the Presiding Officer remain in office. However, the Scottish Government operates with restrictions on new policy initiatives, appointments, consultations and communications activity. Parliamentary services are also subject to limits.

Further information on the Scottish Parliament election on 7 May can be found on the [Scottish Parliament Election 2026 hub](#).

Current arrangements for dissolving the Parliament

Under Rule 2.1.1 of the Standing Orders of the Scottish Parliament ("the Standing Orders"), a parliamentary session is defined as:

“ the period from the date of the first meeting of the Parliament following a general election until the Parliament is dissolved.”

The Scottish Parliament, 2026¹

Dissolution therefore brings the parliamentary session to an end. Following dissolution, Members of the Scottish Parliament (MSPs) cease to hold office and parliamentary business comes to an end (see [Consequences of dissolution](#)).

To date, dissolution has occurred only in connection with [ordinary general elections](#). The Parliament would also dissolve prior to an [extraordinary general election](#), that is, an election held outwith the normal cycle in the circumstances provided for in statute.

Ordinary general elections

This section covers the timing of dissolution in relation to ordinary Scottish Parliament general elections.

Statutory timing of Scottish Parliament general elections

Section 2(2) of the Scotland Act 1998 provides that ordinary general elections are held on the first Thursday in May in the fifth calendar year following the year in which the previous ordinary general election took place. ²

There are limited exceptions to this default timing. An alternative date may be set if a UK Parliamentary general election is scheduled for the same day or if the Presiding Officer proposes a different date under the statutory rescheduling provisions (see [Rescheduling of elections](#)). ²

Timing of dissolution before an ordinary general election

Where an ordinary general election is to be held, section 2(3) of the Scotland Act 1998 provides that the Parliament is dissolved at the beginning of the “minimum period” ending with the day of the poll. ²

The "minimum period" for dissolution

Section 2(4) of the Scotland Act 1998 defines the “minimum period” by reference to an order made under section 12(1) of the Act. ²

The minimum dissolution period was previously set at 28 working days by the Scottish Parliament (Elections etc.) Order 2015. ³ This has been amended by the Scottish

Parliament (Elections etc.) (Miscellaneous Amendments) Order 2025, which reduces the minimum period to 20 working days before polling day.⁴

Application to the 2026 Scottish Parliament Election

For the Scottish Parliament elections expected to be held on Thursday 7 May 2026, the 20 working day minimum period requires that dissolution take place on 9 April 2026.

Under Rule 2.1 of the Standing Orders, the Presiding Officer determines the expected date of dissolution and the Clerk to the Parliament notifies members accordingly.¹

The Presiding Officer of the Scottish Parliament, Alison Johnstone MSP, has determined that the expected date on which the Parliament will be dissolved is 9 April 2026, ahead of the election expected on 7 May 2026.⁵

Extraordinary general elections

In addition to five-yearly ordinary general elections, extraordinary general elections may occur in certain circumstances.

Section 3(1) of the Scotland Act 1998 requires the Presiding Officer to propose a date for an extraordinary general election if either of the following two events occur:²

- the Parliament resolves, with a two-thirds majority in favour, to be dissolved
- the Parliament fails to nominate a Member as First Minister within 28 days of any of the events provided for by section 46(2) of the Scotland Act 1998.ⁱ

The events provided for by section 46(2) of the Scotland Act 1998 are:

- the holding of a poll at a general election;
- the First Minister tendering their resignation to His Majesty;
- the office of First Minister becoming vacant (otherwise than in consequence of the First Minister tendering their resignation);
- the First Minister ceasing to be a Member of the Scottish Parliament (otherwise than through dissolution).²

Section 3(1A) of the Scotland Act 1998 further provides that the Presiding Officer may not propose a day for an extraordinary general election if an ordinary general election is due to be held within the following eight weeks.²

Where such a proposal is made, His Majesty may, by proclamation under the Scottish

ⁱ Under section 46(3) of the Scotland Act 1998, the period allowed for nomination is normally 28 days after the occurrence of the event in question but it can be extended another 28 days if another one of the section 46(2) events was to occur during the initial 28 day period.²

Sealⁱⁱ:

- dissolve the Parliament and require an extraordinary general election to be held;
- require the poll to be held on the day proposed; and
- require the new Parliament to meet within seven days beginning immediately after polling day.²

Since the establishment of the Scottish Parliament in 1999, no extraordinary general elections have been held. All dissolutions to date have therefore taken place in connection with ordinary general elections.ⁱⁱⁱ

An extraordinary general election would normally occur in addition to the scheduled cycle of ordinary general elections. However, section 3(3) of the Scotland Act 1998 provides that where an extraordinary general election is held within the six-month period preceding the date on which the next ordinary general election would otherwise have taken place, that ordinary general election is not held.² This provision does not alter the statutory cycle of ordinary general elections.² The timing of subsequent ordinary general elections continues to be calculated by reference to the previous ordinary general election. For example, if an extraordinary general election were to have been held in January 2026, the May 2026 ordinary election would not take place and the next ordinary general election would still be expected on the first Thursday in May 2031, in accordance with the statutory timetable.

There is also provision for an extraordinary general election to be rescheduled if Parliament is already dissolved (see [Rescheduling of elections](#)).

Rescheduling of elections

The Scottish Elections (Representation and Reform) Act 2025 amended provisions in the Scotland Act 1998 concerning the Presiding Officer's powers to postpone ordinary general elections and extraordinary general elections.⁸ According to the Policy Memorandum accompanying the then Bill, these measures were informed by the experience of administering the 2021 Scottish Parliament election during the COVID-19 pandemic, as well as the potential risk of Scottish Parliament and UK Parliament elections being scheduled for the same day.⁹

During Stage 1 scrutiny of the Bill, the Scottish Government indicated its intention to reduce the minimum dissolution period for Scottish Parliament elections from 28 working days to 20 working days by secondary legislation.¹⁰ That change was subsequently made by the Scottish Parliament (Elections etc.) (Miscellaneous Amendments) Order 2025.⁴ The Policy Note accompanying the order explained that the reduction was intended to preserve the Parliament's ability to respond to the unforeseen scheduling of a UK

ii A proclamation is a form of legislation made by the Monarch.⁶ The Scottish Parliament (Letters Patent and Proclamations) Order 1999 prescribes the form of words to be used in proclamations made under the Scotland Act 1998.⁷

iii SPICe publishes and updates a [factsheet](#) compiling the dates of recess, dissolution, parliamentary years and recalls of Parliament.

Parliamentary general election.¹¹ Dissolution of the UK Parliament takes place 25 working days before polling day. The Scottish Government's position was that, if the Scottish Parliament's minimum dissolution period remained longer than this, the Parliament could already have been dissolved when a UK Parliament election was called.¹¹ In that situation, the Scottish Parliament would be unable to legislate to avoid a clash of polling dates.¹¹

The following sections set out the provisions in the Scotland Act 1998 (as amended) governing the rescheduling of ordinary and extraordinary general elections.

Ordinary general elections

As noted in [Current arrangements for dissolving the Parliament](#), section 2(2) of the Scotland Act 1998 establishes the default timing of ordinary general elections to the Scottish Parliament (the first Thursday in May in the fifth calendar year following the previous ordinary general election).²

This default date applies unless:

- a UK Parliamentary general election is scheduled for the same day; or
- the Presiding Officer proposes an alternative date.²

Interaction with UK Parliamentary general elections

Section 2(2A) of the Scotland Act 1998 provides that an ordinary general election cannot be held on the same day as a UK Parliamentary general election.² If such a clash arises, section 2(2B) of the Scotland Act 1998 enables Scottish Ministers to specify an alternative polling day by order (i.e., secondary legislation).² Any alternative date must still comply with section 2(2A) of the Scotland Act 1998 (i.e., it must not coincide with a UK Parliamentary general election).²

Once an order made under section 2(2B) of the Scotland Act 1998 has been approved by the Parliament, the arrangements for dissolution and the operation of the minimum period before polling day apply as set out in [Timing of dissolution before an ordinary general election](#).

Presiding Officer's power to reschedule elections

Section 2(5) of the Scotland Act 1998 provides for the Presiding Officer's power to reschedule an ordinary general election.² This power was recently amended by the Scottish Elections (Representation and Reform) Act 2025.⁸

Prior to amendment, the Presiding Officer could propose an alternative date within one month either side of the scheduled election date. As amended, section 2(5) of the Scotland Act 1998 now allows the Presiding Officer to propose a polling day that is no more than four weeks earlier and no more than eight weeks later than the scheduled date.² If such a proposal is made, His Majesty may by proclamation:²

- dissolve the Parliament (if it is not already dissolved);
- require the poll to be held on the proposed day; and
- require the Parliament to meet “as soon as reasonably practicable” after polling day.

Where Scottish Ministers set a new polling day by order (because the original date would clash with a UK Parliamentary election), that substituted date is treated as if it were the normal “first Thursday in May” for the purposes of the Presiding Officer’s rescheduling powers.² In other words, the Presiding Officer may still propose a further change to that revised date, and His Majesty may give effect to that proposal by proclamation.

Section 2(5E) of the Scotland Act 1998 allows the Presiding Officer to propose a further postponement no more than eight weeks later than the date set by the earlier proclamation.² His Majesty may then issue a further proclamation requiring the poll to be held on the newly proposed date and the Parliament to meet as soon as reasonably practicable afterwards.² Unlike the first proclamation, a second proclamation does not dissolve the Parliament, as dissolution will already have taken place (if required).

Taken together, these provisions mean that an ordinary general election may be postponed by up to 16 weeks in total. The Policy Memorandum to the then Scottish Elections (Representation and Reform) Bill explained the rationale for extending the postponement period to eight weeks (with the possibility of a further eight-week extension).

¹² The Policy Memorandum states:

“ In light of experience in planning for the 2021 Scottish Parliament election, eight weeks is considered to be a more realistic period in which to arrange a postponed election. It would, in particular, permit a greater separation in time between polls if a UK Parliament general election were called for a date on or near a scheduled Scottish Parliament election. [...] This second postponement by eight weeks is considered necessary to cover a prolonged emergency such as a pandemic. It is acknowledged that this second potential postponement could ultimately result in the Parliament being dissolved for a substantial period of time, but it is difficult to identify other satisfactory options in the event of pandemic-style conditions applying once Parliament has dissolved.”

The Scottish Parliament, 2024¹²

Section 2(5F) of the Scotland Act 1998 requires the Presiding Officer to consult the [Electoral Commission](#) and the Convener of the [Electoral Management Board for Scotland](#) before proposing a postponed polling day under section 2(5) or a further postponement under section 2(5E).² Section 2(5G) requires the Presiding Officer to publish a statement setting out the proposed polling date and the reasons for the proposal.²

Meeting of the new Parliament and nomination of a First Minister

Ordinarily, the new Parliament must meet within seven days of polling day.² However, section 46(3)(b) of the Scotland Act, as amended by section 30(2) of the Scottish Elections (Representation and Reform) Act 2025, provides an exception where an election has been rescheduled under section 2(5) or 2(5E) of the Scotland Act 1998.² In such circumstances, if the Parliament does not meet within the normal seven-day period (because it is only required to meet “as soon as reasonably practicable” after polling day), any delay beyond the seven-day period is not counted as part of the 28-day statutory period for nominating a First Minister.²

Extraordinary general elections

Section 3(2B) of the Scotland Act 1998 provides that, where the Parliament has already been dissolved in advance of an extraordinary general election, the Presiding Officer may propose that the poll be postponed.² Any proposed postponement must not exceed four weeks from the date specified in the original proclamation calling the election.² Before making such a proposal, the Presiding Officer is required to consult the Electoral Commission.²

If the Presiding Officer proposes a new polling date in accordance with these provisions, His Majesty may, by further proclamation, require:²

- that the poll be held on the revised date; and
- that the Parliament meet within the period of seven days beginning immediately after polling day.

Pre-election campaign period

Prior to a general election, there is normally a period known as the pre-election campaign period. During this time, public bodies (such as and including the Scottish Parliament and Scottish Government) exercise caution when carrying out their functions to avoid having an effect on the election campaign. The pre-election campaign period is not set out in law. However, in the past it has coincided with dissolution of the Parliament 28 working days ahead of the poll, and as such lasted around 6 weeks.^{iv} Following the reduction of the minimum period for dissolution from 28 to 20 working days, the Parliament has sought to replicate the typical 6-week pre-election campaign period for the 2026 Scottish Parliamentary elections by agreeing to a campaign recess and closure of the office of the Clerk ahead of dissolution on 9 April 2026.¹³

Sitting days, recess and the pre-election campaign period

The replication of the 6-week pre-election campaign period required the Parliament's agreement to motions setting recess dates and dates relating to the office of the Clerk. Under Rule 2.1.3 of the Standing Orders of the Scottish Parliament, a sitting day is any day when the office of the Clerk is open but not when the Parliament is in recess or dissolved.^v¹ The Parliament decides the days the office of the Clerk is open on a motion of the Parliamentary Bureau.¹ The days on which the office of the Clerk is to be open are then notified to MSPs by the Presiding Officer (see Scottish Parliament webpages on [Office of the Clerk dates](#)).

The Parliament has agreed a campaign recess from 26 March to 8 April 2026, during which the Parliament has also agreed that the office of the Clerk will be closed.¹⁴¹⁵ As such, incorporating the planned dissolution, the "pre-election campaign period" is expected to run from 26 March 2026 to 7 May 2026.¹³

Once the Parliament has been dissolved, MSPs cease to hold office and parliamentary business comes to an end. Before dissolution, however, Rule 2.2.10 of the Standing Orders allows the Presiding Officer to convene the Parliament in an emergency while it is in recess.¹ Therefore, after the last sitting day of 25 March 2026, the Parliament could be recalled up until 8 April 2026 (inclusive).

iv The pre-election campaign periods ahead of the 2003, 2007, 2011 and 2016 Scottish Parliamentary elections all coincided with dissolution, which took place 28 working days before the poll, and therefore lasted for around six weeks. The pre-election campaign period ahead of the 2021 elections also lasted 6 weeks except it was composed of a parliamentary recess and 1-day dissolution to ensure Parliament could be recalled if necessary during the Covid-19 pandemic public health restrictions.

v A parliamentary recess is a period when the Parliament is not dissolved but is not meeting for a particular length of time. Rule 2.3 of the Standing Orders sets out that the dates of recesses are decided by the Parliament on a motion from the Parliamentary Bureau.

Guidance issued during the pre-election campaign period

The pre-election campaign period has significant implications for parliamentary business and the work of the Scottish Government. The Scottish Parliamentary Corporate Body (SPCB), which is responsible for the provision of property, staff and services for the Parliament, publishes two sets of guidance in advance of Scottish Parliament elections:

- [Guidance for Members and their staff during the 2026 Scottish Parliamentary Election campaign](#)
- [Guidance for Members who are not standing at the 2026 Scottish Parliamentary Election](#).

The guidance issued by the SPCB provides advice to MSPs and their staff on how parliamentary services will be affected before and during the pre-election campaign period.¹³ Most of the guidance, and the restrictions it contains, apply throughout the pre-election campaign period. The policy statement on MSP status issued alongside the guidance for MSPs states:

“ During the campaign period, the SPCB seeks to ensure that public resources are not used in any way that might prejudice, or be seen to prejudice, the result of an election, and for all candidates standing to be treated the same. The SPCB has policies in place that restrict use of parliamentary resources for any party political or election campaigning activity, to create a degree of parity with non-MSP candidates.”

The Scottish Parliament, 2026¹³

The Scottish Government publishes guidance for civil servants working in the Scottish Government, its agencies and national devolved public bodies on the special arrangements which apply to the handling of Government business during the pre-election campaign period. The [guidance ahead of the 2026 Scottish Parliamentary Elections](#) was published on 20 January 2026.

Ministers remain in office throughout the pre-election campaign period.¹⁶ However, special arrangements apply in line with the Scottish Government guidance for the six weeks prior to polling day.¹⁶ For example, some of the restrictions that apply to Government business during this period include:¹⁶

- the cessation of routine Cabinet meetings;
- avoidance of initiating major new policy decisions or actions of a continuing or long-term character, where possible;
- deferral of significant public appointments;
- the suspension of new consultations; and
- careful management of communications activity to avoid competing with election candidates for public attention.

Consequences of dissolution

Dissolution has significant constitutional and practical effects. It marks the end of a parliamentary session and the formal conclusion of the current Parliament's term. From that point, there are no sitting MSPs and no parliamentary proceedings can take place until the new Parliament meets.

This section outlines the principal consequences of dissolution, including its impact on the status of MSPs, Ministers, the Presiding Officer and Deputy Presiding Officers, the SPCB, and parliamentary business more generally.

Status of Members of the Scottish Parliament

MSPs cease to hold office at dissolution. Section 13 of the Scotland Act 1998 provides that an MSP's term of office begins on the day they are declared returned and ends with the dissolution of the Parliament.^{vi} This means that MSPs' obligations, such as in relation to the code of conduct and the registration and declaration of interests, continue until dissolution.¹³

The effect of section 13 of the Scotland Act is that there are no MSPs from the point of dissolution until the declaration of results at the general election and the Parliament cannot be recalled.

Former MSPs may stand again as candidates at the election. The SPCB Policy Statement on MSP status, issued alongside the guidance for MSPs and their staff during the Scottish Parliamentary election campaign, states:

“ Members should not use their MSP status or refer to another Member's MSP status, in any election-related activity. This means, for example, any party political or election campaigning material should refer to the Member's name only and not include the title 'MSP'.”

The Scottish Parliament, 2026¹³

Section 83(4) of the Scotland Act 1998 provides for a person who was an MSP immediately before dissolution to continue to receive remuneration in two circumstances.² First, where the individual continues to hold office as a member of the Scottish Parliamentary Corporate Body, or as Presiding Officer or Deputy Presiding Officer, they are treated as an MSP for remuneration purposes until they cease to hold that office.² Secondly, where the individual is nominated as a candidate at the subsequent election, they are treated as an MSP for the purposes of remuneration until the end of polling day.² MSPs who are not standing for re-election are entitled to salary only up to (but not including) the day of dissolution.²

Status of the Presiding Officer of the Scottish

^{vi} This applies if an MSP's term of office has not already ended for another reason, for example, if the Member has resigned from the Parliament under section 14 of the Scotland Act 1998.

Parliament

Section 19(2) of the Scotland Act 1998 sets the term of office for the Presiding Officer and the Deputy Presiding Officers of the Scottish Parliament.² It states:

“ A person elected Presiding Officer or deputy shall hold office until the conclusion of the next election for Presiding Officer under subsection (1) unless he previously resigns, ceases to be a member of the Parliament otherwise than by virtue of a dissolution or is removed from office by resolution of the Parliament.”

legislation.gov.uk, 1998²

This allows the Presiding Officer, or the deputies, to undertake duties in relation to scheduling of elections, the administration of the Parliament by the Scottish Parliamentary Corporate Body, and the establishment of the new Parliament following the election.

Status of the Scottish Parliamentary Corporate Body

The Scottish Parliamentary Corporate Body (SPCB) is responsible for the administration of the Parliament, its property, services and staff.¹⁷ The SPCB is chaired by the Presiding Officer and consists of at least 4 MSPs.¹⁷ Section 21 and schedule 2 of the Scotland Act 1998 provide for the establishment and membership of the SPCB.²

Paragraph 1 of schedule 2 sets the term of office for members of the SPCB and provides that members of the SPCB normally remain in office after dissolution until their successors are appointed by the new Parliament.² An SPCB member will cease to hold office earlier only if they resign, are removed by resolution of the Parliament, or cease to be an MSP for reasons other than dissolution.²

Status of Scottish Ministers

The First Minister, Ministers, and junior Scottish Ministers continue to hold office and exercise their functions even if the Parliament is dissolved.² This is provided for by sections 45(6), 47(3)(e), and 49(4)(e) of the Scotland Act 1998, respectively.²

The appointment of the Scottish Law Officers (i.e., the Lord Advocate and the Solicitor General for Scotland) is not tied to membership of the Parliament. As such, the Law Officers also remain in post through dissolution.

Effect of dissolution on parliamentary business

Dissolution brings all parliamentary proceedings to an end. During this period, MSPs cease to hold office and committees no longer exist, so neither the Parliament nor any committee can meet or be recalled. This section briefly explores the effect dissolution has

on the consideration of legislation, the lodging of motions and parliamentary questions, legislative consent, and petitions to the Parliament.

Bills

Any Bill that has not completed its parliamentary stages and been passed before dissolution falls. Proposals for Members' Bills that have not yet been introduced also fall.^{vii}

Bills that have been passed by the Parliament before dissolution, but have not received Royal Assent, do not fall. However, Bills passed by the Scottish Parliament are subject to a four week period where the Bill may be the subject of a legal challenge by the Advocate General, the Lord Advocate or the Attorney General ("the Law Officers").² If the four weeks pass with no legal challenge to the Bill, it may be submitted for Royal Assent and become an Act of the Scottish Parliament.² The Secretary of State for Scotland has a separate power to challenge the Bill during the four week period after the Bill is passed.²

If such a challenge, by the Law Officers, is successful in the Supreme Court, or the Secretary of State makes an order, the Parliament may reconsider the Bill in a Reconsideration Stage.² This stage is limited to addressing the legislative competence issues identified by the Court or the reasons given in the Secretary of State's order (see [SPICe briefing on Reconsideration Stage](#) for more information).¹⁸

Two Bills were referred to the Supreme Court at the end of Session 5: the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill and the European Charter of Local Self-Governance (Incorporation) (Scotland) Bill.¹⁸ Both Bills remained as current Bills in Session 6 and were subject to Reconsideration Stage in that session. Additionally, during Session 6, an order made by the Secretary of State for Scotland prevented the Gender Recognition Reform (Scotland) Bill from being submitted for Royal Assent.¹⁹ Therefore, this Bill remains a current Bill and, unless withdrawn, will continue to be a current Bill in Session 7.²⁰

Other than for the limited purpose of Reconsideration Stage, Bills cannot be carried over from one parliamentary session to the next. If a Bill falls at dissolution, it must be reintroduced in the new session if it is to proceed.

Private Bills (introduced by individuals or organisations outside the Parliament) and Hybrid Bills (Government Bills that affect the private interests of specific individuals or bodies differently from others in the same category) are subject to special rules.¹³ In most cases, where such a Bill falls at dissolution, it may be reintroduced in the next session and may resume at the beginning of the most recent uncompleted stage reached in the previous session.¹ There are currently no Private or Hybrid Bills that remain incomplete ahead of the expected dissolution on 9 April 2026, and none were introduced during Session 6.

Secondary legislation

Scottish Statutory Instruments (SSIs) are secondary legislation made under powers granted in Acts of the Scottish Parliament or powers granted (usually to Scottish Ministers)

vii SPICe published a [blog](#) on what happens to Bills at dissolution on 6 March 2026.

in Acts of the UK Parliament. SSIs are subject to parliamentary procedures set out in legislation and in the Standing Orders of the Scottish Parliament.

Under Rule 10.1 of the Standing Orders, an SSI is laid before the Parliament when a copy of the instrument or a draft instrument has been lodged with the Clerk at any time when the office of the Clerk is open.¹ As the office of the Clerk is due to close at the beginning of the campaign recess, this means that new SSIs cannot be laid during the pre-election campaign period and until the office of the Clerk re-opens (which has tended to be approximately a week after the election).

The expectation is that committees will not meet after 25 March 2026. The [SPCB Guidance for Members and their staff during the 2026 Scottish Parliamentary Election campaign](#) states:

“ Committees are required to conclude their business before 26 March 2026 and will not be able to meet thereafter. The exception to this would be if the Parliament was recalled, in which case a committee may meet but only to consider procedural matters related to the subject of the recall, such as consideration of subordinate legislation. At dissolution on 9 April 2026, all committees will cease to exist.”

The Scottish Parliament, 2026¹³

From the point of dissolution until the new Parliament meets and new committees are established, no committee or Chamber consideration of SSIs can occur.

Unlike primary legislation, SSIs that have not completed parliamentary scrutiny do not fall at dissolution. Instead, periods of recess lasting more than four days (which would include the planned campaign recess) and periods of dissolution are excluded when calculating the timescales for parliamentary consideration.²¹ Most SSIs are subject to either the negative or affirmative procedure (see the [Scottish Parliament website for the procedure followed for SSIs](#)). The following paragraphs therefore explain how recess and dissolution affect the operation of these procedures in practice.

Instruments subject to the negative procedure are “made” (i.e., signed into law by a Minister) and come into force on the date specified in the instrument.²¹ They remain law unless the Parliament annuls them within 40 days of being laid. Under Rule 10.4 of Standing Orders, periods of recess lasting more than four days and periods during which the Parliament is dissolved do not count towards the 40-day scrutiny period.¹ The practical effect is that a negative SSI laid before the pre-election campaign period may continue as law during dissolution (and may even come into force). The period for parliamentary consideration of the SSI is effectively paused over the pre-election campaign period and until the Parliament meets after the election.

SSIs subject to the affirmative procedure cannot be made into law unless the Parliament approves them by resolution.²¹ Under Rule 10.6.4 of the Standing Orders, a draft instrument is referred to the lead committee, which then has 40 days from the date it is laid to consider and report on it.¹ As with negative instruments, periods of recess longer than four days and periods of dissolution do not count towards that 40-day period.¹

Motions

Motions (and amendments to motions) may be lodged on any day when the office of the Clerk is open, and any member may also indicate support for those motions on those days.²² For Session 6, this means that the final day on which motions may be lodged ahead of the pre-election campaign period is Wednesday 25 March 2026.²²

Guidance issued by the SPCB explains that motions lodged by that date will be included in the Business Bulletin scheduled for publication on 26 March 2026.¹³ However, once the office of the Clerk closes on 25 March 2026, Members will no longer be able to indicate support for those motions.¹³

Under Rule 8.3.8 of the Standing Orders any motions not taken by the Parliament fall at dissolution.¹

Motions on legislative consent

The Sewel Convention is a constitutional convention whereby the UK Parliament will "not normally" legislate on devolved matters without the consent of the Scottish Parliament.²³ Motions on legislative consent that have not been taken by the Parliament before dissolution fall.

The UK Parliament (unless it is prorogued, dissolved or in recess) continues to sit during the Scottish Parliament's pre-election campaign period and dissolution. As a result, UK Parliament Bills may continue to progress and may be amended in ways which engage the legislative consent process in the Scottish Parliament. New Bills which engage the Sewel Convention may also be introduced.

While the Scottish Parliament is in campaign recess and subsequently dissolved, Legislative Consent Memorandums (LCMs) and motions on legislative consent cannot be lodged. Parliamentary consideration of consent cannot take place until the new Parliament is convened. Scottish Government guidance on the pre-election campaign period confirms that it is for the incoming Scottish Government to determine its position and lodge LCMs in relation to relevant UK Bills where the previous Parliament has not reached a view on legislative consent.¹⁶ As such, by the time a new session begins, it is possible that a relevant UK Parliament Bill will already have been passed, as there is no requirement for the UK Parliament to pause its consideration of a Bill that engages the Convention while the Scottish Parliament is unable to take a consent decision.

Oral and written questions

There are two types of parliamentary question: written questions, which receive a written response, and oral questions, which are answered in the Debating Chamber. New questions cannot be lodged during the pre-election campaign period.

Guidance issued by the Scottish Parliamentary Corporate Body (SPCB) ahead of the Scottish Parliament elections indicates that the last date on which written questions may

be lodged is 12 March 2026.¹³ Questions lodged on that day will be due for answer on Wednesday 25 March 2026.¹³

The Scottish Government has committed to answering all questions before the pre-election campaign period where possible.¹⁶ However, where this is not feasible (for example, where a question requires substantial research), the Scottish Government has indicated that answers will be sent by letter to the Member who asked the question, with copies placed in SPICe.¹⁶ Any such answers will be published on the Parliament's website after the new Parliament meets for the first time.¹⁶

The SPCB guidance issued ahead of the Scottish Parliamentary elections indicates that time for oral questions is expected to be scheduled as normal until the pre-election campaign period.¹³ Any published oral questions not taken at the last question time will be treated as written questions and answered by the following day.¹³

Petitions

Under Rule 15.4.4 of the Standing Orders, a petition may be lodged with the Parliament at any time when the office of the Clerk is open and the Parliament is not dissolved.¹ This means that petitions can continue to be lodged until 25 March 2026 (the final day that the office of the Clerk is open ahead of the planned campaign recess and dissolution on 9 April 2026).

Public petitions are considered by the mandatory Public Petitions Committee (known in Session 6 as the [Citizen Participation and Public Petitions Committee](#)), which is responsible for determining whether petitions are admissible, deciding what action to take on admissible petitions, and keeping the operation of the petitions system under review.²⁴

The Citizen Participation and Public Petitions Committee indicated in the minutes of its meeting held on 24 September 2025 that it agreed not to publish petitions received after the cut-off date of 10 October 2025.²⁵ It later communicated:

“ This is to ensure all petitions currently in the system can be considered before the next Scottish Parliament election. It is also unlikely that the Committee would be able to schedule and meaningfully progress petitions submitted after 10 October [2025] before the election.”

The Scottish Parliament, 2026²⁶

At dissolution, the Public Petitions Committee ceases to exist, along with all other parliamentary committees. However, petitions lodged during a parliamentary session do not “fall” at dissolution and may be considered across sessions. This is because admissible petitions must be considered and subsequently closed in accordance with the Standing Orders.¹

Although the petitions themselves do not fall, the cessation of parliamentary proceedings at dissolution means petitions under consideration cannot progress until the new Parliament meets and new committees are established.¹³ Where a petition has been referred to another committee, that referral lapses on dissolution.¹³ It is for the Public

Petitions Committee of the new session to determine how to proceed with petitions carried over from the previous Parliament.¹³

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