



**4th Edition, 9th Revision  
(30 October 2015)**



# STANDING ORDERS OF THE SCOTTISH PARLIAMENT

## 4th Edition

### Foreword

The following Rules are the Standing Orders of the Scottish Parliament made in accordance with section 22 of and Schedule 3 to the Scotland Act 1998 (c.46). They were originally made in the form of a Statutory Instrument under the Act (SI 1999/1095) which came into force on 6 May 1999. The Parliament's 1st Edition was made by resolution of the Parliament on 9 December 1999 and came into force on 17 December 1999. A 2nd Edition was published in 2003 and a 3rd edition in 2007.

Details of any changes to these Rules are shown in the table at the end of the document. The table shows, for each Chapter, Rule or paragraph:

- whether and how often it has been amended since the Standing Orders were first made;
- the date on which the amendments took effect; and
- the Report that recommended the amendment (except in the case of an amendment to Rule 9.16.1, made in January 2000 on a motion of the Procedures Committee without a published report).

The relevant Standards, Procedures and Public Appointments Committee reports can be found on the Parliament's website. The dates of the Chamber debates on these Reports can be found from the Table of Revisions.

The full text of the Rules (in its current version) is available on the Parliament's website both in a searchable HTML version and in a PDF version identical to this printed version.

The Standing Orders document is maintained and updated by the Standards, Procedures and Public Appointments Committee clerking team. Please send any comments about the document to the Clerk to the Standards, Procedures and Public Appointments Committee, The Scottish Parliament, Edinburgh EH99 1SP (e-mail: [sppa.committee@scottish.parliament.uk](mailto:sppa.committee@scottish.parliament.uk)).

For information in languages other than English or in alternative formats (for example, in Braille, large print, audio tape or various computer formats), please send your enquiry to Public Information Service, The Scottish Parliament, Edinburgh, EH99 1SP. You can also contact Public Information by fax (on 0131 348 5601) or by email (at [sp.info@scottish.parliament.uk](mailto:sp.info@scottish.parliament.uk)). We welcome written correspondence in any language.



**STANDING ORDERS OF THE SCOTTISH PARLIAMENT****CONTENTS****CHAPTER 1  
MEMBERS**

- 1.1 The Scottish Parliament
- 1.2 Oath of allegiance
- 1.3 Term of office
- 1.4 Disqualification
- 1.5 Vacancies
- 1.6 Code of Conduct
- 1.7 Withdrawal of rights and privileges
- 1.8 Members' interests: Parliamentary determinations and resolutions

**CHAPTER 2  
MEETINGS OF THE PARLIAMENT**

- 2.1 Session of the Parliament
- 2.2 Meetings of the Parliament
- 2.3 Parliamentary recess
- 2.4 First meeting following a general election
- 2.5 Chairing of meetings
- 2.6 Witnesses and documents
- 2.7 Location

**CHAPTER 3  
OFFICERS OF THE PARLIAMENT AND OTHER OFFICERS**

- 3.1 The Presiding Officer and deputy Presiding Officers
- 3.2 Election of the Presiding Officer
- 3.3 Election of deputy Presiding Officers
- 3.4 Resignation of the Presiding Officer and deputy Presiding Officers
- 3.5 Removal of the Presiding Officer and deputy Presiding Officers
- 3.5A Available officers all from the same political party
- 3.5B Calculation of days
- 3.6 Members of the Parliamentary corporation
- 3.7 Election of members of the Parliamentary corporation
- 3.8 Appointment of members of the Parliamentary corporation
- 3.9 Resignation of members of the Parliamentary corporation
- 3.10 Removal of members of the Parliamentary corporation
- 3.11 Nomination of individuals for appointment by Her Majesty
- 3.11A Nomination of individuals for reappointment by Her Majesty
- 3.12 [deleted]
- 3.13 Appointment of members of the Scottish Commission for Public Audit
- 3.14 Resignation of members of the Commission
- 3.15 Removal of members of the Commission
- 3.16 Reports of the Commission

**CHAPTER 3A  
PARLIAMENTARY CORPORATION SUPPORTED BODIES**

- 3A.1 Appointment of the Commissioner for Ethical Standards in Public Life in Scotland and members of the Standards Commission for Scotland
- 3A.2 Directions to the Ethical Standards Commissioner
- 3A.3 Reports by the Ethical Standards Commissioner
- 3A.4 [deleted]
- 3A.5 [deleted]
- 3A.6 Annual reports and strategic plans

**CHAPTER 3B  
SCOTTISH PARLIAMENTARY PENSION SCHEME – FUND TRUSTEES**

- 3B.1 Application of this chapter
- 3B.2 Motions for the appointment of Fund trustees
- 3B.3 Removal of a Fund trustee
- 3B.4 Tenure of a Fund trustee where there is a change of scheme membership status
- 3B.5 Business Bulletin

**CHAPTER 4  
THE SCOTTISH GOVERNMENT**

- 4.1 Nomination of the First Minister
- 4.2 Designation of person to exercise functions of the First Minister
- 4.3 Appointment of the Scottish Law Officers
- 4.4 Removal of the Scottish Law Officers
- 4.5 Participation of the Scottish Law Officers in proceedings
- 4.6 Appointment of other Scottish Ministers
- 4.7 Appointment of junior Scottish Ministers
- 4.8 Resignation of Ministers

**CHAPTER 5  
THE PARLIAMENTARY BUREAU AND MANAGEMENT OF BUSINESS**

- 5.1 The Parliamentary Bureau
- 5.2 Members of the Parliamentary Bureau
- 5.3 Procedure of the Parliamentary Bureau
- 5.4 Business programme
- 5.5 Daily business list
- 5.6 Special cases of Parliamentary business
- 5.7 Programme of the Scottish Government
- 5.8 Financial business
- 5.9 Business Bulletin

## **CHAPTER 6 COMMITTEES**

- 6.1 Establishment of committees
- 6.2 Functions of all committees
- 6.3 Membership of committees
- 6.3A Committee substitutes
- 6.3B Bill substitutes
- 6.4 Standards, Procedures and Public Appointments Committee
- 6.5 [deleted]
- 6.6 Finance Committee
- 6.7 Public Audit Committee
- 6.8 European and External Relations Committee
- 6.9 Equal Opportunities Committee
- 6.10 Public Petitions Committee
- 6.11 Delegated Powers and Law Reform Committee
- 6.12 Duration of committees
- 6.13 Questions regarding competence
- 6.14 Joint consideration by committees

## **CHAPTER 6A THE CONVENERS GROUP**

- 6A.1 Members of the Conveners Group
- 6A.2 The Conveners Group
- 6A.3 Procedure of the Conveners Group

## **CHAPTER 7 CONDUCT OF MEETINGS**

- 7.1 Languages
- 7.2 Calling speakers and content of speeches
- 7.3 Order in the chamber
- 7.4 Suspension and closure of meetings by the Presiding Officer
- 7.5 Sub judice
- 7.6 Forms of address
- 7.7 Calculating the length of debates or the number of speakers
- 7.8 Committee proceedings

## **CHAPTER 8 MOTIONS AND POINTS OF ORDER**

- 8.1 Motions
- 8.2 Notice of motions
- 8.3 Motions taken by the Parliament
- 8.4 Amendments to motions
- 8.5 Notice of amendments
- 8.6 Amendments taken by the Parliament
- 8.7 Amendments to amendments
- 8.8 Application to committees

- 8.9 Motions of the First Minister
- 8.10 Motions for Scottish rate resolutions
- 8.11 Business motions
- 8.11A Pension motions and grants motions
- 8.11B Motions to change subordinate legislation procedure
- 8.12 Motions of no confidence
- 8.12A Motions on competence
- 8.13 Procedural motions
- 8.13A [deleted]
- 8.14 Motions for closure or extension of a debate
- 8.15 Motions for adjournment of a debate
- 8.16 Motions for adjournment and closure of meetings
- 8.17 Points of order

## **CHAPTER 9 PUBLIC BILL PROCEDURES**

- 9.1 General Rules and Special Rules
- 9.2 Form and introduction of Bills
- 9.2A Member in charge
- 9.3 Accompanying documents
- 9.4 Printing and publishing of Bills and accompanying documents
- 9.4A Memorandum on delegated powers
- 9.5 Stages of Bills
- 9.6 Stage 1
- 9.7 Stage 2
- 9.8 Stage 3
- 9.9 Reconsideration of Bills passed
- 9.10 Amendments to Bills
- 9.11 Crown consent
- 9.12 Financial Resolutions
- 9.13 Withdrawal of Bills
- 9.13A Limits on participation in certain committee proceedings
- 9.14 Members' Bills
- 9.15 Committee Bills
- 9.16 Budget Bills
- 9.17 Private Bills and Hybrid Bills
- 9.17A Scottish Law Commission Bills
- 9.18 Consolidation Bills
- 9.18A Codification Bills
- 9.19 Statute Law Repeals Bills
- 9.20 Statute Law Revision Bills
- 9.21 Emergency Bills

## **CHAPTER 9A PRIVATE BILL PROCEDURES**

- 9A.1 Private Bills
- 9A.2 Accompanying documents
- 9A.3 [deleted]



- 9A.4 Printing and publishing of Private Bills and accompanying documents
- 9A.5 Private Bill Committees
- 9A.6 Objections
- 9A.6A Statements in relation to consultation
- 9A.7 Stages of Private Bills
- 9A.8 Preliminary Stage
- 9A.9 Consideration Stage
- 9A.10 Final Stage
- 9A.11 Reconsideration of Private Bills
- 9A.11A Change of promoter
- 9A.12 Amendments to Private Bills
- 9A.13 Crown consent
- 9A.14 Financial Resolutions
- 9A.15 Withdrawal of Private Bills

### **CHAPTER 9B CONSENT IN RELATION TO UK PARLIAMENT BILLS**

- 9B.1 UK Parliament Bills making provision requiring the Parliament's consent
- 9B.2 Legislative consent motions
- 9B.3 Legislative consent memorandums

### **CHAPTER 9BA CONSENT IN RELATION TO ORDERS UNDER THE PUBLIC BODIES ACT 2011**

- 9BA.1 Orders under the Public Bodies Act 2011 requiring the Parliament's consent
- 9BA.2 Public Bodies Act consent motions
- 9BA.3 Public Bodies Act consent memorandums

### **CHAPTER 9C HYBRID BILL PROCEDURES**

- 9C.1 Hybrid Bills
- 9C.2 Member in charge
- 9C.3 Accompanying documents
- 9C.4 Printing and publishing of Hybrid Bills and accompanying documents
- 9C.5 Memorandum on delegated powers
- 9C.6 Hybrid Bill Committees
- 9C.7 Objections
- 9C.8 Statements by mandatory consultees
- 9C.9 Stages of Hybrid Bills
- 9C.10 Stage 1
- 9C.11 Stage 2
- 9C.12 Stage 3
- 9C.13 Reconsideration of Hybrid Bills
- 9C.14 Amendments to Hybrid Bills
- 9C.15 Crown consent
- 9C.16 Financial Resolutions
- 9C.17 Withdrawal of Hybrid Bills

## **CHAPTER 10 SUBORDINATE LEGISLATION PROCEDURE**

- 10.1 Laying of instruments
- 10.2 Lead committee
- 10.3 Delegated Powers and Law Reform Committee
- 10.3A Procedure on breach of laying requirements
- 10.4 Motion for annulment
- 10.5 Motion that a draft instrument be not made or submitted
- 10.6 Motion for approval
- 10.7 Instruments considered by the Parliament
- 10.8 Withdrawal of instruments
- 10.9 Notice of instruments and draft instruments
- 10.10 Application to other documents
- 10.11 Calculation of days

## **CHAPTER 10A PROPOSALS FOR EUROPEAN LEGISLATION**

- 10A.1 Proposal for European Union legislation
- 10A.2 Referral to lead committee
- 10A.3 Consideration of proposal for European Union legislation

## **CHAPTER 11 DECISIONS AND VOTING**

- 11.1 Decisions of the Parliament
- 11.2 Decision Time
- 11.3 Decisions at times other than Decision Time
- 11.4 Order in which questions are put
- 11.5 Right to vote
- 11.6 Divisions
- 11.7 Manner of voting
- 11.8 Committees
- 11.9 Election of the Presiding Officer and deputy Presiding Officers
- 11.10 Selection of the First Minister
- 11.10A Election of members of the Parliamentary corporation
- 11.11 Simple and absolute majority

## **CHAPTER 12 COMMITTEE PROCEDURES**

- 12.1 Conveners of committees
- 12.2 Procedure in committee
- 12.2A Participation by substitutes
- 12.3 Committee meetings
- 12.4 Witnesses and documents
- 12.5 Sub-committees
- 12.6 Reporters
- 12.7 Advisers

- 12.8 Reports of committees
- 12.9 Annual reports
- 12.10 Travelling outwith the United Kingdom

### **CHAPTER 13 STATEMENTS AND PARLIAMENTARY QUESTIONS**

- 13.1 Personal statements
- 13.2 Ministerial statements
- 13.3 Questions to the Scottish Government
- 13.4 Admissibility of questions
- 13.5 Written questions
- 13.6 First Minister's Questions
- 13.6A Portfolio and General Questions
- 13.6B Topical Questions
- 13.7 Oral Questions in the Chamber
- 13.8 Emergency Questions
- 13.9 Questions to the Scottish Parliamentary Corporate Body

### **CHAPTER 14 LAYING AND PUBLICATION OF DOCUMENTS**

- 14.1 Laying of reports and other documents
- 14.2 Laying of financial reports and documents
- 14.3 Publication of documents
- 14.4 Publication under the authority of the Parliament

### **CHAPTER 15 OPENNESS AND ACCESSIBILITY**

- 15.1 Meetings in public
- 15.2 Public access
- 15.3 Access to the chamber
- 15.4 Bringing petitions
- 15.5 Admissibility of petitions
- 15.6 Action on petitions
- 15.7 Closing petitions
- 15.8 Notification

### **CHAPTER 16 REPORTING OF PROCEEDINGS**

- 16.1 Minutes of proceedings
- 16.2 Scottish Parliament Official Report
- 16.3 Journal of the Scottish Parliament
- 16.4 Broadcast of proceedings
- 16.5 Committee proceedings
- 16.6 Proceedings of the Scottish Commission for Public Audit

**CHAPTER 17  
MISCELLANEOUS**

- 17.1 Amending standing orders
- 17.2 Suspension and variation of standing orders
- 17.2A Date of resignation
- 17.3 Notice to members
- 17.4 Lodging of documents
- 17.5 Consulting the Parliament
- 17.6 Interpretation

## **CHAPTER 1**

### **MEMBERS**

#### **Rule 1.1 The Scottish Parliament**

1. The Scottish Parliament is established by the Scotland Act 1998 (c.46).
2. The members of the Parliament returned for each constituency or region shall be known as members of the Scottish Parliament (MSPs) and are referred to in these Rules as members.

#### **Rule 1.2 Oath of allegiance**

1. Every person who is returned as a member shall take the oath of allegiance or shall make a solemn affirmation at a meeting of the Parliament before the Clerk. A member shall not take part in any other proceedings of the Parliament until that member has done so.
2. A member may, immediately after taking the oath or making a solemn affirmation, repeat the oath or affirmation in a language other than English.
3. The member shall then sign a register kept by the Clerk for the purpose, indicating that the member has taken the oath or, as the case may be, made a solemn affirmation.
4. The Parliament's power under section 84(3) (where a member fails to take the oath of allegiance) to decide, before the end of the period of 2 months within which a member must take the oath or make a solemn affirmation, to allow that member a longer period to do so is exercisable on a motion of any member. The motion is valid only if it is seconded by another member.
5. In these Rules, "oath of allegiance" means the oath in the form provided in section 2 of the Promissory Oaths Act 1868 (c.72) and "solemn affirmation" means the affirmation in the form provided in section 6(1) of the Oaths Act 1978 (c.19).

#### **Rule 1.3 Term of office**

1. The term of office of a member begins on the day on which the member is declared to be returned and ends with the dissolution of the Parliament or, if earlier, that member's death or resignation.
2. A member may at any time resign that member's seat by giving notice in writing to the Presiding Officer.
3. A member may also cease to be a member in accordance with section 17(1) or (2) (where a member is or becomes disqualified) or section 84(3) (where a member fails to take the oath of allegiance).

#### **Rule 1.4 Disqualification**

1. The Presiding Officer shall notify the Parliament where a person is, or is alleged to be, disqualified from being a member (either generally or for a particular constituency or region) on any ground other than one falling within section 15(1)(b) (disqualification otherwise than under House of Commons Disqualification Act 1975 (c.24)).

2. Any member may, within 3 sitting days of such notification, by motion propose that the Parliament disregard the disqualification because it is considered that the ground has been removed and that it is proper to disregard the disqualification. The motion is valid only if it is seconded by another member.

### **Rule 1.5 Vacancies**

1. For the purposes of section 9 (constituency vacancies), the date on which a vacancy in the seat of a constituency member is to be treated as occurring shall be determined in accordance with paragraph 2. The Presiding Officer shall notify the Parliament of that date.

2. The date on which a constituency vacancy is to be treated as occurring is—

(a) in the case of a vacancy arising on the death of a member, the date of death;

(b) in the case of a vacancy arising on the resignation of a member, the date on which written notice of the resignation is given to the Presiding Officer;

(c) in the case of a vacancy arising under section 17(1) (effect of disqualification where a disqualified person is returned), the date on which the person concerned was returned as a member;

(d) in the case of a vacancy arising under section 17(2) (effect of disqualification where a member becomes disqualified), the date on which the member became disqualified;

(e) in the case of a vacancy arising under section 84(3) (failure of member to take the oath of allegiance), the expiry of the period of 2 months beginning with the day on which the member was returned or such longer period as the Parliament may have allowed; or

(f) in any other case, such date as the Presiding Officer may determine.

3. If, in any of the cases mentioned in paragraph 2(a) and (c) to (e), the vacancy does not come to the notice of the Presiding Officer within the period of one month beginning with its occurrence, the Presiding Officer shall notify the Parliament of the date when the vacancy did come to the Presiding Officer's notice.

4. For the purposes of section 10 (regional vacancies), the date on which a vacancy in the seat of a regional member is to be treated as occurring shall be determined by the Presiding Officer. The Presiding Officer shall notify the Parliament of that date.

### **Rule 1.6 Code of Conduct**

1. The Parliament may, on a motion of the Standards, Procedures and Public Appointments Committee, lay down a Code of Conduct for members. The Parliamentary corporation shall arrange for the Code of Conduct to be published.

### **Rule 1.7 Withdrawal of rights and privileges**

1. The Parliament may, on a motion of the Standards, Procedures and Public Appointments Committee, withdraw from a member that member's rights and

privileges as a member to such extent and for such period as are specified in the motion.

**Rule 1.8 Members' interests: Parliamentary determinations and resolutions**

1. This Rule applies to a determination or resolution made (or proposed to be made) under the Interests of Members of the Scottish Parliament Act 2006 (asp 12).
2. Such a determination or resolution may be made by the Parliament on a motion of the Standards, Procedures and Public Appointments Committee.
3. The Standards, Procedures and Public Appointments Committee shall consult other members about the proposed determination or resolution before a motion under paragraph 2 is lodged.
4. Paragraph 3 does not apply in relation to a determination under section 16 of the 2006 Act.





## **CHAPTER 2**

### **MEETINGS OF THE PARLIAMENT**

#### **Rule 2.1 Session of the Parliament**

1. A session of the Parliament shall be the period from the date of the first meeting of the Parliament following a general election until the Parliament is dissolved.
2. Each session shall be divided into Parliamentary years. The first Parliamentary year shall be the year beginning with the date of the first meeting of the Parliament following a general election. Subsequent Parliamentary years shall begin on each succeeding anniversary of that date in that session.
3. A sitting day is any day when the office of the Clerk is open but not when the Parliament is in recess or dissolved. The Parliament shall decide, on a motion of the Parliamentary Bureau, the days on which the office of the Clerk is to be open. Until the Parliament has so decided, the Presiding Officer shall appoint those days. The days on which the office of the Clerk is to be open shall be notified to members by the Presiding Officer.
4. Before the end of a session, the Presiding Officer shall determine the date when the Parliament is expected to be dissolved. That date shall be notified by the Clerk to members.

#### **Rule 2.2 Meetings of the Parliament**

1. The Parliament shall meet on the day appointed or determined for its first meeting following a general election.
2. The Parliament shall decide, on a motion of the Parliamentary Bureau, the date and time for any other meeting of the Parliament, or, until the Parliament has so determined, the Presiding Officer shall appoint such dates and times. This is subject to the following paragraphs.
3. The Parliament may, except as mentioned in paragraph 4 or 5 or in an emergency, meet on any sitting day during the normal Parliamentary week. The normal Parliamentary week is between the hours of 14:30 and 17:30 on Monday, 09:15 and 17:30 on Tuesday, Wednesday and Thursday and 09:30 and 12:30 on Friday.
4. A meeting of the Parliament may continue to 19:00 on Wednesday if the Parliament so decides on a motion of the Parliamentary Bureau.
5. A meeting of the Parliament may continue beyond—
  - (a) 17:30 on Monday, Tuesday or Thursday;
  - (b) 17:30 on Wednesday where the Parliament has not taken a decision under paragraph 4;
  - (c) 19:00 on Wednesday where the Parliament has taken a decision under paragraph 4; or
  - (d) 12:30 on Friday,

in any of the circumstances specified in paragraph 6.

6. The circumstances in which a meeting of the Parliament may continue beyond any of the times specified in paragraph 5 are—

(a) if it is necessary in order to complete any voting which is not adjourned to a later meeting under Rule 11.2.5;

(b) if it is necessary in order to complete the election of the Presiding Officer or a deputy Presiding Officer under Rule 11.9 or the election of a member or members of the Parliamentary corporation or selection of a nominee for appointment as First Minister under Rule 11.10;

(c) if the Parliament so decides, on a motion of the Parliamentary Bureau, in order to consider Members' Business; or

(d) in other cases, if the Parliament so decides on a motion of a member of the Scottish Government or of the member who moved the business under consideration at that time.

7. Any motion mentioned in paragraph 6(d) may be moved without notice. It may be debated for up to 10 minutes. Each speaker may speak for no more than 3 minutes. The motion may be amended but only by proposing that the time specified in it is increased or decreased.

8. A meeting of the Parliament shall normally begin and end on the same day and normally not more than one meeting of the Parliament may take place on the same day.

9. A meeting of the Parliament begins when the Presiding Officer or other person chairing the meeting takes the chair.

10. The Presiding Officer may convene the Parliament on other dates or at other times in an emergency.

11. In these Rules "Members' Business" means any item of business, other than a Member's Bill, proposed by a member who is neither a member of the Scottish Government nor a junior Scottish Minister.

### **Rule 2.3 Parliamentary recess**

1. The Parliament shall decide, on a motion of the Parliamentary Bureau, the dates of any Parliamentary recess.

2. In considering dates of any Parliamentary recess, the Parliamentary Bureau shall have regard to the dates when schools in any part of Scotland are to be on holiday.

3. The dates on which a Parliamentary recess is to begin and end shall be notified by the Clerk to members.

### **Rule 2.4 First meeting following a general election**

1. [deleted]

2. The first meeting of the Parliament following a general election shall be held on the day and at the time determined by the Presiding Officer. The Presiding Officer shall notify members of the date and time of that meeting.
3. Subject to paragraphs 4 and 5, that meeting shall be chaired—
  - (a) by the Clerk but only for the purpose of presiding over the proceedings to enable the former Officer to take the oath of allegiance or make a solemn affirmation; and
  - (b) thereafter, by the former Officer but only for the purpose of presiding over the proceedings when members are taking the oath of allegiance or making a solemn affirmation and for the election of the new Presiding Officer; and
  - (c) thereafter, by the elected Presiding Officer.
4. If the person holding the office of Presiding Officer as mentioned in section 19(2) is not a member of the Parliament, that meeting shall be chaired by that person but only until a new Presiding Officer is elected. Thereafter it shall be chaired by the elected Presiding Officer.
5. If neither that person nor the former Officer is present at that meeting or able to chair that meeting, that meeting shall be chaired—
  - (a) by the Clerk but only for the purpose of presiding over the proceedings to enable the oldest qualified member to take the oath of allegiance or make a solemn affirmation;
  - (b) thereafter, by the oldest qualified member but only for the purpose of presiding over the proceedings when members are taking the oath of allegiance or making a solemn affirmation and for the election of the Presiding Officer; and
  - (c) thereafter, by the elected Presiding Officer.
6. The chair may be taken by a member only if that member has taken the oath of allegiance or made a solemn affirmation.
7. Any reference to “the oldest qualified member” means the oldest member—
  - (a) who is present at the meeting;
  - (b) who has indicated to the Clerk that that member does not intend to stand as a candidate for the office of Presiding Officer or First Minister; and
  - (c) who is not a leader within the Parliament of a political party represented by 5 or more members of the Parliament.
8. When the Clerk or the oldest qualified member is in the chair, that person shall, so far as necessary for the purposes of concluding the business over which that person is presiding, have similar functions as the Presiding Officer has for the purposes of conducting meetings under Rules 7.1 to 7.7 and 8.17.
9. Any reference to “the former Officer” means—

- (a) the member holding the office of Presiding Officer as mentioned in section 19(2); or
- (b) if that office is vacant or that member is unable to chair the meeting, a member holding the office of deputy Presiding Officer as mentioned in that section,

but only if, in either case, that member has indicated to the Clerk that that member does not intend to stand as a candidate for election as Presiding Officer.

### **Rule 2.5 Chairing of meetings**

A1. Rules 2.4.3(b) and (c), 2.4.4, 2.4.5(b) and (c) and 2.4.6 to 2.4.9 apply to the chairing of any meeting of the Parliament after the first meeting at which the Presiding Officer is to be elected under Rule 3.2.1.

1. Except as provided in Rule 2.4 and paragraph A1, meetings of the Parliament shall be chaired by the Presiding Officer or by a deputy Presiding Officer.
2. Where the offices of Presiding Officer and of both deputy Presiding Officers elected under Rule 3.3.1 are vacant and there is no additional deputy Presiding Officer who is able to act, a meeting of the Parliament shall be chaired by the oldest qualified member but only for the purpose of presiding over the proceedings for the election of the Presiding Officer.
3. Where the Presiding Officer and all deputy Presiding Officers are unable to act, a meeting of the Parliament shall be chaired by the oldest member who is present at the meeting but only during such period as all of those officers are unable to act. When the oldest member is in the chair, that member shall, so far as necessary for the purposes of concluding the business over which that member is presiding, have similar functions to those of the Presiding Officer for the purpose of conducting meetings under Rules 7.1 to 7.7 and 8.17.
4. Paragraphs 2 and 3 are subject to the special provisions in Rule 2.4 and paragraph A1.

### **Rule 2.6 Witnesses and documents**

1. The Parliament may in connection with any matter invite any person—
  - (a) to attend its proceedings for the purpose of giving evidence; or
  - (b) to produce documents in that person's custody or under that person's control,

but this is in addition to its power under section 23 (power to call for witnesses and documents) to require any person to do so but subject to and in accordance with the terms of that section and section 24 (notice provisions in relation to witnesses and documents).

2. The Parliament shall arrange for the Parliamentary corporation to pay to persons whom it requires, and may arrange for the Parliamentary corporation to pay to persons whom it invites to attend its proceedings to give evidence or to produce any

documents, such allowances and expenses as may be determined by the Parliament.

**Rule 2.7 Location**

1. Meetings of the Parliament shall be held in the Debating Chamber of the Parliament, Holyrood, subject to the following provisions.
2. The Parliament may decide, on a motion of the Parliamentary Bureau, that a meeting of the Parliament shall be held in another place in Scotland.
3. Where it is not practicable for the Parliament to meet to decide the matter, the Presiding Officer may decide that a meeting of the Parliament shall be held in another place in Scotland and members shall be notified of that place.



## **CHAPTER 3**

### **OFFICERS OF THE PARLIAMENT AND OTHER OFFICERS**

#### **Rule 3.1 The Presiding Officer and deputy Presiding Officers**

1. The Presiding Officer shall—
  - (a) preside over any meeting of the Parliament except as provided in Rule 2.4 and 2.5 and, except where Rule 11.9 or 11.10 applies, exercise a casting vote in the event of a tie;
  - (b) convene and chair any meeting of the Parliamentary Bureau and exercise a casting vote in the event of a tie;
  - (bb) convene and chair any meeting of the Conveners Group;
  - (c) determine any question as to the interpretation or application of these Rules and give a ruling on any such question; and
  - (d) represent the Parliament in discussions and exchanges with any parliamentary, governmental, administrative or other body, whether within or outwith the United Kingdom.
2. The Presiding Officer shall have such other functions as may be conferred upon the Presiding Officer by the Act, by the Parliament or by these Rules.
3. In exercising any functions, the Presiding Officer and deputy Presiding Officers shall act impartially, taking account of the interests of all members equally.
4. The Presiding Officer's functions may be exercised by a deputy Presiding Officer if the office of Presiding Officer is vacant or if the Presiding Officer is for any reason unable to act.
5. The Presiding Officer may authorise a deputy Presiding Officer to exercise any of the Presiding Officer's functions on the Presiding Officer's behalf but shall not authorise a deputy Presiding Officer to sit in place of the Presiding Officer as a member of the Parliamentary corporation under section 21(2)(a).

#### **Rule 3.2 Election of the Presiding Officer**

1. The Parliament shall, within the period of 14 days beginning immediately after the day of the poll at a general election, elect from among its members a Presiding Officer. The Parliament shall do so before it conducts any other proceedings, except the taking by its members of the oath of allegiance under Rule 1.2.
2. If the Presiding Officer ceases to hold office before the Parliament is dissolved, the Parliament shall elect another from among its members.
3. In the case of the election of the Presiding Officer under paragraph 1 at the first meeting of the Parliament, the voting period at the election ("the voting period") shall take place at such time during the first meeting as may be notified in the Business Bulletin or as may be appointed by the person chairing the meeting. Where the election takes place at a subsequent meeting, the date and time for the voting period

shall be appointed by the person who chaired the first meeting under Rule 2.4.3(b), 2.4.4 or 2.4.5(b) and notified in the Business Bulletin.

4. In the case of the election of a Presiding Officer under paragraph 2, the voting period shall take place on the day and at the time appointed by the Parliament on a motion of the Parliamentary Bureau. That date shall not be later than 14 days after the date on which the Presiding Officer ceased to hold office. Where the Parliament is in recess when the Presiding Officer ceases to hold office, the voting period shall take place on the date and at the time appointed by a deputy Presiding Officer, which shall be notified in the Business Bulletin. That date shall not be later than 14 days after the final day of that recess period.

5. For the purposes of paragraph 4, the date on which the Presiding Officer ceased to hold office shall be—

(a) in the case where the Presiding Officer resigns, the date on which the resignation takes effect;

(b) in the case where the Presiding Officer is removed from office by resolution of the Parliament, the date on which the Presiding Officer is so removed; or

(c) in the case where the Presiding Officer ceases to be a member of the Parliament, the date on which a vacancy is to be treated as occurring for the purposes of section 9 (constituency vacancies) or 10 (regional vacancies) in accordance with Rule 1.5.

6. A member may, at any time during the period which is not earlier than 2 hours and not later than 1 hour before the time appointed for the beginning of the voting period, nominate a candidate for appointment as the Presiding Officer by submitting a written nomination to the Clerk. A nomination shall be valid only if it is seconded by another member.

7. Where there are 2 elected deputy Presiding Officers who represent the same political party, a member representing that party is not eligible for nomination as a candidate for appointment as Presiding Officer. The person chairing the meeting shall reject any such nomination as being invalid.

8. A person nominated as a candidate must take the oath of allegiance or make a solemn affirmation before the beginning of the voting period. If that nominated person has not done so, the person chairing the meeting shall reject that nominated person's nomination.

9. At the beginning of the voting period, the person chairing the meeting shall announce the name or names of the candidate or candidates validly nominated and an election shall be held in accordance with Rule 11.9.

10. After the person chairing the meeting has declared the result of the election of the Presiding Officer, the elected Presiding Officer shall take the chair.

### **Rule 3.3 Election of deputy Presiding Officers**

1. The Parliament shall, within the period of 14 days beginning immediately after the day of the poll at a general election, elect from among its members 2 deputy



Presiding Officers. The Parliament shall do so before it conducts any other proceedings, except the taking by its members of the oath of allegiance under Rule 1.2 and the election of the Presiding Officer under Rule 3.2.1.

2. If a deputy Presiding Officer ceases to hold office before the Parliament is dissolved, the Parliament shall elect another deputy Presiding Officer from among its members.

3. Where there is a vacancy in the office of Presiding Officer and in the office of a deputy Presiding Officer, the election of the Presiding Officer shall precede the election of the deputy Presiding Officer.

4. Where there are vacancies in the offices of both deputy Presiding Officers, consecutive elections shall be held for the offices.

5. In the case of the election of deputy Presiding Officers under paragraph 1 at the first meeting of the Parliament, the voting period for the election of the first deputy Presiding Officer (“the first voting period”) shall take place at such time during the first meeting as may be appointed by the Presiding Officer, which shall be not earlier than 2 hours after the Presiding Officer informed the Parliament as to when the first voting period is to take place. Where the election under paragraph 1 takes place at a subsequent meeting, the date and time for the first voting period shall be appointed by the person who chaired the first meeting under Rule 2.4.3(b), 2.4.4 or 2.4.5(b) and notified in the Business Bulletin. The voting period for the election of the second deputy Presiding Officer shall take place immediately after the completion of the first voting period.

6. In any other case where there are vacancies in the offices of both deputy Presiding Officers, the date and time for the first voting period shall be appointed by the Parliament on a motion of the Parliamentary Bureau. That date shall not be later than 14 days after the date on which both those offices became vacant. If the Parliament is in recess when both those offices become vacant, the first voting period shall take place on the date and at the time appointed by the Presiding Officer, which shall be notified in the Business Bulletin. That date shall not be later than 14 days after the final day of that recess period. The voting period for the election of the second deputy Presiding Officer shall take place immediately after the completion of the first voting period.

7. In the case of an election under paragraph 5 or 6, the candidates in the election for the second deputy Presiding Officer shall be the candidates not elected in the election for the first deputy Presiding Officer, except that, where the Presiding Officer and the first deputy Presiding Officer represent the same political party, any candidate representing that party shall not be a candidate for election as the second deputy Presiding Officer.

8. In the case where there is a vacancy in only one of the offices of deputy Presiding Officer, the voting period for the election of the deputy Presiding Officer shall take place on the date and at the time appointed by the Parliament on a motion of the Parliamentary Bureau. That date shall not be later than 14 days after the date on which the office became vacant. Where the Parliament is in recess when the office becomes vacant, the voting period shall take place on the date and at the time

appointed by the Presiding Officer, which shall be notified in the Business Bulletin. That date shall not be later than 14 days after the final day of that recess period.

9. In the case of an election under paragraph 8, where the elected Presiding Officer and a deputy Presiding Officer represent the same political party and there is a vacancy in the office of the other deputy Presiding Officer, a member representing that party is not eligible for nomination as a candidate for election as that other deputy Presiding Officer.

10. For the purposes of paragraphs 6 and 8, the date on which the deputy Presiding Officer ceased to hold office shall be—

(a) in the case where the deputy Presiding Officer resigns, the date on which the resignation takes effect;

(b) in the case where the deputy Presiding Officer is removed from office by resolution of the Parliament, the date on which the deputy Presiding Officer is so removed; or

(c) in the case where the deputy Presiding Officer ceases to be a member of the Parliament, the date on which a vacancy is to be treated as occurring for the purposes of section 9 (constituency vacancies) or 10 (regional vacancies) in accordance with Rule 1.5.

10A. The Parliament may decide, at any time subsequent to the election of deputy Presiding Officers under paragraph 1 and on a motion of the Parliamentary Bureau, to elect an additional deputy Presiding Officer.

10B. A motion under paragraph 10A may set out the term of office of the proposed additional deputy Presiding Officer.

10C. In the case of the election of an additional deputy Presiding Officer, the voting period for the election of that deputy Presiding Officer shall take place on the date and at the time appointed by the Parliament on a motion of the Parliamentary Bureau.

10D. Where—

(a) all the available officers represent the same political party; or

(b) the election of a member representing a particular political party as additional deputy Presiding Officer would result in all the available officers representing the same political party,

a member representing that party is not eligible for nomination as a candidate for election as additional deputy Presiding Officer.

10E. Paragraph 2 does not apply to an additional deputy Presiding Officer elected under paragraph 10C.

11. The following paragraphs apply to an election in any of the cases mentioned in paragraphs 5, 6, 8 and 10C.

12. A member may at any time during the period which is not earlier than 2 hours before and not later than 1 hour before the beginning of the first voting period in the cases mentioned in paragraphs 5 and 6 and the voting period in the cases mentioned in paragraphs 8 and 10C, nominate a candidate for appointment as deputy Presiding Officer by submitting a written nomination to the Clerk. A nomination shall be valid only if it is seconded by another member.

13. A person nominated as a candidate must take the oath of allegiance or make a solemn affirmation before the time appointed for a voting period. If that nominated person has not done so, the Presiding Officer shall reject that nominated person's nomination.

14. At the beginning of a voting period, the Presiding Officer shall announce the name or names of the candidate or candidates validly nominated and an election shall be held in accordance with Rule 11.9.

#### **Rule 3.4 Resignation of the Presiding Officer and deputy Presiding Officers**

1. The Presiding Officer or a deputy Presiding Officer may resign office by giving notice in writing to the Clerk.

2. The Clerk shall notify the Parliament of any such resignation.

#### **Rule 3.5 Removal of the Presiding Officer and deputy Presiding Officers**

1. A member may by motion propose that the Presiding Officer or a deputy Presiding Officer be removed from office. The motion is valid only if it is seconded by another member.

2. The Presiding Officer or deputy Presiding Officer is removed from office if the Parliament so decides. Such a decision shall, if taken by division, require an absolute majority.

#### **Rule 3.5A Available officers all from the same political party**

1. Where all the available officers represent the same political party, the Parliament shall no later than 14 days after the date on which this situation first occurs use its powers under Rule 3.3.10A or Rule 3.5 or both to ensure that it is rectified.

2. Paragraph 1 does not apply where the Parliament is dissolved not more than 14 days after the date on which the situation referred to in that paragraph first occurs.

#### **Rule 3.5B Calculation of days**

1. In calculating the relevant period of days for the purposes of Rules 3.2.4, 3.3.6, 3.3.8 and 3.5A.1, no account shall be taken of any time during which the Parliament is in recess for more than 4 days.

#### **Rule 3.6 Members of the Parliamentary corporation**

1. Subject to paragraphs 2 and 3, the members of the Scottish Parliamentary Corporate Body ("the Parliamentary corporation") referred to in section 21(2)(b) shall number four, and shall be appointed by the Presiding Officer, either after an election in accordance with Rule 3.7 or in accordance with Rule 3.8. Those members are referred to as "appointed members".

2. The number of appointed members of the Parliamentary corporation may be varied after a general election, following a decision of the Parliament on a motion of the Parliamentary Bureau, but shall always comprise a minimum of four.

3. Any variation to the number of appointed members shall be made prior to elections held in accordance with Rule 3.7.1. No further variation may be made within the same Parliamentary session.

### **Rule 3.7 Election of members of the Parliamentary corporation**

1. Not later than 20 sitting days after a general election, the Parliament shall hold consecutive elections to elect the four appointed members of the Parliamentary corporation (or such other number of appointed members as are to be elected following a decision of the Parliament, under Rule 3.6, to vary the number of appointed members).

2. An election shall also be held to fill any vacancy which arises when an appointed member—

(a) resigns;

(b) ceases to be a member of the Parliament otherwise than by virtue of a dissolution; or

(c) is removed from office by resolution of the Parliament.

3. In the case of an election under paragraph 1, the voting period for the election of the first appointed member (“the first voting period”) shall take place on such date and at such time as may be appointed by the Presiding Officer. The voting period for the election of the second and other appointed members under paragraph 1 shall take place immediately after the completion of the first voting period.

4. Paragraph 3 shall also apply in any other case where there are vacancies in the offices of more than one appointed member except that, where the Parliament is not dissolved and is not in recess, the date and time for the first voting period shall be appointed by the Parliament on a motion of the Parliamentary Bureau.

5. In the case of an election under paragraph 3 or 4, the candidates in the election for the second and other appointed members shall be the candidates not elected in the election for the first appointed member.

6. In the case where there is a vacancy in only one of the offices of an appointed member, the voting period for the election shall take place on the date and at the time appointed by the Parliament on a motion of the Parliamentary Bureau.

7. Any member may, not later than 30 minutes before the beginning of the first voting period in the cases mentioned in paragraphs 3 and 4 and the voting period in the case mentioned in paragraph 6, nominate a candidate for election by submitting a written nomination to the Clerk.

8. A nomination of a candidate shall be valid only if it is seconded by another member.

9. At the beginning of a voting period, the Presiding Officer shall announce the name or names of the candidate or candidates validly nominated and an election shall then be held in accordance with Rule 11.10A.

10. The Presiding Officer shall appoint as a member of the Parliamentary corporation a member elected in accordance with this Rule.

**Rule 3.8 Appointment of members of the Parliamentary corporation**

1. If any office of an appointed member is not filled in accordance with Rule 3.7, the Presiding Officer may appoint a member to that office and shall do so if the office remains vacant for more than 28 days. In calculating the period of 28 days for this purpose, no account shall be taken of any time when the Parliament is dissolved.

2. The Presiding Officer shall notify the Parliament of any appointment under paragraph 1.

**Rule 3.9 Resignation of members of the Parliamentary corporation**

1. An appointed member may at any time resign office by giving notice in writing to the Presiding Officer.

2. The Presiding Officer shall notify the Parliament of the resignation.

**Rule 3.10 Removal of members of the Parliamentary corporation**

1. A member may by motion propose that an appointed member be removed from office. The motion is valid only if it is seconded by another member.

2. An appointed member is removed from office as a member of the Parliamentary corporation if the Parliament so decides on such a motion.

**Rule 3.11 Nomination of individuals for appointment by Her Majesty**

1. The provisions of this Rule apply where an enactment confers, or a provision of a Bill that has completed Stage 1 would confer, power on the Parliament to nominate an individual for appointment by Her Majesty (except where these Rules make separate provision for the procedure that is to be followed by the Parliament in making such a nomination).

2. Where such a post is, or is expected to become, vacant, a panel (referred to as the "Selection Panel") shall be established for the purpose of recommending a person for nomination by the Parliament to Her Majesty for the appointment in question.

3. Where the subject matter of the relevant enactment or provision falls within the remit of a committee, the members of the Selection Panel shall be—

(a) the Presiding Officer;

(b) the convener of that committee, or, in a case where the subject matter of the relevant enactment or provision falls within the remit of more than one committee, the convener of the committee that is determined for this purpose by the Parliamentary Bureau;

(c) at least 4 but not more than 7 other members appointed by the Presiding Officer.

4. Where the subject matter of the relevant enactment or provision does not fall within the remit of any committee, the members of the Selection Panel shall be—

(a) the Presiding Officer;

(b) a convener of a committee appointed by the Parliamentary Bureau;

(c) at least 4 but not more than 7 other members appointed by the Presiding Officer.

5. In appointing members of the Selection Panel, the Presiding Officer shall have regard to the balance of political parties in the Parliament.

6. [deleted]

7. Any member of the Selection Panel may by motion propose that the Parliament nominates the person recommended by the Selection Panel.

8. Any debate on such a motion shall be restricted to 30 minutes. Each speaker may speak for no more than 5 minutes.

9. If there is a division on such a motion, the result is valid only if the number of members who voted is more than one quarter of the total number of seats for members. In calculating the number of members who have voted for this purpose, account shall be taken not only of those voting for or against the motion but also of those voting to abstain.

#### **Rule 3.11A Nomination of individuals for reappointment by Her Majesty**

1. This Rule applies where a person has been appointed by Her Majesty further to a nomination by the Parliament in accordance with Rule 3.11 and is eligible for reappointment under the relevant enactment.

2. Where the Parliamentary corporation decides to recommend that person for nomination for reappointment, any member of the Parliamentary corporation may by motion propose that the Parliament nominate that person for reappointment by Her Majesty.

3. Rules 3.11.8 and 9 shall apply to a motion proposing reappointment as they apply to a motion proposing appointment.

#### **Rule 3.12 [deleted]**

#### **Rule 3.13 Appointment of members of the Scottish Commission for Public Audit**

1. The four members of the Scottish Commission for Public Audit (“the Commission”) referred to in section 12(2)(b) of the Public Finance and Accountability (Scotland) Act 2000 (asp 1) shall be appointed by the Parliamentary corporation.

2. The Parliamentary corporation shall not make any appointment under this Rule without the agreement of the Parliament.
3. A member of the Parliamentary corporation shall by motion seek the agreement of the Parliament to the Parliamentary corporation's proposal to appoint either—
  - (a) an individual member to be a member of the Commission; or
  - (b) a group of 2 or more members to be members of the Commission.
4. In making a proposal under this Rule the Parliamentary corporation shall have regard to the balance of political parties in the Parliament.
5. Before the Presiding Officer puts to the Parliament the question on a motion relating to a group of members, the motion may be amended but only to delete that part of the motion relating to a particular member or members.

#### **Rule 3.14 Resignation of members of the Commission**

1. An appointed member may at any time resign office by giving notice in writing to the Parliamentary corporation.
2. The Parliamentary corporation shall notify the Parliament of the resignation.

#### **Rule 3.15 Removal of members of the Commission**

1. Any member may by motion propose that an appointed member of the Commission be removed from office. The motion is valid only if it is seconded by another member.
2. An appointed member of the Commission is removed from office as a member of the Commission if the Parliament so decides on such a motion.

#### **Rule 3.16 Reports of the Commission**

1. Where the Commission is to report to the Parliament under section 11(9) or 12(4) of the Public Finance and Accountability (Scotland) Act 2000, it shall do so by lodging the report with the Clerk. The Clerk shall publish the report and notify members of the date of publication.





## **CHAPTER 3A**

### **PARLIAMENTARY CORPORATION SUPPORTED BODIES**

#### **Rule 3A.1 Appointment of the Commissioner for Ethical Standards in Public Life in Scotland and members of the Standards Commission for Scotland**

1. This Rule applies where the agreement of the Parliament is sought to the appointment of a person as—

(a) the Commissioner for Ethical Standards in Public Life in Scotland (“the Ethical Standards Commissioner”), under section 1 of the Scottish Parliamentary Commissions and Commissioners etc. Act 2010 (asp 11); or

(b) a member of the Standards Commission for Scotland, under section 8(3) of the Ethical Standards in Public Life etc. (Scotland) Act 2000 (asp 7).

2. Any member of the Parliamentary corporation may by motion propose that the Parliament agree to the appointment of the person named in the motion.

3. Any debate on such a motion shall be restricted to 30 minutes. Each speaker may speak for no more than 5 minutes.

4. If there is a division on such a motion, the result is valid only if the number of members who voted is more than one quarter of the total number of seats for members. In calculating the number of members who have voted for this purpose, account shall be taken not only of those voting for or against the motion but also of those voting to abstain.

5. This Rule also applies, with such modifications as are appropriate, where the agreement of the Parliament is sought to the reappointment of a person as a member of the Standards Commission for Scotland by virtue of paragraph 10(1) of schedule 7 to the Scottish Parliamentary Commissions and Commissioners etc. Act 2010.

#### **Rule 3A.2 Directions to the Ethical Standards Commissioner**

1. Any direction that can be given by the Parliament to the Ethical Standards Commissioner under section 4, 7, 10, 11 or 12 of the Scottish Parliamentary Standards Commissioner Act 2002 (asp 16) shall be given by the Standards, Procedures and Public Appointments Committee.

2. A direction is given by the Standards, Procedures and Public Appointments Committee if it is signed on its behalf by the convener of the Standards, Procedures and Public Appointments Committee.

#### **Rule 3A.3 Reports by the Ethical Standards Commissioner**

1. The reports that the Ethical Standards Commissioner may, or, as the case may be, is required to make to the Parliament under or by virtue of sections 4, 5 or 7 to 12 of the Scottish Parliamentary Standards Commissioner Act 2002 shall be made to the Standards, Procedures and Public Appointments Committee.

2. Where the Ethical Standards Commissioner reports to the Parliament under section 2(8)(a) of the Public Appointments and Public Bodies etc. (Scotland) Act

2003 (asp 4) by laying a report before the Parliament or otherwise providing the Clerk with a copy of the report, the Clerk shall ensure that notice of receipt of the report is published in the Business Bulletin and shall refer the report to the Standards, Procedures and Public Appointments Committee.

3. Where the Ethical Standards Commissioner has indicated in writing, at the time a report referred to in paragraph 2 is laid or otherwise provided to the Clerk, that information contained in the report is confidential, the Clerk shall take all reasonable steps to ensure that the information in question is not made public by the Parliament or otherwise made available to any member who is not a member of the Standards, Procedures and Public Appointments Committee.

4. Where the Ethical Standards Commissioner has given a direction under section 2(8)(b) of the Public Appointments and Public Bodies etc. (Scotland) Act 2003 in respect of the case that is the subject of the Commissioner's report to the Parliament, the Standards, Procedures and Public Appointments Committee shall consider that report and shall report on it to the Parliament, which shall then consider the case in the light of the Committee's report.

**Rule 3A.4 [deleted]**

**Rule 3A.5 [deleted]**

**Rule 3A.6 Annual reports and strategic plans**

1. Where a supported body's annual report or strategic plan is laid before the Parliament, the Clerk shall refer that document to the committee within whose remit the subject matter of that document falls for consideration.

2. Rule 14.2 does not apply where a supported body's strategic plan is laid before the Parliament.

3. In this Rule a "supported body" is any of the following Parliamentary corporation supported bodies—

(a) the Commissioner for Ethical Standards in Public Life in Scotland, established under section 1(1) of the Scottish Parliamentary Commissions and Commissioners etc. Act 2010;

(b) the Commissioner for Children and Young People in Scotland established under section 1(1) of the Commissioner for Children and Young People (Scotland) Act 2003 (asp 17);

(c) the Scottish Commission for Human Rights, established under section 1(1) of the Scottish Commission for Human Rights Act 2006 (asp 16);

(d) the Scottish Information Commissioner, established under section 1(1) of the Freedom of Information (Scotland) Act 2002 (asp 13);

(e) the Scottish Public Services Ombudsman, established under section 1(1) of the Scottish Public Services Ombudsman Act 2002 (asp 11); and

(f) the Standards Commission for Scotland established under section 8(1) of the Ethical Standards in Public Life etc. (Scotland) Act 2000.



## **CHAPTER 3B**

### **SCOTTISH PARLIAMENTARY PENSION SCHEME – FUND TRUSTEES**

#### **Rule 3B.1 Application of this chapter**

1. This chapter makes provision relating to Fund trustees appointed and holding office in accordance with Part B of Schedule 1 to the Scottish Parliamentary Pensions Act 2009 (asp 1) (“the 2009 Act”). References in these Rules to the “Scottish Parliamentary Pension Scheme” and “scheme rule” are references to the Scottish Parliamentary Pension Scheme (as set out in Schedule 1 to the 2009 Act) and a rule set out in that scheme respectively.

#### **Rule 3B.2 Motions for the appointment of Fund trustees**

1. Where the Parliamentary corporation nominates any individual for appointment as a Fund trustee in accordance with scheme rule 8, the agreement of the Parliament shall be sought in accordance with this Rule.

2. Any member of the Parliamentary corporation may by motion propose that the Parliament agrees to the appointment of any individual as a Fund trustee.

3. Notice of a motion under this Rule may only be given by a member of the Parliamentary corporation. Such a motion may not be amended and may be moved only by the member giving notice of it or if that member is not available another member of the Parliamentary corporation.

4. Where more than one individual is nominated for appointment as a Fund trustee, there must be a separate motion for each individual who is being nominated.

5. In addition to the requirements set out in Rule 8.2.2, a motion under this Rule must specify—

(a) the name of the individual who is nominated for appointment; and

(b) that the individual is to be remunerated, or to receive allowances, from the Fund for acting as a Fund trustee, in accordance with scheme rule 9 (where applicable).

6. Where a Fund trustee’s appointment is not intended to have immediate effect, a motion under this Rule may make provision for the date on which a Fund trustee’s appointment is to have effect in accordance with scheme rule 8(3).

7. Any debate on a motion under this Rule shall be restricted to 30 minutes.

#### **Rule 3B.3 Removal of a Fund trustee**

1. Further to scheme rule 11(1)(a), any member may by motion seek that a Fund trustee’s tenure be brought to an end.

2. Where there is a division on a motion moved under this Rule, the Parliament’s resolution will have effect only if it is voted for by at least two-thirds of the members who voted.

**Rule 3B.4 Tenure of a Fund trustee where there is a change of scheme membership status**

1. Where scheme rule 12 (Change of status) applies to a Fund trustee, any member of the Parliamentary corporation may by motion seek to end that Fund trustee's tenure on a date other than 6 months after the change of circumstance occurs.

2. Notice of a motion under this Rule may only be given by a member of the Parliamentary corporation. Such a motion may not be amended, and may be moved only by the member giving notice of it or if that member is not available another member of the Parliamentary corporation.

**Rule 3B.5 Business Bulletin**

1. Where a Fund trustee notifies his or her resignation to the Presiding Officer and the other Fund trustees under scheme rule 10(1) or is removed from office further to scheme rule 11(1)(b) the Clerk shall ensure that notice of that resignation or removal from office is published in the Business Bulletin.

2. Where, under scheme rule 12, the tenure of a Fund trustee ends 6 months after a change of circumstance occurs, the Clerk shall ensure that notice of the ending of that Fund trustee's tenure is published in the Business Bulletin.

## **CHAPTER 4**

### **THE SCOTTISH GOVERNMENT**

#### **Rule 4.1 Nomination of the First Minister**

1. The nomination of a member for appointment as First Minister under section 46(1) shall be conducted in accordance with the following provisions.
2. The date and time for the voting period to select a nominee shall be determined—
  - (a) in the case of a selection following a general election when the Parliamentary Bureau has not been established, by the Presiding Officer, provided that the date of the first such voting period shall not be later than 14 days after the date of the general election; and
  - (b) in any other case, by the Parliament on a motion of the Parliamentary Bureau,

and the date and time of the voting period shall be notified to members.

3. Any member may, not later than 30 minutes before the time appointed for the voting period for selection of a nominee, nominate a candidate for appointment as First Minister by submitting a written nomination to the Clerk.
4. A nomination shall be valid only if it is seconded by another member.
5. A member nominated as a candidate must take the oath of allegiance or make a solemn affirmation before the time appointed for the voting period to select a nominee. If that member has not done so, the Presiding Officer shall reject that member's nomination.
6. At the time appointed for the voting period to select a nominee, the Presiding Officer shall announce the name or names of the candidate or candidates and the nominee shall then be selected in accordance with Rule 11.10.

#### **Rule 4.2 Designation of person to exercise functions of the First Minister**

1. The Presiding Officer shall notify the Parliament of the name of any person whom the Presiding Officer has designated to exercise the functions of the First Minister under section 45(4).

#### **Rule 4.3 Appointment of the Scottish Law Officers**

1. The agreement of the Parliament to the First Minister's recommendation to Her Majesty for the appointment of a person as Lord Advocate or Solicitor General for Scotland under section 48(1) shall be sought on a motion of the First Minister that a person specified in the motion be so recommended. The provisions of Rules 8.2.5 and 8.2.6 shall not apply to such a motion.
2. Such a motion may relate to one or both of the appointments to be recommended.
3. Before the Presiding Officer puts to the Parliament the question on a motion relating to both appointments, the motion may be amended without notice but only to delete that part of the motion relating to one of the appointments.

4. If there is a division on such a motion, the result is valid only if the number of members who voted is more than one quarter of the total number of seats for members. In calculating the number of members who have voted for this purpose, account shall be taken not only of those voting for or against the motion but also of those voting to abstain.

#### **Rule 4.4 Removal of the Scottish Law Officers**

1. The provisions of Rule 4.3 shall apply, with such modifications as are appropriate, in relation to a recommendation for the removal of a person as Lord Advocate or Solicitor General for Scotland as they apply in relation to a recommendation for an appointment.

#### **Rule 4.5 Participation of the Scottish Law Officers in proceedings**

1. This Rule applies where the Lord Advocate or Solicitor General for Scotland (“the Scottish Law Officer”) is not a member of the Parliament.

2. The Scottish Law Officer may (subject always to the provision in section 27(1)(a) preventing the Scottish Law Officer from voting) participate in any of the proceedings of the Parliament as fully as any member but the Scottish Law Officer may not be appointed as a member of the Parliamentary corporation or the Parliamentary Bureau.

3. These Rules shall apply to the Scottish Law Officer, when the Scottish Law Officer is participating in any proceedings of the Parliament, as if the Scottish Law Officer were a member of the Parliament.

4. Paragraphs 2 and 3 are without prejudice to section 27(2) (application of rules regarding members’ interests) and section 27(3) (questions and documents relating to operation of system of criminal prosecution).

#### **Rule 4.6 Appointment of other Scottish Ministers**

1. Where the First Minister proposes to appoint any Minister or Ministers under section 47(1), the First Minister shall, before seeking Her Majesty’s approval for any appointment, seek the agreement of the Parliament to the proposal in accordance with the following provisions.

2. The First Minister shall by motion seek the agreement of the Parliament to the appointment of either—

(a) an individual member to be a Minister; or

(b) a group of 2 or more members to be Ministers.

The provisions of Rules 8.2.5 and 8.2.6 shall not apply to such a motion.

3. Before the Presiding Officer puts to the Parliament the question on a motion relating to a group of members, the motion may be amended but only to delete that part of the motion relating to a particular member or members.

4. If there is a division on such a motion, the result is valid only if the number of members who voted is more than one quarter of the total number of seats for members. In calculating the number of members who have voted for this purpose,



account shall be taken not only of those voting for or against the motion but also of those voting to abstain.

**Rule 4.7 Appointment of junior Scottish Ministers**

1. The provisions of Rule 4.6 shall apply, with such modifications as are appropriate, where the First Minister proposes to appoint one or more junior Scottish Ministers under section 49(1).

**Rule 4.8 Resignation of Ministers**

1. If the First Minister tenders resignation from that office to Her Majesty under section 45(2), the Presiding Officer shall, if the resignation is accepted by Her Majesty, notify the Parliament.

2. Where any other member of the Scottish Government or a junior Scottish Minister resigns, the Presiding Officer shall notify the resignation to the Parliament.



## **CHAPTER 5**

### **THE PARLIAMENTARY BUREAU AND MANAGEMENT OF BUSINESS**

#### **Rule 5.1 The Parliamentary Bureau**

1. The Parliament shall establish the Parliamentary Bureau in accordance with these Rules.
2. The main functions of the Parliamentary Bureau shall be—
  - (a) to propose the business programme as mentioned in Rule 5.4;
  - (b) to propose alterations to the daily business list;
  - (c) to propose the establishment, remit, membership and duration of any committee or sub-committee; and
  - (d) to determine any question regarding the competence of a committee to deal with a matter and, if 2 or more committees are competent to deal with a matter, to determine which of those committees is to be the lead committee responsible for that matter.
3. The Parliamentary Bureau shall have such other functions relating to the business of the Parliament or of any committee or sub-committee as may be conferred upon it by these Rules or by the Parliament.
4. The Parliamentary Bureau shall not be regarded as a committee for the purpose of these Rules.

#### **Rule 5.2 Members of the Parliamentary Bureau**

1. The Parliamentary Bureau shall consist of—
  - (a) the Presiding Officer;
  - (b) a representative of each political party represented by 5 or more members of the Parliament (“a party representative”) who is nominated by the leader within the Parliament of that party; and
  - (c) a representative of any group formed under paragraph 2 (“a group representative”) who is nominated by that group.
2. Members who represent a political party with fewer than 5 representatives in the Parliament and members who do not represent a political party may join together to form a group for the purposes of nominating a group representative under paragraph 1(c). The number of members in any such group shall be at least 5.
3. A nomination of a party or group representative may be made to the Presiding Officer at any time during a Parliamentary session but must be made in writing and, in the case of the nomination of a group representative, must be signed by each member of the group.
4. If a member wishes to join a group or no longer wishes to form part of that group, that member shall notify the Presiding Officer and the group representative that the

group representative represents or, as the case may be, no longer represents that member.

5. If, at any time and for whatever reason, a party or group representative no longer represents 5 or more members (including that representative), that representative shall cease to hold office as a member of the Parliamentary Bureau and the Presiding Officer shall notify the Parliament accordingly.

6. Where a party or group representative ceases to hold office as a member of the Parliamentary Bureau in any circumstances other than those mentioned in paragraph 5, the leader of the party or the group which nominated that representative shall nominate another representative to it in place of that representative.

7. A party or group representative may arrange for another member to take that representative's place at a meeting of the Parliamentary Bureau if the Presiding Officer has been notified in writing in advance of that meeting.

### **Rule 5.3 Procedure of the Parliamentary Bureau**

1. The Presiding Officer shall convene and chair meetings of the Parliamentary Bureau. The Presiding Officer shall have a casting vote but shall not otherwise vote in the proceedings.

2. The Parliamentary Bureau shall meet in private.

3. The Parliamentary Bureau shall not consider any business if the number of members of the Bureau who are present is less than half of the total number of members of the Bureau.

4. Matters to be decided by the Parliamentary Bureau shall, in the event of any disagreement, be decided by a vote. The vote shall be conducted in such a manner as the Presiding Officer may determine.

5. A party or group representative shall carry one vote for each member of the party or group which that representative represents (including the representative). The representative shall notify the Presiding Officer and other members of the Parliamentary Bureau of the number of votes which that representative carries and of any changes to that number.

6. A deputy Presiding Officer may attend any meeting of the Parliamentary Bureau and may participate in the proceedings but may not vote unless that deputy is chairing the meeting in place of the Presiding Officer, when that deputy shall have a casting vote.

7. The Parliamentary Bureau may invite members who are not members of the Parliamentary Bureau to attend a meeting of the Parliamentary Bureau and those persons may participate in the meeting but may not vote.

#### **Rule 5.4 Business programme**

1. The Parliament shall decide, on a business motion of the Parliamentary Bureau, a programme of business (referred to as “the business programme”) for such period as may be specified in that motion.
2. The business programme shall include an agenda of business for any meeting of the Parliament which is due to be held during that period and may include the timetable for consideration by the Parliament, any committee or sub-committee of—
  - (a) any Bill or any provision of a Bill;
  - (aa) any legislative consent memorandum or legislative consent motion;
  - (ab) any Public Bodies Act consent memorandum or Public Bodies Act consent motion;
  - (b) any legislation or draft legislation of the European Union or any provision of such legislation; or
  - (c) any subordinate legislation or draft subordinate legislation.
3. The business programme shall be notified to members in the Business Bulletin.

#### **Rule 5.5 Daily business list**

1. On the basis of the business programme and other decisions of the Parliament and the Presiding Officer, the Clerk shall publish a daily business list containing details of business to be considered by the Parliament and by each committee or sub-committee on each day when the Parliament or a committee or sub-committee meets. The daily business list shall also contain details of the times at which particular items of business are to be taken at any meeting if such times have been allocated in the business programme or in the decisions of the Parliament or the Presiding Officer.
2. The daily business list shall be notified to members in the Business Bulletin.
3. The Parliament may, on a motion of the Parliamentary Bureau, make alterations to the daily business list. Any such alterations shall be notified to members in the Business Bulletin.
4. If any emergency business arises, the Presiding Officer may allow that business to be taken at an appropriate point during a meeting of the Parliament and shall make any necessary alteration to the daily business list. Members shall be notified that the emergency business is to be taken and of any subsequent alteration to the daily business list.

#### **Rule 5.6 Special cases of Parliamentary business**

1. In proposing the business programme, the Parliamentary Bureau shall ensure that—
  - (a) on 12 half sitting days in each Parliamentary year, the business of committees is given priority over the business of the Scottish Government at meetings of the Parliament;

(b) on 16 half sitting days in each Parliamentary year, meetings of the Parliament consider business chosen by political parties which are not represented in the Scottish Government or by any group formed under Rule 5.2.2; and

(c) at each meeting of the Parliament there is a period of up to 45 minutes for any Members' Business.

2. For the purposes of this Rule, a half sitting day is that part of a sitting day between 14:30 and 17:00 on a Monday, between 09:15 and 12:30 or 14:30 and 17:00 on a Tuesday, Wednesday or Thursday or between 09:30 and 12:00 on a Friday.

### **Rule 5.7 Programme of the Scottish Government**

1. When the First Minister wishes to make a statement to a meeting of the Parliament setting out the proposed policy objectives and legislative programme of the Scottish Government for any Parliamentary year, the First Minister shall give notice of that proposal to the Presiding Officer. The Presiding Officer shall then notify the Parliamentary Bureau.

2. The Parliamentary Bureau shall ensure that sufficient time is set aside in the business programme for the statement to be made and debated.

### **Rule 5.8 Financial business**

1. In proposing the business programme, the Parliamentary Bureau shall ensure that sufficient time is set aside—

(a) between the beginning of April and the end of June each year for the consideration of financial proposals;

(b) between the beginning of October and the end of December each year for consideration of draft budgets; and

(c) between the beginning of January and the end of February each year for the Stages of a Budget Bill.

2. "Consideration of financial proposals" means consideration by committees of documents laid before the Parliament setting out outline proposals for public expenditure and revenue-raising in the forthcoming financial year and consideration by the Parliament of any report and recommendations of the Finance Committee concerning such documents.

3. "Consideration of draft budgets" means consideration by committees of documents laid before the Parliament setting out preliminary draft budgets of public revenue and expenditure in the forthcoming financial year.

4. "Financial year" means the year beginning on 1 April.

### **Rule 5.9 Business Bulletin**

1. The Clerk shall produce the Business Bulletin.

2. The Business Bulletin shall include—

- (a) the business programme;
- (b) the daily business list;
- (c) agendas for committee meetings;
- (d) oral questions selected for answer at First Minister's Question Time or Topical Question Time, or lodged for answer at General Question Time or Portfolio Question Time, and the names of members selected to lodge questions for answer at General Question Time or Portfolio Question Time;
- (e) written questions;
- (f) notices of motions and amendments to motions;
- (g) notices of Bills introduced into the Parliament and amendments to Bills;
- (ga) notices of any legislative consent memorandums;
- (gb) notices of any Public Bodies Act consent memorandums;
- (h) notices of any subordinate legislation or draft subordinate legislation or any other document which is laid before the Parliament;
- (ha) agendas for meetings of the Scottish Commission for Public Audit; and
- (i) any other item which requires to be notified to members,

and the Business Bulletin may include any other information which the Clerk considers appropriate.

3. The Business Bulletin shall be issued to members by whatever means the Presiding Officer considers appropriate and shall be made public.

4. The Clerk shall keep the Business Bulletin under review and if necessary shall issue to members an amended version of any part of it.





## CHAPTER 6 COMMITTEES

### Rule 6.1 Establishment of committees

1. [deleted]
2. Any member may by motion propose the establishment of a committee.
3. The Parliamentary Bureau may, whether in response to such a proposal or otherwise, by motion propose the establishment, membership, remit and duration of a committee.
4. A committee established by the Parliament to deal with a particular subject, other than a mandatory committee or a committee (including a Committee of the Whole Parliament, a Consolidation Committee, a Statute Law Repeals Committee, a Statute Law Revision Committee or a Private Bill Committee) established only to take certain Stages of a particular Bill, is referred to as a subject committee.
5. In addition, the Parliament shall, on a motion of the Parliamentary Bureau, establish the following mandatory committees—
  - (a) [deleted]
  - (b) the Standards, Procedures and Public Appointments Committee;
  - (c) the Finance Committee;
  - (d) the Public Audit Committee;
  - (e) the European and External Relations Committee;
  - (f) the Equal Opportunities Committee;
  - (g) the Public Petitions Committee;
  - (h) the Delegated Powers and Law Reform Committee.
6. The Parliamentary Bureau shall by motion propose the establishment of—
  - (a) the Standards, Procedures and Public Appointments and Finance Committees within 21 sitting days of a general election; and
  - (b) the other mandatory committees mentioned in paragraph 5 within 42 sitting days of a general election.

### Rule 6.2 Functions of all committees

1. A committee shall examine such matters within its remit (referred to as “competent matters”) as it may determine appropriate or as may be referred to it by the Parliament or another committee and shall report to the Parliament (or, where the matter has also been referred to another committee as lead committee, to that lead committee) on any such matter.

2. In particular, each committee shall conduct such inquiries into such competent matters as it may consider appropriate or as the Parliament or another committee may require, and may—

- (a) consider the policy and administration of the Scottish Administration upon any competent matter;
- (b) consider any proposals for legislation which relate to or affect any competent matter, including proposals for primary or secondary legislation, whether before the Scottish Parliament or the United Kingdom Parliament;
- (c) consider any European Union legislation or any international conventions or agreements or any drafts which relate to or affect any competent matter;
- (d) consider the need for the reform of the law which relates to or affects any competent matter;
- (e) initiate Bills on any competent matter; and
- (f) consider the financial proposals and financial administration of the Scottish Administration (including variation of taxes, estimates, budgets, audit and performance) which relate to or affect any competent matter.

### **Rule 6.3 Membership of committees**

1. The membership of each committee shall be decided by the Parliament on a motion of the Parliamentary Bureau.

2. Each committee other than a Private Bill Committee or a Hybrid Bill Committee shall have at least 5 but not more than 15 members.

3. A member may indicate to the Parliamentary Bureau an interest in serving on a particular committee.

4. In proposing a member to be a committee member, the Parliamentary Bureau shall have regard to the balance of political parties in the Parliament and, where that member has expressed an interest in serving on that committee, to that member's qualifications and experience as indicated by that member.

5. A committee member shall serve as a member of a committee for the duration of that committee unless—

- (a) that member resigns from that office by intimating resignation to the Presiding Officer on behalf of the Parliamentary Bureau;
- (b) that member is removed from that office by the Parliament on a motion of the committee;
- (ba) in the case of the Public Audit Committee, that member ceases to be a member of that committee by virtue of Rule 6.7.2; or
- (c) that member ceases to be a member of the Parliament otherwise than by virtue of a dissolution.

### **Rule 6.3A Committee substitutes**

1. A political party represented by 2 or more members of the Parliament may nominate a member of that party to be a substitute (referred to as a “committee substitute”) for the members of that party on a particular committee.
2. A nomination of a committee substitute must be made in writing to the Bureau. Members so nominated become committee substitutes if appointed by the Parliament on a motion of the Parliamentary Bureau.
3. A committee substitute cannot be nominated for a Private Bill Committee or a Hybrid Bill Committee.
4. A member cannot be a committee substitute for more than two committees at the same time. A member cannot be a committee substitute for a committee of which that person is a member.
5. A member shall be a committee substitute for the duration of the relevant committee unless—
  - (a) that member resigns from being a committee substitute by intimating resignation to the Presiding Officer on behalf of the Parliamentary Bureau;
  - (b) that member is removed as a committee substitute by the Parliament on a motion of the committee;
  - (c) that member ceases to be a member of the Parliament otherwise than by virtue of a dissolution; or
  - (d) the relevant political party is no longer represented by 2 or more members.

### **6.3B Bill substitutes**

1. The Parliament may, on a motion of the Parliamentary Bureau, appoint a member to be a substitute (a “Bill substitute”) for a member of a committee who—
  - (a) is not a member of a political party entitled to nominate a committee substitute under Rule 6.3A.1; and
  - (b) is (or is expected to be) prevented by Rule 9.13A from acting as a committee member.
2. The Bureau may not nominate a member to be a Bill substitute if that member’s appointment would alter the balance in the committee between members who (whether as members of political parties or as individuals) are represented in the Scottish Government and those who are not.
3. A member may be a Bill substitute for more than one Bill or committee at the same time.
4. A member shall be a Bill substitute for the duration of the passage of the Bill (which ends when the Bill is passed, falls or is withdrawn) unless one of the events mentioned in Rule 6.3A.5 occurs.

### **Rule 6.4 Standards, Procedures and Public Appointments Committee**

1. The remit of the Standards, Procedures and Public Appointments Committee is to consider and report on—

- (a) the practice and procedures of the Parliament in relation to its business;
- (b) whether a member's conduct is in accordance with these Rules and any Code of Conduct for members, matters relating to members interests, and any other matters relating to the conduct of members in carrying out their Parliamentary duties;
- (c) the adoption, amendment and application of any Code of Conduct for members; and
- (d) matters relating to public appointments in Scotland.

2. Where the Committee considers it appropriate, it may by motion recommend that a member's rights and privileges be withdrawn to such extent and for such period as are specified in the motion.

### **Rule 6.5 [deleted]**

### **Rule 6.6 Finance Committee**

1. The remit of the Finance Committee is to consider and report on—

- (a) any report or other document laid before the Parliament by members of the Scottish Government containing proposals for, or budgets of, public revenue or expenditure or proposals for the making of a Scottish rate resolution, taking into account any report or recommendations concerning such documents made to them by any other committee with power to consider such documents or any part of them;
- (b) any report made by a committee setting out proposals concerning public revenue or expenditure;
- (c) Budget Bills; and
- (d) any other matter relating to or affecting the revenue or expenditure of the Scottish Administration or other monies payable into or expenditure payable out of the Scottish Consolidated Fund.

2. The Committee may also consider and, where it sees fit, report to the Parliament on the timetable for the Stages of Budget Bills and on the handling of financial business.

3. In these Rules, "public expenditure" means expenditure of the Scottish Administration, other expenditure payable out of the Scottish Consolidated Fund and any other expenditure met out of taxes, charges and other public revenue.

### **Rule 6.7 Public Audit Committee**

1. The remit of the Public Audit Committee is to consider and report on—

- (a) any accounts laid before the Parliament;
- (b) any report laid before or made to the Parliament by the Auditor General for Scotland; and
- (c) any other document laid before the Parliament, or referred to it by the Parliamentary Bureau or by the Auditor General for Scotland, concerning financial control, accounting and auditing in relation to public expenditure.

2. No member of the Scottish Government or junior Scottish Minister may be a member of the Committee and no member who represents a political party which is represented in the Scottish Government may be convener of the Committee.

### **Rule 6.8 European and External Relations Committee**

1. The remit of the European and External Relations Committee is to consider and report on—

- (a) proposals for European Union legislation;
- (b) the implementation of European Communities and European Union legislation;
- (c) any European Communities or European Union issue;
- (d) the development and implementation of the Scottish Administration's links with countries and territories outside Scotland, the European Union (and its institutions) and other international organisations; and
- (e) co-ordination of the international activities of the Scottish Administration.

2. The Committee may refer matters to the Parliamentary Bureau or other committees where it considers it appropriate to do so.

3. The convener of the Committee shall not be the convener of any other committee whose remit is, in the opinion of the Parliamentary Bureau, relevant to that of the Committee.

4. The Parliamentary Bureau shall normally propose a person to be a member of the Committee only if that person is a member of another committee whose remit is, in the opinion of the Parliamentary Bureau, relevant to that of the Committee.

### **Rule 6.9 Equal Opportunities Committee**

1. The remit of the Equal Opportunities Committee is to consider and report on matters relating to equal opportunities and upon the observance of equal opportunities within the Parliament.

2. In these Rules, "equal opportunities" includes the prevention, elimination or regulation of discrimination between persons on grounds of sex or marital status, on racial grounds or on grounds of disability, age, sexual orientation, language or social origin or of other personal attributes, including beliefs or opinions such as religious beliefs or political opinions.

**Rule 6.10 Public Petitions Committee**

1. The remit of the Public Petitions Committee is to consider public petitions addressed to the Parliament in accordance with these Rules and, in particular, to—

- (a) decide in a case of dispute whether a petition is admissible;
- (b) decide what action should be taken upon an admissible public petition; and
- (c) keep under review the operation of the petitions system.

**Rule 6.11 Delegated Powers and Law Reform Committee**

1. The remit of the Delegated Powers and Law Reform Committee is to consider and report on—

- (a) any—
  - (i) subordinate legislation laid before the Parliament or requiring the consent of the Parliament under section 9 of the Public Bodies Act 2011;
  - (ii) [deleted]
  - (iii) pension or grants motion as described in Rule 8.11A.1;

and, in particular, to determine whether the attention of the Parliament should be drawn to any of the matters mentioned in Rule 10.3.1;

- (b) proposed powers to make subordinate legislation in particular Bills or other proposed legislation;
- (c) general questions relating to powers to make subordinate legislation;
- (d) whether any proposed delegated powers in particular Bills or other legislation should be expressed as a power to make subordinate legislation;
- (e) any failure to lay an instrument in accordance with section 28(2), 30(2) or 31 of the 2010 Act;
- (f) proposed changes to the procedure to which subordinate legislation laid before the Parliament is subject;
- (g) any Scottish Law Commission Bill as defined in Rule 9.17A.1;
- (h) any draft proposal for a Scottish Law Commission Bill as defined in that Rule; and
- (i) any Consolidation Bill as defined in Rule 9.18.1 referred to it by the Parliamentary Bureau in accordance with Rule 9.18.3.

**Rule 6.12 Duration of committees**

1. The mandatory committees referred to in Rule 6.1.5 shall be established for the whole session of the Parliament.

2. The Parliament shall, on a motion of the Parliamentary Bureau, determine the duration of any other committee.
3. The Parliament may decide, on a motion of the Parliamentary Bureau, that any other committee be disbanded.

**Rule 6.13 Questions regarding competence**

1. Any question whether a matter is within the remit of a committee shall be determined by the Parliamentary Bureau. The Parliamentary Bureau shall consult the Conveners Group on any such question.
2. If a matter falls within the remit of more than one committee the Parliament may, on a motion of the Parliamentary Bureau, designate one of the committees as the lead committee responsible for that matter. The other committee or committees may report its or their opinion to the lead committee. This is without prejudice to Rule 6.14.
3. The Parliamentary Bureau shall consult the Conveners Group before proposing a motion under paragraph 2. This paragraph shall not apply to a motion by the Parliamentary Bureau under Rule 9.6.1 or under Rule 10.2.2.

**Rule 6.14 Joint consideration by committees**

1. Where a matter falls within the remit of more than one committee, the committees concerned may, with the agreement of the Parliamentary Bureau, consider that matter jointly. The Parliamentary Bureau shall consult the Conveners Group before giving such agreement.
2. Where a matter is to be considered jointly under paragraph 1, any meeting to consider that matter shall be held jointly by the committees concerned. Such a meeting may be convened by the convener of any of those committees. At such a meeting the convener of any of those committees may take the chair.
3. Any report on the joint consideration of a matter shall be produced jointly by those committees.
4. Any of those committees may establish a sub-committee under Rule 12.5 to consider the matter jointly with a sub-committee of another of those committees.





## CHAPTER 6A THE CONVENERS GROUP

### **Rule 6A.1 Members of the Conveners Group**

1. There shall be a Conveners Group which shall consist of the Presiding Officer and the convener of each mandatory or subject committee.

### **Rule 6A.2 The Conveners Group**

1. The functions of the Conveners Group shall be—

(a) to consider and make recommendations in connection with the operation of committees;

(b) to report to and be consulted by the Parliamentary Bureau on questions regarding competence under Rule 6.13;

(c) to report to and be consulted by the Parliamentary Bureau on any decision on joint consideration by committees under Rule 6.14;

(d) to decide with the Parliamentary Bureau on the approval of the place in Scotland of a committee meeting in accordance with Rule 12.3.2;

(e) to decide with the Parliamentary Bureau on the approval of travel by a committee member outwith the United Kingdom in accordance with Rule 12.10; and

(f) to refer matters to the Parliamentary Bureau, a committee or the Parliamentary corporation where it considers it appropriate to do so.

2. The Conveners Group shall not be regarded as a committee for the purpose of these Rules.

### **Rule 6A.3 Procedure of the Conveners Group**

1. The Presiding Officer shall convene and chair meetings of the Conveners Group.

2. The Conveners Group shall normally meet in private.

3. The Conveners Group shall not consider any business unless the number of members of the Group who are present is 5 or more and, subject to paragraph 3A, the members present include representatives of 3 or more political parties.

3A. Where—

(a) the membership of the Conveners Group is drawn from 3 or fewer political parties; and

(b) any of those political parties has only one member on the Conveners Group,

the requirement that 3 or more political parties be represented is reduced to 2 or more political parties.

4. Matters to be decided by the Conveners Group require the agreement of all members who are present.
5. The Conveners Group may appoint one of its members (referred to as a “Conveners Group reporter”) to report to it on matters relating to the functions of the Conveners Group. The Conveners Group may appoint different Conveners Group reporters to report to it upon different matters.
6. A deputy Presiding Officer may attend any meeting of the Conveners Group and may participate in the proceedings.
7. The Conveners Group may invite members who are not members of the Conveners Group to attend a meeting of the Conveners Group and those persons may participate in the meeting.

## CHAPTER 7 CONDUCT OF MEETINGS

### Rule 7.1 Languages

1. The Parliament shall normally conduct its business in English but members may speak in Scots Gaelic or in any other language with the agreement of the Presiding Officer.
2. Any person addressing the Parliament on the invitation of the Parliament in accordance with Rule 15.3.5, may do so in any language other than English with the agreement of the Presiding Officer.

### Rule 7.2 Calling speakers and content of speeches

1. No member except the Presiding Officer may speak unless called upon to do so by the Presiding Officer. In deciding who should be called, the Presiding Officer shall have regard to the nature of the business under consideration. Normally, members shall speak standing at their places and shall address the Presiding Officer.
2. The Presiding Officer may allocate speaking time, whether for proceedings in relation to a particular item of business or for a particular speaker in any proceedings, and may do so whether or not the proceedings have started or the speaker has started to speak. The Presiding Officer may not allocate speaking time in a manner which would disrupt any timetable of business set out in the daily business list.
3. The Presiding Officer may order a member to stop speaking if that member continues to speak beyond any time allocated to that member or to that item of business (whether by the Presiding Officer or in the daily business list or under these Rules) or if, in the opinion of the Presiding Officer, the member departs from the subject or repeats what the member has already said.
4. A speaker may not be interrupted except by the Presiding Officer. The speaker may, however, give way to allow another member to intervene.

### Rule 7.3 Order in the chamber

1. Members shall at all times conduct themselves in a courteous and respectful manner and shall respect the authority of the Presiding Officer. In particular, members shall not speak or stand when the Presiding Officer is speaking.
2. Members shall at all times conduct themselves in an orderly manner and, in particular, shall not conduct themselves in a manner which would constitute a criminal offence or contempt of court.
3. Any member who is in breach of paragraph 2 may be ordered by the Presiding Officer to leave the chamber and may be excluded from the chamber—
  - (a) on the order of the Presiding Officer for such period as the Presiding Officer thinks fit but not beyond the end of the next sitting day; and
  - (b) for such further period as the Parliament may decide, on a motion of the Parliamentary Bureau.

4. A motion under paragraph 3(b) may not be amended. If the motion is debated only the following may speak, namely—

(a) the member concerned; and

(b) one member for the motion and one member against the motion.

#### **Rule 7.4 Suspension and closure of meetings by the Presiding Officer**

1. The Presiding Officer may, if the Presiding Officer considers it appropriate, suspend a meeting of the Parliament—

(a) if an emergency occurs which would place members attending the meeting at risk;

(b) if a disturbance interferes with the conduct of business;

(c) where the electronic voting system or any other electronic equipment which is required for the purposes of the meeting cannot be used for any reason;

(d) where debate on a particular item of business has concluded before the time set out in the daily business list for commencement of the next item of business; or

(e) for a meal or other break.

2. In the case of a suspension under paragraph 1(b), a meeting is suspended if the Presiding Officer leaves the chair after ordering the person or persons causing the disturbance to stop the disturbance.

2A. The Presiding Officer may suspend a meeting of the Parliament to allow Stage 2 of a Bill to be taken by a Committee of the Whole Parliament.

3. The Presiding Officer may reconvene a meeting suspended under paragraph 1(a), (b) or (c) or 2A only at a time later in the same day. The Presiding Officer may suspend a meeting under paragraph 1(d) or (e) only until a specified time later in the same day when it shall be reconvened. A suspended meeting which is not reconvened at a time later in the same day is deemed to have been closed at the time it was suspended.

4. The Presiding Officer shall make any necessary alteration to the daily business list as a result of the suspension of a meeting. Members shall be notified of any such alteration.

5. The Presiding Officer may, if the Presiding Officer considers it appropriate, at any time close a meeting of the Parliament.

#### **Rule 7.5 Sub judice**

1. A member may not in the proceedings of the Parliament refer to any matter in relation to which legal proceedings are active except to the extent permitted by the Presiding Officer.

2. For the purposes of paragraph 1, legal proceedings are active in relation to a matter if they are active for the purposes of section 2 of the Contempt of Court Act 1981 (c.49).
3. Where any member refers to a matter in relation to which legal proceedings are active the Presiding Officer may order that member not to do so.
4. Nothing in this Rule shall prevent the Parliament from considering legislation.

#### **Rule 7.6 Forms of address**

1. Each member shall be referred to in any proceedings of the Parliament by name and, if the member wishes, by title, if any, except—
  - (a) the Presiding Officer, who may, in addition or as an alternative, be referred to by that title;
  - (b) a deputy Presiding Officer, who may, in addition or as an alternative, be referred to by that title; and
  - (c) any member of the Scottish Government or junior Scottish Minister, who may, in addition or as an alternative, be referred to by such titles as the First Minister may notify to the Presiding Officer.

#### **Rule 7.7 Calculating the length of debates or the number of speakers**

1. For the purposes of any Rule limiting the length of a debate or the number of speakers—
  - (a) if the member moving the motion speaks in support of it, that member shall be treated as a speaker for that motion and the time for which that member speaks shall be treated as part of the debate; and
  - (b) any debate on an amendment to a motion shall form part of the debate on the motion.

#### **Rule 7.8 Committee proceedings**

1. Rules 7.1 to 7.3, 7.4.1 to 7.4.3, 7.4.5 and 7.5 to 7.7 shall apply to proceedings at meetings of committees and sub-committees as they apply to proceedings at meetings of the Parliament, with such modifications as are appropriate. However, only the Presiding Officer may grant the permission referred to in Rule 7.5.1.



## **CHAPTER 8**

### **MOTIONS AND POINTS OF ORDER**

#### **Rule 8.1 Motions**

1. Any member may, except where these Rules provide otherwise, give notice of a motion or move a motion about any matter.
2. A motion may be moved without notice being given only as permitted by these Rules or, exceptionally, as permitted by the Presiding Officer.
3. Where these Rules provide for a motion of a committee or of the Parliamentary Bureau, notice of the motion (if required) may be given, and the motion may be moved, only by a member of that committee or, as the case may be, of the Parliamentary Bureau.

#### **Rule 8.2 Notice of motions**

1. Notice of a motion shall be given by being lodged by a member with the Clerk. Notice of a motion shall contain the text of the motion and the name of the member giving notice of it.
2. A motion shall—
  - (a) be in English;
  - (b) not contain offensive language;
  - (c) not breach any enactment or rule of law or be contrary to the public interest; and
  - (d) not contravene Rule 7.5.1.
3. A motion is admissible unless it is not permitted under these Rules or is not in accordance with paragraph 2. The Presiding Officer shall determine any dispute as to whether a motion is admissible.
4. Any member may indicate that member's support for a motion by notifying the Clerk.
5. The text of an admissible motion and the name of the member who gave notice of it and of any member supporting it shall be published in the Business Bulletin.
6. Normally, a motion shall not be taken before the sitting day after the day on which notice of it is given under paragraph 1. A motion may be taken on shorter notice if the Parliament so decides on a motion without notice. Such a motion may be taken only with the agreement of the Presiding Officer.
7. Where time has been allocated for a debate on a particular subject, the Presiding Officer shall consider all motions on that subject of which notice has been given and shall decide which of those motions is to be taken by the Parliament. In all other cases, the Parliamentary Bureau shall consider motions of which notice has been given and shall by motion propose which of those motions are to be taken by the

Parliament. A business motion and a motion to change subordinate legislation procedure shall always be taken by the Parliament.

8. The Clerk shall maintain and publish from time to time a list of all the admissible motions lodged and not yet taken by the Parliament. The Parliamentary Bureau may remove from the list any motion that has been on the list for more than 6 weeks without a date for it to be taken by the Parliament being appointed in the business programme.

9. The member who lodged a motion may withdraw it at any time by notifying the Clerk.

### **Rule 8.3 Motions taken by the Parliament**

1. A motion is taken by the Parliament when it is called at a meeting of the Parliament by the Presiding Officer.

2. When a motion is taken by the Parliament the motion may be moved by the member who gave notice of it or, except in the cases referred to in Rule 3B.2, Rule 3B.4, Rules 8.9 to 8.11, Rule 8.11A, Rule 8.11B, Rule 9.12.7, Rule 9A.14.7 and Rule 9C.16.7, if that member does not move the motion, by any other member who has indicated that other member's support for it before the end of the previous sitting day.

3. Before the member moves the motion, that member may speak in support of it.

4. Immediately after the motion is moved, the Presiding Officer may call on any other member to speak.

5. All motions may be debated, except as provided in these Rules.

6. After a motion is moved, it may be withdrawn by the member who moved it at any time before the question is put unless any member objects to it being withdrawn.

7. After the debate has been closed or, where there is no debate, after the motion has been moved, the question on the motion shall be put at the time when it requires to be put in accordance with Rules 11.2 to 11.4.

8. Any motion not taken by the Parliament shall fall at dissolution.

### **Rule 8.4 Amendments to motions**

1. A motion may be amended except as provided in these Rules.

2. A motion without notice may be amended without notice.

### **Rule 8.5 Notice of amendments**

1. Notice of an amendment to a motion of which notice has been given shall be given by being lodged by a member with the Clerk at any time after notice of the motion has been given. Notice of an amendment shall contain the text of the amendment and the name of the member giving notice of it.

2. An amendment shall—

(a) be in English;



- (b) not contain offensive language;
- (c) not breach any enactment or rule of law or be contrary to the public interest;  
and
- (d) not contravene Rule 7.5.1.

3. An amendment is admissible unless it is not permitted under these Rules or is not in accordance with paragraph 2. The Presiding Officer shall determine any dispute as to whether an amendment is admissible.

4. Any member may indicate that member's support for an amendment by notifying the Clerk.

5. The text of an admissible amendment and the name of the member who gave notice of it and of any member supporting it shall be published in the Business Bulletin.

6. The Presiding Officer shall examine all admissible amendments lodged and decide which ones are to be taken by the Parliament.

7. The member who lodged an amendment may withdraw it at any time by notifying the Clerk.

#### **Rule 8.6 Amendments taken by the Parliament**

1. If an amendment to a motion is to be taken by the Parliament, it shall be taken immediately after the motion is moved.

2. When an amendment is taken, it may be moved by the member who gave notice of it or by any member who has indicated that member's support for it.

3. Before the member moves the amendment, that member may speak in support of it.

4. An amendment may be debated only if the motion may be debated.

4A. After an amendment is moved, it may be withdrawn by the member who moved it any time before the question is put unless any member objects to it being withdrawn.

4B. If a motion is withdrawn under Rule 8.3.6 an amendment to that motion shall be treated as being withdrawn.

4C. An amendment to a motion on the list referred to in Rule 8.2.8 shall be included on that list; and if a motion falls or is removed from that list, the amendment to that motion falls.

5. The question on an amendment shall be put in accordance with Rules 11.2 to 11.4.

#### **Rule 8.7 Amendments to amendments**

1. The provisions of Rules 8.4 to 8.6 shall apply to amendments to amendments as they apply to amendments to motions with such modifications as are appropriate.

### **Rule 8.8 Application to committees**

1. The provisions of Rules 8.1 to 8.7 shall apply to proceedings at meetings of committees and sub-committees as they apply to proceedings at meetings of the Parliament, with such modifications as are appropriate.

### **Rule 8.9 Motions of the First Minister**

1. The following motions may be moved, and notice of any such motion may be given, only by the First Minister, namely—

(a) a motion seeking the agreement of the Parliament under section 48(1) that a recommendation be made to Her Majesty for the appointment or removal of a person as Lord Advocate or Solicitor General for Scotland;

(b) a motion seeking the agreement of the Parliament under section 47(2) or 49(3) that a member be appointed a Minister or a junior Scottish Minister respectively;

(c) a motion under section 95(7) that a recommendation be made to Her Majesty for the removal of a judge.

### **Rule 8.10 Motions for Scottish rate resolutions**

1. A motion for a Scottish rate resolution under section 80C or for the cancellation of such a resolution may be moved, and notice of such a motion may be given, only by a member of the Scottish Government. Such a motion may not be amended.

2. A motion for a Scottish rate resolution—

(a) must not be moved more than 12 months before the start of the tax year to which it relates;

(b) must be moved before the start of that tax year; and

(c) must be moved before the commencement of Stage 3 proceedings on any associated Budget Bill.

3. [deleted]

### **Rule 8.11 Business motions**

1. A motion seeking the Parliament's approval of the Parliamentary Bureau's proposals on the business programme shall be known as a business motion.

2. A business motion may be moved, and notice of such a motion may be given, only by a member of the Parliamentary Bureau.

3. Any debate on a business motion shall be restricted to 30 minutes. There shall be no more than one speaker for and one speaker against the motion or any amendment to it and each speaker may speak for no more than 5 minutes.

4. Members may propose amendments to a business motion. If, when notice of an amendment is given, it is supported by at least 10 members, that amendment shall be taken by the Parliament.

**Rule 8.11A Pension motions and grants motions**

1. This Rule applies to any motion of a member of the Parliamentary corporation which seeks to modify by resolution the Scottish Parliamentary Pension Scheme (as set out in Schedule 1 to the Scottish Parliamentary Pensions Act 2009 (asp 1) (“the 2009 Act”)), the grants scheme (as set out in Schedule 2 to the 2009 Act) or the Presiding Officer and First Minister pension scheme (as constituted by Part S of the Scotland Act (Transitory and Transitional Provisions) (Scottish Parliamentary Pension Scheme) Order 1999 (S.I. 1999/1082) (“the 1999 pensions order”) and continued by Schedule 3 to the 2009 Act). A motion to which this Rule applies shall be known as a pension or grants motion.

2. Rules 8.1 to 8.3 apply to a pension or grants motion with the exception of Rule 8.2.6.

3. Notice of a pension or grants motion may only be given by a member of the Parliamentary corporation. Such a motion may not be amended and may be moved only by the member giving notice of it or if that member is not available another member of the Parliamentary corporation.

4. A pension or grants motion must include details of the provision or provisions that are to be modified, and the text of the proposed modification.

5. The Parliamentary corporation must consult with relevant individuals whose interests may be affected by such modifications before a pension or grants motion is lodged. No consultation is required where the pension or grants motion is required only to correct any typographical error.

6. Immediately after a pension or grants motion is lodged, the Clerk shall arrange for the motion and any explanatory note to be published and shall refer the motion to the Delegated Powers and Law Reform Committee for consideration.

7. In considering that pension or grants motion the Delegated Powers and Law Reform Committee shall determine whether the attention of the Parliament should be drawn to any issue that would constitute a reporting ground in terms of Rule 10.3, as if the modifications set out in the motion were set out in an instrument, and shall report its decision, with its reasons in any particular case, to the Parliament. It shall do so by a date no later than 29 days after the day on which the motion is referred to the Delegated Powers and Law Reform Committee. In calculating the 29 day period under this paragraph no account shall be taken of any time during which the Parliament is dissolved or is in recess for more than 4 days.

8. A pension or grants motion will not be taken until 14 days after the Delegated Powers and Law Reform Committee reports to the Parliament.

**Rule 8.11B Motions to change subordinate legislation procedure**

1. This Rule applies to any motion for a resolution of the Parliament to change the procedure for making, confirming or approving devolved subordinate legislation from—

- (a) negative to affirmative;
- (b) affirmative to negative; or

(c) being laid under section 30 of the 2010 Act to either affirmative or negative.

2. A proposal to change the procedure shall be made by any committee, other than the Delegated Powers and Law Reform Committee, where the devolved subordinate legislation relates to a competent matter as defined in Rule 6.2.1. That committee shall report its proposal to the Delegated Powers and Law Reform Committee.

3. On receipt of a report under paragraph 2, the Delegated Powers and Law Reform Committee shall consider and report to the Parliament on the proposal within 30 sitting days of receiving the report.

4. Where the Delegated Powers and Law Reform Committee does not recommend that the proposal be approved, no further action shall be taken.

5. Where the Delegated Powers and Law Reform Committee recommends that the proposal be approved, the convener of the Delegated Powers and Law Reform Committee shall give notice of and any member of that committee may move a motion seeking the Parliament's agreement that the proposed change be made. The Parliamentary Bureau shall allocate such time as it considers appropriate for a debate on the motion. Such a motion may not be amended.

#### **Rule 8.12 Motions of no confidence**

1. Any member may give notice of a motion that the Scottish Government or a member of the Scottish Government or a junior Scottish Minister no longer enjoys the confidence of the Parliament ("a motion of no confidence").

2. If notice of a motion of no confidence is supported by at least 25 members, it shall be included in a proposed business programme.

3. Members shall normally be given at least 2 sitting days' notice of a motion of no confidence. Exceptionally, members may be given a shorter period of notice if in the opinion of the Parliamentary Bureau a shorter period is appropriate.

#### **Rule 8.12A Motions on competence**

1. Only the member moving the motion mentioned in Rule 6.13.2 and one member against (being a member of the Parliamentary Bureau or the Conveners Group) may speak on that motion. Each such person may speak for no more than 5 minutes.

#### **Rule 8.13 Procedural motions**

1. Only the member moving the motion and one speaker against may speak on a motion mentioned in Rules 8.14 to 8.16. Each such person may speak for no more than 3 minutes.

2. A motion referred to in paragraph 1 shall take precedence over the business under consideration, the debate on which shall be suspended while the motion is being considered.

**Rule 8.13A [deleted]****Rule 8.14 Motions for closure or extension of a debate**

1. Where time has been allocated for a debate (whether by the Presiding Officer or in the daily business list) the debate shall, subject to paragraphs 2 and 3, be closed when the time allocated has been exhausted.
2. A member may, by motion without notice, propose that a debate be closed earlier than the end of the period of time allocated for that debate. Such a motion may be taken only with the agreement of the Presiding Officer. If the motion is agreed to, the debate shall be closed at the time proposed. If the motion is disagreed to, no further such motion may be moved during that debate.
3. Any member may, by motion without notice, propose that a debate be extended for up to 30 minutes beyond the end of the period of time allocated for that debate. Such a motion may be taken only with the agreement of the Presiding Officer. If the motion is agreed to, the debate shall be extended by the period of time proposed. If the motion is disagreed to, no further such motion may be moved during that debate.
4. If a debate is closed or extended under this Rule the Presiding Officer shall make any necessary alteration to the daily business list. Members shall be notified of any such alteration.
5. In this Rule, "debate" does not include a debate on amendments at Stage 3 of a Bill.

**Rule 8.15 Motions for adjournment of a debate**

1. At any time during a debate a member may, by motion without notice, propose that the debate be adjourned. Such a motion may be taken only with the agreement of the Presiding Officer.
2. If the motion is agreed to, the Parliament shall proceed to the next business. If a debate is adjourned under this Rule the Presiding Officer shall make any necessary alteration to the daily business list. Members shall be notified of any such alteration.
3. If the motion is disagreed to, no further such motion may be moved during that debate.

**Rule 8.16 Motions for adjournment and closure of meetings**

1. Any member may, by motion without notice, propose that a meeting of the Parliament be adjourned or closed. Such a motion may be taken only with the agreement of the Presiding Officer. A meeting may be adjourned only to a time later in the same day. If a meeting is so adjourned, the Presiding Officer shall make any necessary alteration to the daily business list. Members shall be notified of any such alteration.

**Rule 8.17 Points of order**

1. A member may in any proceedings question whether proper procedures have been or are being followed by making a point of order.
2. In making a point of order, a member may not speak for more than 3 minutes and may not speak on the question under consideration. Points of order shall take precedence over the question under consideration, the discussion of which shall be suspended while they are being considered.
3. The Presiding Officer shall normally take an immediate decision on any point of order in accordance with these Rules but may exceptionally defer taking a decision. The Presiding Officer shall announce the ruling made under this rule.

## **CHAPTER 9**

### **PUBLIC BILL PROCEDURES**

#### **Rule 9.1 General Rules and Special Rules**

1. The General Rules set out in Rules 9.2 to 9.13 shall apply in relation to every Bill introduced in the Parliament except a Bill introduced under Rule 9A.1 but, where any of the Special Rules set out in Rules 9.14 to 9.16 and Rules 9.17A to 9.21 (special provision about Members' Bills, Committee Bills, Budget Bills, Scottish Law Commission Bills, Consolidation Bills, Statute Law Repeals Bills, Statute Law Revision Bills and Emergency Bills) or any of the Rules set out in Chapter 9C (Hybrid Bills Procedures) apply in relation to the Bill, then the Special Rule or Rules set out in Chapter 9C shall supersede the General Rules to the extent that they are inconsistent.
2. The procedures relating to Private Bills are set out in Chapter 9A.

#### **Rule 9.2 Form and introduction of Bills**

1. A Bill may be introduced by any member on a sitting day. A Bill introduced by a member of the Scottish Government is referred to as a "Government Bill".
2. A Bill shall be introduced by being lodged with the Clerk.
3. A Bill may not be introduced unless it is in proper form. The Presiding Officer shall determine the proper form of Bills and the Clerk shall arrange for the determinations of the Presiding Officer to be notified to the Parliament.
4. A Bill must, before introduction, be signed by the member introducing it and may also be signed by any other member or members who support the Bill.
5. The Clerk shall ensure that notice of the introduction of a Bill in the Parliament is published in the Business Bulletin. Such notice shall set out the short and long titles of the Bill, the name of the member who has introduced it and the name of any member supporting the Bill and shall indicate what type of Bill it is.
6. No Bill, other than a Budget Bill, may be introduced in the Parliament if it contains any provision which would have the effect of authorising sums to be paid out of the Scottish Consolidated Fund (as opposed to a provision which charges expenditure on that Fund).

#### **Rule 9.2A Member in charge**

1. The "member in charge" of a Government Bill is—
  - (a) the member of the Scottish Government who introduces the Bill, or who is subsequently appointed by the First Minister to take general responsibility for the subject matter of the Bill; or
  - (b) a junior Scottish Minister designated by that member.
2. The "member in charge" of a Member's Bill is—
  - (a) the member who introduces the Bill; or

(b) another member designated by that member.

3. The “member in charge” of a Committee Bill is—

(a) the convener for the time being of the committee which made the proposal for the Bill (or, where that committee no longer exists, the convener of another committee established with a remit within which the subject matter of the Bill falls); or

(b) a member of the committee designated by the convener.

4. Any designation under paragraphs 1 to 3 shall be made in writing to the Clerk and does not prevent the member referred to in paragraph 1(a), 2(a) or 3(a) from exercising any of the rights that are conferred by these Rules on the member in charge of the Bill.

5. A designation under paragraph 1 shall no longer have effect if the member so designated ceases to be a junior Scottish Minister. A designation under paragraph 3 shall no longer have effect if the member so designated ceases to be a member of the committee.

### **Rule 9.3 Accompanying documents**

1. A Bill shall on introduction be accompanied by a written statement signed by the Presiding Officer which shall—

(a) indicate whether or not in the Presiding Officer’s view the provisions of the Bill would be within the legislative competence of the Parliament; and

(b) if in the Presiding Officer’s view any of the provisions would not be within legislative competence, indicate which those provisions are and the reasons for that view.

1A. A Bill shall on introduction be accompanied by a written statement signed by the member introducing the Bill which states that in that member’s view the provisions of the Bill would be within the legislative competence of the Parliament.

2. A Bill shall on introduction be accompanied by a Financial Memorandum which shall set out the best estimates of the administrative, compliance and other costs to which the provisions of the Bill would give rise, best estimates of the timescales over which such costs would be expected to arise, and an indication of the margins of uncertainty in such estimates. The Financial Memorandum must distinguish separately such costs as would fall upon—

(a) the Scottish Administration;

(b) local authorities; and

(c) other bodies, individuals and businesses.

2A. A Bill shall on introduction be accompanied by Explanatory Notes which summarise objectively what each of the provisions of the Bill does (to the extent that



it requires explanation or comment) and give other information necessary or expedient to explain the effect of the Bill.

3. A Government Bill shall also be accompanied by a Policy Memorandum which sets out –

- (a) the policy objectives of the Bill;
- (b) whether alternative ways of meeting those objectives were considered and, if so, why the approach taken in the Bill was adopted;
- (c) the consultation, if any, which was undertaken on those objectives and the ways of meeting them or on the details of the Bill and a summary of the outcome of that consultation; and
- (d) an assessment of the effects, if any, of the Bill on equal opportunities, human rights, island communities, local government, sustainable development and any other matter which the Scottish Ministers consider relevant.

3A. A Member's Bill shall, and a Committee Bill may, also be accompanied by a Policy Memorandum, as defined in paragraph 3 (but with the reference in paragraph 3(d) to the Scottish Ministers read as a reference to the member introducing the Bill).

4. A Bill which contains any provision charging expenditure on the Scottish Consolidated Fund shall be accompanied by a report signed by the Auditor General for Scotland (referred to as "an Auditor General's Report") setting out the Auditor General for Scotland's views on whether the charge is appropriate.

5. The documents which accompany a Bill under this Rule are referred to as its "accompanying documents".

6. A Bill may be introduced without one or more of the accompanying documents required under this Rule only with the agreement of the Parliament.

#### **Rule 9.4 Printing and publishing of Bills and accompanying documents**

1. As soon as a Bill has been introduced the Clerk shall arrange for the Bill, together with its accompanying documents, to be printed and published.

#### **Rule 9.4A Memorandum on delegated powers**

1. Immediately after introducing a Government Bill which contains any provision conferring power to make subordinate legislation, the member in charge shall lodge with the Clerk a memorandum setting out, in relation to each such provision of the Bill—

- (a) the person upon whom, or the body upon which, the power is conferred and the form in which the power is to be exercised;
- (b) why it is considered appropriate to delegate the power; and
- (c) the Parliamentary procedure (if any) to which the exercise of the power is to be subject, and why it was considered appropriate to make it subject to that procedure (or not to make it subject to any such procedure).

2. The Clerk shall arrange for the memorandum to be published.

### **Rule 9.5 Stages of Bills**

1. The procedure for a Bill introduced in the Parliament shall be—

- (a) consideration of the Bill's general principles and a decision on whether to agree to them (Stage 1);
- (b) consideration of the details of the Bill (Stage 2); and
- (c) final consideration of the Bill and a decision whether to pass or reject it (Stage 3).

2. A Bill which has been passed by the Parliament may additionally be subject to reconsideration at a further stage in the circumstances described in Rule 9.9 (Reconsideration Stage).

3. The business programme shall set out the time or times at which each Stage, or any part of any Stage, of a Bill is to be taken by a Committee of the Whole Parliament or at a meeting of the Parliament. In the case of a Stage to be taken in whole or in part by a committee (other than a Committee of the Whole Parliament), notice that the Stage or part of the Stage is to be taken shall be given in the agenda for the relevant committee meeting.

3A. The minimum period that must elapse between the day on which Stage 1 is completed and the day on which Stage 2 starts is 12 sitting days.

3B. The minimum period that must elapse between the day on which Stage 2 is completed and the day on which Stage 3 starts is 10 sitting days.

3C. Where part of a Bill is referred back to a committee under Rule 9.8.6 (for further Stage 2 consideration) a minimum period of 4 sitting days must elapse between—

- (a) the day on which Stage 3 proceedings are adjourned and the day on which further Stage 2 proceedings start;
- (b) the day on which further Stage 2 proceedings are completed and the day on which Stage 3 proceedings resume (but only if the Bill is amended at those further Stage 2 proceedings).

4. If a Bill falls or is rejected by the Parliament, no further proceedings shall be taken on the Bill and a Bill in the same or similar terms may not be introduced in the same session of the Parliament within the period of 6 months from the date on which the Bill fell or was rejected.

5. A Bill introduced in any session of the Parliament falls if it has not been passed by the Parliament before the end of that session but a Bill in the same or similar terms may be introduced in any subsequent session.

### **Rule 9.6 Stage 1**

1. Once a Bill has been printed, the Parliamentary Bureau shall refer it to the committee within whose remit the subject matter of the Bill falls. That committee

(referred to as “the lead committee”) shall consider and report on the general principles of the Bill. Where the subject matter of the Bill falls within the remit of more than one committee the Parliament may, on a motion of the Parliamentary Bureau, designate one of those committees as the lead committee. The other committee or committees (the “secondary committee or committees”) may also consider the general principles of the Bill and report its or their views to the lead committee.

2. Where a Bill contains provisions conferring powers to make subordinate legislation, the Delegated Powers and Law Reform Committee shall consider and report to the lead committee on those provisions. The Delegated Powers and Law Reform Committee may also consider and report to the lead committee on any provision in such a Bill conferring other delegated powers.

3. In considering the general principles of the Bill and preparing its report on them, the lead committee shall take into account any views submitted by any other committee. The lead committee shall also consider and report on the Bill’s Financial Memorandum and shall, in preparing its report, take into account any views submitted to it by the Finance Committee. If the Bill is a Government Bill, the lead committee shall also consider and report on its Policy Memorandum.

3A. The lead committee shall report to the Parliament in time to allow the report to be published not later than the fifth sitting day before any date allocated in a business programme for the Parliament to consider the general principles of the Bill under paragraph 4. The Parliament shall not consider the general principles of the Bill earlier than the fifth sitting day after the lead committee report is published unless it decides to do so on a motion of any member.

4. Once the lead committee has reported on the Bill, the Parliament shall consider the general principles of the Bill in the light of the lead committee’s report and decide, on a motion of the member in charge of the Bill, whether to agree to those general principles.

5. Any member may by motion propose that the Bill be referred back to the lead committee for a further report on the general principles of the Bill, or any specified part of the Bill, before the Parliament decides whether to agree to them.

6. If the motion is agreed to, consideration of the Bill’s general principles is adjourned to a time to be determined by the Parliamentary Bureau. The Parliamentary Bureau shall refer the Bill back to the lead committee which shall prepare a further report in accordance with the Parliament’s decision.

7. If the Parliament agrees to the Bill’s general principles the Bill proceeds to Stage 2. If the Parliament rejects the Bill’s general principles the Bill falls.

### **Rule 9.7 Stage 2**

1. 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.

2. The Presiding Officer shall be the convener of a Committee of the Whole Parliament and shall chair its proceedings and the provisions of these Rules about committees shall apply with such modifications as are appropriate.

3. At Stage 2, each section and schedule and the long title of the Bill shall be considered separately and the committee shall decide whether to agree to them. The question that a section or schedule or the long title be agreed to shall be put by the convener without the need for any member to move a motion to that effect. Sections or schedules to which no amendments are proposed and which fall to be considered consecutively may be taken and agreed to together.

4. Unless the Parliament has decided, on a motion of the Parliamentary Bureau, the order in which the sections and schedules of the Bill are to be considered at Stage 2, the committee may decide the order. If neither decides, the sections shall be taken in the order in which they arise in the Bill, with each schedule taken immediately after the section which introduces it. The long title shall be taken last. This paragraph is subject to Rule 9.12.6(b).

5. A Bill may be amended at Stage 2. Notice of an amendment may be given by any member after the completion of Stage 1.

6. At Stage 2, amendments to any section or schedule or to the long title shall be disposed of before the committee considers whether to agree to the provision in question. Where no amendments are proposed to a section, a schedule or the long title, the committee shall proceed immediately to decide the question whether that provision be agreed to. If an amendment to leave out a section or schedule is disagreed to, that section or schedule shall be treated as agreed to.

7. In addition to the provisions of Rule 12.2.2 a member who is not a member of a committee taking Stage 2 of a Bill, or part of it, is entitled to participate in the proceedings for the purpose of moving, debating or seeking agreement to withdraw an amendment in that member's name but shall not vote.

8. At the end of Stage 2, the Clerk shall, if the Bill has been amended, arrange for the Bill as amended to be printed and published.

8A. If a Bill is amended at Stage 2 so as to insert a section or schedule, or substantially alter any existing provision, the member in charge shall lodge with the Clerk, not later than the fourth sitting day before the day on which Stage 3 is due to start, revised or supplementary Explanatory Notes. Revised Explanatory Notes (or supplementary Explanatory Notes, when read in conjunction with the original Explanatory Notes) shall summarise objectively what each of the provisions of the amended Bill does (to the extent that it requires explanation or comment) and give any other information necessary or expedient to explain the effect of the amended Bill.

8B. If a Bill is amended at Stage 2 so as to substantially alter any of the costs set out in the Financial Memorandum that accompanied the Bill on introduction, the member

in charge shall lodge with the Clerk, not later than the end of the second week before the week on which Stage 3 is due to start, a revised or supplementary Financial Memorandum. The revised Financial Memorandum (or supplementary Financial Memorandum, when read in conjunction with the original Financial Memorandum) shall set out, in relation to the amended Bill, the information required under Rule 9.3.2 in relation to the Bill on introduction.

8C. The Clerk shall arrange for any revised or supplementary Explanatory Notes or Financial Memorandum to be printed and published.

9. If the Bill has been amended at Stage 2 so as to insert or substantially alter provisions conferring powers to make subordinate legislation, the Delegated Powers and Law Reform Committee shall consider and report to the Parliament on those provisions. The Committee may also consider and report on any new or substantially altered provisions conferring other delegated powers.

10. Where a Government Bill is to be considered by the Delegated Powers and Law Reform Committee under paragraph 9, the member in charge shall lodge with the Clerk, not later than the end of the second week before the week on which Stage 3 is due to start, a revised or supplementary memorandum setting out, in relation to each provision of the Bill conferring a power to make subordinate legislation which has been inserted or substantially altered at Stage 2, the information referred to in Rule 9.4A.1. The Clerk shall arrange for the revised or supplementary memorandum to be published.

### **Rule 9.8 Stage 3**

1. Stage 3 of a Bill shall be taken at a meeting of the Parliament.
2. At Stage 3, the Parliament shall decide, on a motion of the member in charge of the Bill, whether the Bill be passed.
3. A Bill may be amended at Stage 3. Notice of an amendment may be given by any member after completion of Stage 2.
4. The Presiding Officer may select, as the Presiding Officer sees fit, those amendments which are to be taken at Stage 3 from amongst the admissible amendments of which notice has been given.

4A. Before Stage 3 begins, the Parliament may, on a motion of the Parliamentary Bureau, agree to one or more time-limits that are to apply to debates on amendments (as they have been grouped by the Presiding Officer). If such a motion is agreed to, debates on those groups of amendments shall be concluded by the time-limits specified in the motion, except to the extent considered necessary by the Presiding Officer—

- (a) to enable those members given a right to speak on an amendment by Rule 9.10.13 to do so;
- (b) as a consequence of the non-moving of an amendment leading to a change in the order in which groups are debated; or

(c) to prevent any debate on a group of amendments that has already begun when a time-limit is reached from being unreasonably curtailed.

5. Unless the Parliament has decided, on a motion of the Parliamentary Bureau, the order in which amendments are to be disposed of, they shall be disposed of in the order in which the sections and schedules to which they relate arise in the Bill. Amendments to the long title shall be taken last.

5A. During Stage 3 proceedings that are subject to time-limits agreed to under paragraph 4A, any member may, by motion without notice, propose that the next such time-limit be extended by such amount of time as is specified in the motion. Such a motion may be taken only with the agreement of the Presiding Officer and may not be debated or amended. If the motion is disagreed to, no further motion to extend that next time-limit may be moved. If the motion is agreed to, all remaining time-limits applicable to the same Bill shall be extended by the amount of time specified in the motion. The total time available on any sitting day for proceedings on Stage 3 amendments shall not be extended by more than 30 minutes by motions under this paragraph.

5B. If any motion under paragraph 5A is agreed to, the Presiding Officer may make such consequential alterations to the daily business list, including altering the time of Decision Time, as the Presiding Officer considers necessary or appropriate. Members shall be notified of any such alteration.

5C. Except where the motion that the Bill be passed is due to be moved on a later day, the member in charge of the Bill (or, in the case of a non-Government Bill, that member or a member of the Scottish Government with general responsibility for the subject matter of the Bill) may, immediately after the last amendment has been disposed of, by motion without notice propose that the remaining proceedings at Stage 3 be adjourned to a later day. Such a motion may not be debated or amended. If the motion is not agreed to, the Parliament shall proceed immediately to debate the motion that the Bill be passed.

5D. If—

(a) a motion under paragraph 5C is agreed to; or

(b) the motion that the Bill be passed is otherwise due to be moved on a later day,

the member in charge of the Bill (or, in the case of a non-Government Bill, that member or a member of the Scottish Government with general responsibility for the subject-matter of the Bill) may give notice of amendments to the Bill to be moved at the adjourned proceedings or (as the case may be) on the later day when the motion that the Bill be passed is due to be moved. Such amendments are only admissible if, in addition to the criteria in Rule 9.10.5, they are for the purpose of clarifying uncertainties or giving effect to commitments given at the earlier proceedings at Stage 3.

6. At the beginning of the debate on the motion that the Bill be passed, the member in charge of the Bill may by motion propose that such part of the Bill as may be specified in the motion, amounting to no more than half of the total number of

sections of the Bill, be referred back to committee for further Stage 2 consideration. If the motion is agreed to, the proceedings are adjourned to a time to be determined by the Parliamentary Bureau which shall refer the Bill to a committee in accordance with the Parliament's decision. When the Stage 3 proceedings resume the Bill may be amended, but amendments are only admissible if they are to the provisions which were referred back to committee or if they are necessary in consequence of any amendment made at the further Stage 2 proceedings.

7. This Rule, apart from paragraph 6, shall apply to the resumed Stage 3 proceedings as it applies to the initial Stage 3 proceedings.

8. At Stage 3 a Bill may be referred back to committee for further Stage 2 consideration only once.

9. If the motion that the Bill be passed is agreed to by division, the result is valid only if the number of members who voted is more than one quarter of the total number of seats for members of the Parliament. In calculating the number of members who voted for this purpose, account shall be taken not only of those voting for and against the motion but also of those voting to abstain.

10. If the result of such a division is not valid the Bill shall be treated as rejected.

#### **Rule 9.9 Reconsideration of Bills passed**

1. The member in charge of a Bill may, after the Bill is passed, by motion propose that the Parliament resolve that it wishes to reconsider the Bill if—

- (a) a question in relation to the Bill has been referred to the Supreme Court under section 33;
- (b) a reference for a preliminary ruling (within the meaning of section 34(3)) has been made by the Supreme Court in connection with that reference; and
- (c) neither of those references has been decided or otherwise disposed of.

2. The member in charge of a Bill may by motion propose that the Parliament resolve to reconsider the Bill if—

- (a) the Supreme Court decides that the Bill or any provision of it would not be within the legislative competence of the Parliament; or
- (b) an order is made in relation to the Bill under section 35 (order prohibiting Presiding Officer from submitting Bill for Royal Assent).

3. Proceedings at Reconsideration Stage shall be taken at a meeting of the Parliament.

4. A Bill may be amended at Reconsideration Stage but amendments are only admissible if, in addition to the criteria in Rule 9.10.5, they are for the purpose of resolving the problem which is the subject of the reference for a preliminary ruling or which is the subject of the decision of the Supreme Court or the order under section 35. Unless the Parliament has decided, on a motion of the Parliamentary Bureau,

the order in which amendments are to be disposed of, they shall be disposed of in the order in which the provisions to which they relate arise in the Bill.

5. After amendments have been disposed of, the Parliament shall consider and decide the question whether to approve the Bill.

### **Rule 9.10 Amendments to Bills**

1. Amendments to a Bill shall be in such form as the Presiding Officer may determine. The Clerk shall ensure that any such determinations of the Presiding Officer are notified to the Parliament.

2. Subject to paragraph 6, where a member intends to move an amendment to a Bill at Stage 2 or Reconsideration Stage, that member shall give notice of the amendment by lodging it with the Clerk no later than the day (referred to as the final lodging-day) that is the third sitting day before the Stage is due to start. Where there is to be more than one meeting, held in different weeks, at which amendments are to be moved or disposed of, there shall be a separate final lodging-day for each of those weeks, that day being the third sitting day before the first such meeting in that week is due to take place. Amendments may be lodged until 16:30 on any day when the Office of the Clerk is open, except on a final lodging-day, when amendments may be lodged only until 12:00.

2A. Subject to paragraph 6, where a member intends to move an amendment to a Bill at Stage 3, that member shall give notice of the amendment by lodging it with the Clerk no later than the day (referred to as the final lodging-day) that is the fourth sitting day before the Stage is due to start. Where there is to be more than one meeting of the Parliament, held in different weeks, at which amendments are to be moved or disposed of, there shall be a separate final lodging-day for each of those weeks, that day being the fourth sitting day before the first such meeting in that week is due to take place. Amendments may be lodged until 16:30 on any day when the Office of the Clerk is open.

3. Notice of an amendment shall set out the text of the amendment, together with the name of the member proposing it. The member in charge of the Bill (if not the member proposing the amendment) and up to 4 other members may indicate their support for an amendment (other than a manuscript amendment) by notifying the Clerk at any time during the period when notice of that amendment may be given.

4. The convener or, as the case may be, the Presiding Officer shall determine any dispute as to whether an amendment of which the Clerk has been given notice is admissible. Notice of admissible amendments shall be published in the Business Bulletin.

5. An amendment is admissible unless—

- (a) it is not in proper form;
- (b) it is not relevant to the Bill or the provisions of the Bill which it would amend;
- (c) it is inconsistent with the general principles of the Bill as agreed by the Parliament; or



(d) it is inconsistent with a decision already taken at the Stage at which the amendment is proposed.

6. An amendment of which less notice has been given than is required under paragraph 2 or 2A above is referred to as a “manuscript amendment”. A manuscript amendment may be moved only with the agreement of the convener or, as the case may be, the Presiding Officer. Such agreement shall be given only if the convener or, as the case may be, the Presiding Officer considers it is justified, in the circumstances, taking account of the disadvantages of lack of proper notice.

7. An amendment may be made to an amendment and this Rule shall apply accordingly.

7A. An amendment (other than a manuscript amendment) may be withdrawn by the member who lodged it at any time during the period when notice of that amendment may be given, but only with the unanimous agreement of any members who have indicated their support for the amendment. If such agreement is not obtained, the amendment becomes an amendment in the name of the member who first indicated that member’s support for the amendment and who does not agree to the amendment being withdrawn.

8. Where, at any Stage, notice of amendments to a Bill has been given, the Clerk shall prepare, for each week during which there are to be proceedings on the Bill at which amendments are to be considered, a marshalled list of the admissible amendments proposed. The list shall set out the amendments not so far disposed of in the order in which they are, subject to Rule 9.12.6(b), to be disposed of as determined by the Clerk. The list shall exclude manuscript amendments which may not be moved because agreement has been refused under paragraph 6 above and, at Stage 3, shall exclude amendments not selected by the Presiding Officer. The Clerk shall arrange for the marshalled list to be published.

9. An amendment to insert a new section or schedule shall normally specify where it is to be inserted and shall be disposed of accordingly.

10. An amendment to an amendment shall be disposed of before the amendment which it would amend.

11. An amendment at any Stage which would be inconsistent with a decision already taken at the same Stage shall not be taken.

12. The convener or, as the case may be, the Presiding Officer may group amendments for the purposes of debate as that person sees fit. The Clerk shall arrange for any groupings to be published. An amendment debated as part of a group may not be debated again when it comes to be disposed of (unless it is an amendment to which Rule 9.12.6(b) applies).

13. The member moving an amendment may speak in support of it. A member intending to move any other amendment that has been grouped with the amendment moved may speak in support of that other amendment. The member in charge of the Bill and any member of the Scottish Government or junior Scottish Minister present at the proceedings may also speak on the amendment. Other members may speak on

an amendment at the discretion of the convener or, as the case may be, the Presiding Officer.

14. If a member who has given notice of an amendment does not move the amendment when that amendment comes to be disposed of, the amendment may be moved by any other member present at those proceedings.

15. An amendment may be withdrawn by the member who moved it, but only if no member present at those proceedings objects.

### **Rule 9.11 Crown consent**

1. Where a Bill contains provisions, or is amended so as to include provisions, which would, if the Bill were a Bill for an Act of the United Kingdom Parliament, require the consent of Her Majesty, the Prince and Steward of Scotland or the Duke of Cornwall, the Parliament shall not debate any question whether the Bill be passed or approved unless such consent to those provisions has been signified by a member of the Scottish Government during proceedings on the Bill at a meeting of the Parliament.

### **Rule 9.12 Financial Resolutions**

1. A resolution under this Rule is referred to as “a Financial Resolution”.

2. The Presiding Officer shall decide in every case whether a resolution is required for a Bill under paragraph 3 or 4 of this Rule.

3. Where a Bill contains provisions—

(a) which charge expenditure on the Scottish Consolidated Fund, or

(b) the likely effect of which would be to—

(i) increase significantly expenditure charged on that Fund;

(ii) give rise to significant expenditure payable out of that Fund for a new purpose; or

(iii) increase significantly expenditure payable out of that Fund for an existing purpose,

no proceedings may be taken on the Bill at any Stage after Stage 1 unless the Parliament has by resolution agreed to the expenditure or the increase in expenditure being charged on or, as the case may be, payable out of that Fund.

4. Where—

(a) a Bill contains provisions which impose or increase (or confer a power to impose or increase) any charge, or otherwise require (or confer a power to require) any payment to be made; and

(b) the person to whom the charge or payment is payable is required, by or under any enactment, to pay sums received into the Scottish Consolidated Fund (or would be so required but for any provision made by or under an Act of the Scottish Parliament),

no proceedings may be taken on the Bill at any Stage after Stage 1 unless the Parliament has by resolution agreed to the charge, increase or payment.

5. Paragraph 4—

(a) applies only where the charge, increase in charge or payment is significant; and

(b) does not apply where the charge, increase in charge or payment is—

(i) in respect of the provision of goods and is reasonable in relation to the goods provided; or

(ii) wholly or largely directed to the recovery of the cost of providing any service for which the charge is imposed or the payment requires to be made.

6. At Stage 2—

(a) where—

(i) an amendment makes provision which, if it were agreed to, would of its own accord cause the Bill to require a Financial Resolution which it would not otherwise require; and

(ii) the Parliament has not agreed to a motion for such a resolution,

the question on the amendment shall not be put;

(b) where—

(i) any other amendment makes provision which, if it were agreed to, might contribute towards causing the Bill to require a Financial Resolution which it would not otherwise require; and

(ii) the Parliament has not agreed to a motion for such a resolution,

the question on the amendment (and on such other related amendments as the Clerk may determine) is, subject to paragraph 6A, to be put immediately before the long title is taken or at such other time as the Clerk may determine.

6A. A question on an amendment shall not be put in accordance with paragraph 6(b) if, at the time when the question would otherwise be put—

(a) the amendment makes provision which, if it were agreed to, would cause the Bill to require a Financial Resolution which it would not otherwise require; and

(b) the Parliament has not agreed to a motion for such a resolution.

6B. At Stage 3, proceedings shall not be taken on an amendment if, at the time when those proceedings would otherwise take place—

(a) the amendment makes provision which, if it were agreed to, would cause the Bill to require a Financial Resolution which it would not otherwise require; and

(b) the Parliament has not agreed to a motion for such a resolution.

6C. For the purposes of paragraphs 6 to 6B, it is for the Presiding Officer to determine whether an amendment makes provision which, if it were agreed to, would cause, or might contribute towards causing, a Bill to require a Financial Resolution which it would not otherwise require.

7. Only a member of the Scottish Government or a junior Scottish Minister may give notice of a motion for a Financial Resolution. The motion may be moved only by a member of the Scottish Government or junior Scottish Minister, whether or not that person has given notice of it or indicated support for it. Such a motion may not be amended.

8. Unless—

(a) notice of a motion for any resolution required in relation to a Bill by paragraph 3 or 4 is given within 6 months of the completion of Stage 1; and

(b) the motion is agreed to,

the Bill falls.

### **Rule 9.13 Withdrawal of Bills**

1. A Bill may be withdrawn at any time by the member in charge but shall not be withdrawn after completion of Stage 1 except with the agreement of the Parliament.

### **Rule 9.13A Limits on participation in certain committee proceedings**

1. Where a member who has lodged a draft proposal for a Member's Bill accompanied by a statement of reasons is a member of (or committee substitute for) the committee to which the draft proposal is referred under Rule 9.14.5, that member shall not participate in that capacity in any consideration of the draft proposal by that committee.

2. Where—

(a) in relation to a Government Bill, a member of the Scottish Government or junior Scottish Minister;

(b) in relation to a Member's Bill, the member in charge of the Bill;

(c) in relation to a Committee Bill, the member (if any) who submitted the draft proposal for the Bill or any member who participated as a member of the committee which developed the proposal for the Bill,

is a member of (or committee substitute for) any committee involved in scrutiny of the Bill at Stage 1 or any committee (other than a Committee of the Whole Parliament) taking all or part of Stage 2 of the Bill, that member shall not participate in that capacity in any consideration of the Bill by that committee.

**Rule 9.14 Members' Bills**

1. "Member's Bill" means a Public Bill, other than a Committee Bill, which is introduced by a member who is not a member of the Scottish Government and the purpose of which is to give effect to a proposal for a Bill made by that member in accordance with this Rule.

2. Each member may introduce no more than 2 Members' Bills in the same session. For the purposes of this paragraph only, a draft proposal for a Bill submitted by a member to the Parliamentary Bureau in pursuance of Rule 9.15.4 and subsequently introduced as a Committee Bill shall be treated as if it were a Member's Bill introduced by that member.

3. A member wishing to introduce a Member's Bill shall first lodge with the Clerk a draft proposal consisting of the proposed short title of the Bill and a brief explanation of the purposes of the proposed Bill, together with either—

(a) a consultation document prepared as the basis for a public consultation on the policy objectives of the draft proposal to begin on the day on which the draft proposal is published in the Business Bulletin (or a specified date no more than two weeks later) and to last for a specified period of not less than 12 weeks; or

(b) a written statement of reasons why, in the member's opinion, a case for the proposed Bill has already been established by reference to specified published material and that consultation on the draft proposal is therefore unnecessary.

4. The draft proposal shall be published in the Business Bulletin together with the member's name, the date it was lodged and either—

(a) the dates on which the consultation period begins and ends, and information about where copies of the consultation document may be obtained; or

(b) information about where copies of the member's statement of reasons may be obtained.

5. The Parliamentary Bureau shall, as soon as reasonably practicable after a draft proposal is lodged, refer it to a committee within whose remit the subject matter of the draft proposal falls (and may, in the case of a draft proposal accompanied by a consultation document, refer it to more than one such committee).

6. Where a draft proposal accompanied by a statement of reasons is referred to a committee, the committee may, within one month, consider the statement of reasons and decide either—

(a) that it is satisfied with the reasons given by the member for not consulting on the draft proposal; or

(b) that it is not so satisfied.

In calculating the period of one month referred to in this paragraph, no account shall be taken of any time during which the Parliament is dissolved or in recess for more than 4 days.

7. If the committee decides that it is not satisfied with the reasons given by the member for not consulting, the proposal falls unless the member, within 2 months, lodges with the Clerk a consultation document conforming with paragraph 3(a) (except that the consultation process shall begin on the day on which the proposal is republished under this paragraph). Where a consultation document is lodged with the Clerk under this paragraph, the Clerk shall republish the draft proposal in the Bulletin in accordance with paragraph 4(a) and the Parliamentary Bureau shall refer it to a committee or committees in accordance with paragraph 5.

8. The member who lodged the draft proposal may, at any time (during the same session) after—

- (a) the end of the consultation period;
- (b) the end of the period of one month referred to in paragraph 6; or
- (c) the committee decides that it is satisfied with the reasons given by the member for not consulting on the draft proposal,

lodge with the Clerk a final version of the proposal (the “final proposal”). The final proposal need not be the same as, but must be broadly similar to, the draft proposal.

9. A final proposal shall be accompanied by either—

- (a) a summary of the consultation responses (including any conclusions the member draws from those responses), together with copies of all those responses; or
- (b) the statement of reasons lodged with the draft proposal (or a revised version of that statement).

10. The final proposal shall be published in the first issue of the Business Bulletin published after it is lodged, in each subsequent issue published during the period referred to in paragraph 11 and in the first issue thereafter. In each such issue, the proposal shall be published together with information about where the summary of consultation responses or (as the case may be) the statement of reasons may be obtained and the names of any members who have supported the proposal.

11. Any member may notify the Clerk of that member’s support for a final proposal during the period beginning on the day the final proposal is lodged and ending one month later (or on the day the proposal is withdrawn, the Parliament is dissolved or a Bill is introduced to give effect to the proposal, if earlier).

12. The member who lodged the final proposal obtains the right to introduce a Bill to give effect to it only if—

- (a) no later than the end of the period referred to in paragraph 11—
  - (i) at least 18 other members have notified the Clerk of their support for the final proposal; and

(ii) the members supporting the final proposal include members of at least half of the political parties (or groups formed under Rule 5.2.2) represented in the Parliamentary Bureau; and

(b) the Scottish Government has not given, by the end of the period referred to in paragraph 11 (or has waived its right to give, within that period), an indication under paragraph 13.

Where the member does not obtain such a right to introduce, the proposal falls and a proposal in the same or similar terms may not be lodged by any member during the same session within 6 months of that proposal falling.

13. An indication under this paragraph is an indication, given in writing by a member of the Scottish Government or junior Scottish Minister to the member who lodged the final proposal and to the Clerk (who shall arrange for the indication to be published in the Business Bulletin)—

(a) that the Scottish Government will initiate legislation, within the same session, to give effect to the final proposal; or

(b) that Her Majesty's Government has initiated or will initiate legislation, during the current or next session of the UK Parliament, to give effect to the final proposal.

The right to give such an indication may be waived at any time during the period referred to in paragraph 11 by notice in writing to the member who lodged the final proposal and to the Clerk; and such a notice shall be published in the Business Bulletin.

14. For the purposes of paragraph 13, initiating legislation includes—

(a) introducing a Bill (in the Parliament or in either House of the UK Parliament);

(b) making subordinate legislation; or

(c) laying in draft (before the Parliament or before both Houses of the UK Parliament or the House of Commons alone) a statutory instrument containing subordinate legislation proposed to be made.

15. The right to introduce a Bill to give effect to a final proposal may only be exercised until the first sitting day in June (or, exceptionally, with the consent of the Parliamentary Bureau until the last sitting day in September) in the calendar year preceding that in which the next ordinary Scottish Parliament general election is due to be held.

16. A proposal (whether draft or final) may be withdrawn at any time by the member who lodged it.

17. A member may not have more than two proposals (whether draft or final) for a Member's Bill in progress at any time. For the purposes of this paragraph, a proposal is in progress from when the draft proposal is lodged until—

- (a) the proposal falls or is withdrawn; or
- (b) a Bill introduced to give effect to it is passed, falls or is withdrawn.

18. At Stage 1 of a Member's Bill, the lead committee may recommend to the Parliament, on a motion of the convener of the committee, that the general principles of the Bill not be agreed to if (in the opinion of the committee)—

- (a) the consultation on the draft proposal, or the published material referred to in the statement of reasons, does not demonstrate a reasonable case for the policy objectives of the proposal or does not demonstrate that legislation is necessary to achieve those policy objectives;
- (b) having regard to the statements on legislative competence under Rule 9.3.1 and Rule 9.3.1A, the Bill appears to be clearly outwith the legislative competence of the Parliament and it is unlikely to be possible to amend it at Stages 2 and 3 to bring it within legislative competence; or
- (c) the Bill has deficiencies of drafting that make it unfit to be passed and which are sufficiently serious as to make it difficult or impractical to resolve them by amendments at Stages 2 and 3.

19. If the Parliament agrees to a recommendation under paragraph 18, the Bill falls. Otherwise, the lead committee shall consider and report on the general principles of the Bill in accordance with Rule 9.6.1.

### **Rule 9.15 Committee Bills**

1. A Bill introduced in pursuance of this Rule is referred to as "a Committee Bill".
2. A committee may make a proposal for a Bill in relation to matters within that committee's remit in accordance with this Rule.
3. For the purposes of deciding whether to make a proposal for a Bill, or what such a proposal should contain, a committee may hold an inquiry into the need for a Bill.
4. Any member may submit to the Parliamentary Bureau a draft proposal for a Bill. The Parliamentary Bureau shall refer the draft proposal to a committee within whose remit the draft proposal falls. The committee shall consider whether it should make the proposal in accordance with this Rule.
5. A proposal for a Bill under this Rule shall be made in the form of a report setting out the committee's recommendations as to the provisions to be contained in the Bill, together with an explanation of the need for the Bill. The proposal may also contain a draft of a Bill to give effect to the proposal.
6. A time shall be appointed in the business programme for consideration of the proposal by the Parliament.
7. If the Parliament agrees to the proposal, the convener of the committee which made the proposal may, no earlier than the fifth sitting day after the date on which the Parliament agrees to the proposal—



- (a) if necessary, instruct the drafting of a Bill to give effect to the proposal; and
- (b) introduce the Bill,

unless an indication has been given under paragraph 7A before that day.

7A. An indication under this paragraph is an indication, given in writing by a member of the Scottish Government or a junior Scottish Minister, to the convener and to the Clerk (who shall arrange for it to be published in the Business Bulletin)—

- (a) that the Scottish Government will initiate legislation, within the same session, to give effect to the proposal; or
- (b) that Her Majesty's Government has initiated or will initiate legislation, during the current or next session of the UK Parliament, to give effect to the proposal.

7B. For the purposes of paragraph 7A, "initiating legislation" has the same meaning as in Rule 9.14.14.

8. At Stage 1 of a Committee Bill, the Bill (unless it has been introduced to give effect to a proposal made by the Finance Committee) shall be referred to the Finance Committee, which shall consider and report to the Parliament on the Bill's Financial Memorandum. Rule 9.6.2 shall not apply to any Committee Bill introduced to give effect to a proposal made by the Delegated Powers and Law Reform Committee, but if any other such Bill is considered by the Delegated Powers and Law Reform Committee under that Rule, that committee shall report to the Parliament. A report on the Bill's general principles by a committee shall not be required.

9. Once any committee required to report on the Bill has done so, the Parliament shall consider, and decide whether to agree to, the general principles of the Bill.

### **Rule 9.16 Budget Bills**

1. A Budget Bill is a Government Bill for a Budget Act within the meaning of section 29(3) of the Public Finance and Accountability (Scotland) Act 2000 (asp 1).

2. A Budget Bill may be introduced only by a member of the Scottish Government and shall not require to be accompanied by a Financial Memorandum, Explanatory Notes or a Policy Memorandum.

3. At Stage 1 of a Budget Bill, the Bill shall be referred immediately to the Parliament for consideration of its general principles and a decision on whether they are agreed to. A report on the Bill's general principles from a committee shall not be required. If the Bill is considered by the Delegated Powers and Law Reform Committee under Rule 9.6.2, that committee shall report to the Parliament on the relevant provisions before Stage 3. Stage 2 shall be taken by the Finance Committee.

4. The requirements in Rules 9.5.3A to C as to the minimum periods that must elapse between the Stages of a Bill shall not apply.

5. Stage 3 shall begin no earlier than 20 days after introduction of the Bill. If Stage 3 is not completed before the expiry of 30 days after introduction of the Bill (whether because of the operation of paragraph 7 or otherwise), the Bill falls.

6. Amendments to a Budget Bill may be moved, and notice of amendments to such a Bill may be given, only by a member of the Scottish Government or a junior Scottish Minister.

7. If a Budget Bill is dependent upon the Parliament passing a particular Scottish rate resolution, Stage 3 proceedings on that Bill must not commence unless the Parliament has agreed to the motion for that resolution.

7A. Where amendments to a Budget Bill have been lodged, the Bill is to be treated as dependent only on the passing of a Scottish rate resolution which reflects the content of those amendments.

8. If a Budget Bill falls or is rejected at any Stage by the Parliament, a Budget Bill in the same or similar terms may be introduced at any time thereafter.

### **Rule 9.17 Private Bills and Hybrid Bills**

1. The procedures for—

(a) Private Bills are set out in Chapter 9A; and

(b) Hybrid Bills are set out in Chapter 9C.

A Bill which is not a Private Bill is referred to as “a Public Bill”.

### **Rule 9.17A Scottish Law Commission Bills**

1. A “Scottish Law Commission Bill” is a Bill which—

(a) implements all or part of a report of the Scottish Law Commission (including a joint report with the Law Commission);

(b) complies with such criteria as shall be determined by the Presiding Officer; and

(c) is not a Consolidation Bill, Codification Bill, Statute Law Repeals Bill or Statute Law Revision Bill.

2. The Clerk shall arrange for the determinations of the Presiding Officer under paragraph 1(b) to be notified to the Parliament.

3. Where the Delegated Powers and Law Reform Committee has commenced consideration of, but has not yet reported on, the general principles of a Scottish Law Commission Bill under Rule 6.11.1(g) and that Committee considers that on the basis of the evidence gathered by it the Bill does not comply with the criteria determined by the Presiding Officer under paragraph 1(b), that Committee shall inform the Parliamentary Bureau. The Parliament may, on a motion of the Parliamentary Bureau, designate another committee as the new lead committee. The new lead committee shall consider the general principles of the Bill afresh, but may take into account any evidence gathered and views submitted to it by the Delegated Powers and Law Reform Committee.

4. Where a Scottish Law Commission Bill which has been referred to the Delegated Powers and Law Reform Committee at Stage 2 has been amended at that Stage so as to insert or substantially alter provisions conferring powers to make subordinate

legislation, Rule 9.7.9 does not apply, but in the case of a Government Bill a revised or supplementary memorandum shall be lodged and published as if Rule 9.7.10 applied.

### **Rule 9.18 Consolidation Bills**

1. A Consolidation Bill is a Bill the purpose of which is the consolidation of enactments, whether or not with amendments to those enactments to give effect to recommendations of the Scottish Law Commission or of the Scottish Law Commission and the Law Commission jointly (“Law Commission recommendations”).

2. A Consolidation Bill shall not require to be accompanied by a Financial Memorandum, Explanatory Notes or a Policy Memorandum. An Auditor General’s Report shall be required only where the Bill includes provision charging expenditure on the Scottish Consolidated Fund that is to give effect to a Law Commission recommendation. A Consolidation Bill shall be accompanied by tables of derivations and destinations, and such tables shall be treated as accompanying documents within the meaning of Rule 9.3.5.

3. Where a Consolidation Bill has been introduced in the Parliament, the Parliamentary Bureau may by motion propose, in accordance with Rule 6.1, the establishment of a committee (referred to as “a Consolidation Committee”) to consider the Bill in accordance with this Rule. The Parliamentary Bureau may alternatively by motion propose the referral of the Bill to the Delegated Powers and Law Reform Committee to consider the Bill in accordance with this Rule.

4. In proposing the membership of a Consolidation Committee under Rule 6.3, the Parliamentary Bureau shall have regard to the subject matter of the Bill and shall, where possible, ensure that at least one member of the Committee is drawn from amongst the members of a committee within whose remit the subject matter of the Bill falls.

5. At Stage 1 of a Consolidation Bill, the Consolidation Committee for that Bill or the Delegated Powers and Law Reform Committee shall consider and report on the question whether the Bill should proceed as a Consolidation Bill. A report on the general principles of the Bill shall not be required. Once the Consolidation Committee or the Delegated Powers and Law Reform Committee has reported, the Parliament shall decide that question on a motion of the member in charge of the Bill. There shall normally be no debate on that question. If the motion is agreed to, the Bill proceeds to Stage 2. If the Parliament rejects the motion, the Bill falls.

6. Stage 2 of a Consolidation Bill shall be taken by the Consolidation Committee for that Bill or by the Delegated Powers and Law Reform Committee.

7. At Stage 3 of a Consolidation Bill, there shall normally be no debate on the question whether the Bill be passed.

8. An amendment to a Consolidation Bill is admissible unless Rule 9.10.5(a), (b) or (d) applies or the amendment would cause the Bill to cease to be a Consolidation Bill.

### **Rule 9.18A Codification Bills**

1. A Codification Bill is a Bill the purpose of which is to restate existing statute and common law, whether or not with amendments to that law to give effect to Law Commission recommendations.
2. Rule 9.18 shall apply to a Codification Bill as it applies to a Consolidation Bill in relation to which the establishment of a Consolidation Committee is proposed by the Parliamentary Bureau, with such modifications as are appropriate. In particular, the Consolidation Committee referred to in that Rule shall be known as a “Codification Committee”.

### **Rule 9.19 Statute Law Repeals Bills**

1. A Statute Law Repeals Bill is a Bill the purpose of which is to repeal, in accordance with recommendations of the Scottish Law Commission, spent enactments.
2. Rule 9.18 shall apply to a Statute Law Repeals Bill as it applies to a Consolidation Bill in relation to which the establishment of a Consolidation Committee is proposed by the Parliamentary Bureau, with such modifications as are appropriate. In particular, the Consolidation Committee referred to in that Rule shall be known as a “Statute Law Repeals Committee”.

### **Rule 9.20 Statute Law Revision Bills**

1. A Statute Law Revision Bill is a Bill the purpose of which is to revise the statute law by repealing enactments which are no longer in force or have become unnecessary and re-enacting provisions of Acts (whether of the United Kingdom Parliament or the Scottish Parliament) which are otherwise spent.
2. Rule 9.18 shall apply to a Statute Law Revision Bill as it applies to a Consolidation Bill in relation to which the establishment of a Consolidation Committee is proposed by the Parliamentary Bureau, with such modifications as are appropriate. In particular, the Consolidation Committee referred to in that Rule shall be known as a “Statute Law Revision Committee”.

### **Rule 9.21 Emergency Bills**

1. Any member of the Scottish Government or a junior Scottish Minister may by motion propose that a Government Bill introduced in the Parliament be treated as an Emergency Bill. If the Parliament agrees to such a motion, the remaining provisions of this Rule shall apply to such a Bill.
2. Unless the Parliament decides otherwise on a motion of the Parliamentary Bureau, Stages 1 to 3 of an Emergency Bill shall be taken on the same day. The time available for each of the Stages of an Emergency Bill, and for debates at each of those Stages, shall be decided by the Parliament on a motion of the Parliamentary Bureau.
3. Paragraph 2 is without prejudice to the power of the Parliament to adjourn Stage 3 of an Emergency Bill to a later day under Rule 9.8.5C or to refer part of the Bill back to committee under Rule 9.8.6.

4. The requirements in Rules 9.5.3A to C as to the minimum periods that must elapse between the Stages of a Bill shall not apply.
5. At Stage 1, an Emergency Bill shall be referred immediately to the Parliament for consideration of its general principles. The Parliament shall decide, on a motion of the member in charge of the Bill, whether to agree to those general principles. The lead committee, if any, shall not be required to consider, or report to the Parliament on, the Bill's general principles, the Financial Memorandum or the Policy Memorandum. An Emergency Bill containing provisions conferring powers to make subordinate legislation is not required to be considered by the Delegated Powers and Law Reform Committee.
6. Stage 2 of an Emergency Bill shall be taken by a Committee of the Whole Parliament. An Emergency Bill which has been amended at Stage 2 so as to insert or substantially alter provisions conferring powers to make subordinate legislation is not required to be considered by the Delegated Powers and Law Reform Committee.
7. Where a member intends to move an amendment to an Emergency Bill at Stage 2 or 3, or at Reconsideration Stage, that member shall, subject to Rule 9.10.6, give such notice of the amendment as the Presiding Officer may determine for that Stage or, where the Presiding Officer does not make such a determination, such notice as is required by Rule 9.10.2 or, as the case may be, 2A.
8. Rule 9.10.6 applies to an Emergency Bill as if the reference to notice required under Rule 9.10.2 or 2A included reference to the notice required by virtue of a determination by the Presiding Officer under paragraph 7.



## CHAPTER 9A PRIVATE BILL PROCEDURES

### Rule 9A.1 Private Bills

1. A Private Bill is a Bill introduced for the purpose of obtaining for an individual person, body corporate or unincorporated association of persons (“the promoter”) particular powers or benefits in excess of or in conflict with the general law, and includes a bill relating to the estate, property, status or style, or otherwise relating to the personal affairs, of the promoter.

1A. A Private Bill to which this paragraph applies is a Private Bill which seeks to authorise the construction or alteration of such classes of works as may be determined by the Presiding Officer or a Private Bill which seeks to authorise the compulsory acquisition or use of any land or buildings.

1B. The Clerk shall arrange for all determinations made by the Presiding Officer or the Parliamentary corporation under this Chapter to be published and notified to the Parliament.

2. A Private Bill may be introduced on a sitting day.

3. A Private Bill shall be introduced by the promoter by being lodged with the Clerk.

4. A Private Bill may not be introduced unless it is in proper form. The Presiding Officer shall determine the proper form of Private Bills.

4A. A Private Bill to which paragraph 1A applies may not be introduced unless the promoter has carried out the consultation referred to in paragraph 4B.

4B. The Presiding Officer may determine such consultation, of such mandatory consultees, as is to be carried out under paragraph 4A.

5. A Private Bill must, before introduction, be signed by or on behalf of the promoter.

6. The Clerk shall ensure that notice of the introduction of a Private Bill in the Parliament is published in the Business Bulletin. Such notice shall set out the short and long titles of the Private Bill and the name of the promoter and shall indicate that it is a Private Bill.

7. No Private Bill may be introduced in the Parliament if it contains any provision which would have the effect of authorising sums to be paid out of the Scottish Consolidated Fund (as opposed to a provision which charges expenditure on that Fund).

8. A Private Bill may be introduced only if it is accompanied by such fee for introduction as the Parliamentary corporation may determine.

### Rule 9A.2 Accompanying documents

1. The documents which must accompany a Private Bill under this Rule are referred to as its “accompanying documents”. The Presiding Officer may determine the proper form of any accompanying document.

2. A Private Bill shall on introduction be accompanied by a written statement signed by the Presiding Officer which shall—

(a) indicate whether or not in the Presiding Officer's view the provisions of the Private Bill would be within the legislative competence of the Parliament; and

(b) if in the Presiding Officer's view any of the provisions would not be within legislative competence, indicate which those provisions are and the reasons for that view.

3. A Private Bill shall on introduction be accompanied by—

(za) a written statement signed by the promoter which states that in the promoter's view the provisions of the Bill would be within the legislative competence of the Parliament;

(a) Explanatory Notes which summarise objectively what each of the provisions of the Private Bill does (to the extent that it requires explanation or comment) and give other information necessary or expedient to explain the effect of the Private Bill;

(b) a Promoter's Memorandum which sets out—

(i) the objectives of the Private Bill;

(ii) whether alternative ways of meeting those objectives were considered and, if so, why the approach taken in the Private Bill was adopted; and

(iii) the consultation which was undertaken on those objectives and the ways of meeting them and on the detail of the Private Bill together with a summary of the outcome of that consultation (including, in the case of a Private Bill to which Rule 9A.1.1A refers, the consultation carried out in accordance with Rule 9A.1.4A);

(c) in the case of a Private Bill to which Rule 9A.1.1A applies—

(i) an Estimate of Expense and Funding Statement setting out the estimated total cost of the project proposed by the Private Bill and anticipated sources of funding to meet the cost of the project and such other financial details as the Presiding Officer may determine or, if any of the information is not included, details of and reasons for the omission or omissions;

(ii) such maps, plans, sections and books of references as the Presiding Officer may determine and if the promoter is unable to produce any of these documents, a written statement giving details of and reasons for the omission or omissions; and

(iii) an Environmental Statement setting out such information on the anticipated environmental impact of the Bill as would (if it applied to the Private Bill) be required by such environmental legislation as the Presiding Officer may determine;



(d) a Promoter's Statement which sets out—

(i) in the case of a Private Bill which contains provision which will affect heritable property, details of the notification of the proposed Private Bill given by the promoter to such persons or classes of person having an interest in heritable property affected by the Private Bill as the Presiding Officer may determine;

(ii) in the case of a Private Bill where the promoter is a body corporate or an unincorporated association of persons, such details as the Presiding Officer may determine of the notification of the proposed Private Bill given by the promoter to and the consent to the proposed Private Bill obtained by the promoter from members of that body corporate or unincorporated association of persons and such other persons or classes of person as the Presiding Officer may determine;

(iii) in the case of a Private Bill which contains provision to confer powers upon or modify the constitution of any body corporate or unincorporated association of persons named in the Private Bill but not being the promoter, such details as the Presiding Officer may determine of the notification of the proposed Private Bill given by the promoter to and the consent to that provision obtained by the promoter from that body corporate or unincorporated association of persons;

(iv) details of the advertisement of the promoter's intention to introduce the Private Bill in accordance with the determination of the Presiding Officer;

(v) a statement listing the premises where any accompanying documents which are not printed and published by the Clerk under Rule 9A.4.1 and other documents which are relevant to the Private Bill but are not accompanying documents may be inspected or purchased, together with an undertaking to send a copy of those accompanying documents and other documents to the premises to which the Private Bill and accompanying documents are sent by the Clerk under Rule 9A.4.2 and (in the case of a Bill to which Rule 9A.1.1A applies) to the mandatory consultees;

(vi) an undertaking to pay any costs that may be incurred by the Parliamentary corporation during the passage of the Private Bill in respect of such matters as the Parliamentary corporation may determine;

(vii) an agreement under which the promoter assigns to the Parliamentary corporation copyright in: the promoter's statement on legislative competence, the Explanatory Notes, the Promoter's Memorandum and the Promoter's Statement; and

(viii) an agreement under which the promoter licenses the Parliamentary corporation to use or reproduce as may be required for the Parliament's purposes any Estimate of Expense and Funding Statement, plans, maps, sections, books of references and Environmental Statement, or any other

document submitted to the Clerk by the promoter on introduction or subsequently.

(e) [deleted]

**Rule 9A.3 [deleted]**

**Rule 9A.4 Printing and publishing of Private Bills and accompanying documents**

1. As soon as a Private Bill has been introduced the Clerk shall arrange for the printing and publishing of the Bill and the accompanying documents referred to in Rules 9A.2.2 and 9A.2.3, other than those documents which are required only for a Private Bill to which Rule 9A.1.1A applies.

2. The Clerk shall send a copy of the Private Bill and the accompanying documents published in accordance with paragraph 1 to such premises as the Presiding Officer may determine and, in the case of a Bill to which Rule 9A.1.1A applies, to the mandatory consultees referred to in Rule 9A.1.4B.

**Rule 9A.5 Private Bill Committees**

1. After a Private Bill has been introduced, the Parliament shall, on a motion of the Parliamentary Bureau under Rule 6.1.3, establish a committee to consider the Private Bill (“a Private Bill Committee”).

2. A Private Bill Committee shall have at least 3 but not more than 5 members.

3. A member may not be appointed as a member of a Private Bill Committee if—

(a) that member’s principal place of residence is within an area in which works are proposed to be authorised by or under the Private Bill;

(b) any land or buildings owned by the member, or in which the member has any other right or interest, is proposed to be subject to compulsory acquisition or use by or under the Private Bill;

(c) the area in which works are proposed to be authorised by or under the Private Bill falls in whole or in part within the constituency or region which that member represents;

(d) that member represents a constituency or region which, in the opinion of the Parliamentary Bureau, is particularly affected by the works proposed to be authorised by or under the Private Bill;

(e) that member has a financial interest that, in the opinion of the Parliamentary Bureau, directly relates to the promoter or to the subject-matter of the Private Bill; or

(f) that member has any interest registered in the Register of Interests of Members of the Scottish Parliament (“the Register”) which, in the opinion of the Parliamentary Bureau, would or would be likely to prejudice the ability of the member to participate in proceedings of the Private Bill Committee in an impartial manner.

4. For the purposes of paragraph 3(e), any member whose name is proposed to the Parliamentary Bureau as a prospective member of a Private Bill Committee shall bring to the attention of the Bureau any financial interest held by the member in relation to the promoter or in the subject-matter of the Private Bill which is not registered in the Register.

4A. Each member of a Private Bill Committee shall, at the first meeting that member attends, declare to act impartially, in that member's capacity as a member of the Committee, and to base decisions solely on the evidence and information provided to the Committee.

4B. A Private Bill committee shall not normally meet or continue to meet at a time when a meeting of the Parliament is in progress (within the meaning of Rule 12.3.3A), but may do so if—

(a) it is necessary for it to do so at that time;

(b) where reasonably practicable, the prior approval of the Bureau has been obtained; and

(c) the business being considered at the meeting of the Parliament is business other than Stage 3, Final Stage or Reconsideration Stage of a Bill.

4C. A Private Bill Committee may not meet or continue to meet when Stage 2 of a Public Bill is being taken at a Committee of the Whole Parliament.

5. Members of a Private Bill Committee shall normally attend all meetings of the Private Bill Committee and may be absent from a meeting in exceptional circumstances only.

6. At Consideration Stage, a member of a Private Bill Committee may not participate in any consideration of the merits of an objection or in any further proceedings relevant to that objection unless—

(a) all evidence directly relevant to that objection given orally during proceedings of the Committee at Consideration Stage has been given in the presence of the member; or

(b) with the agreement of—

(i) the persons who gave any such evidence in the absence of the member; and

(ii) the promoter,

the member has viewed a recording or read the Official Report of the proceedings of the Committee at which that evidence was given.

7. Where the number of members of the Private Bill Committee falls below 2, the Parliament shall, on a motion of the Parliamentary Bureau under Rule 6.1.3, establish another Private Bill Committee.

8. Where a Private Bill Committee is established under paragraph 7 and at the date of establishment the Stage that the Private Bill was at had not been completed, the proceedings on the Private Bill shall recommence at the beginning of that Stage except in the circumstances set out in paragraph 9.

9. The proceedings may commence at a later point in the Stage if—

(a) to the extent that the earlier proceedings at that Stage involved the consideration by the Private Bill Committee of evidence given orally, each person who had given such evidence either—

(i) gives that evidence orally to the committee established under paragraph 7 (“the new Committee”); or

(ii) agrees that the members of the new Committee may instead view a recording or read the Official Report of the proceedings of the Committee at which that evidence was given; and

(b) to any other extent, the persons referred to in Rule 9A.9.3 agree.

10. Where an assessor is appointed (under Rule 9A.9.1B) and the number of members of the Private Bill Committee falls below 2 before the assessor has reported, the assessor’s report shall be considered by the Private Bill Committee established under paragraph 7.

### **Rule 9A.6 Objections**

1. An individual person who, or a body corporate or unincorporated association of persons which, considers that the interests of that individual, body corporate or unincorporated association of persons would be adversely affected by a Private Bill introduced in the Parliament (an “objector”) may lodge an objection to the Private Bill during the objection period.

2. In these Rules, “the objection period” is the period commencing at the beginning of the day after the date of introduction of the Private Bill and ending at 17:00 on the sixtieth day after the date of introduction or, where the sixtieth day falls on a day when the office of the Clerk is closed, at 17:00 on the first day after that sixtieth day on which the office of the Clerk is open. In calculating the objection period no account shall be taken of any time when the office of the Clerk is closed for more than 4 days or, if the Parliament is dissolved during the objection period, of any period beginning on the day of dissolution and ending on the date of introduction of a Private Bill under Rule 9A.7.6.

3. An objection may be lodged by its—

(a) being lodged with the Clerk in writing by the objector; or

(b) being sent by e-mail from the objector’s e-mail address and, not later than 7 days after being sent by e-mail, the objector lodging a copy in writing with the Clerk.

4. The Presiding Officer shall determine the proper form of objections.

5. An objection is admissible only if it—
  - (a) is in proper form;
  - (b) sets out the nature of the objection;
  - (c) explains whether the objection lies against the whole Private Bill or specified provisions;
  - (d) specifies how the objector's interests would be adversely affected by the Private Bill; and
  - (e) is accompanied by any fee for lodging objections that may be determined by the Parliamentary corporation.
6. The Clerk shall notify the objector whether an objection which has been lodged is admissible.
7. After the objection period has expired, the Clerk shall publish in the Business Bulletin a list of the names of all objectors who have lodged admissible objections during that period.
- 7A. Where an objector lodges an objection after the expiry of the objection period but before the first meeting of the Private Bill Committee at Consideration Stage and the objection is accompanied by a statement by the objector explaining the delay in lodging the objection, the Private Bill Committee shall consider the statement and decide whether it is satisfied that—
  - (a) the objector had good reason for not lodging the objection within the objection period;
  - (b) the objector has lodged the objection as soon as reasonably practicable after the expiry of that period; and
  - (c) consideration of such an objection would not be unreasonable having regard to the rights and interests of objectors and the promoter.
- 7B. If the Committee is so satisfied—
  - (a) the Clerk shall publish in the Business Bulletin the name of the objector; and
  - (b) the Committee shall give preliminary consideration to the objection.
8. An objection may be withdrawn by the objector.

#### **Rule 9A.6A Statements in relation to consultation**

1. Any of the mandatory consultees referred to in Rule 9A.1.4B may, during the objection period, lodge a statement in relation to the consultation undertaken by the promoter. Such a statement shall not be treated as an objection under Rule 9A.6.

#### **Rule 9A.7 Stages of Private Bills**

1. The procedure for a Private Bill introduced in the Parliament shall be—

(a) consideration of the general principles of the Bill and whether it should proceed as a Private Bill, preliminary consideration of objections and a decision whether to agree to those general principles and whether the Bill should proceed as a Private Bill (Preliminary Stage);

(b) consideration of the details of the Private Bill (Consideration Stage); and

(c) final consideration of the Private Bill and a decision whether to pass or reject it (Final Stage).

2. A Private Bill which has been passed by the Parliament may additionally be subject to reconsideration at a further stage in the circumstances described in Rule 9A.11 (Reconsideration Stage).

3. The business programme shall set out the time or times at which each Stage or any part of any Stage of a Private Bill is to be taken at a meeting of the Parliament. In the case of a Stage to be taken in whole or in part by the Private Bill Committee, notice that the Stage or part of the Stage is to be taken shall be given in the agenda for the relevant committee meeting. In considering its proposals on the business programme the Parliamentary Bureau shall consult the Private Bill Committee as to the time or times which it considers appropriate for the Private Bill.

3A. The minimum period that must elapse between the day on which Consideration Stage is completed and the day on which Final Stage starts is—

(a) 9 sitting days if the Bill is amended at Consideration Stage;

(b) 4 sitting days if the Bill is not amended at Consideration Stage.

3B. Where part of a Private Bill is referred back to a Private Bill Committee under Rule 9A.10.6 (for further Consideration Stage consideration) a minimum period of 4 sitting days must elapse between—

(a) the day on which the Final Stage proceedings are adjourned and the day on which further Consideration Stage proceedings start;

(b) the day on which Consideration Stage proceedings are completed and the day on which Final Stage proceedings resume (but only if the Bill is amended at those further Consideration Stage proceedings).

4. If a Private Bill falls or is rejected by the Parliament, no further proceedings may be taken on the Private Bill and a Private Bill in the same or similar terms may not be introduced in the same session of the Parliament within the period of 6 months from the date on which the Private Bill fell or was rejected.

5. A Private Bill introduced in any session of the Parliament falls if it has not been passed by the Parliament before the end of that session (“the first session”).

6. Where a Private Bill falls under paragraph 5, the promoter may introduce a Private Bill in the same terms in the next session of the Parliament (“the second session”). If, when the Private Bill fell, the Clerk had printed and published the Private Bill at the end of Consideration Stage, the Private Bill which is introduced under this paragraph shall be in those terms.

7. No fee shall be required to be paid under Rule 9A.1.8 on the introduction of a Private Bill under paragraph 6. A Private Bill introduced under paragraph 6 does not require to be accompanied on introduction by the accompanying documents referred to in Rule 9A.2.3 (a) to (d). The accompanying documents referred to in Rule 9A.2.3 (a) to (d) and any supplementary accompanying documents which accompanied the Bill in the first session shall be used for the purposes of the Bill in the second session. Rule 9A.4 shall apply to the Bill introduced in the second session with appropriate modifications.

8. Any objections lodged during the first session shall be treated as objections to the Private Bill introduced in the second session and any decision of the Private Bill Committee taken during the first session in respect of those objections under Rule 9A.8.2 shall apply. There shall be no further objection period under Rule 9A.6.2 for the Private Bill introduced in the second session in addition to the objection period that began with the introduction of the Private Bill in the first session.

9. A promoter may only introduce a Private Bill under paragraph 6 during the period commencing with the date of the first meeting of the Parliament and ending on the thirtieth day after that date.

10. Where, at the date of dissolution the Stage that the Private Bill was at had not been completed, the proceedings on the Private Bill introduced in the second session shall commence at the beginning of that Stage, except in the circumstances set out in paragraph 11.

11. The proceedings may commence at a later point in the Stage if—

(a) to the extent that the earlier proceedings at that Stage involved the consideration by the Private Bill Committee established in the first session of evidence given orally, each person who had given such evidence either—

(i) gives that evidence orally to the Private Bill Committee established in the second session (“the new Committee”); or

(ii) agrees that the members of the new Committee may instead view a recording or read the Official Report of the proceedings of the Committee at which that evidence was given; and

(b) to any other extent, the persons referred to in Rule 9A.9.3 agree.

12. Where an assessor is appointed (under Rule 9A.9.1B) and the Parliament is dissolved before the assessor has reported, the assessor’s report shall be considered by the Private Bill Committee established in the second session.

### **Rule 9A.8 Preliminary Stage**

1. Once a Private Bill has been printed and a Private Bill Committee has been established under Rule 9A.5, that Committee shall take Preliminary Stage of the Bill.

2. At Preliminary Stage, the Private Bill Committee shall consider and report on the general principles of the Private Bill and whether the Private Bill should proceed as a Private Bill. The Private Bill Committee shall also give preliminary consideration to

the objections, if any, and shall reject any objection where the objector's interests are, in the opinion of the Committee, not clearly adversely affected by the Private Bill.

2A. Where a Private Bill Committee established to consider a Private Bill to which Rule 9A.1.1A applies considers it appropriate, it may during Preliminary Stage direct the Parliamentary corporation, subject to the Bill proceeding to Consideration Stage, to appoint an assessor to perform at Consideration Stage the functions set out in sub-paragraphs (a) and (b) below, or the functions set out in sub-paragraph (b) only, namely—

(a) to consider the admissible objections not rejected under Rule 9A.8.2 or Rule 9A.9.1A, and report with recommendations as to—

(i) which objections are the same or similar and so should be grouped under Rule 9A.9.4;

(ii) which objectors should be chosen to give evidence in relation to the objections so grouped; and

(iii) whether the invitations to give evidence (under Rule 9A.9.2) should be invitations to give evidence orally or in writing (or both);

(b) to consider the evidence given to the assessor and report with such recommendations on the basis of that evidence as the assessor considers appropriate.

3. In considering whether the Private Bill should proceed as a Private Bill, the Private Bill Committee shall consider whether the Private Bill is in accordance with Rule 9A.1.1 and whether the accompanying documents lodged in accordance with Rule 9A.2.3 and the details set out therein, in the opinion of the Committee, satisfy the requirements of that Rule and are adequate to allow proper scrutiny of the Private Bill.

4. If the Committee decides that the accompanying documents lodged in accordance with Rule 9A.2.3 and the details set out therein do not satisfy the requirements of that Rule and are not adequate to allow proper scrutiny of the Private Bill, it may allow the promoter such reasonable period as the Committee considers appropriate to provide such further documents as, in the opinion of the Committee, should be provided. Any further documents provided under this paragraph are referred to as "supplementary accompanying documents".

5. A supplementary accompanying document shall be in the same form as would have been required had it been an accompanying document.

6. The Clerk shall arrange for any supplementary accompanying document, except any of the documents referred to in Rule 9A.2.3(c)(ii) and (iii) and (e), to be printed and published. The Clerk shall send a copy of any supplementary accompanying document published in accordance with this paragraph to the premises to which the document would have been sent under Rule 9A.4.2 if the document had been provided as an accompanying document.



7. Only members of the Parliament who are members of the Private Bill Committee shall be entitled to participate in the proceedings of the Private Bill Committee at Preliminary Stage.

8. Once the Private Bill Committee has reported on the Private Bill, the Parliament shall decide in the light of the Committee's report, on a motion of the Convener of the Private Bill Committee, whether to agree to those general principles and whether the Bill should proceed as a Private Bill.

9. Any member may by motion propose that the Private Bill be referred back to the Private Bill Committee for a further report on the general principles of the Private Bill or whether the Bill should proceed as a Private Bill before the Parliament decides whether to agree to the general principles and whether the Bill should proceed as a Private Bill. If the motion is agreed to, consideration of the Bill's general principles and whether the Bill should proceed as a Private Bill is adjourned to a time to be determined by the Parliamentary Bureau. The Parliamentary Bureau shall refer the Private Bill back to the Private Bill Committee which shall prepare a further report in accordance with the Parliament's decision.

10. If the Parliament agrees to the Private Bill's general principles and that the Private Bill should proceed as a Private Bill, the Private Bill proceeds to Consideration Stage. If the Parliament does not agree to the Private Bill's general principles or does not agree that the Private Bill should proceed as a Private Bill, the Private Bill falls.

#### **Rule 9A.9 Consideration Stage**

1. The Private Bill Committee shall take Consideration Stage of the Bill.

1A. The Private Bill Committee may at Consideration Stage give preliminary consideration to an objection to which Rule 9A.6.7A applies if it was not reasonably practicable to give such consideration at Preliminary Stage.

1AA. Paragraphs 1B to 4B apply only where there are one or more admissible objections which have not been rejected at Preliminary Stage or following preliminary consideration under paragraph 1A.

1B. Where a direction under Rule 9A.8.2A was made at Preliminary Stage, the Parliamentary corporation shall, at Consideration Stage, appoint as assessor such person as it considers suitably qualified, subject to such terms and conditions as it considers appropriate.

2. The Private Bill Committee shall invite those persons mentioned in paragraph 3, and may invite other persons, to give evidence; and any such invitation may be to give evidence orally or in writing (or both). Where an assessor has been appointed in accordance with paragraph 1B, any such invitation shall be an invitation to give evidence to that assessor.

3. The persons referred to in paragraph 2 are—

(a) the promoter;

(b) any objector chosen under paragraph 4 to give evidence in relation to the objections grouped under that paragraph; and

(c) any objector whose objection has not been grouped with another objector under paragraph 4 (except where it appears to the Committee that the objector's interests are no longer adversely affected by the Private Bill).

4. Where the Private Bill Committee considers (whether or not on the basis of a recommendation by an assessor) that two or more objections are the same or similar, it may group those objections together and choose one or more objectors from that group to give evidence in relation to those objections.

4A. The Private Bill Committee shall consider the merits of the objections in the light of—

(a) any evidence given to it; or

(b) any report prepared by an assessor appointed in accordance with Rule 9A.9.1B.

4B. The Private Bill Committee may accept or reject—

(a) the whole or any part of any objection;

(b) the whole or any part of an assessor's report,

and may take such other steps as the Committee thinks fit (which may include referring further matters to an assessor for consideration and report or itself taking further evidence).

5. At Consideration Stage, each section and schedule and the long title of the Private Bill shall be considered separately and the Private Bill Committee shall decide whether to agree to them. The question whether a section or schedule or the long title be agreed to shall be put by the convener without the need for any member to move a motion to that effect. Sections or schedules to which no amendments are proposed and which fall to be considered consecutively may be taken and agreed to together.

6. The Private Bill Committee shall decide the order in which the sections and schedules of the Private Bill are to be considered at Consideration Stage. If it does not decide, the sections shall be taken in the order in which they arise in the Private Bill, with each schedule taken immediately after the section which introduces it. The long title shall be taken last.

7. A Private Bill may be amended at Consideration Stage. Notice of an amendment may be given by any member of the Private Bill Committee not earlier than—

(a) where the merits of objections are considered by the Committee under paragraph 4A, the completion of that consideration;

(b) where sub-paragraph (a) does not apply, but there has been preliminary consideration of objections under paragraph 1A, the completion of that preliminary consideration;

(c) in any other case, the completion of Preliminary Stage.

7A. There must be at least 5 sitting days between the day on which notice of an amendment may first be given under paragraph 7 and the day on which consideration by the Private Bill Committee of any amendments is to begin.

8. At Consideration Stage, amendments to any section or schedule or to the long title shall be disposed of before the Private Bill Committee considers whether to agree to the provision in question. Where no amendments are proposed to a section, a schedule or the long title, the Private Bill Committee shall proceed immediately to decide the question whether that provision be agreed to. If an amendment to leave out a section or schedule is disagreed to, that section or schedule shall be treated as agreed to.

9. Only members of the Parliament who are members of the Private Bill Committee shall be entitled to participate in the proceedings of the Private Bill Committee at Consideration Stage.

10. At the end of Consideration Stage, the Clerk shall, if the Private Bill has been amended, arrange for the Private Bill as amended to be printed and published.

#### **Rule 9A.10 Final Stage**

1. Final Stage of a Private Bill shall be taken at a meeting of the Parliament.

2. At Final Stage, the Parliament shall decide, on a motion of the Convener of the Private Bill Committee (“the Final Stage motion”), whether the Private Bill be passed.

3. A Private Bill may be amended at Final Stage. Notice of an amendment may be given by any member after completion of Consideration Stage.

4. The Presiding Officer may select, as the Presiding Officer sees fit, those amendments which are to be taken at Final Stage from amongst the admissible amendments of which notice has been given.

5. Unless the Parliament has decided, on a motion of the Parliamentary Bureau, the order in which amendments are to be disposed of, they shall be disposed of in the order in which the sections and schedules to which they relate arise in the Private Bill. Amendments to the long title shall be taken last. After any amendments have been disposed of, the Parliament shall debate the Final Stage motion. The Convener of the Private Bill Committee may, immediately after the last amendment is disposed of, by motion without notice propose that the remaining proceedings at Final Stage be adjourned to a later day. Such a motion may not be debated or amended. If the motion is agreed to, the Convener of the Private Bill Committee may give notice of amendments to the Private Bill to be moved at the adjourned proceedings. Such amendments are only admissible if, in addition to the criteria in Rule 9A.12.5, they are for the purpose of clarifying uncertainties or giving effect to commitments given on behalf of the promoter at the earlier proceedings at Final Stage. If the motion is not agreed to, the Parliament shall proceed immediately to debate the Final Stage motion.

6. At the beginning of the debate on the Final Stage motion, the Convener of the Private Bill Committee may by motion propose that such part of the Private Bill as

may be specified in the motion be referred back to the Private Bill Committee for further Consideration Stage consideration. If the motion is agreed to, the proceedings are adjourned to a time to be determined by the Parliamentary Bureau which shall refer the Private Bill to the Private Bill Committee. When Final Stage proceedings resume, the Private Bill may be amended, but amendments are only admissible if they are to the provisions which were referred back to the Private Bill Committee or if they are necessary in consequence of any amendment made at the further Consideration Stage proceedings.

7. This Rule, apart from paragraph 6, shall apply to the resumed Final Stage proceedings as it applies to the initial Final Stage proceedings.

8. If there is a division at Final Stage on the question whether the Private Bill be passed, the result is valid only if the number of members who voted is more than one quarter of the total number of seats for members of the Parliament. In calculating the number of members who voted for this purpose, account shall be taken not only of those voting for and against the motion but also of those voting to abstain.

9. If the result of such a division is not valid the Private Bill shall be treated as rejected.

#### **Rule 9A.11 Reconsideration of Private Bills**

1. Any member may, after the Private Bill is passed, by motion propose that the Parliament resolve that it wishes to reconsider the Private Bill if—

- (a) a question in relation to the Private Bill has been referred to the Supreme Court under section 33;
- (b) a reference for a preliminary ruling (within the meaning of section 34(3)) has been made by the Supreme Court in connection with that reference; and
- (c) neither of those references has been decided or otherwise disposed of.

2. Any member may by motion propose that the Parliament resolve to reconsider the Private Bill if—

- (a) the Supreme Court decides that the Private Bill or any provision of it would not be within the legislative competence of the Parliament; or
- (b) an order is made in relation to the Private Bill under section 35 (order prohibiting Presiding Officer from submitting Private Bill for Royal Assent).

3. Proceedings on reconsideration shall be taken at a meeting of the Parliament.

4. A Private Bill may be amended on reconsideration of the Private Bill but only for the purpose of resolving the problem which is the subject of the reference for a preliminary ruling or which is the subject of the decision of the Supreme Court or the order under section 35. Unless the Parliament has decided, on a motion of the Parliamentary Bureau, the order in which amendments are to be disposed of, they shall be disposed of in the order in which the provisions to which they relate arise in the Private Bill.

5. After amendments have been disposed of, the Parliament shall consider and decide the question whether to approve the Private Bill.

#### **Rule 9A.11A Change of promoter**

1. This Rule applies where the individual who, or body corporate or unincorporated association of persons which, introduced the Private Bill (“the original promoter”) no longer wishes or is no longer able to obtain the powers or benefits referred to in Rule 9A.1.1, and another individual, body corporate or unincorporated association of persons (“the new promoter”) wishes to obtain those powers or benefits.

2. The new promoter shall, as soon as reasonably practicable, lodge with the Clerk a memorandum setting out the reasons for and the circumstances of the change of promoter.

3. The Private Bill Committee shall, taking account of the memorandum lodged under paragraph 2 and any further information from the new promoter that it may require, consider the implications of the change of promoter for the rights and interests of the objectors and for the progress of the Bill.

4. The Committee may, if it considers it appropriate in order to protect the rights or interests of objectors or to ensure the proper scrutiny of the Private Bill—

(a) require the new promoter to lodge supplementary accompanying documents (and Rule 9A.8.6 shall apply to any such document as it applies to a supplementary accompanying document under Rule 9A.8.4);

(b) require the new promoter to give such undertakings as the Private Bill Committee considers appropriate;

(c) require proceedings on the Bill at Preliminary or Consideration Stage, if either Stage was not completed at the time the statement under paragraph 2 was lodged, to begin again;

(d) report to the Parliament on the implications of the change of promoter, with a recommendation that the Bill should not proceed with the new promoter.

5. A report under paragraph 4(d) shall be considered by the Parliament on a motion of the convener of the Committee inviting the Parliament to agree the Committee’s recommendation. If the motion is agreed to, the Bill falls. If the motion is not agreed to, the Private Bill Committee shall continue to consider the Bill.

#### **Rule 9A.12 Amendments to Private Bills**

1. Amendments to a Private Bill shall be in such form as the Presiding Officer may determine.

2. Subject to paragraph 6, where a member intends to move an amendment to a Private Bill at Consideration Stage or Reconsideration Stage, that member shall give notice of the amendment by lodging it with the Clerk no later than 2 sitting days before the day on which consideration of amendments at that Stage is due to start. Where the Stage is being taken over more than one day, notice of amendments may be given by no later than 2 sitting days before each day of proceedings on amendments at that Stage. On the final day on which notice of amendments may be

given before Consideration Stage or Reconsideration Stage (or any day of proceedings at those Stages), notice of amendments must be given by 14:00.

2A. Subject to paragraph 6, where a member intends to move an amendment to a Bill at Final Stage, that member shall give notice of the amendment by lodging it with the Clerk no later than 3 sitting days before the day on which that Stage is due to start. Where Final Stage is being taken over more than one day, notice of amendments may be given no later than 3 sitting days before each day of proceedings at that Stage.

3. Notice of an amendment shall set out the text of the amendment, together with the name of the member proposing it. Up to 4 other members may indicate their support for an amendment (other than a manuscript amendment) by notifying the Clerk at any time during the period when notice of that amendment may be given.

4. The convener, or as the case may be, the Presiding Officer, shall determine any dispute as to whether an amendment of which notice has been given is admissible. Notice of admissible amendments shall be published in the Business Bulletin.

5. An amendment is admissible unless—

(a) it is not in proper form;

(b) it is not relevant to the Private Bill or the provisions of the Private Bill which it would amend;

(c) it is inconsistent with the general principles of the Private Bill as agreed by the Parliament; or

(d) it is inconsistent with a decision already taken on an amendment at the Stage at which the amendment is proposed.

6. An amendment of which less notice has been given than is required under paragraph 2 or 2A above is referred to as a “manuscript amendment”. A manuscript amendment may be moved only with the agreement of the convener or, as the case may be, the Presiding Officer. Such agreement shall be given only if the convener or, as the case may be, the Presiding Officer considers it is justified, in the circumstances, taking account of the disadvantages of lack of proper notice.

7. An amendment may be made to an amendment and this Rule shall apply accordingly.

7A. An amendment (other than a manuscript amendment) may be withdrawn by the member who lodged it at any time during the period when notice of that amendment may be given, but only with the unanimous agreement of any members who have indicated their support for the amendment. If such agreement is not obtained, the amendment becomes an amendment in the name of the member who first indicated that member’s support for the amendment and who does not agree to the amendment being withdrawn.

8. Where notice of amendments to a Private Bill has been given, the Clerk shall prepare, for each day of proceedings on the Private Bill at which amendments are to be considered, a marshalled list of the admissible amendments proposed (excluding

manuscript amendments which may not be moved because agreement has been refused under paragraph 6 and, at Final Stage, amendments not selected by the Presiding Officer). The list shall set out the amendments so far as not disposed of in the order in which they are to be disposed of as determined by the Clerk. The Clerk shall arrange for the marshalled list to be published.

9. An amendment to insert a new section or schedule shall normally specify where it is to be inserted and shall be disposed of accordingly.

10. An amendment to an amendment shall be disposed of before the amendment which it would amend.

11. An amendment at any Stage which would be inconsistent with a decision already taken on an amendment at the same Stage shall not be taken.

12. The convener or, as the case may be, the Presiding Officer may group amendments for the purposes of debate as that person sees fit. The Clerk shall arrange for any groupings to be published. An amendment debated as part of a group may not be debated again when it comes to be disposed of.

13. The member moving an amendment may speak in support of it. Other members may speak on an amendment at the discretion of the convener or, as the case may be, the Presiding Officer.

14. At Consideration Stage, only members of the Private Bill Committee may give notice of, indicate their support for and move amendments.

15. If a member who has given notice of an amendment does not move the amendment when that amendment comes to be disposed of, the amendment may, in the case of an amendment at Final Stage, be moved by any other member present at those proceedings and in the case of an amendment at Consideration Stage, by any other member of the Private Bill Committee present at those proceedings.

16. An amendment may be withdrawn by the member who moved it, but only with the unanimous agreement of the Private Bill Committee or the Parliament, as the case may be.

### **Rule 9A.13 Crown consent**

1. Where a Private Bill contains provisions, or is amended so as to include provisions, which would, if the Private Bill were a Bill for an Act of the United Kingdom Parliament, require the consent of Her Majesty, the Prince and Steward of Scotland or the Duke of Cornwall, the Parliament shall not debate any question whether the Private Bill be passed or approved unless such consent to those provisions has been signified by a member of the Scottish Government during proceedings on the Private Bill at a meeting of the Parliament.

### **Rule 9A.14 Financial Resolutions**

1. A resolution under this Rule is referred to as “a Financial Resolution”.

2. The Presiding Officer shall decide in every case whether a resolution is required for a Private Bill under paragraph 3 or 4 of this Rule.

3. Where a Private Bill contains provisions—

- (a) which charge expenditure on the Scottish Consolidated Fund, or
- (b) the likely effect of which would be to—
  - (i) increase significantly expenditure charged on that Fund;
  - (ii) give rise to significant expenditure payable out of that Fund for a new purpose; or
  - (iii) increase significantly expenditure payable out of that Fund for an existing purpose,

no proceedings may be taken on the Private Bill at any Stage after Preliminary Stage unless the Parliament has by resolution agreed to the expenditure or the increase in expenditure being charged on or, as the case may be, payable out of that Fund.

4. Where—

- (a) a Private Bill contains provisions which impose or increase (or confer a power to impose or increase) any charge, or otherwise require (or confer a power to require) any payment to be made; and
- (b) the person to whom the charge or payment is payable is required, by or under any enactment, to pay sums received into the Scottish Consolidated Fund (or would be so required but for any provision made by or under an Act of the Scottish Parliament),

no proceedings may be taken on the Private Bill at any Stage after Preliminary Stage unless the Parliament has by resolution agreed to the charge, increase or payment.

5. Paragraph 4—

- (a) applies only where the charge, increase in charge or payment is significant; and
- (b) does not apply where the charge, increase in charge or payment is—
  - (i) in respect of the provision of goods and is reasonable in relation to the goods provided; or
  - (ii) wholly or largely directed to the recovery of the cost of providing any service for which the charge is imposed or the payment requires to be made.

6. Where the effect of an amendment (or amendments) to a Private Bill, if agreed to, would be that the Private Bill would require a resolution under this Rule which it would not otherwise require, no proceedings may be taken on the amendment (or amendments) unless the Parliament has agreed to a motion for such a resolution.

7. Only a member of the Scottish Government or a junior Scottish Minister may give notice of a motion for a Financial Resolution. The motion may be moved only by a



member of the Scottish Government or junior Scottish Minister, whether or not that person has given notice of it or indicated support for it. Such a motion may not be amended.

8. Unless—

(a) notice of a motion for any resolution required in relation to a Private Bill by paragraph 3 or 4 is given within 6 months of the completion of the Preliminary Stage; and

(b) the motion is agreed to,

the Bill falls.

#### **Rule 9A.15 Withdrawal of Private Bills**

1. A Private Bill may be withdrawn at any time by the promoter. Where a Private Bill is withdrawn a Private Bill in the same or similar terms may not be introduced by the same promoter within a period of 6 months from the date on which the Private Bill was withdrawn.



## CHAPTER 9B

### CONSENT in relation TO UK PARLIAMENT BILLS

#### **Rule 9B.1 UK Parliament Bills making provision requiring the Parliament's consent**

1. In this Chapter, a “relevant Bill” is a Bill under consideration in the UK Parliament which makes provision (“relevant provision”) applying to Scotland for any purpose within the legislative competence of the Parliament, or which alters that legislative competence or the executive competence of the Scottish Ministers.

#### **Rule 9B.2 Legislative consent motions**

1. A motion seeking the Parliament's consent to relevant provision in a relevant Bill shall be known as a legislative consent motion. A legislative consent motion shall identify the relevant Bill by reference to its short title and the House of the UK Parliament in which and the date on which it was introduced.

2. A legislative consent motion shall not normally be lodged until after the publication of the lead committee's report.

3. Every legislative consent motion lodged shall be taken in the Parliament. The Parliament shall not normally take such a motion earlier than the fifth sitting day after the day on which the lead committee's report under Rule 9B.3.5 below is published.

#### **Rule 9B.3 Legislative consent memorandums**

1. A member of the Scottish Government shall lodge with the Clerk a memorandum (“a legislative consent memorandum”) in relation to—

(a) any Government Bill that is a relevant Bill on introduction, normally no later than 2 weeks after introduction;

(b) any Private Member's Bill that was a relevant Bill on introduction and remains a relevant Bill after the first amending stage in the House in which it was introduced, normally no later than 2 weeks after it completes that stage;

(c) any Bill that, by virtue of amendments—

(i) agreed to; or

(ii) tabled by a Minister of the Crown or published with the name of a Minister of the Crown in support,

in either House, makes (or would make) relevant provision for the first time or beyond the limits of any consent previously given by the Parliament, normally no later than 2 weeks after the amendments are tabled or agreed to.

2. Any member (other than a member of the Scottish Government) who intends to lodge a legislative consent motion in relation to a relevant Bill shall first lodge with the Clerk a legislative consent memorandum, but shall not normally do so until after a member of the Scottish Government has lodged a legislative consent memorandum in respect of that Bill.

3. A legislative consent memorandum shall—

- (a) summarise what the Bill does and its policy objectives;
- (b) specify the extent to which the Bill makes provision—
  - (i) for any purpose within the legislative competence of the Scottish Parliament; or
  - (ii) to alter that legislative competence or the executive competence of the Scottish Ministers;
- (c) in the case of a memorandum lodged by a member (including a member of the Scottish Government) who intends to lodge a legislative consent motion, set out a draft of the motion and explain why the member considers it appropriate for that provision to be made and for it to be made by means of the Bill; and
- (d) in the case of a memorandum lodged by a member of the Scottish Government who does not intend to lodge a legislative consent motion, explain why not.

4. Notice of any legislative consent memorandum lodged shall be given in the Business Bulletin. The Clerk shall arrange for the memorandum to be published.

5. The Parliamentary Bureau shall refer any legislative consent memorandum to the committee within whose remit the subject matter of the relevant provision falls. That committee (referred to as “the lead committee”) shall consider and report on the legislative consent memorandum. Where the subject matter of the relevant provision falls within the remit of more than one committee the Parliament may, on a motion of the Parliamentary Bureau, designate one of those committees as the lead committee. The other committee or committees (“the secondary committee or committees”) may also consider the legislative consent memorandum and report its or their view to the lead committee.

6. In any case where the Bill that is the subject of the memorandum contains provisions conferring on the Scottish Ministers powers to make subordinate legislation, the Delegated Powers and Law Reform Committee shall consider and may report to the lead committee on those provisions.

## CHAPTER 9BA

### CONSENT IN RELATION TO ORDERS UNDER THE PUBLIC BODIES ACT 2011

#### **Rule 9BA.1 Orders under the Public Bodies Act 2011 requiring the Parliament's consent**

1. In this Chapter, a "Public Bodies Act order" is a draft order under sections 1 to 5 of the Public Bodies Act 2011 (c. 24) ("the Act") which requires the consent of the Parliament under section 9 of the Act.

#### **Rule 9BA.2 Public Bodies Act consent motions**

2. A motion seeking the Parliament's consent to a Public Bodies Act order shall be known as a Public Bodies Act consent motion. A Public Bodies Act consent motion shall identify the relevant Public Bodies Act order by reference to its title and the date on which it was laid before the UK Parliament.

3. A Public Bodies Act consent motion shall not normally be lodged until after the publication of the lead committee's report.

4. Every Public Bodies Act consent motion lodged shall be taken in the Parliament. The Parliament shall not normally take such a motion earlier than the fifth sitting day after the day on which the lead committee's report under Rule 9BA.3.5 is published.

#### **Rule 9BA.3 Public Bodies Act consent memorandums**

1. A member of the Scottish Government shall lodge with the Clerk a memorandum ("a Public Bodies Act consent memorandum") in relation to any Public Bodies Act order, normally no later than one week after it is laid before the UK Parliament.

2. Any member (other than a member of the Scottish Government) who intends to lodge a Public Bodies Act consent motion in relation to a Public Bodies Act order shall first lodge with the Clerk a Public Bodies Act consent memorandum, but shall not normally do so until after a member of the Scottish Government has lodged a Public Bodies Act consent memorandum in respect of that order.

3. A Public Bodies Act consent memorandum shall—

- (a) be accompanied by a copy of the relevant Public Bodies Act order;
- (b) summarise what the order does and its policy objectives;
- (c) explain which provisions of the order give rise to the requirement for the consent of the Parliament under section 9 of the Act and why such consent is required;
- (d) in the case of a memorandum lodged by a member (including a member of the Scottish Government) who intends to lodge a Public Bodies Act consent motion, set out a draft of the motion and explain why the member considers it appropriate for those provisions to be made and for them to be made by means of the order; and

(e) in the case of a memorandum lodged by a member of the Scottish Government who does not intend to lodge a Public Bodies Act consent motion, explain why not.

4. Notice of any Public Bodies Act consent memorandum lodged shall be given in the Business Bulletin. The Clerk shall arrange for the memorandum and the copy order to be published.

5. The Parliamentary Bureau shall refer any Public Bodies Act consent memorandum to the committee within whose remit the subject matter of the relevant provisions falls. That committee (referred to as “the lead committee”) shall consider and report on the memorandum. Where the subject matter of the relevant provisions falls within the remit of more than one committee the Parliament may, on a motion of the Parliamentary Bureau, designate one of those committees as the lead committee. The other committee or committees (“the secondary committee or committees”) may also consider the memorandum and report its or their view to the lead committee.

6. The Parliamentary Bureau shall refer any Public Bodies Act order to the Delegated Powers and Law Reform Committee, which shall consider the order and report to the Parliament and the lead committee normally no later than 20 days, and in any event no later than 22 days, after the relevant Public Bodies Act consent memorandum is lodged (excluding any time during which the Parliament is dissolved or is in recess for more than 4 days). In considering the order, the Committee shall determine whether the attention of the Parliament should be drawn to it on any of the grounds mentioned in Rule 10.3.1, so far as applicable.

7. In preparing its report, the lead committee shall take into account the reports of the Delegated Powers and Law Reform Committee and any secondary committee which has submitted its views under Rule 9BA.3.5.

## CHAPTER 9C HYBRID BILL PROCEDURES

### Rule 9C.1 Hybrid Bills

1. A Hybrid Bill is a Public Bill introduced by a member of the Scottish Government which adversely affects a particular private interest of an individual or body in a manner different to the private interests of other individuals or bodies of the same category or class.
2. A Hybrid Bill to which this paragraph applies is a Hybrid Bill which seeks to authorise the construction or alteration of such classes of works as may be determined by the Presiding Officer or a Hybrid Bill which seeks to authorise the compulsory acquisition or use of any land or buildings.
3. The Clerk shall arrange for all determinations made by the Presiding Officer or the Parliamentary corporation under this Chapter to be published and notified to the Parliament.
4. A Hybrid Bill may be introduced on a sitting day.
5. A Hybrid Bill shall be introduced by being lodged with the Clerk.
6. A Hybrid Bill may not be introduced unless it is in proper form. The Presiding Officer shall determine the proper form of Hybrid Bills.
7. A Hybrid Bill to which paragraph 2 applies may not be introduced unless the Scottish Ministers have carried out the consultation referred to in paragraph 8.
8. The Presiding Officer shall determine which bodies are to be consulted (“the mandatory consultees”) and the nature of the consultation to be carried out with them by the Scottish Ministers under paragraph 7.
9. A Hybrid Bill must, before introduction, be signed by the member in charge and may also be signed by any other member or members who support the Bill.
10. The Clerk shall ensure that notice of the introduction of a Hybrid Bill in the Parliament is published in the Business Bulletin. Such notice shall set out the short and long titles of the Hybrid Bill, the name of the member who has introduced it, the name of any member supporting the Bill and shall indicate that it is a Hybrid Bill.
11. A Hybrid Bill must not be introduced in the Parliament if it contains any provision which would have the effect of authorising sums to be paid out of the Scottish Consolidated Fund (as opposed to a provision which charges expenditure on that Fund).

### Rule 9C.2 Member in charge

1. The “member in charge” of a Hybrid Bill is—
  - (a) the member of the Scottish Government who introduces the Bill, or who is subsequently appointed by the First Minister to take general responsibility for the subject matter of the Bill; or
  - (b) a junior Scottish Minister designated by that member.

2. Any designation under paragraph 1(b) shall be made in writing to the Clerk and does not prevent the member referred to in paragraph 1(a) from exercising any of the rights that are conferred by these Rules on the member in charge of the Bill.
3. A designation under paragraph 1(b) shall no longer have effect if the member so designated ceases to be a junior Scottish Minister.

### **Rule 9C.3 Accompanying documents**

1. The documents which must accompany a Hybrid Bill under this Rule are referred to as its “accompanying documents”. The Presiding Officer may determine the proper form of any accompanying document.
2. A Hybrid Bill shall on introduction be accompanied by—
  - (a) a written statement signed by the Presiding Officer which shall—
    - (i) indicate whether or not, in the Presiding Officer’s view, the provisions of the Bill would be within the legislative competence of the Parliament; and
    - (ii) if, in the Presiding Officer’s view, any of the provisions would not be within legislative competence, indicate which those provisions are and the reasons for that view;
  - (b) a report signed by the Auditor General for Scotland (referred to as “an Auditor General’s Report”) setting out the Auditor General for Scotland’s views on whether such a charge is appropriate, where a Bill contains a provision charging expenditure on the Scottish Consolidated Fund;
  - (c) Explanatory Notes which summarise objectively what each of the provisions of the Bill does (to the extent that it requires explanation or comment) and give other information necessary or expedient to explain the effect of the Bill;
  - (d) a written statement signed by the member introducing the Bill which states that, in that member’s view, the provisions of the Bill would be within the legislative competence of the Parliament;
  - (e) a Policy Memorandum which sets out—
    - (i) the policy objectives of the Bill;
    - (ii) whether alternative ways of meeting those objectives were considered and, if so, why the approach taken in the Bill was adopted;
    - (iii) the consultation which was undertaken on those objectives and the ways of meeting them and on the detail of the Bill and a summary of the outcome of that consultation (including, in the case of a Hybrid Bill to which Rule 9C.1.2 applies, the consultation carried out in accordance with Rule 9C.1.7); and
    - (iv) an assessment of the effects, if any, of the Bill on equal opportunities, human rights, island communities, local government, sustainable



development and any other matter which the Scottish Ministers consider relevant;

(f) in the case of a Bill, other than a Bill to which Rule 9C.1.2 applies, a Financial Memorandum which shall set out the best estimates of the administrative, compliance and other costs to which the provisions of the Bill would give rise, best estimates of the timescales over which such costs would be expected to arise, and an indication of the margins of uncertainty in such estimates. The Financial Memorandum must distinguish separately such costs as would fall upon—

- (i) the Scottish Administration;
- (ii) local authorities; and
- (iii) other bodies, individuals and businesses;

(g) in the case of a Bill to which Rule 9C.1.2 applies—

(i) a Financial Memorandum which shall set out: the estimated total cost for the project under the Bill, including a detailed cost breakdown for each element of the project; administrative, compliance and other costs to which the provisions of the Bill would give rise; a detailed breakdown of all anticipated and committed sources of funding for both capital and revenue costs; best estimates of the timescales over which such costs would be expected to arise; and an indication of the margins of uncertainty in such estimates. The Financial Memorandum must distinguish separately such costs as would fall upon—

- (a) the Scottish Administration;
- (b) local authorities; and
- (c) other bodies, individuals and businesses;

(ii) such maps, plans, sections and books of references as the Presiding Officer shall determine; and

(iii) an Environmental Statement setting out such information on the environmental implications of the Bill as the Presiding Officer shall determine;

(h) a Scottish Ministers' Statement which sets out—

(i) in the case of a Bill which contains provisions which will affect heritable property, details of the notification of the proposed Hybrid Bill given by the Scottish Ministers to such persons or classes of person having an interest in heritable property affected by the Bill as the Presiding Officer shall determine;

(ii) details of the advertisement of the Scottish Ministers' intention to introduce the Hybrid Bill in accordance with the determination of the Presiding Officer;

(iii) a statement listing the premises determined by the Presiding Officer under Rule 9C.4.2, and any other premises where the Bill and accompanying documents may be inspected, together with an undertaking to send a copy of the Bill and accompanying documents to any such other premises; and

(iv) an undertaking to pay any costs, as the Parliamentary corporation shall determine, that may be incurred by the Parliamentary corporation during the passage of the Bill in connection with the appointment and use of an assessor, following a direction under Rule 9C.10.3.

(i) [deleted] .

#### **Rule 9C.4 Printing and publishing of Hybrid Bills and accompanying documents**

1. As soon as a Hybrid Bill has been introduced, the Clerk shall arrange for the Bill, together with its accompanying documents other than those referred to in Rule 9C.3.2(g)(ii) and (g)(iii), to be printed and published.

2. The Clerk shall send a copy of the Bill and the accompanying documents to such premises as the Presiding Officer may determine and, in the case of a Bill to which Rule 9C.1.2 applies, to the mandatory consultees referred to in Rule 9C.1.8.

#### **Rule 9C.5 Memorandum on delegated powers**

1. Immediately after introducing a Hybrid Bill which contains any provision conferring power to make subordinate legislation, the member in charge shall lodge with the Clerk a memorandum setting out, in relation to each such provision of the Bill—

(a) the person upon whom, or the body upon which, the power is conferred and the form in which the power is to be exercised;

(b) why it is considered appropriate to delegate the power; and

(c) the Parliamentary procedure (if any) to which the exercise of the power is to be subject, and why it was considered appropriate to make it subject to that procedure (or not to make it subject to any such procedure).

2. The Clerk shall arrange for the memorandum to be published.

#### **Rule 9C.6 Hybrid Bill Committees**

1. After a Hybrid Bill has been introduced, the Parliament shall, on a motion of the Parliamentary Bureau under Rule 6.1.3, establish a committee to consider it (a “Hybrid Bill Committee”). Where the subject matter of the Bill falls within the remit of a committee or committees other than the Hybrid Bill Committee, the Parliament shall, on a motion of the Parliamentary Bureau, designate the Hybrid Bill Committee as the lead committee. The other committee or committees (the “secondary committee or committees”) may also consider the general principles of the Bill and report its or their views to the lead committee.

2. A Hybrid Bill Committee shall have at least 3 but not more than 5 members.

3. A member may not be appointed as a member of a Hybrid Bill Committee if—
  - (a) that member's principal place of residence is within an area in which works are proposed to be authorised by or under the Hybrid Bill;
  - (b) any land or buildings owned by the member, or in which the member has any other right or interest, is proposed to be subject to compulsory acquisition or use by or under the Hybrid Bill;
  - (c) the area in which works are proposed to be authorised by or under the Hybrid Bill falls in whole or in part within the constituency or region which that member represents;
  - (d) that member represents a constituency or region which, in the opinion of the Parliamentary Bureau, is particularly affected by the works proposed to be authorised by or under the Hybrid Bill;
  - (e) that member has a financial interest that, in the opinion of the Parliamentary Bureau, directly relates to the subject-matter of the Hybrid Bill; or
  - (f) that member has any interest registered in the Register of Interests of Members of the Scottish Parliament ("the Register") which, in the opinion of the Parliamentary Bureau, would, or would be likely to, prejudice the ability of the member to participate in proceedings of the Committee in an impartial manner.
4. For the purposes of paragraph 3(e), any member whose name is proposed to the Parliamentary Bureau as a prospective member of a Hybrid Bill Committee shall bring to the attention of the Parliamentary Bureau any financial interest held by the member in relation to the subject-matter of the Bill which is not registered in the Register.
5. Each member of a Hybrid Bill Committee shall, at the first meeting that member attends, declare to act impartially, in that member's capacity as a member of the Committee, and to base decisions solely on the evidence and information provided to the Committee.
6. A Hybrid Bill Committee shall not normally meet or continue to meet at a time when a meeting of the Parliament is in progress (within the meaning of Rule 12.3.3A), but may do so if—
  - (a) it is necessary for it to do so at that time;
  - (b) where reasonably practicable, the prior approval of the Parliamentary Bureau has been obtained; and
  - (c) the business being considered at the meeting of the Parliament is business other than Stage 3, Final Stage, or Reconsideration Stage of a Bill.
7. A Hybrid Bill Committee may not meet or continue to meet when Stage 2 of a Public Bill is being taken at a Committee of the Whole Parliament.
8. Members of a Hybrid Bill Committee shall normally attend all meetings of the Committee and may be absent from a meeting in exceptional circumstances only.

9. Other than when considering, at Stage 2, any report prepared by an assessor appointed in accordance with Rule 9C.11.3, a member of a Hybrid Bill Committee may not participate in any consideration of the merits of an objection or in any further proceedings relevant to that objection unless—

(a) all evidence directly relevant to that objection given orally during proceedings of the Committee at Stage 2 has been given in the presence of the member; or

(b) with the agreement of—

(i) the persons who gave any such evidence in the absence of the member; and

(ii) the member in charge,

the member has viewed a recording or read the Official Report of the proceedings of the Committee at which that evidence was given.

10. Where the number of members of the Hybrid Bill Committee falls below 2, the Parliament shall, on a motion of the Parliamentary Bureau under Rule 6.1.3, establish another Hybrid Bill Committee.

11. Where a Hybrid Bill Committee is established under paragraph 10 and at the date of establishment the Stage that the Bill was at had not been completed, the proceedings on the Bill shall recommence at the beginning of that Stage except in the circumstances set out in paragraph 12.

12. The proceedings may commence at a later point in the Stage if—

(a) to the extent that the earlier proceedings at that Stage involved the consideration by the Hybrid Bill Committee of evidence given orally, each person who had given such evidence either—

(i) gives that evidence orally to the Committee established under paragraph 10 (“the new Committee”); or

(ii) agrees that the members of the new Committee may instead view a recording or read the Official Report of the proceedings of the Committee at which that evidence was given; and

(b) to any other extent, the persons referred to in Rule 9C.11.5 agree.

13. Where an assessor is appointed (under Rule 9C.11.3) and the number of members of the Hybrid Bill Committee falls below 2 before the assessor has reported, the assessor’s report shall be considered by the Committee established under paragraph 10.

### **Rule 9C.7 Objections**

1. An individual person who, or a body corporate or unincorporated association of persons which, considers that the private interests of that individual, body corporate or unincorporated association of persons would be adversely affected by a Hybrid Bill

introduced in the Parliament (an “objector”) may lodge an objection to the Bill during the objection period.

2. In these Rules, “the objection period” is the period commencing at the beginning of the day after the date of introduction of the Hybrid Bill and ending at 17:00 on the sixtieth day after the date of introduction or, where the sixtieth day falls on a day when the office of the Clerk is closed, at 17:00 on the first day after that sixtieth day on which the office of the Clerk is open. In calculating the objection period no account shall be taken of any time when the office of the Clerk is closed for more than 4 days or, if the Parliament is dissolved during the objection period, of any period beginning on the day of dissolution and ending on the date of introduction of a Bill under Rule 9C.9.9.

3. An objection may be lodged by its—

(a) being lodged with the Clerk in writing by the objector; or

(b) being sent by e-mail from the objector’s e-mail address and, not later than 7 days after being sent by e-mail, the objector lodging a copy in writing with the Clerk.

4. The Presiding Officer shall determine the proper form of objections.

5. An objection is admissible only if it—

(a) is in proper form;

(b) sets out the nature of the objection;

(c) explains whether the objection lies against the whole Hybrid Bill or specified provisions;

(d) specifies how the objector’s interests would be adversely affected by the Hybrid Bill; and

(e) is accompanied by any fee for lodging objections that may be determined by the Parliamentary corporation.

6. The Clerk shall notify the objector whether an objection which has been lodged is admissible.

7. After the objection period has expired, the Clerk shall publish in the Business Bulletin a list of the names of all objectors who have lodged admissible objections during that period.

8. Where an objector lodges an objection after the expiry of the objection period but before the first meeting of the Hybrid Bill Committee at Stage 2 and the objection is accompanied by a statement by the objector explaining the delay in lodging the objection, the Committee shall consider the statement and decide whether it is satisfied that—

(a) the objector had good reason for not lodging the objection within the objection period;

(b) the objector has lodged the objection as soon as reasonably practicable after the expiry of that period; and

(c) consideration of such an objection would not be unreasonable having regard to the rights and interests of objectors and the Scottish Government.

9. If the Committee is so satisfied—

(a) the Clerk shall publish in the Business Bulletin the name of the objector; and

(b) the Committee shall give preliminary consideration to the objection.

10. An objection may be withdrawn by the objector.

### **Rule 9C.8 Statements by mandatory consultees**

1. Any of the mandatory consultees referred to in Rule 9C.1.8 may, during the objection period, lodge a statement in relation to the consultation undertaken by the Scottish Ministers. Such a statement shall not be treated as an objection under Rule 9C.7.

### **Rule 9C.9 Stages of Hybrid Bills**

1. The procedure for a Hybrid Bill introduced in the Parliament shall be—

(a) Stage 1—

(i) consideration of the general principles of the Bill and a decision whether to agree to those general principles;

(ii) consideration of whether the Bill should proceed as a Hybrid Bill and a decision whether the Bill should proceed as a Hybrid Bill; and

(iii) preliminary consideration of objections;

(b) Stage 2: consideration of the details of the Bill; and

(c) Stage 3: final consideration of the Bill and a decision whether to pass or reject it.

2. A Hybrid Bill which has been passed by the Parliament may additionally be subject to reconsideration at a further stage in the circumstances described in Rule 9C.13 (Reconsideration Stage).

3. The business programme shall set out the time or times at which each Stage or any part of any Stage of a Hybrid Bill is to be taken at a meeting of the Parliament. In the case of a Stage to be taken in whole or in part by the Hybrid Bill Committee, notice that the Stage or part of the Stage is to be taken shall be given in the agenda for the relevant committee meeting. In considering its proposals on the business programme the Parliamentary Bureau shall consult the Hybrid Bill Committee as to the time or times which it considers appropriate for the Bill.

4. The minimum period that must elapse between the day on which Stage 1 is completed and the day on which Stage 2 starts is 12 sitting days.
5. The minimum period that must elapse between the day on which Stage 2 is completed and the day on which Stage 3 starts is 10 sitting days.
6. Where part of a Hybrid Bill is referred back to a Hybrid Bill Committee under Rule 9C.12.11 (for further Stage 2 consideration) a minimum period of 4 sitting days must elapse between—
  - (a) the day on which the Stage 3 proceedings are adjourned and the day on which further Stage 2 proceedings start;
  - (b) the day on which further Stage 2 proceedings are completed and the day on which Stage 3 proceedings resume (but only if the Bill is amended at those further Stage 2 proceedings).
7. If a Hybrid Bill falls or is rejected by the Parliament, no further proceedings shall be taken on the Bill and a Hybrid Bill in the same or similar terms may not be introduced in the same session of the Parliament within the period of 6 months from the date on which the Hybrid Bill fell or was rejected.
8. A Hybrid Bill introduced in any session of the Parliament falls if it has not been passed by the Parliament before the end of that session (“the first session”).
9. Where a Hybrid Bill falls under paragraph 8, a Hybrid Bill in the same terms may be introduced in the next session of the Parliament (“the second session”) by a member of the Scottish Government. If, when the Hybrid Bill fell, the Clerk had printed and published the Hybrid Bill at the end of Stage 2, the Hybrid Bill which is introduced under this paragraph shall be in those terms.
10. A Hybrid Bill introduced under paragraph 9 does not require to be accompanied on introduction by the accompanying documents referred to in Rule 9C.3.2 (b), (c) and (e) to (h). The accompanying documents referred to in Rule 9C.3.2 (b), (c) and (e) to (h) and any supplementary accompanying documents which accompanied the Bill in the first session shall be used for the purposes of the Hybrid Bill in the second session. Rule 9C.4 shall apply to the Hybrid Bill introduced in the second session with appropriate modifications.
11. Any objections lodged during the first session shall be treated as objections to the Hybrid Bill introduced in the second session and any decision of the Hybrid Bill Committee taken during the first session in respect of those objections under Rule 9C.10.2 shall apply. There shall be no further objection period under Rule 9C.7.2 for the Hybrid Bill introduced in the second session in addition to the objection period that began with the introduction of the Hybrid Bill in the first session.
12. The Scottish Government may only introduce a Hybrid Bill under paragraph 9 during the period commencing with the date of the first meeting of the Parliament and ending on the thirtieth day after that date.
13. Where, at the date of dissolution, the Stage that the Hybrid Bill was at had not been completed, the proceedings on the Hybrid Bill introduced in the second session

shall commence at the beginning of that Stage, except in the circumstances set out in paragraph 14.

14. The proceedings may commence at a later point in the Stage if—

(a) to the extent that the earlier proceedings at that Stage involved the consideration by the Hybrid Bill Committee established in the first session of evidence given orally, each person who had given such evidence either—

(i) gives that evidence orally to the Hybrid Bill Committee established in the second session (“the new Committee”); or

(ii) agrees that the members of the new Committee may instead view a recording or read the Official Report of the proceedings of the Committee at which that evidence was given; and

(b) to any other extent, the persons referred to in Rule 9C.11.5 agree.

15. Where an assessor is appointed (under Rule 9C.11.3) and the Parliament is dissolved before the assessor has reported, the assessor’s report shall be considered by the Hybrid Bill Committee established in the second session.

### **Rule 9C.10 Stage 1**

1. Once a Hybrid Bill has been printed and a Hybrid Bill Committee has been established under Rule 9C.6, that Committee shall take Stage 1 of the Bill.

2. At Stage 1, the Hybrid Bill Committee shall consider and report on the general principles of the Bill and whether the Bill should proceed as a Hybrid Bill. The Hybrid Bill Committee shall also give preliminary consideration to the objections, if any, and shall reject any objection where the objector’s interests are, in the opinion of the Committee, not clearly adversely affected by the Bill.

3. Where a Hybrid Bill Committee established to consider a Hybrid Bill to which Rule 9C.1.2 applies considers it appropriate, it may during Stage 1 direct the Parliamentary corporation, subject to the Bill proceeding to Stage 2, to appoint an assessor to perform at Stage 2 the functions set out in sub-paragraphs (a) and (b) below, or the functions set out in sub-paragraph (b) only, namely—

(a) to consider the admissible objections not rejected under Rule 9C.10.2 or Rule 9C.11.2, and report with recommendations as to—

(i) which objections are the same or similar and so should be grouped under Rule 9C.11.6;

(ii) which objectors should be chosen to give evidence in relation to the objections so grouped; and

(iii) whether the invitations to give evidence (under Rule 9C.11.4) should be invitations to give evidence orally or in writing (or both);

(b) to consider the evidence given to the assessor and report with such recommendations on the basis of that evidence as the assessor considers appropriate.



4. In considering whether the Bill should proceed as a Hybrid Bill, the Hybrid Bill Committee shall consider whether the Bill is in accordance with Rule 9C.1.1 and whether the accompanying documents lodged in accordance with Rule 9C.3.2 and the details set out therein, in the opinion of the Committee, satisfy the requirements of that Rule and are adequate to allow proper scrutiny of the Bill.

5. If the Committee decides that the accompanying documents lodged in accordance with Rule 9C.3.2 and the details set out therein do not satisfy the requirements of that Rule and are not adequate to allow proper scrutiny of the Bill, it may allow the member in charge such reasonable period as the Committee considers appropriate to provide such further documents as, in the opinion of the Committee, should be provided. Any further documents provided under this paragraph are referred to as “supplementary accompanying documents”.

6. A supplementary accompanying document shall be in the same form as an accompanying document.

7. The Clerk shall arrange for any supplementary accompanying document, except any of the documents referred to in Rule 9C.3.2(g)(ii) and (iii), to be printed and published. The Clerk shall send a copy of any supplementary accompanying document published in accordance with this paragraph to the premises to which the document would have been sent under Rule 9C.4.2 if the document had been provided as an accompanying document.

8. Only members of the Parliament who are members of the Hybrid Bill Committee shall be entitled to participate in the proceedings of the Committee at Stage 1.

9. Where a Hybrid Bill contains provisions conferring powers to make subordinate legislation, the Delegated Powers and Law Reform Committee shall consider and report to the Hybrid Bill Committee on those provisions. The Delegated Powers and Law Reform Committee may also consider and report to the Hybrid Bill Committee on any provision in such a Bill conferring other delegated powers.

10. In considering the general principles of the Bill and preparing its report on them, the Hybrid Bill Committee shall take into account any views submitted by any other committee. The Hybrid Bill Committee shall also consider and report on the Bill’s Financial Memorandum and shall, in preparing its report, take into account any views submitted to it by the Finance Committee. The Hybrid Bill Committee shall also consider and report on the Bill’s Policy Memorandum.

11. The Hybrid Bill Committee shall report to the Parliament in time to allow the report to be published not later than the fifth sitting day before any date allocated in a business programme for the Parliament to consider the general principles of the Bill or whether the Bill should proceed as a Hybrid Bill under paragraph 12. The Parliament shall not consider the general principles of the Bill or whether the Bill should proceed as a Hybrid Bill earlier than the fifth sitting day after the Committee’s report is published unless it decides to do so on a motion of any member.

12. Once the Hybrid Bill Committee has reported on the Bill, the Parliament shall consider the general principles of the Bill and whether the Bill should proceed as a Hybrid Bill in the light of the Committee’s report and decide, on a motion of the member in charge of the Bill, whether to agree to those general principles and whether the Bill should proceed as a Hybrid Bill.

13. Any member may by motion propose that the Bill be referred back to the Hybrid Bill Committee for a further report on the general principles of the Bill or any specified part of the Bill or whether the Bill should proceed as a Hybrid Bill before the Parliament decides whether to agree to the general principles and whether the Bill should proceed as a Hybrid Bill.

14. If the motion is agreed to, consideration of the Bill's general principles and whether the Bill should proceed as a Hybrid Bill is adjourned to a time to be determined by the Parliamentary Bureau. The Parliamentary Bureau shall refer the Bill back to the Hybrid Bill Committee which shall prepare a further report in accordance with the Parliament's decision.

15. If the Parliament agrees to the Hybrid Bill's general principles and that the Hybrid Bill should proceed as a Hybrid Bill, the Bill proceeds to Stage 2. If the Parliament does not agree to the Hybrid Bill's general principles or does not agree that the Bill should proceed as a Hybrid Bill, the Bill falls.

### **Rule 9C.11 Stage 2**

1. The Hybrid Bill Committee shall take Stage 2 of the Hybrid Bill.

2. The Hybrid Bill Committee may at Stage 2 give preliminary consideration to an objection to which Rule 9C.7.8 applies if it was not reasonably practicable to give such consideration at Stage 1.

2A. Paragraphs 3 to 7A apply only where there are one or more admissible objections which have not been rejected at Stage 1 or following preliminary consideration under paragraph 2.

3. Where a direction under Rule 9C.10.3 was made at Stage 1, the Parliamentary corporation shall, at Stage 2, appoint as assessor such person as it considers suitably qualified, subject to such terms and conditions as it considers appropriate.

4. The Hybrid Bill Committee shall invite those persons mentioned in paragraph 5, and may invite other persons, to give evidence; and any such invitation may be to give evidence orally or in writing (or both). Where an assessor has been appointed in accordance with paragraph 3, any such invitation shall be an invitation to give evidence to that assessor.

5. The persons referred to in paragraph 4 are—

(a) the member in charge;

(b) any objector chosen under paragraph 6 to give evidence in relation to the objections grouped under that paragraph; and

(c) any objector whose objection has not been grouped with another objector under paragraph 6 (except where it appears to the Hybrid Bill Committee that the objector's interests are no longer adversely affected by the Hybrid Bill).

6. Where the Hybrid Bill Committee considers (whether or not on the basis of a recommendation by an assessor) that two or more objections are the same or similar, it may group those objections together and choose one or more objectors from that group to give evidence in relation to those objections.

7. The Hybrid Bill Committee shall consider the merits of the objections in the light of—

- (a) any evidence given to it; or
- (b) any report prepared by an assessor appointed in accordance with Rule 9C.10.3.

7A. The Hybrid Bill Committee may accept or reject—

- (a) the whole or any part of any objection;
- (b) the whole or any part of an assessor's report,

and may take such other steps as the Committee thinks fit (which may include referring further matters to an assessor for consideration and report or itself taking further evidence).

8. At Stage 2, each section and schedule and the long title of the Bill shall be considered separately and the Hybrid Bill Committee shall decide whether to agree to them. The question whether a section or schedule or the long title be agreed to shall be put by the convener without the need for any member to move a motion to that effect. Sections or schedules to which no amendments are proposed and which fall to be considered consecutively may be taken and agreed to together.

9. The Hybrid Bill Committee shall decide the order in which the sections and schedules of the Bill are to be considered at Stage 2. If it does not decide, the sections shall be taken in the order in which they arise in the Hybrid Bill, with each schedule taken immediately after the section which introduces it. The long title shall be taken last.

10. A Bill may be amended at Stage 2. Notice of an amendment may be given by any member not earlier than—

- (a) where the merits of objections are considered by the Hybrid Bill Committee under paragraph 7, the completion of that consideration;
- (b) where sub-paragraph (a) does not apply, but there has been preliminary consideration of objections under paragraph 2, the completion of that preliminary consideration;
- (c) in any other case, the completion of Stage 1.

10A. There must be at least 5 sitting days between the day on which notice of an amendment may first be given under paragraph 10 and the day on which consideration by the Hybrid Bill Committee of any amendments is to begin.

11. At Stage 2, amendments to any section or schedule or to the long title shall be disposed of before the Hybrid Bill Committee considers whether to agree to the provision in question. Where no amendments are proposed to a section, a schedule or the long title, the Hybrid Bill Committee shall proceed immediately to decide the question whether that provision be agreed to. If an amendment to leave out a section or schedule is disagreed to, that section or schedule shall be treated as agreed to.

12. Only members of the Parliament who are members of the Hybrid Bill Committee shall be entitled to participate in the proceedings of the Hybrid Bill Committee which relate to the consideration of objections at Stage 2.

13. At the end of Stage 2, the Clerk shall, if the Bill has been amended, arrange for the Bill as amended to be printed and published.

14. If a Bill is amended at Stage 2 so as to insert a section or schedule, or substantially alter any existing provision, the member in charge shall lodge with the Clerk, not later than the fourth sitting day before the day on which Stage 3 is due to start, revised or supplementary Explanatory Notes. Revised Explanatory Notes (or supplementary Explanatory Notes, when read in conjunction with the original Explanatory Notes) shall summarise objectively what each of the provisions of the amended Bill does (to the extent that it requires explanation or comment) and give any other information necessary or expedient to explain the effect of the amended Bill.

15. If a Bill is amended at Stage 2 so as to substantially alter any of the costs set out in the Financial Memorandum that accompanied the Hybrid Bill on introduction, the member in charge shall lodge with the Clerk, not later than the end of the second week before the week on which Stage 3 is due to start, a revised or supplementary Financial Memorandum. The revised Financial Memorandum (or supplementary Financial Memorandum, when read in conjunction with the original Financial Memorandum) shall set out, in relation to the amended Hybrid Bill, the information required under either Rule 9C.3.2(f) or Rule 9C.3.2(g)(i) in relation to the Bill on introduction.

16. The Clerk shall arrange for any revised or supplementary Explanatory Notes or Financial Memorandum to be printed and published.

17. If the Bill has been amended at Stage 2 so as to insert or substantially alter provisions conferring powers to make subordinate legislation, the Delegated Powers and Law Reform Committee shall consider and report to the Parliament on those provisions. The Committee may also consider and report on any new or substantially altered provisions conferring other delegated powers.

18. Where a Hybrid Bill is to be considered by the Delegated Powers and Law Reform Committee under paragraph 17, the member in charge shall lodge with the Clerk, not later than the end of the second week before the week on which Stage 3 is due to start, a revised or supplementary memorandum setting out, in relation to each provision of the Hybrid Bill conferring a power to make subordinate legislation which has been inserted or substantially altered at Stage 2, the information referred to in Rule 9C.5.1. The Clerk shall arrange for the revised or supplementary memorandum to be published.

### **Rule 9C.12 Stage 3**

1. Stage 3 of a Hybrid Bill shall be taken at a meeting of the Parliament.

2. At Stage 3, the Parliament shall decide, on a motion of the member in charge, whether the Hybrid Bill be passed.

3. A Hybrid Bill may be amended at Stage 3. Notice of an amendment may be given by any member after completion of Stage 2.
4. The Presiding Officer may select, as the Presiding Officer sees fit, those amendments which are to be taken at Stage 3 from amongst the admissible amendments of which notice has been given.
5. Before Stage 3 begins, the Parliament may, on a motion of the Parliamentary Bureau, agree to one or more time-limits that are to apply to debates on amendments (as they have been grouped by the Presiding Officer). If such a motion is agreed to, debates on those groups of amendments shall be concluded by the time-limits specified in the motion, except to the extent considered necessary by the Presiding Officer—
  - (a) to enable those members given a right to speak on an amendment by Rule 9C.14.15 to do so;
  - (b) as a consequence of the non-moving of an amendment leading to a change in the order in which groups are debated; or
  - (c) to prevent any debate on a group of amendments that has already begun when a time-limit is reached from being unreasonably curtailed.
6. Unless the Parliament has decided, on a motion of the Parliamentary Bureau, the order in which amendments are to be disposed of, they shall be disposed of in the order in which the sections and schedules to which they relate arise in the Bill. Amendments to the long title shall be taken last.
7. During Stage 3 proceedings that are subject to time-limits agreed to under paragraph 5, any member may, by motion without notice, propose that the next such time-limit be extended by such amount of time as is specified in the motion. Such a motion may be taken only with the agreement of the Presiding Officer and may not be debated or amended. If the motion is disagreed to, no further motion to extend that next time-limit may be moved. If the motion is agreed to, all remaining time-limits applicable to the same Bill shall be extended by the amount of time specified in the motion. The total time available on any sitting day for proceedings on Stage 3 amendments shall not be extended by more than 30 minutes by motions under this paragraph.
8. If any motion under paragraph 7 is agreed to, the Presiding Officer may make such consequential alterations to the daily business list, including altering the time of Decision Time, as the Presiding Officer considers necessary or appropriate. Members shall be notified of any such alteration.
9. Except where the motion that the Bill be passed is due to be moved on a later day, the convener of the Hybrid Bill Committee or the member in charge may, immediately after the last amendment has been disposed of, by motion without notice propose that the remaining proceedings at Stage 3 be adjourned to a later day. Such a motion may not be debated or amended. If the motion is not agreed to, the Parliament shall proceed immediately to debate the motion that the Hybrid Bill be passed.
10. If—

- (a) a motion under paragraph 9 is agreed to; or
- (b) the motion that the Bill be passed is otherwise due to be moved on a later day,

the convener of the Hybrid Bill Committee or the member in charge may give notice of amendments to the Bill to be moved at the adjourned proceedings or (as the case may be) on the later day when the motion that the Bill be passed is due to be moved. Such amendments are only admissible if, in addition to the criteria in Rule 9C.14.6, they are for the purpose of clarifying uncertainties or giving effect to commitments given at the earlier proceedings at Stage 3.

11. At the beginning of the debate on the motion that the Hybrid Bill be passed, the convener of the Hybrid Bill Committee or the member in charge of the Hybrid Bill may by motion propose that such part of the Bill as may be specified in the motion, amounting to no more than half of the total number of sections of the Hybrid Bill, be referred back to the Hybrid Bill Committee for further Stage 2 consideration. If the motion is agreed to, the proceedings are adjourned to a time to be determined by the Parliamentary Bureau which shall refer the Hybrid Bill to the Committee in accordance with the Parliament's decision. When the Stage 3 proceedings resume the Hybrid Bill may be amended, but amendments are only admissible if they are to the provisions which were referred back to the Committee or if they are necessary in consequence of any amendment made at the further Stage 2 proceedings.

12. This Rule, apart from paragraph 11, shall apply to the resumed Stage 3 proceedings as it applies to the initial Stage 3 proceedings.

13. At Stage 3 a Bill may be referred back to the Hybrid Bill Committee for further Stage 2 consideration only once.

14. If the motion that the Hybrid Bill be passed is agreed to by division, the result is valid only if the number of members who voted is more than one quarter of the total number of seats for members of the Parliament. In calculating the number of members who voted for this purpose, account shall be taken not only of those voting for and against the motion but also of those voting to abstain.

15. If the result of such a division is not valid the Hybrid Bill shall be treated as rejected.

### **Rule 9C.13 Reconsideration of Hybrid Bills**

1. The member in charge may, after the Hybrid Bill is passed, by motion propose that the Parliament resolve that it wishes to reconsider the Hybrid Bill if—

- (a) a question in relation to the Hybrid Bill has been referred to the Supreme Court under section 33;
- (b) a reference for a preliminary ruling (within the meaning of section 34(3)) has been made by the Supreme Court in connection with that reference; and
- (c) neither of those references has been decided or otherwise disposed of.

2. The member in charge may by motion propose that the Parliament resolve to reconsider the Hybrid Bill if—
  - (a) the Supreme Court decides that the Bill or any provision of it would not be within the legislative competence of the Parliament; or
  - (b) an order is made in relation to the Hybrid Bill under section 35 (order prohibiting Presiding Officer from submitting the Hybrid Bill for Royal Assent).
3. Proceedings on reconsideration shall be taken at a meeting of the Parliament.
4. A Hybrid Bill may be amended on reconsideration of the Hybrid Bill but amendments are only admissible if, in addition to the criteria in Rule 9C.14.6, they are for the purpose of resolving the problem which is the subject of the reference for a preliminary ruling or which is the subject of the decision of the Supreme Court or the order under section 35. An amendment may only be moved by the member in charge. Unless the Parliament has decided, on a motion of the Parliamentary Bureau, the order in which amendments are to be disposed of, they shall be disposed of in the order in which the provisions to which they relate arise in the Bill.
5. The Parliament may not consider an amendment if it affects a private interest and the holder of that private interest has not had the opportunity to comment on the amendment. In that event, the Parliament shall afford the holder of the private interest reasonable opportunity to comment on the amendment and then consider the amendment.
6. After amendments have been disposed of, the Parliament shall consider and decide the question whether to approve the Hybrid Bill.

#### **Rule 9C.14 Amendments to Hybrid Bills**

1. Amendments to a Hybrid Bill shall be in such form as the Presiding Officer shall determine.
2. Subject to paragraph 7, where a member intends to move an amendment to a Bill at Stage 2 or Reconsideration Stage, that member shall give notice of the amendment by lodging it with the Clerk no later than the day (referred to as the final lodging-day) that is the third sitting day before consideration of any amendments at that Stage is due to start. Where there is to be more than one meeting, held in different weeks, at which amendments are to be moved or disposed of, there shall be a separate final lodging-day for each of those weeks, that day being the third sitting day before the first such meeting in that week is due to take place. Amendments may be lodged until 16:30 on any day when the office of the Clerk is open, except on a final lodging-day, when amendments may be lodged only until 12:00.
3. Subject to paragraph 7, where a member intends to move an amendment to a Hybrid Bill at Stage 3, that member shall give notice of the amendment by lodging it with the Clerk no later than the day (referred to as the final lodging-day) that is the fourth sitting day before the Stage is due to start. Where there is to be more than one meeting of the Parliament, held in different weeks, at which amendments are to be moved or disposed of, there shall be a separate final lodging-day for each of those weeks, that day being the fourth sitting day before the first such meeting in that week

is due to take place. Amendments may be lodged until 16:30 on any day when the office of the Clerk is open.

4. Notice of an amendment shall set out the text of the amendment, together with the name of the member proposing it. The member in charge of the Hybrid Bill (if not the member proposing the amendment) and up to 4 other members may indicate their support for an amendment (other than a manuscript amendment) by notifying the Clerk at any time during the period when notice of that amendment may be given.

5. The convener, or, as the case may be, the Presiding Officer, shall determine any dispute as to whether an amendment of which notice has been given is admissible. Notice of admissible amendments shall be published in the Business Bulletin.

6. An amendment is admissible unless—

(a) it is not in proper form;

(b) it is not relevant to the provisions of the Hybrid Bill which it would amend;

(c) it is inconsistent with the general principles of the Hybrid Bill as agreed by the Parliament;

(d) it is inconsistent with a decision already taken on an amendment at the Stage at which the amendment is proposed; or

(e) it affects a private interest and the holder of that private interest has not had the opportunity to comment on the amendment. (In that event, the Committee or the Parliament, as appropriate, shall afford the holder of the private interest reasonable opportunity to comment on the amendment and then consider the amendment.)

7. An amendment of which less notice has been given than is required under paragraph 2 or 3 above is referred to as a “manuscript amendment”. A manuscript amendment may be moved only with the agreement of the convener or, as the case may be, the Presiding Officer. Such agreement shall be given only if the convener or, as the case may be, the Presiding Officer considers it is justified, in the circumstances, taking account of the disadvantages of lack of proper notice.

8. An amendment may be made to an amendment and this Rule shall apply accordingly.

9. An amendment (other than a manuscript amendment) may be withdrawn by the member who lodged it at any time during the period when notice of that amendment may be given, but only with the unanimous agreement of any members who have indicated their support for the amendment. If such agreement is not obtained, the amendment becomes an amendment in the name of the member who first indicated that member’s support for the amendment and who does not agree to the amendment being withdrawn.

10. Where, at any Stage, notice of amendments to a Hybrid Bill has been given, the Clerk shall prepare, for each week during which there are to be proceedings on the Hybrid Bill at which amendments are to be considered, a marshalled list of the admissible amendments proposed. The list shall set out the amendments not so far disposed of in the order in which they are to be disposed of as determined by the



Clerk. The list shall exclude manuscript amendments which may not be moved because agreement has been refused under paragraph 7 above and, at Stage 3, shall exclude amendments not selected by the Presiding Officer. The Clerk shall arrange for the marshalled list to be published.

11. An amendment to insert a new section or schedule shall normally specify where it is to be inserted and shall be disposed of accordingly.

12. An amendment to an amendment shall be disposed of before the amendment which it would amend.

13. An amendment at any Stage which would be inconsistent with a decision already taken on an amendment at the same Stage shall not be taken.

14. The convener or, as the case may be, the Presiding Officer may group amendments for the purposes of debate as that person sees fit. The Clerk shall arrange for any groupings to be published. An amendment debated as part of a group may not be debated again when it comes to be disposed of.

15. The member moving an amendment may speak in support of it. A member intending to move any other amendment that has been grouped with the amendment moved may speak in support of that other amendment. The member in charge of the Hybrid Bill and any member of the Scottish Government or junior Scottish Minister present at the proceedings may also speak on the amendment. Other members may speak on an amendment at the discretion of the convener or, as the case may be, the Presiding Officer.

16. If a member who has given notice of an amendment does not move the amendment when that amendment comes to be disposed of, the amendment may be moved by any other member present at those proceedings.

17. An amendment may be withdrawn by the member who moved it, but only if no member present at those proceedings objects.

### **Rule 9C.15 Crown consent**

1. Where a Hybrid Bill contains provisions, or is amended so as to include provisions, which would, if the Bill were a Bill for an Act of the United Kingdom Parliament, require the consent of Her Majesty, the Prince and Steward of Scotland or the Duke of Cornwall, the Parliament shall not debate any question whether the Bill be passed or approved unless such consent to those provisions has been signified by a member of the Scottish Government during proceedings on the Bill at a meeting of the Parliament.

### **Rule 9C.16 Financial Resolutions**

1. A resolution under this Rule is referred to as “a Financial Resolution”.

2. The Presiding Officer shall decide in every case whether a resolution is required for a Hybrid Bill under paragraph 3 or 4 of this Rule.

3. Where a Hybrid Bill contains provisions—

(a) which charge expenditure on the Scottish Consolidated Fund, or

(b) the likely effect of which would be to—

- (i) increase significantly expenditure charged on that Fund;
- (ii) give rise to significant expenditure payable out of that Fund for a new purpose; or
- (iii) increase significantly expenditure payable out of that Fund for an existing purpose,

no proceedings may be taken on the Hybrid Bill at any Stage after Stage 1 unless the Parliament has by resolution agreed to the expenditure or the increase in expenditure being charged on or, as the case may be, payable out of that Fund.

4. Where—

- (a) a Hybrid Bill contains provisions which impose or increase (or confer a power to impose or increase) any charge, or otherwise require (or confer a power to require) any payment to be made; and
- (b) the person to whom the charge or payment is payable is required, by or under any enactment, to pay sums received into the Scottish Consolidated Fund (or would be so required but for any provision made by or under an Act of the Scottish Parliament),

no proceedings may be taken on the Hybrid Bill at any Stage after Stage 1 unless the Parliament has by resolution agreed to the charge, increase or payment.

5. Paragraph 4—

- (a) applies only where the charge, increase in charge or payment is significant; and
- (b) does not apply where the charge, increase in charge or payment is—
  - (i) in respect of the provision of goods and is reasonable in relation to the goods provided; or
  - (ii) wholly or largely directed to the recovery of the cost of providing any service for which the charge is imposed or the payment requires to be made.

6. Where the effect of an amendment (or amendments) to a Hybrid Bill, if agreed to, would be that the Hybrid Bill would require a resolution under this Rule which it would not otherwise require, no proceedings may be taken on the amendment (or amendments) unless the Parliament has agreed to a motion for such a resolution.

7. Only the member in charge of the Hybrid Bill or another member of the Scottish Government or a junior Scottish Minister may give notice of a motion for a Financial Resolution. The motion may be moved only by the member in charge of the Hybrid Bill, another member of the Scottish Government or junior Scottish Minister, whether or not that person has given notice of it or indicated support for it. Such a motion may not be amended.

8. Unless—

(a) notice of a motion for any resolution required in relation to a Hybrid Bill by paragraph 3 or 4 is given within 6 months of the completion of Stage 1; and

(b) the motion is agreed to,

the Hybrid Bill falls.

**Rule 9C.17 Withdrawal of Hybrid Bills**

1. A Hybrid Bill may be withdrawn at any time by the member in charge but shall not be withdrawn after completion of Stage 1 except with the agreement of the Parliament.



## CHAPTER 10 SUBORDINATE LEGISLATION PROCEDURE

### Rule 10.1 Laying of instruments

1. Where, by virtue of any enactment, any instrument or a draft of any instrument made in the exercise of a power to make, confirm or approve subordinate legislation is required to be laid before the Scottish Parliament, the lodging of a copy of the instrument or the draft with the Clerk at any time when the office of the Clerk is open shall be treated for all purposes as being the laying of it before the Parliament.
2. The Clerk may require the person laying the instrument or draft instrument to provide such additional copies as the Clerk considers necessary.
3. Where any instrument or draft instrument is laid before the Parliament, the Clerk shall give members notice of that fact in accordance with Rule 10.9. Subject to paragraph 4, the Clerk shall refer the instrument or draft instrument for consideration to—
  - (a) the Delegated Powers and Law Reform Committee; and
  - (b) the lead committee or, where the Parliament, on a motion of the Parliamentary Bureau, decides that the instrument or draft instrument is to be considered by the Parliament, the Parliament.
4. Where an instrument or draft instrument that is not subject to any of the forms of Parliamentary control mentioned in Rules 10.4.1, 10.5.1 or 10.6.1 is referred to the lead committee, the lead committee is not required to consider it (other than as required by Rule 10.3A).

### Rule 10.2 Lead committee

1. The lead committee is the committee within whose remit the subject matter of the instrument falls.
2. Where the subject matter of the instrument falls within the remit of more than one committee, the Parliament may, on a motion of the Parliamentary Bureau designate one committee to be the lead committee. Copies of the instrument or draft instrument shall be sent to the other committees which may also consider the instrument or draft instrument and make any recommendations they consider necessary to the lead committee by a date specified in the business programme.

### Rule 10.3 Delegated Powers and Law Reform Committee

1. In considering the instrument or draft instrument, the Delegated Powers and Law Reform Committee shall determine whether the attention of the Parliament should be drawn to the instrument on the grounds—
  - (a) that it imposes a charge on the Scottish Consolidated Fund or contains provisions requiring payments to be made to that Fund or any part of the Scottish Administration or to any local or public authority in consideration of any licence or consent or of any services to be rendered, or prescribes the amount of any such charge or payment;

- (b) that it is made in pursuance of any enactment containing specific provisions excluding it from challenge in the courts, on all or certain grounds, either at all times or after the expiration of a specific period or that it contains such provisions;
- (c) that it purports to have retrospective effect where the parent statute confers no express authority so to provide;
- (d) that there appears to have been unjustifiable delay in the publication or in the laying of it before the Parliament;
- (e) that there appears to be a doubt whether it is intra vires;
- (f) that it raises a devolution issue;
- (g) that it has been made by what appears to be an unusual or unexpected use of the powers conferred by the parent statute;
- (h) that for any special reason its form or meaning could be clearer;
- (i) that its drafting appears to be defective;
- (j) that there appears to have been a failure to lay the instrument in accordance with section 28(2), 30(2) or 31 of the 2010 Act.

or on any other ground which does not impinge on its substance or on the policy behind it.

2. Other than where an instrument or draft instrument has been referred to the Parliament, the Delegated Powers and Law Reform Committee shall report its decision with its reasons in any particular case to the Parliament and to the lead committee. It shall do so normally no later than 20 days, and in any event no later than 22 days, after the instrument or draft instrument is laid.

3. Where an instrument or draft instrument has been referred to the Parliament, the Delegated Powers and Law Reform Committee shall report its decision with its reasons in any particular case to the Parliament. It shall do so normally no later than 20 days, and in any event no later than 22 days, after the instrument or draft instrument is laid. Where the relevant motion under Rule 10.4.4, 10.5.4 or 10.6.5 in relation to the instrument or draft instrument is to be taken on a date before the expiry of 22 days after the instrument or draft instrument is laid, the Delegated Powers and Law Reform Committee shall, if practicable, report its decision with its reasons to the parliament no later than the day before the motion is to be taken.

4. Where an instrument to which Rule 10.6.1(c) applies has a stated period that is greater than 44 days, the 22 day period in paragraphs 2 and 3 is replaced with the number of days amounting to half the stated period (rounded up to the nearest whole number). The normal reporting period of 20 days does not apply to such an instrument.

### **Rule 10.3A Procedure on breach of laying requirements**

1. Where an instrument is laid in breach of the laying requirements of section 28(2), 30(2) or 31 of the 2010 Act, the lead committee, where one is designated, shall

consider the explanation given to the Presiding Officer for the breach and may draw the explanation to the attention of the Parliament in any report on the instrument.

#### **Rule 10.4 Motion for annulment**

1. In the case of any instrument which is subject to the negative procedure, or otherwise subject to annulment in pursuance of a resolution of the Parliament, any member (whether or not a member of the lead committee) may, not later than 40 days after the instrument is laid, by motion propose to the lead committee that the committee recommend that the instrument be annulled.

2. In addition to the provisions of Rule 12.2.2, that member and the member of the Scottish Government or junior Scottish Minister in charge of the instrument, if not members of the lead committee, are entitled to attend the committee and participate in the proceedings for the purpose of debating the motion but may not vote. The debate on the motion shall last no more than 90 minutes.

3. The lead committee shall report to the Parliament on the instrument setting out its recommendations, taking into account any recommendations made by any other committee. It shall do so no later than 40 days after the instrument is laid.

4. If the lead committee makes a recommendation as mentioned in paragraph 1, the Parliamentary Bureau shall, no later than 40 days after the instrument is laid, by motion propose that the Parliament agrees that the instrument be annulled. The member moving the motion and the member of the Scottish Government or junior Scottish Minister in charge of the instrument may each speak in any debate for up to 3 minutes or such greater time as may be allocated by the Parliamentary Bureau. In addition, the Parliamentary Bureau may allocate such further time for open debate on such a motion as it considers appropriate.

#### **Rule 10.5 Motion that a draft instrument be not made or submitted**

1. In the case of any draft instrument laid before the Parliament where the instrument may be made without the approval of the Parliament, any member (whether or not a member of the lead committee) may, no later than 40 days after the draft instrument is laid, by motion propose to the lead committee that the committee recommend that the instrument be not made (or, in the case of a draft Order in Council, be not submitted to Her Majesty in Council).

2. In addition to the provisions of Rule 12.2.2, that member and the member of the Scottish Government or junior Scottish Minister in charge of the draft instrument, if not members of the lead committee, are entitled to attend the committee and participate in the proceedings for the purpose of debating the motion but may not vote. The debate on the motion shall last no more than 90 minutes.

3. The lead committee shall report to the Parliament on the draft instrument setting out its recommendations, taking into account any recommendations made by any other committee. It shall do so no later than 40 days after the instrument is laid.

4. If the lead committee recommends that the instrument be not made or, as the case may be, be not submitted to Her Majesty in Council, the Parliamentary Bureau shall, no later than 40 days after the draft instrument is laid, by motion propose that the instrument be not made or, as the case may be, be not submitted to Her Majesty in Council. Only the member moving the motion and the member of the Scottish

Government or junior Scottish Minister in charge of the draft instrument may speak in any debate on such a motion. Each such person may speak for no more than 3 minutes.

### **Rule 10.6 Motion for approval**

1. In the case of any instrument or draft instrument which is subject to the affirmative procedure, or otherwise subject to approval by resolution of the Parliament, including those laid before the Parliament which—

- (a) cannot be made;
- (b) cannot come into force; or
- (c) cannot remain in force beyond a stated period,

unless the Parliament by resolution approves the instrument or draft, the lead committee shall decide whether to recommend that the instrument or draft instrument be approved.

2. Any member of the Scottish Government or junior Scottish Minister (whether or not a member of the lead committee) may by motion propose to the lead committee that the committee recommend that the instrument or draft instrument be approved.

3. In addition to the provisions of Rule 12.2.2, that member and the member of the Scottish Government in charge of the instrument or draft instrument, if not members of the lead committee, are entitled to attend the committee and participate in the proceedings for the purposes of debating any such motion but may not vote. The debate on the motion shall last no more than 90 minutes.

4. The lead committee shall report to the Parliament on the instrument or draft instrument setting out its recommendations, taking into account any recommendations made by any other committee. It shall do so no later than 40 days after the instrument or draft instrument is laid or, in the case of an instrument falling within paragraph 1(c), by the end of the stated period.

5. If the lead committee recommends that the instrument or draft instrument be approved, the Parliamentary Bureau shall by motion propose that the Parliament agrees to approve the instrument or draft instrument. Only the member moving the motion, the member of the Scottish Government or junior Scottish Minister in charge of the instrument or draft instrument (if that person is not the member moving the motion) and one speaker against the motion may speak in any debate on the motion. Each such person may speak for no more than 3 minutes.

### **Rule 10.7 Instruments considered by the Parliament**

1. Where the Parliament has decided that an instrument or draft instrument laid before the Parliament be considered by the Parliament, any member may give notice of and move the relevant motion in relation to that instrument or draft instrument, as provided for in Rule 10.4.4, 10.5.4 or 10.6.5, within any relevant time limit set by that Rule. The debate on the motion shall last no more than 90 minutes.



**Rule 10.8 Withdrawal of draft instruments**

1. A draft instrument laid before the Parliament may be withdrawn at any time by the member of the Scottish Government or junior Scottish Minister in charge of it.

**Rule 10.9 Notice of instruments and draft instruments**

1. The Clerk shall ensure that notice of any instrument or draft instrument laid before the Parliament is published in the Business Bulletin. The notice shall give the title of the instrument or draft instrument.

**Rule 10.10 Application to other documents**

1. The Rules in this Chapter shall also apply, except for a pension or grants motion for which specific provision is made in Rule 8.11A, with such modifications as are appropriate, to any report, guidance, code of practice or other document laid before the Parliament which is subject to any form of Parliamentary control having the same or equivalent effect to those mentioned in Rules 10.4.1, 10.5.1 and 10.6.1.

**Rule 10.11 Calculation of days**

1. In calculating for the purposes of this Chapter any period of days, no account shall be taken of any time during which the Parliament is dissolved or is in recess for more than 4 days.



## **CHAPTER 10A**

### **PROPOSALS FOR EUROPEAN UNION LEGISLATION**

#### **Rule 10A.1 Proposal for European Union legislation**

1. In this Chapter—

(a) “end date” means the last date of the 8 week period, by which the UK Parliament can issue a reasoned opinion on an EU legislative proposal in terms of Article 6 of the Subsidiarity Protocol;

(b) “EU legislative proposal” is a proposal for the adoption of a legislative act to which the Subsidiarity Protocol applies;

(c) “principle of subsidiarity” refers to the principle that the European Union shall act only if and insofar as the objectives of the proposed action cannot be sufficiently achieved by the Member States, either at central level or at regional and local level, but can rather, by reason of the scale or effects of the proposed action, be better achieved at European Union level; and

(d) “Subsidiarity Protocol” means the Protocol (No. 2) on the Application of the Principles of Subsidiarity and Proportionality annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union.

#### **Rule 10A.2 Referral to lead committee**

1. Where the UK Government, the UK Parliament or the Scottish Government brings to the attention of the Parliament any EU legislative proposal (or part of such proposal) as raising a concern in relation to compliance with the principle of subsidiarity, the proposal may be considered by the committee within whose remit the subject matter of the proposal falls (“the lead committee”).

2. Where the subject matter of an EU legislative proposal falls within the remit of more than one committee, the Parliamentary Bureau may designate one of those committees as the lead committee.

#### **Rule 10A.3 Consideration of proposal for European Union legislation**

1. Where an EU legislative proposal has been referred to a lead committee in terms of Rule 10A.2, that committee may consider the EU legislative proposal and report to the Parliament if it considers that the proposal does not comply with the principle of subsidiarity.

2. Where the lead committee so considers that an EU legislative proposal does not comply with the principle of subsidiarity, the Convener of that committee shall by motion propose that the Parliament agrees that the EU legislative proposal does not comply with the principle of subsidiarity. The Parliamentary Bureau shall allocate such time for debate on the motion as it considers appropriate.

3. Where an EU legislative proposal is referred to a lead committee in terms of Rule 10A.2, and the lead committee decides having regard to the end date that there is an

insufficient period remaining for report by the committee and a debate on a motion in terms of paragraph 2, the Presiding Officer shall notify the UK Parliament of any concerns of the lead committee that the proposal does not comply with the principle of subsidiarity.

4. Where an EU legislative proposal is referred to a lead committee in terms of Rule 10A.2 while the Parliament is in recess for more than 4 days, the Presiding Officer may notify the UK Parliament of any concerns indicated by the Convener on behalf of the lead committee that the proposal does not comply with the principle of subsidiarity

.

## CHAPTER 11 DECISIONS AND VOTING

### **Rule 11.1 Decisions of the Parliament**

1. All decisions of the Parliament shall be taken by resolution.
2. A matter requiring a decision of the Parliament shall be decided by a question being put to a meeting of the Parliament by the Presiding Officer on a motion or amendment being moved by a member. The question shall be that the motion or amendment be agreed to.
3. Where any question requires to be put to the Parliament, it shall be put in accordance with Rules 11.2 to 11.4.

### **Rule 11.2 Decision Time**

1. Except as provided in Rule 11.3, the Presiding Officer shall put any question in relation to a motion or amendment during Decision Time on the day on which the motion or amendment is moved.
2. Decision Time is the period which normally begins at 17:00 where a meeting of the Parliament is held on Monday, Tuesday, Wednesday or Thursday and at 12:00 where a meeting of the Parliament is held on Friday and which ends when every decision which is to be taken during Decision Time has been taken.
3. Normally, Decision Time shall end not later than 30 minutes after it begins but, in accordance with Rule 2.2.6(a), it may continue in order to complete any voting which is not adjourned to a later meeting under paragraph 5.
4. The Parliament may, on a motion of the Parliamentary Bureau, decide that Decision Time on a particular day or days shall begin at a time other than that mentioned in paragraph 2.
5. The Parliament may, on a motion of any member moved without notice not more than 30 minutes after the beginning of Decision Time, decide that decisions which have not been taken by the time the motion is moved are to be taken at a later meeting of the Parliament. Members shall be notified of the day and time when such decisions are to be taken.
6. Where—
  - (a) a motion is listed on the daily business list for consideration before Decision Time; but
  - (b) that motion has not been moved before Decision Time begins,

the Presiding Officer may allow the motion, and any amendment to it, to be moved at the beginning of Decision Time.

### **Rule 11.3 Decisions at times other than Decision Time**

1. In the following cases the Presiding Officer shall, subject to paragraph 3, put the question immediately after closing the debate on the motion in relation to that

question or, if there is no debate on the motion, immediately after the motion is moved—

- (a) a motion seeking the agreement of the Parliament to the First Minister's recommendation for the appointment of a person as Lord Advocate or Solicitor General for Scotland under Rule 4.3 or for the removal of a person as Lord Advocate or Solicitor General for Scotland under Rule 4.4;
- (b) a motion seeking the agreement of the Parliament that a person be appointed a Minister under Rule 4.6 or a junior Scottish Minister under Rule 4.7;
- (c) a business motion;
- (d) a motion for the closure or extension of a debate;
- (e) a motion for the adjournment of a debate;
- (eza) a motion for a Scottish rate resolution under Rule 8.10, or a motion to cancel such a resolution;
- (ea) a motion under Rule 9.6.3A that is moved on the day the general principles of the Bill referred to in the motion are to be considered;
- (f) a motion under Rule 9.6.5;
- (fa) a motion under Rule 9A.8.9;
- (fb) a motion under Rule 9C.10.13;
- (g) a motion under Rule 9.8.5, 5C or 6;
- (ga) a motion under Rule 9A.10.5 to determine the order in which amendments are to be disposed of or to adjourn the remaining Final Stage proceedings on a Private Bill, or a motion under Rule 9A.10.6;
- (gb) a motion under Rule 9C.12.6 to determine the order in which amendments are to be disposed of, or a motion under Rule 9C.12.9 or Rule 9C.12.11;
- (h) a motion under Rule 9.21.1 or any motion in relation to an Emergency Bill;
- (i) a motion for the exclusion of a member;
- (j) a motion for the adjournment or closure of a meeting of the Parliament;
- (k) a Members' Business motion moved after Decision Time; and
- (l) a motion taken after 17:30 at a meeting of the Parliament in respect of which the Parliament has taken a decision under Rule 2.2.4.

2. If an amendment to a Bill is moved, the Presiding Officer shall put the question on that amendment immediately after any debate on that amendment or, if the amendment has already been debated, immediately after the amendment is moved.

3. Decisions may, at the discretion of the Presiding Officer, be taken at a time other than Decision Time or the times mentioned in paragraphs 1 and 2. Members shall be notified of any such time.

#### **Rule 11.4 Order in which questions are put**

1. At Decision Time or any alternative time mentioned in Rule 11.3, questions on motions shall be put in the order in which the motions were moved.

2. Questions on amendments to a motion shall be put in the order in which those amendments were moved. The Presiding Officer shall, before putting the question under paragraph 1, put, in turn, each question that an amendment to the motion be agreed to. But the Presiding Officer shall not put the question on an amendment that has, in the Presiding Officer's opinion, been pre-empted by the Parliament's earlier agreement to another amendment to the same motion.

3. If any member disagrees with the question put under paragraph 1 or 2 or Rule 11.3.2, or if the Presiding Officer asks members to cast their votes again under Rule 11.7.3, there shall immediately be a division.

4. The provisions of this Rule shall apply to amendments to amendments with such modifications as are appropriate.

#### **Rule 11.5 Right to vote**

1. Only members have a right to vote at a meeting of the Parliament. A member is not obliged to vote.

2. A member shall vote only in person and shall not vote on behalf of any other member.

3. A member may vote although that member did not hear the question put.

4. A member shall vote only once on any question except where the Presiding Officer asks members to cast their votes again under Rule 11.7.3.

5. Except in the case of a vote at an election or a selection process under Rule 11.9 or 11.10 the Presiding Officer shall exercise a casting vote in the event of a tie in any vote at a meeting of the Parliament, but shall not otherwise vote in the Parliament.

#### **Rule 11.6 Divisions**

1. A division shall be held where it is required by Rule 11.4.3 or 11.8.2 and shall be conducted in accordance with the following provisions.

2. The Presiding Officer shall repeat the question. The Presiding Officer shall then ask members to vote within a specified period of time.

3. Once the Presiding Officer has repeated the question, no-one except the Presiding Officer may speak until the Presiding Officer has declared that the specified period of time has ended.

4. Points of order concerning the validity of the division may be raised only after the Presiding Officer has declared that the specified period of time has ended.

5. The Presiding Officer shall establish the numerical result of the division and shall announce the numbers of votes for and against and the number of votes to abstain.
6. In the event of a tie, the Presiding Officer shall exercise a casting vote.

#### **Rule 11.7 Manner of voting**

1. Normally members shall vote at a meeting of the Parliament or of a Committee of the Whole Parliament using the electronic voting system.
2. If it appears to the Presiding Officer that the electronic voting system cannot be used for any reason, a roll call vote, or a vote in accordance with such other manner of voting as the Presiding Officer may decide, shall be held.
3. If it appears to the Presiding Officer that the electronic voting system has produced an unreliable result, he shall ask members to cast their votes again in accordance with any manner of voting the Presiding Officer considers appropriate.
4. In a roll call vote, the roll shall be called in alphabetical order. Voting shall be by word of mouth and shall be expressed by "Yes", "No" or "Abstain".

#### **Rule 11.8 Committees**

1. Subject to paragraph 2, the convener of a committee or sub-committee shall determine the time at which members shall take a decision on any item of business.
2. If an amendment to a Bill is moved, the convener shall (subject to Rule 9.12.6(b)) put the question on that amendment immediately after any debate on that amendment or, if the amendment has already been debated, immediately after the amendment is moved. If any member disagrees with the question put under this paragraph, there shall immediately be a division.
3. Except as provided in any direction given to a committee by the Parliament, members of a committee (other than a Committee of the Whole Parliament) or sub-committee shall vote by show of hands unless, before they do so, a member of the committee or sub-committee requests a roll call vote, as described in Rule 11.7.4, and the convener agrees to that request.
4. Rule 11.5 applies where members vote in a committee or sub-committee except that—
  - (a) only members of the committee or sub-committee may vote in that committee or sub-committee, as the case may be; and
  - (b) the convener of a committee or sub-committee may vote and shall also exercise a casting vote in the event of a tie.
5. Rules 11.4, 11.6 and 11.11 shall apply to the taking of decisions at meetings of committees and sub-committees as they apply to the taking of decisions at meetings of the Parliament, with such modifications as are appropriate.

#### **Rule 11.9 Election of the Presiding Officer and deputy Presiding Officers**

1. This Rule applies to any election of the Presiding Officer or any deputy Presiding Officer to be held by virtue of Rule 3.2 or 3.3.



2. The vote at an election shall be by secret ballot and shall be held during the voting period appointed under Rule 3.2 or 3.3. Where there is more than one candidate, there may be more than one round of voting in accordance with paragraphs 7 to 12.

3. The result of any vote under this Rule is valid only if the number of members who voted is more than one quarter of the total number of seats for members. For this purpose, in calculating the number of members who voted—

(a) account shall be taken not only of those voting for or against a candidate, but also of those voting to abstain; and

(b) where there is more than one round of voting the result of each round of voting shall be treated as a separate result and the number of members who voted shall be taken to be the total number who voted in that round.

If the result of any vote at an election is invalid under this Rule, no candidate shall be elected at that election.

4. Each candidate may appoint a member to act as a scrutineer on that candidate's behalf. Each scrutineer may monitor the counting of votes by the Clerk and may request the Clerk to perform a count again. The Clerk may refuse such a request only if the Clerk considers it unreasonable.

5. Any member may, at the beginning of a round of voting, obtain a ballot paper from the Clerk. Any member who obtains a ballot paper shall immediately mark that member's vote on that ballot paper and then put the ballot paper in the ballot box provided for that purpose by the Clerk. That member may not thereafter obtain another ballot paper or vote during that round of voting.

6. Where there is only one candidate in a round of voting, a member may vote for or against that candidate or to abstain. At the completion of that round of voting the Clerk shall count the votes and inform the person chairing the meeting of the number of votes for the candidate, the number of votes against the candidate and the number of votes to abstain. The candidate shall be elected if a simple majority of votes in the candidate's favour is obtained.

7. Where there is more than one candidate in a round of voting, a member may vote for one of those candidates or to abstain. At the completion of each round of voting in which there is more than one candidate, the Clerk shall count the votes and inform the person chairing the meeting of the number of votes for each candidate and the number of votes to abstain.

8. Where there are 2 candidates in a round of voting, a candidate shall be elected if a simple majority of votes in that candidate's favour is obtained.

9. Where there are more than 2 candidates in a round of voting and the number of votes for one candidate exceeds the total number of votes for all the other candidates, that candidate shall be elected.

10. Where there are more than 2 candidates in a round of voting but no candidate is elected under paragraph 9, the candidate or candidates with the smallest number of votes shall be eliminated and there shall then be a further round or rounds of voting until—

- (a) a candidate is elected in accordance with paragraph 6, 8 or 9;
- (b) paragraph 11 applies; or
- (c) the result of any vote is invalid under this Rule.

11. Where in any round of voting the candidates all receive the same number of votes no candidate shall be elected at that election.

12. A candidate may withdraw that candidate's candidature at any stage between the rounds of voting mentioned in paragraphs 7 to 10.

13. In counting the votes, the Clerk may disregard any ballot paper if, in the Clerk's opinion, it does not clearly indicate the voter's choice.

14. When a candidate has been elected in accordance with this Rule the person chairing the meeting shall announce the name of the candidate who has been elected. The person chairing the meeting shall also announce—

- (a) after the count in a case where the provisions of paragraph 6 apply, the number of votes for and against the candidate and the number of votes to abstain; and
- (b) after the count in any other case, the number of votes for each candidate, the number of votes to abstain and the name of any candidate who has been eliminated at that round.

15. Where no candidate is elected at an election held in accordance with this Rule, the person chairing the meeting shall announce that fact and arrange for another election to be held as soon as possible. The Clerk shall notify members of the day and time appointed for the voting period at that election.

16. Following a declaration that a candidate has been elected or that no candidate has been elected, the Clerk shall destroy all the ballot papers.

#### **Rule 11.10 Selection of the First Minister**

1. This Rule applies to the selection of a nominee for appointment as First Minister to be held by virtue of Rule 4.1 ("the selection process"). Where this Rule applies, the procedure for the selection process shall be as follows.

2. Voting under this Rule shall be held using the electronic voting system and shall be held during the voting period appointed under Rule 4.1. If it appears to the Presiding Officer that the electronic voting system cannot be used for any reason or that it has produced an unreliable result, the Presiding Officer shall ask members to cast their votes again in a paper ballot of members, a roll call vote, or in accordance with any manner of voting the Presiding Officer considers appropriate. Where there is more than one candidate, there may be more than one round of voting in accordance with paragraphs 6 to 11.

3. A member may vote only once in a round of voting except where the Presiding Officer asks members to cast their votes again under paragraph 2.

4. The result of any vote under this Rule is valid only if the number of members who voted is more than one quarter of the total number of seats for members. For this purpose, in calculating the number of members who voted—

(a) account shall be taken not only of those voting for or against a candidate, but also of those voting to abstain; and

(b) where there is more than one round of voting, the result of each round of voting shall be treated as a separate result and the number of members who voted shall be taken to be the total number who voted in that round.

If the result of any vote at a selection process is invalid under this Rule, no candidate shall be selected at that selection process.

5. Where there is only one candidate in a round of voting, a member may vote for or against that candidate or to abstain. At the completion of that round of voting, the Presiding Officer shall establish the number of votes for the candidate, the number of votes against the candidate and the number of votes to abstain. The candidate shall be selected if a simple majority of votes in the candidate's favour is obtained.

6. Where there is more than one candidate in a round of voting, a member may vote in accordance with the following procedure—

(a) the Presiding Officer shall read out the names of all the candidates;

(b) the Presiding Officer shall then read out the name of each candidate in turn, in alphabetical order;

(c) after each name is read out, those members who wish to vote for that candidate shall cast their votes;

(d) when the votes for the last candidate have been cast, members shall be given an opportunity to vote to abstain.

At the completion of each round of voting in which there is more than one candidate, the Presiding Officer shall establish the number of votes for each candidate and the number of votes to abstain.

7. Where there are 2 candidates in a round of voting, a candidate shall be selected if a simple majority of votes in that candidate's favour is obtained.

8. Where there are more than 2 candidates in a round of voting and the number of votes for one candidate exceeds the total number of votes for all the other candidates, that candidate shall be selected.

9. Where there are more than 2 candidates in any round of voting but no candidate is selected under paragraph 8, the candidate or candidates with the smallest number of votes shall be eliminated and there shall then be a further round or rounds of voting until—

(a) a candidate is selected in accordance with paragraph 5, 7 or 8;

(b) paragraph 10 applies; or

(c) the result of any vote is invalid under this Rule.

10. Where in any round of voting the candidates all receive the same number of votes no candidate shall be selected at that selection process.

11. A candidate may withdraw his or her candidature at any stage between the rounds of voting mentioned in paragraphs 6 to 10.

12. When a candidate has been selected in accordance with this Rule the person chairing the meeting shall announce the name of the candidate who has been selected. The person chairing the meeting shall also announce—

(a) in a case where the provisions of paragraph 5 apply, the number of votes for and against the candidate and the number of votes to abstain; and

(b) in any other case, the number of votes for each candidate and the name of any candidate who has been eliminated at that round.

13. Where no candidate is selected at a selection process held in accordance with this Rule, the Presiding Officer shall announce that fact and arrange for another selection process to be held as soon as possible. The Clerk shall notify members of the day and time appointed for the voting period at that selection process.

#### **Rule 11.10A Election of members of the Parliamentary corporation**

1. This Rule applies to the election of members of the Parliamentary corporation to be held by virtue of Rule 3.7. Where this Rule applies, the procedure for the election process shall be as follows.

2. Voting under this Rule shall be held using the electronic voting system and shall be held on the date and time appointed under Rule 3.7. If it appears to the Presiding Officer that the electronic voting system cannot be used for any reason or that it has produced an unreliable result, the Presiding Officer shall ask members to cast their votes again in a paper ballot of members, a roll call vote, or in accordance with any manner of voting the Presiding Officer considers appropriate.

3. A member may vote only once in each round of voting except where the Presiding Officer asks members to cast their votes again under paragraph 2.

4. The result of any vote under this Rule is valid only if the number of members who voted is more than one quarter of the total number of seats for members. For this purpose, in calculating the number of members who voted—

(a) account shall be taken not only of those voting for or against a candidate, but also of those voting to abstain; and

(b) where there is more than one round of voting the result of each round of voting shall be treated as a separate result and the number of members who voted shall be taken to be the total number who voted in that round.

If the result of any vote at an election is invalid under this Rule, no candidate shall be elected at that election.

5. Where the number of candidates for election is greater than the number of vacancies, the procedure and voting shall be in accordance with paragraphs 7 to 12.
6. In any other case, the procedure and voting shall be in accordance with paragraphs 13 to 16.
7. Where paragraph 5 applies, a member may vote in accordance with the following procedure—
  - (a) the Presiding Officer shall read out the names of all the candidates;
  - (b) the Presiding Officer shall then read out the name of each candidate in turn, in alphabetical order;
  - (c) after each name is read out, those members who wish to vote for that candidate shall cast their votes;
  - (d) when the votes for the last candidate have been cast, members shall be given an opportunity to abstain.

At the completion of each round of voting the Presiding Officer shall establish the number of votes for each candidate and the number of votes to abstain.

8. Where there are 2 candidates in a round of voting a candidate shall be elected if a simple majority of votes in that candidate's favour is obtained.
9. Where there are more than 2 candidates in any round of voting and the number of votes for one candidate exceeds the total number of votes for all the other candidates, that candidate shall be elected.
10. Where there are more than 2 candidates in any round of voting, but no candidate is elected under paragraph 9, the candidate with the lowest number of votes shall be eliminated.
11. Where in any round of voting the candidates all receive the same number of votes, or the result of the vote is invalid under this Rule, no candidate shall be elected or eliminated at that round.
12. There shall then be a further round or rounds of voting in accordance with paragraphs 7 to 11 until either—
  - (a) a candidate has been elected to each of the vacancies; or
  - (b) the number of candidates remaining is equal to the number of vacancies remaining, in which case the procedure and voting shall continue in accordance with paragraphs 13 to 16.
13. Where paragraph 6 or 12(b) applies, the Presiding Officer shall invite members to agree that there be a single vote to elect all the candidates. If any member disagrees, further procedure and voting shall be in accordance with paragraphs 14 to 16. If all members are in agreement that there should be a single vote, the Presiding Officer shall read out the names of the candidates. After all the names are read out, a member may vote for or against the candidates or to abstain. The candidates shall

be elected if there is a simple majority of votes in favour of their election. The candidates shall be eliminated from the election if there is not a simple majority of votes in favour of their election.

14. Where by virtue of paragraph 13 further procedure and voting is required, a member may vote in accordance with the following procedure—

(a) the Presiding Officer shall read out the name of the candidate whose name is alphabetically first; and

(b) after the name is read out, a member may vote for or against that candidate or to abstain.

At the completion of the vote the Presiding Officer shall establish the number of votes for the candidate, against the candidate or to abstain.

15. The candidate shall be elected if a simple majority of votes in that candidate's favour is obtained. The candidate shall be eliminated from the election if a simple majority of votes in that candidate's favour is not obtained.

16. The procedure in paragraph 14 shall be repeated for each of the remaining candidates in turn until each of them has either been elected or eliminated.

17. A candidate may withdraw that candidate's candidature at any stage between the rounds of voting or votes as mentioned in paragraphs 7 to 16.

18. At the end of every round of voting or vote, the Presiding Officer shall announce—

(a) in a case where paragraphs 7 to 12 apply—

(i) the number of votes for each candidate in that round;

(ii) the number of votes to abstain; and

(iii) the name of any candidate who has been elected or eliminated in that round;

(b) in a case where paragraphs 13 to 16 apply—

(i) the number of votes for and against the candidates and the number of votes to abstain; and

(ii) whether the candidates have been elected or eliminated.

19. Where the total number of vacancies are not filled during an election held in accordance with this Rule, the Presiding Officer shall announce that fact and the Parliament shall hold a further election under Rule 3.7.

20. In this Rule any reference to a vacancy shall include a reference to an appointed member to be elected in accordance with Rule 3.7.1.

**Rule 11.11 Simple and absolute majority**

1. Any decision of the Parliament shall, if taken by division, require a simple majority unless otherwise expressly stated in any enactment or in these Rules.
2. A simple majority means that the number of members voting for a proposition is more than the number of members voting against that proposition. No account shall be taken of any members who vote to abstain.
3. An absolute majority means that the number of members voting for a proposition is more than half of the total number of seats for members of the Parliament or, in the case of a committee or sub-committee, more than half of the number of members of that committee or sub-committee.





## CHAPTER 12

### COMMITTEE PROCEDURES

#### **Rule 12.1 Conveners of committees**

1. Each committee shall have a convener who shall convene and chair the meetings of the committee.
2. The Parliament shall decide, for each committee, on a motion of the Parliamentary Bureau—
  - (a) the political party whose members shall be eligible to be convener of the committee; or
  - (b) that the convener shall be chosen from the members not representing any political party.
3. The Parliament may, on a motion of the Parliamentary Bureau, decide that all committees shall have a deputy convener.
4. If the Parliament decides that all committees shall have a deputy convener, the Parliament shall decide, for each committee, on a motion of the Parliamentary Bureau—
  - (a) the political party whose members shall be eligible to be deputy convener of the committee; or
  - (b) that the deputy convener shall be chosen from the members not representing any political party.
5. In making a proposal under paragraph 2 or 4, the Parliamentary Bureau shall have regard to the balance of political parties in the Parliament.
6. At the first meeting of a committee after it is established by the Parliament, members of the committee shall choose a convener. That meeting shall be chaired by the Oldest Committee Member until a convener is chosen. Once a convener is chosen, the convener shall take the chair.
7. The convener of a committee shall be a member of that committee (other than a committee substitute) who shall be chosen in accordance with the decision of the Parliament under paragraph 2.
8. The convener of a committee shall hold office for the duration of the committee unless—
  - (a) the convener resigns from that office by intimating resignation to the Clerk;
  - (b) the convener is removed from that office by a decision taken by an absolute majority of the committee on a motion under paragraph 8A; or
  - (c) the convener ceases to be a member of the Parliament or of that committee otherwise than by virtue of a dissolution.

8A. A member of a committee may by motion propose that the convener of the committee be removed from office.

8B. Where notice of such a motion has been given and it has received the support of at least one other member of the committee, it shall be placed on the agenda for, and taken at, the first meeting of the committee that is at least 2 days after the day on which it received the necessary support (excluding any days when the office of the Clerk is not open).

9. Where the convener of a committee ceases to hold office, the committee shall choose another member of the committee (other than a committee substitute) to be the convener in accordance with the decision of the Parliament under paragraph 2. If it is not possible for the committee to choose a convener in accordance with that decision, the Parliament shall, on a motion of the Parliamentary Bureau, make a further decision under paragraph 2 in relation to the committee, and the choice of a convener in accordance with paragraph 7 shall proceed accordingly.

10. Where, in accordance with a decision of the Parliament under paragraph 3, a committee is to have a deputy convener, that person shall be a member of that committee (other than a committee substitute) who is chosen by the members of that committee in accordance with the decision of the Parliament under paragraph 4. Paragraphs 8, 8A, 8B and 9 shall apply to the deputy convener of a committee as they apply to the convener of a committee with such modifications as are appropriate. Where a deputy convener carries out the functions of a convener that deputy shall have all the functions of a convener under these Rules for that purpose.

11. Where a committee does not have a deputy convener, or where the deputy convener is not available for any meeting of the committee, or leaves the chair for part of any meeting, or is at any time other than at a meeting of a committee unable to act as deputy convener, the functions of deputy convener shall, so far as required by this Rule, be carried out by a Temporary Convener chosen under paragraph 15. When a Temporary Convener carries out the functions of a deputy convener the Temporary Convener shall have all the functions of a convener under these Rules for that purpose.

12. Where the convener is not available for any meeting of the committee, or leaves the chair for part of any meeting, that meeting, or that part of the meeting, shall be chaired by the deputy convener. Where at any time other than during a meeting of a committee a convener is unable to act as convener, the deputy convener shall carry out the functions of the convener.

13. Where the office of convener is vacant, a meeting of the committee shall be convened by the deputy convener and that meeting shall be chaired by the deputy convener for the purpose of choosing a convener.

14. When the deputy convener or the Oldest Committee Member chairs a meeting or part of a meeting of a committee, that person shall have all the functions of a convener under these Rules for the purposes of conducting the business of that meeting or that part of a meeting.

15. Any reference to a Temporary Convener is to a member of a committee (other than a committee substitute) chosen under this paragraph. Where a committee does

not have a deputy convener or in the other circumstances detailed in paragraph 11, a Temporary Convener shall be chosen by a committee at a meeting of the committee—

(a) where the convener is not available for any meeting or leaves the chair for part of any meeting; or

(b) where at any time other than at a meeting of a committee a convener is unable to act as convener and the oldest member of the committee (other than a committee substitute) considers it necessary that a Temporary Convener be appointed.

16. For the purpose of choosing a Temporary Convener under—

(a) paragraph 15(a), the meeting shall be chaired by the convener or Oldest Committee Member; or

(b) paragraph 15(b), the meeting shall be convened by the oldest member of the committee (other than a committee substitute) and shall be chaired by the Oldest Committee Member.

17. When a Temporary Convener is chosen by a committee, the Temporary Convener shall take the chair and shall exercise all functions of the convener of that committee until the convener or, where the committee has a deputy convener, the deputy convener is again able to act.

18. When the oldest member of a committee convenes a meeting of a committee, that member shall have all the functions of a convener under these Rules for that purpose.

19. Any reference to the Oldest Committee Member means the oldest member of the committee other than a committee substitute—

(a) who is present at any meeting; and

(b) who has indicated to the Clerk that that member agrees to chair the meeting.

20. This Rule is subject to any other Rule making express provision about conveners of committees.

### **Rule 12.2 Procedure in committee**

1. A committee shall not commence consideration of any business or vote if the number of committee members present (including the convener or deputy convener if that person is in the chair) is fewer than 3.

2. Any member of the Parliament may attend any meeting, or part of a meeting, of any committee held in public, but if that member—

(a) is not a member of the committee;

(b) is a member of the committee and a committee substitute is attending in that member's place; or

(c) is a member of the committee but is prevented from exercising the rights of a committee member by Rule 9.13A,

that member may participate in the proceedings of the committee only if invited to do so by the convener and may not vote.

3. Where a committee, except a Private Bill Committee or a Hybrid Bill Committee, is considering any of the business mentioned in Rule 6.2.2(b), (c) or (d), the following persons (if not members of the committee) shall be entitled to participate in the proceedings of the committee but may not vote, namely—

(a) in the case of a Bill, the member in charge of the Bill; and

(b) in the case of a Bill that is not a Government Bill or in the case of any other business, the member of the Scottish Government or junior Scottish Minister who has general responsibility for the subject matter with which the business is concerned.

### **Rule 12.2A Participation by substitutes**

1. Where a committee member—

(a) is unavailable for a committee meeting (or any committee activity taking place other than at a meeting) because of illness, family circumstances, adverse travel conditions beyond the member's control, a requirement to attend to other Parliamentary business or urgent constituency business; or

(b) has ceased to hold that office and a replacement committee member has yet to be appointed,

a committee substitute from the same political party may, subject to Rule 9.13A, participate in place of that member.

2. Where a committee member is prevented by Rule 9.13A from participating in that capacity in the consideration by the committee of a proposal or Bill, a committee substitute from the same political party or a Bill substitute may, subject to Rule 9.13A, participate in place of that member in that consideration.

2A. Where the Standards, Procedures and Public Appointments Committee is considering whether the conduct of a member of that Committee is in accordance with these Rules or with any Code of Conduct for members, or any related question of sanctions, a committee substitute from the same political party may participate in place of that member in that consideration.

3. Where a substitute participates in place of a committee member in a committee meeting (or other committee activity) under—

(a) paragraph 1(a), the committee member may not also participate in that capacity during any part of the same committee meeting (or activity);

(b) paragraph 2, the committee member may participate in that capacity during any other part of the same meeting (or activity) which does not involve consideration of the proposal or Bill;

(c) paragraph 2A, the committee member may participate in that capacity during any other part of the same meeting (or activity) which does not involve consideration of the matters referred to in that paragraph.

4. Where a substitute participates in the work of a committee by virtue of paragraph 1, 2 or 2A, that substitute shall (except where these Rules expressly provide otherwise)—

(a) have all the functions of a committee member, including the right to attend and participate in committee meetings (or parts of meetings) held in private and the right to a vote in any division; and

(b) be regarded as a committee member for the purposes of these Rules.

5. Where a substitute participates in place of a committee member who holds the office of convener, deputy convener or Temporary Convener, the substitute shall not have any of the functions of that office.

### **Rule 12.3 Committee meetings**

1. A committee shall meet to consider such business on such days and at such times as it may from time to time decide, subject to any timetable specified in the business programme. The convener shall notify the Clerk, and the Clerk shall notify members in the Business Bulletin, of the agenda for each meeting.

2. A committee shall meet in Scotland at such place as it may decide, with the approval of the Parliamentary Bureau and the Conveners Group. A decision under this Rule shall, in the event of any disagreement between the Parliamentary Bureau and the Conveners Group, be referred to the Parliamentary corporation for a determination. The Parliamentary Bureau may require the Conveners Group to make a decision under this Rule within a specified period. If the Conveners Group does not make a decision within that period, the decision on the approval shall be made by the Parliamentary Bureau.

3. A committee meeting may be held on any day, whether a sitting day or not and whether within or outwith the normal Parliamentary week. Committee meetings shall not normally be held when the Parliament is in recess.

3A. Subject to paragraph 3B, a meeting of a committee (other than a Private Bill Committee) shall not begin when a meeting of the Parliament is in progress, and a committee meeting that has begun shall be closed before, or suspended during, any period when a meeting of the Parliament is in progress. For the purpose of this paragraph, a meeting of the Parliament is not in progress during a suspension under Rule 7.4.1 or an adjournment under Rule 8.16.

3B. A meeting of a committee may be held when a meeting of the Parliament is in progress if the Parliament so decides on a motion of the Parliamentary Bureau.

4. Committee meetings shall be held in public except as mentioned in paragraph 5.

5. All or part of a meeting of a committee may be held in private if the committee so decides. Any meeting at which a committee is considering any of the business mentioned in Rule 6.2.2(b), (c) or (d) shall be held in public except where, for the

purpose of taking evidence, the committee decides that it is appropriate that the meeting, or part of the meeting, should be held in private.

#### **Rule 12.4 Witnesses and documents**

1. A committee may, in connection with any competent matter, invite any person—

(a) to attend its proceedings for the purpose of giving evidence; or

(b) to produce documents in that person's custody or under that person's control,

and may exercise the power conferred upon the Parliament by section 23 (power to call for witnesses and documents) to require any person to do so but subject to and in accordance with the terms of sections 23 and 24 (notice provisions in relation to witnesses and documents).

2. For the purposes of section 26(1), the convener of a committee may administer an oath or solemn affirmation to any person giving evidence in its proceedings and require that person to take an oath or make a solemn affirmation.

3. The committee shall arrange for the Parliamentary corporation to pay to persons whom it requires, and may arrange for the Parliamentary corporation to pay to persons whom it invites, to attend its proceedings to give evidence or to produce any documents such allowances and expenses as may be determined by the Parliament.

#### **Rule 12.5 Sub-committees**

1. A committee may establish one or more sub-committees, including a sub-committee for the purpose mentioned in Rule 6.14, with the approval of the Parliament on a motion of the Parliamentary Bureau.

2. The remit of any sub-committee of a committee shall be such as is approved by the Parliament, on a motion of the Parliamentary Bureau, but shall not include any matter outwith the remit of that committee.

3. The membership of any sub-committee shall be determined by the Parliament on a motion of the Parliamentary Bureau. The membership of a sub-committee of a committee shall be proposed by that committee to the Parliamentary Bureau. Normally only members of the committee (other than committee substitutes) may be members of a sub-committee of that committee but, if the committee so decides, members of other committees may be appointed as members of a sub-committee.

4. In considering the membership of a sub-committee, the committee shall have regard to the balance of political parties in the Parliament.

5. The convener of a sub-committee shall be a member of that sub-committee who shall be chosen by the members of the sub-committee.

6. The duration of a sub-committee shall be determined by the Parliament on a motion of the Parliamentary Bureau.

7. A sub-committee shall report to the committee which established it.

8. Rules 6.3.5, 6.3A, 12.1.9 to 12.1.19, 12.2 to 12.4 and 12.6 shall apply in relation to the establishment, procedure and meetings of a sub-committee as they apply in relation to committees with such modifications as are appropriate.

### **Rule 12.6 Reporters**

1. Any committee may appoint a committee member (other than a committee substitute) (referred to as “a reporter”) to report to it upon any competent matter within such time limit as the committee may determine. A committee may appoint different reporters to report to it upon different competent matters.

2. Each subject committee and the Equal Opportunities Committee shall appoint a committee member (other than a committee substitute) (referred to as a “European Reporter”) to bring to the attention of the committee any European Union (“EU”) issue, proposal for EU legislation, or implementation of European Communities or EU legislation, as he or she may determine is appropriate.

### **Rule 12.7 Advisers**

1. A committee may, with the approval of the Parliamentary Bureau, issue directions to the Parliamentary corporation in connection with the appointment by the Parliamentary corporation of any person to inquire into and advise the committee or any sub-committee upon any competent matter. Different advisers may be appointed for different competent matters.

### **Rule 12.8 Reports of committees**

1. Where a committee is to report any matter to the Parliament or another committee, it shall do so by lodging the report with the Clerk.

2. Where the report is addressed to the Parliament, the Clerk shall notify members of the date of publication. Where the report is addressed to another committee, the Clerk shall notify that committee that the report has been lodged.

3. Any committee report lodged with the Clerk shall be published by the Clerk.

### **Rule 12.9 Annual reports**

1. Each mandatory or subject committee shall, as soon as practicable after the end of each Parliamentary year, submit a report to the Parliament containing details of its activities during that Parliamentary year, including details of its meetings and the number of times the committee has met in private, and how the committee has taken account of equal opportunities in its work. In the case of the Parliamentary year ending on the dissolution of the Parliament before an ordinary general election, each committee shall submit such a report before the Parliament is dissolved.

### **Rule 12.10 Travelling outwith the United Kingdom**

1. A member of a committee who wishes to travel outwith the United Kingdom in connection with any competent matter which is before that committee shall require the prior approval of the Parliamentary Bureau and the Conveners Group. A decision under this Rule shall, in the event of any disagreement between the Parliamentary Bureau and the Conveners Group, be referred to the Parliamentary corporation for a determination. The Parliamentary Bureau may require the Conveners Group to make a decision under this Rule within a specified period. If the Conveners Group does

not make a decision within that period, the decision on the approval shall be made by the Parliamentary Bureau.



## **CHAPTER 13**

### **STATEMENTS AND PARLIAMENTARY QUESTIONS**

#### **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.
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.

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 in the Business Bulletin. An answer to a written question shall be published along with the question in the Official Report.

### **Rule 13.6 First Minister’s Questions**

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 6 questions for answer at First Minister's Question Time.

### **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.

4. Each member whose name has been selected under paragraph 3 shall lodge that member’s oral question by 16:30 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 30 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).

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 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 Emergency 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 emergency question”.

2. If an emergency 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 emergency 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 emergency 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 emergency questions may be answered by any member of the Scottish Government or a junior Scottish Minister.

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

5. After an emergency 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 emergency 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(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.

## CHAPTER 14 LAYING AND PUBLICATION OF DOCUMENTS

### **Rule 14.1 Laying of reports and other documents**

1. Where, under an enactment or otherwise, a report or other document is required or authorised to be laid before the Scottish Parliament, the lodging of a copy of that report or document with the Clerk shall be treated for all purposes as being the laying of it before the Parliament.
2. The Clerk may require the person laying the report or document to provide such additional copies as the Clerk considers necessary.
3. A report or other document may be laid before the Parliament at any time when the office of the Clerk is open.
4. No report or other document shall be laid before the Parliament unless it is required or authorised to be laid under an enactment or otherwise or it is laid by a member of the Scottish Government.
5. The Clerk shall ensure that notice of any report or other document laid before the Parliament is published in the Business Bulletin. The notice shall give the title of the report or document.

### **Rule 14.2 Laying of financial reports and documents**

1. Any documents laid before the Parliament containing outline proposals for public revenue and expenditure in any financial year shall not be considered, except with the agreement of the Parliament, unless they are laid before the Parliament no later than the preceding 20 April.
2. Any document laid before the Parliament setting out preliminary draft budgets of public revenue and expenditure in any financial year shall not be considered, except with the agreement of the Parliament, unless they are laid before the Parliament no later than the preceding 20 September.

### **Rule 14.3 Publication of documents**

1. Where, under these Rules, the Clerk is required to publish any document, the Clerk shall arrange for publication through the Parliamentary corporation.
2. If the Parliament so decides, the Clerk shall publish any report or other document laid before the Parliament.
3. In these Rules, “document” means anything in which information is recorded in any form.

### **Rule 14.4 Publication under the authority of the Parliament**

1. Any statement which is required or authorised to be published in pursuance of these Rules is published under the authority of the Parliament.
2. In these Rules, “statement” has the same meaning as in the Defamation Act 1996 (c.31).





## CHAPTER 15 OPENNESS AND ACCESSIBILITY

### **Rule 15.1 Meetings in public**

1. The meetings of the Parliament and, subject to Rule 12.3.5, of any committee or sub-committee shall be held in public.
2. Paragraph 1 is subject to the conditions which require to be complied with by any member of the public attending the proceedings of the Parliament as mentioned in Rule 15.2.

### **Rule 15.2 Public access**

1. Members of the public shall be admitted to the public gallery during any meeting of the Parliament.
2. Members of the public admitted to the public gallery during any meeting of the Parliament shall comply with such reasonable conditions as the Presiding Officer may determine and notify to them.
3. The Presiding Officer may order that any member of the public who does not, in the opinion of the Presiding Officer, comply with any of those conditions shall leave the public gallery and may order that any such person be excluded from the proceedings of the Parliament for such period as the Presiding Officer considers appropriate.
4. This Rule shall apply to meetings of committees as it applies to meetings of the Parliament with such modifications as are appropriate.

### **Rule 15.3 Access to the chamber**

1. Subject to paragraph 2, no person other than a member may enter the chamber during a meeting of the Parliament except—
  - (a) the Lord Advocate or Solicitor General for Scotland (if not a member);
  - (b) a person authorised to do so by the Presiding Officer;
  - (c) a person addressing the Parliament in accordance with paragraph 5;
  - (d) any other person required, invited or permitted by the Parliament to attend a meeting of the Parliament; and
  - (e) the Clerk or any person authorised by the Clerk.
2. If the person holding the office of Presiding Officer or deputy Presiding Officer as mentioned in section 19(2) is not a member of the Parliament, that person may enter the chamber during a meeting of the Parliament but only for the purpose of chairing proceedings for the election of a new Presiding Officer.
3. Any person mentioned in paragraph 1(b), (d) or (e) may be required to leave the chamber or prevented from entering the chamber by order of the Presiding Officer.

4. During a meeting of the Parliament, only a member, or the Lord Advocate or Solicitor General for Scotland (if not a member), may sit in any seat in the chamber which is reserved for members.
5. Any person may, on the invitation of the Parliament, address the Parliament.

#### **Rule 15.4 Bringing petitions**

1. The Parliament shall consider, in accordance with the provisions of this Rule and Rules 15.5 to 15.8, any petition addressed to it. A petition may be brought in any language by an individual person (other than a member), a body corporate or an unincorporated association of persons.
2. A petition shall clearly indicate—
  - (a) the name of the petitioner;
  - (b) an address of the petitioner to which all communications concerning the petition should be sent; and
  - (c) the name and address of any person supporting the petition.
3. The Public Petitions Committee (the Committee) shall determine the proper form of petitions and shall publish its determinations in such manner as it considers appropriate.
4. A petition may be lodged with the Clerk, or sent to the Clerk by e-mail, at any time when the office of the Clerk is open and the Parliament is not dissolved. Petitions may be lodged or sent by the petitioner or by a member on behalf of the petitioner.

#### **Rule 15.5 Admissibility of petitions**

1. A petition is admissible unless it—
  - (a) does not comply with Rule 15.4.2 or is otherwise not in proper form;
  - (b) contains language which is offensive;
  - (c) requests the Parliament to do anything which the Parliament clearly has no power to do; or
  - (d) is the same as, or in substantially similar terms to, a petition brought by or on behalf of the same person, body corporate or unincorporated association during the same session of the Parliament and which was closed less than a year earlier.
2. The Committee shall consider and decide in a case of dispute whether a petition is admissible and shall notify the petitioner of its decision and of the reasons for that decision.

#### **Rule 15.6 Action on petitions**

1. If a petition is admissible, the Committee shall take such action as it considers appropriate in relation to that petition.

1A. [deleted]

2. The Committee may—

- (a) refer the petition to the Scottish Ministers, any other committee of the Parliament or any other person or body for them to take such action as they consider appropriate;
- (b) report to the Parliamentary Bureau or to the Parliament;
- (c) take any other action which the Committee considers appropriate; or
- (d) close the petition under Rule 15.7.

3. The Committee shall notify the petitioner of any action taken under paragraph 2.

**Rule 15.7 Closing petitions**

1. The Committee, or any other committee to which a petition has been referred, may close a petition at any time.

2. Where a committee closes a petition it shall notify the petitioner that the petition is closed and of the reasons for closing it.

**Rule 15.8 Notification**

1. Any notification to a petitioner under Rule 15.5.2, 15.6.3 or 15.7.2 shall be made as soon as practicable after the action or decision to which the notification relates and may, at the discretion of the Committee, be given in the language of the petition (if that language is not English).



## CHAPTER 16 REPORTING OF PROCEEDINGS

### **Rule 16.1 Minutes of proceedings**

1. Minutes of the proceedings at each meeting of the Parliament shall be drawn up by the Clerk.
2. The minutes shall record all the items of business taken by the Parliament at that meeting and the results of any decisions taken and of any divisions and elections which took place.
3. The Clerk shall arrange for the minutes of proceedings to be published as soon as possible by whatever means is considered appropriate.

### **Rule 16.2 Scottish Parliament Official Report**

1. The Parliamentary corporation shall ensure that a substantially verbatim report of the proceedings at each meeting of the Parliament is prepared. It shall be known as the Scottish Parliament Official Report and in these Rules is referred to as the Official Report.
2. The Official Report shall also contain all written questions, together with the answers, in accordance with Rule 13.5.3.
3. The Clerk shall ensure that the Official Report is published.

### **Rule 16.3 Journal of the Scottish Parliament**

1. The Parliamentary corporation shall ensure that a Journal of the Scottish Parliament (referred to as “the Journal”) is published at such intervals as the Parliament may, on a motion of the Parliamentary Bureau, determine.
2. The Journal shall contain—
  - (a) minutes of proceedings of the Parliament;
  - (aa) notice of each Bill introduced, which notice shall give the short and long titles of the Bill, the name of the member introducing it and the names of any supporters, the date of introduction and the type of Bill;
  - (ab) notice of any legislative consent memorandum lodged in accordance with Rule 9B.3, which notice shall give the name of the member lodging the memorandum, the short title of the UK Parliament Bill to which the memorandum refers and the date on which the memorandum was lodged;
  - (ac) notice of any Public Bodies Act consent memorandum lodged in accordance with Rule 9BA.3, which notice shall give the name of the member lodging the memorandum, the title of the Public Bodies Act order to which the memorandum refers and the date on which the memorandum was lodged;
  - (b) notice of any instrument or draft instrument or any other document laid before the Parliament in accordance with Chapter 10, which notice shall give the title of the instrument, draft instrument or other document and the date on which it was laid before the Parliament;

(c) notice of any report of a committee to the Parliament (or to other committees, if published separately), which notice shall give the title of the report and the date on which it was published; and

(d) any other matter which the Parliament, on a motion of the Parliamentary Bureau, considers should be included in the Journal.

#### **Rule 16.4 Broadcast of proceedings**

1. The Parliamentary corporation shall arrange for proceedings at meetings of the Parliament to be broadcast in such manner and subject to such conditions as the Parliament may determine in a Code of Conduct relating to broadcasting of proceedings of the Parliament.

2. Until such a Code of Conduct has been made by the Parliament, the Parliamentary corporation may make such arrangements for the broadcast of proceedings at meetings of the Parliament as it sees fit.

#### **Rule 16.5 Committee proceedings**

1. Subject to paragraph 2, Rules 16.1, 16.2 and 16.4 shall apply to proceedings at meetings of committees and sub-committees as they apply to proceedings at meetings of the Parliament with such modifications as are appropriate.

2. Unless the Parliament decides otherwise, no substantially verbatim report of any proceedings at a meeting of a committee or sub-committee held in private shall be prepared. No such proceedings shall be broadcast.

#### **Rule 16.6 Proceedings of the Scottish Commission for Public Audit**

1. The Parliamentary corporation shall ensure that a substantially verbatim report of the proceedings at each meeting of the Scottish Commission for Public Audit (“the Commission”) held in public is prepared. The Clerk shall ensure that that report is published.

2. The Clerk shall ensure that any minutes of its meetings prepared by the Commission are published.

3. Rule 16.4 shall apply to proceedings at meetings of the Commission as it applies to proceedings at meetings of the Parliament with such modifications as are appropriate.

## CHAPTER 17 MISCELLANEOUS

### **Rule 17.1 Amending standing orders**

1. The Parliament may, on a motion of the Standards, Procedures and Public Appointments Committee, amend these standing orders. Any decision of the Parliament to amend the standing orders shall, if taken by division, require an absolute majority. Any amendment to the standing orders must be consistent with the requirements of the Act.

### **Rule 17.2 Suspension and variation of standing orders**

1. Subject to paragraph 2, the Parliament may—

(a) on a motion of any member or of the Parliamentary Bureau, suspend such of these Rules or such part of a Rule (including a single word or number) as is specified in the motion, but only for the purpose of such meeting of the Parliament, a committee or sub-committee as is specified in the motion; or

(b) on a motion of the Parliamentary Bureau, suspend such of these Rules or such part of a Rule (including a single word or number) as is specified in the motion, but only for the purpose of such particular item of business as is specified in the motion,

and may make such alternative provision for the Rule or part suspended as is specified in the motion.

2. The Parliament may suspend any Rule or part of a Rule or make alternative provision only if so doing would be consistent with the requirements of the Act.

### **Rule 17.2A Date of resignation**

1. Where these Rules provide for a member to resign from an office other than a Fund trustee by giving notice in writing or intimating resignation to a person or body, the date of resignation is—

(a) the date on which the notice or intimation is received by that person or body;  
or

(b) such later date as may be specified in the notice or intimation.

### **Rule 17.3 Notice to members**

1. Where these Rules impose a requirement to notify the Parliament or members of any matter, notification shall normally be given in the Business Bulletin.

2. Where the Parliament is in recess, notice shall be given in whatever form is considered by the person giving that notice to be sufficient.

3. Where notice is given in accordance with paragraph 1 or 2, that notice shall also be made public.

#### **Rule 17.4 Lodging of documents**

1. Where these Rules provide for anything, other than a Bill and any instrument or other document to which Chapter 10 or 14 applies, to be lodged with, or notified to, the Clerk by a member, this may be done by its—

- (a) being lodged with, or notified in writing to, the Clerk by the member;
- (b) being lodged with, or notified in writing to, the Clerk by any other person on behalf of the member, but only if that person has been authorised to do so by the member and the Clerk has been notified of that authorisation in writing; or
- (c) being sent by e-mail to the Clerk from the member's e-mail address, but only if the member has notified the Clerk in writing that the member intends lodging documents by e-mail.

2. In addition, anything to be lodged with, or notified to, the Clerk by a member of the Scottish Government or a junior Scottish Minister may be sent by e-mail to the Clerk from the e-mail address of a member of the staff of the Scottish Administration but only if that member of staff has been authorised to do so by any member of the Scottish Government or a junior Scottish Minister and the Clerk has been notified of that authorisation in writing.

#### **Rule 17.5 Consulting the Parliament**

1. Where under an enactment a person is required to consult the Parliament and that person does so by laying a consultation document before the Parliament or otherwise by providing the Clerk with such a document, the Clerk shall ensure that notice of receipt of the document is published in the Business Bulletin.

2. Once a consultation document has been laid or provided to the Clerk, the Parliamentary Bureau shall refer it to the committee within whose remit the subject matter of the consultation falls. That committee (referred to as “the lead committee”) shall consider and report to the Parliament on the consultation. Where the subject matter of the consultation falls within the remit of more than one committee the Parliament may, on a motion of the Parliamentary Bureau, designate one of those committees as the lead committee. The other committee or committees (the “secondary committee or committees”) may also consider the consultation document and report its or their views to the lead committee.

3. Once the lead committee has reported, the Parliament shall consider the consultation document in the light of the lead committee's report.

#### **Rule 17.6 Interpretation**

1. Any expression used both in these Rules and in the Act shall (unless expressly provided otherwise) have the same meaning in these Rules as in the Act.

2. Any reference in these Rules to a numbered section is (unless expressly provided otherwise) to the section having that number in the Act.

3. In these Rules—

“the Act” means the Scotland Act 1998 (c.46);



“the 2010 Act” means the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10)

“court” includes tribunal;

“legal proceedings” means any legal proceedings (whether civil or criminal) in any court in the United Kingdom;

“affirmative procedure” has the same meaning as in section 29 of the 2010 Act;

“devolved subordinate legislation” has the same meaning as in section 37 of the 2010 Act; and

“negative procedure” has the same meaning as in section 28 of the 2010 Act.



**TABLE 1: REVISIONS**

This table indicates, for each published edition or revision of the standing orders, which Chapters and Rules were amended for that edition or revision, the date those changes came into force and the date on which the Parliament agreed to the changes (by debating a Standards, Procedures and Public Appointments Committee motion).

| Edition or Revision | Rules affected   |  | Date changes came into force<br>(Date of debate) |
|---------------------|--|--|--|
|                     | Chapter  | Rule   |  |
| <b>1st Edition</b>  | 2<br>5<br>6<br>7<br>8<br>9<br>11<br>12<br>13<br>14<br>15<br>17<br>18 | 2.2, 2.4<br>5.2, 5.6, 5.9<br>6.3, 6.6, 6.11<br>7.4, 7.8<br>8.2, 8.5, 8.16<br>9.12<br>11.2, 11.3, 11.4, 11.5, 11.6, 11.7, 11.8, 11.10<br>12.1, 12.5<br>13.3, 13.5, 13.6, 13.7, 13.8<br>14.4<br>15.4<br>17.1, 17.2<br>18.1, 18.2 | 17.12.99<br><a href="#">(9.12.99)</a>            |
| 1st Revision        | 9  | 9.16   | 20.1.00<br><a href="#">(20.1.00)</a>             |
| 2nd Revision        | 5<br>6<br>9<br>9A<br>12<br>18  | 5.6<br>6.1, 6.3, 6.11<br>9.1, 9.6, 9.7, 9.17<br>12.2, 12.9<br>18.2   | 24.11.00<br><a href="#">(23.11.00)</a>           |
| 3rd Revision        | 9<br>9A  | 9.1, 9.2, 9.3, 9.5, 9.6, 9.7, 9.8, 9.9, 9.10, 9.12, 9.14, 9.15, 9.16, 9.18, 9.21<br>9A.1, 9A.2, 9A.3, 9A.7, 9A.8, 9A.9, 9A.10, 9A.11, 9A.12, 9A.14   | 4.5.01<br><a href="#">(3.5.01)</a>               |
| 4th Revision        | 3<br>8<br>9<br>9A<br>13  | 3.13, 3.14, 3.15, 3.16<br>8.6<br>9.12<br>9A.14<br>13.5   | 15.6.01<br><a href="#">(14.6.01)</a>             |
| 5th Revision        | 3<br>6<br>7<br>8<br>9<br>9A<br>12<br>18                              | 3, 3.11<br>6.14<br>7.4, 7.8<br>8.3<br>9.2, 9.2A, 9.3, 9.7, 9.8, 9.10, 9.12, 9.16<br>9A.10, 9A.12, 9A.14<br>12.1, 12.2, 12.3, 12.5<br>18.2  | 4.2.02<br><a href="#">(31.1.02)</a>              |

| Edition or Revision | Rules affected  |   | Date changes came into force<br>(Date of debate) |
|---------------------|---|---|--|
|                     | Chapter   | Rule  |  |
| 6th Revision        | 6<br>12<br>18   | 6.3, 6.3A<br>12.1, 12.2A, 12.5, 12.6<br>18.2  | 15.3.02<br>( <a href="#">13.3.02</a> )           |
| 7th Revision        | 3A  |   | 14.10.02<br>( <a href="#">10.10.02</a> )         |
| 8th Revision        | 3<br>3A<br>6<br>6A<br>8<br>9A<br>12<br>13<br>15<br>16                                     | 3.1<br><br>6.7, 6.13, 6.14<br><br>8.13A<br>9A.5, 9A.6, 9A.7<br>12.1, 12.3, 12.8, 12.10<br>13.5<br>15.4, 15.5, 15.6<br>16.3  | 6.1.03<br>( <a href="#">19.12.02</a> )           |
| 9th Revision        | 2<br>3<br>6<br>8<br>9<br>11<br>13   | 2.1<br>3.7<br>6.1, 6.8<br>8.3<br>9.2A, 9.10, 9.14<br>11.1, 11.2, 11.3, 11.8, 11.10, 11.10A<br>13.3  | 6.3.03<br>( <a href="#">5.3.03</a> )             |
| <b>2nd Edition</b>  | 2<br>3<br>3A<br>5<br>6<br>6A<br>7<br>8<br>9<br>9A<br><br>11<br>12<br>13<br>14<br>15<br>16 | 2.4<br>3.3, 3.7, 3.11, 3.12<br>3A.2<br>5.8<br>6.1, 6.2, 6.3, 6.3A, 6.11, 6.13, 6.14<br>6A.1<br>7.5, 7.7<br>8.2, 8.6, 8.11, 8.12A, 8.13A, 8.14<br>9.5, 9.8, 9.9, 9.10, 9.11, 9.14, 9.15<br>9A.5, 9A.7, 9A.8, 9A.9, 9A.10, 9A.12,<br>9A.13, 9A.14<br><br>11.3, 11.5, 11.9, 11.10, 11.10A<br>12.2A, 12.9<br>13.6, 13.8<br>14.2<br>15.3<br>16.2 | 4.9.03<br>( <a href="#">3.9.03</a> )             |
| 1st Revision        | 9<br>11<br>13   | 9.21<br>11.3, 11.7, 11.8<br>13.5, 13.6, 13.7, 13.8, 13.9  | 13.2.04<br>( <a href="#">12.2.04</a> )           |
| 2nd Revision        | 2<br>5<br>17  | 2.7<br>5.8<br>17.2  | 6.9.04<br>( <a href="#">24.6.04</a> )            |

| Edition or Revision | Rules affected                           |  | Date changes came into force<br>(Date of debate)                      |
|---------------------|--|--|---|
|                     | Chapter                                  | Rule   |   |
| 3rd Revision        | 9  | 9.3, 9.14, 9.14A, 9.15   | 12.11.04<br>( <a href="#">11.11.04</a> )                              |
| 4th Revision        | 7<br>8<br>9<br>11<br>12                  | 7.4<br>8.14, 8.15<br>9.3, 9.4A, 9.5, 9.6, 9.7, 9.8, 9.10<br>11.3<br>12.3   | 10.1.05<br>( <a href="#">11.11.04</a> )                               |
| 5th Revision        | 1<br>2<br>3A<br>5<br>6<br>13<br>17<br>18 | 1.6, 1.7<br>2.2<br>3A.1, 3A.3, 3A.4, 3A.5, 3A.6<br>5.6, 5.9<br>6.1, 6.5<br>13.3, 13.4, 13.6, 13.6A, 13.7, 13.9<br>17.5<br>18.2 | 18.3.05<br>( <a href="#">24.2.05</a> )<br>( <a href="#">16.3.05</a> ) |
| 6th Revision        | 6<br>9A<br>12                            | 6.3<br>9A.1, 9A.2, 9A.4, 9A.5, 9A.6, 9A.6A,<br>9A.7, 9A.8, 9A.9, 9A.11A<br>12.3  | 12.5.05<br>( <a href="#">11.5.05</a> )                                |
| 7th Revision        | 5<br>6<br>9B<br>15<br>16<br>18           | 5.4, 5.9<br>6.10<br><br>15.4, 15.5, 15.6, 15.7, 15.8<br>16.3<br>18.2   | 30.11.05<br>( <a href="#">23.11.05</a> )                              |
| 8th Revision        | 9A                                       | 9A.5, 9A.7, 9A.8, 9A.9   | 19.1.06<br>( <a href="#">18.1.06</a> )                                |
| 9th Revision        | 3<br>3A                                  | 3.11A, 3.12<br>3A.1, 3A.2  | 19.5.06<br>( <a href="#">18.5.06</a> )                                |
| 10th Revision       | 3<br>8<br>11<br>17                       | 3.5<br>8.2, 8.5, 8.6<br>11.4, 11.11<br>17.1  | 6.10.06<br>( <a href="#">5.10.06</a> )                                |
| 11th Revision       | 1<br>6<br>9<br><br>10<br>12<br>17<br>18  | 1.8<br>6.3, 6.3A, 6.3B<br>9.6, 9.13A, 9.15, 9.16, 9.18, 9.18A,<br>9.21<br>10.3<br>12.2, 12.2A<br>17.2A, 17.6<br>[deleted]      | 22.12.06<br>( <a href="#">21.12.06</a> )                              |

| Edition or Revision | Rules affected  |  | Date changes came into force<br>(Date of debate)   |
|---------------------|---|--|--|
|                     | Chapter   | Rule   |  |
| <b>3rd Edition</b>  | 3<br>5<br>9<br>11<br>16   | 3.16<br>5.9<br>9.21<br>11.3<br>16.5, 16.6  | Chs 3,5 and 16:<br>3.4.07<br>(15.3.07)<br>Chs 9 and 11:<br>18.3.05<br>(24.2.05)                                  |
| 1st Revision        | 1<br>3A<br>6<br>17  | 1.6, 1.7, 1.8<br>3A.3, 3A.4, 3A.5, 3A.6<br>6.1, 6.4, 6.5<br>17.1   | 28.9.07<br>(27.9.07)   |
| 2nd Revision        | 3<br>6  | 3.7<br>6.1, 6.7  | 11.12.08<br>(10.12.08)   |
| 3rd Revision        | 3B<br>6<br>8<br>9<br>10<br>12<br>17   | 3B.1, 3B.2, 3B.3, 3B.4, 3B.5<br>6.11<br>8.3, 8.11A<br>9.14<br>10.10<br>12.9<br>17.2A   | 24.4.09<br>(22.4.09)   |
| 4th Revision        | 6<br>8<br>9<br>9C<br><br>11<br>12   | 6.3.2, 6.3A.3<br>8.3.2<br>9.1.1, 9.17<br>9C.1, 9C.2, 9C.3, 9C.4, 9C.5, 9C.6,<br>9C.7, 9C.8, 9C.9, 9C.10, 9C.11, 9C.12,<br>9C.13, 9C.14, 9C.15, 9C.16, 9C.17<br>11.3.1<br>12.2.3  | 26.06.09<br>(25.06.09)   |
| <b>4th Edition</b>  | 1<br>2<br>3<br>3A<br>4<br>5<br>6<br>7<br>8<br>9<br>9A<br>9C<br>10<br>11<br>12 | 1.2, 1.3, 1.5, 1.7<br>2.4, 2.5<br>3.1, 3.2, 3.3<br><br>4.1, 4.2, 4.5, 4.6, 4.8<br>5.2, 5.3, 5.7<br>6.3, 6.3A, 6.3B, 6.8, 6.11<br>7.2, 7.4, 7.6, 7.7<br>8.2, 8.3, 8.5, 8.6, 8.11B, 8.17<br>9.1, 9.3 9.7, 9.8, 9.10 9.12, 9.13A,<br>9.14, 9.21<br>9A.2, 9A.5, 9A.6, 9A.10, 9A.11, 9A.12,<br>9A.14<br>9C.3, 9C.6, 9C.7, 9C.11, 9C.12, 9C.14,<br>9C.16<br>10.1, 10.3, 10.3B, 10.4, 10.6, 10.8,<br>10.11<br>11.3, 11.4, 11.5, 11.6, 11.8, 11.9,<br>11.10, 11.10A<br>12.1, 12.2, 12.2A | All Chs<br>1.4.11<br>(20.1.11 and 9.3.11)<br><br>Chs 6, 8, 10 and 17<br>(3rd Report 2010)<br>6.4.11<br>(20.1.11) |

| Edition or Revision      | Rules affected   |  | Date changes came into force<br>(Date of debate)  |
|--------------------------|--|--|---|
|                          | Chapter  | Rule   |   |
|                          | 13<br>14<br>15<br>17   | 13.1, 13.2, 13.3, 13.6, 13.6A, 13.7,<br>13.8, 13.9<br>14.1, 14.3<br>15.3<br>17.4, 17.6   |   |
| 1st Revision             | 6<br>6A  | 6.3A<br>6A.3   | 17.11.11<br>( <a href="#">16.11.11</a> )  |
| 2 <sup>nd</sup> Revision | 1<br>2<br>3<br>4<br>5<br>6<br>7<br>8<br>9<br><br>9A<br>9B<br>9C<br><br>10<br>10A<br>12<br>13<br><br>14<br>17 | 1.8<br>2.2<br>3.3<br>4.8<br>5.4, 5.6, 5.7, 5.9<br>6.2, 6.3B, 6.6, 6.7, 6.8<br>7.6<br>8.10, 8.12<br>9.2, 9.2A, 9.4A, 9.5, 9.6, 9.7, 9.8, 9.9,<br>9.10, 9.11, 9.12, 9.13A, 9.14, 9.15,<br>9.16, 9.21<br>9A.7, 9A.11, 9A.13, 9A.14<br>9B.3<br>9C.1, 9C.2, 9C.7, 9C.9, 9C.13, 9C.14,<br>9C.15, 9C.16<br>10.1, 10.3, 10.4, 10.5, 10.6, 10.8<br>10A.1, 10A.2, 10A.3<br>12.2, 12.3, 12.6<br>13.2, 13.3, 13.4, 13.5, 13.6, 13.6A,<br>13.6B, 13.7, 13.8, 13.9<br>14.1<br>17.4 | Chs 1, 9, 9A, 9B, 9C<br>and 10<br>(1st Report 2011)<br>20.8.12<br>( <a href="#">31.5.12</a> )<br><br>Chs 5, 6, 10A and 12<br>(1st Report 2012)<br>20.8.12<br>( <a href="#">31.5.12</a> )<br><br>Chs 5, 9, 9A, 9C, 12,<br>13<br>(2nd Report 2012)<br>20.8.12<br>( <a href="#">6.6.12</a> )<br><br>Chs 2, 4, 5, 6, 7, 8,<br>9, 9A, 9B, 9C, 10,<br>10A, 12, 13, 14 and<br>17<br>(4th Report 2012)<br>3.7.12<br>( <a href="#">27.6.12</a> ) |
| 3 <sup>rd</sup> Revision | 9  | 9.3, 9.14, 9A.2, 9C.3  | (5th Report 2012)<br>15.10.12<br>( <a href="#">2.10.12</a> )  |
| 4th Revision             | 5<br>6<br>9B<br>9BA<br>16  | 5.4, 5.9<br>6.11<br>9B.2<br>9BA.1, 9BA.2, 9BA.3<br>16.3  | (6th Report 2012)<br>21.11.12<br>(20.11.12)   |
| 5th Revision             | 3<br>6<br>8<br>9<br>9B<br>9BA<br>9C  | 3.6, 3.7<br>6.1, 6.11<br>8.11A, 8.11B<br>9.1, 9.6, 9.7, 9.15, 9.16, 9.17A, 9.21<br>9B.3<br>9BA.3<br>9C.10, 9C.11   | Ch 3<br>(1st Report 2013)<br><br>Chs 6, 8, 9, 9B, 9BA,<br>9C, 10<br>(2nd Report 2013)   |

| Edition or Revision | Rules affected                               |   | Date changes came into force<br>(Date of debate)  |
|---------------------|--|---|---|
|                     | Chapter                                      | Rule  |   |
|                     | 10   | 10.1, 10.3  | 06.06.13<br><a href="#">(28.05.13)</a>  |
| 6th Revision        | 3A<br>3B                                     | 3A.1, 3A.2, 3A.3, 3A.4, 3A.5, 3A.6<br>3B.2  | 01.07.13<br>(19.06.13)  |
| 7th Revision        | 2<br>3<br>6<br>12                            | 2.5<br>3.2, 3.3, 3.5A, 3.5B<br>6.3<br>12.2A   | 03.02.14<br><a href="#">(29.01.14)</a>  |
| 8th Revision        | 5<br>6<br>9A<br><br>9C<br><br>10A<br>14      | 5.8<br>6.6<br>9A.2, 9A.4, 9A.7, 9A.8, 9A.9, 9A.10,<br>9A.12<br>9C.1, 9C.3, 9C.4, 9C.9, 9C.10, 9C.11,<br>9C.14<br>10A.2<br>14.2  | Chs 9A, 9C<br>(4th Report 2014)<br><br>Ch 10A<br>(2nd Report 2014)<br><br>27.06.14<br><a href="#">(12.06.14)</a><br><br>Chs 5, 6, 14<br>(3rd Report 2014)<br><br>27.06.14<br><a href="#">(17.06.14)</a> |
| 9th Revision        | 1<br>6<br>8<br>9<br><br>9A<br>9C<br>11<br>16 | 1.6<br>6.6, 6.11<br>8.2, 8.5, 8.10, 8.11A<br>9.10, 9.14, 9.15, 9.16, 9.18, 9.18A,<br>9.19, 9.20<br>9A.1, 9A.2, 9A.3, 9A.4, 9A.6, 9A.12<br>9C.1, 9C.14<br>11.3<br>16.1, 16.2, 16.3, 16.6 | Chs 6, 8, 9, 11<br>(8th Report 2015)<br><br>Chs 6, 9<br>(9th Report 2015)<br><br>Chs 1, 8, 9, 9A, 9C,<br>16<br>(10th Report 2015)<br><br>30.10.2015<br><a href="#">(27.10.2015)</a>                     |



## TABLE 2: RULE-CHANGES

This table lists the Chapters, Rules and individual paragraphs that have been amended, indicating in each case the nature of the change, the date it came into force and the report that recommended the change.

| Rule             | Para.  | Description   |   |
|------------------|--------|---|---|
| <b>CHAPTER 1</b> |        |   |   |
| 1.2              | 1.2.1  | Paragraph amended, 1.4.11, 10th Report 2010 (S3)  |   |
|                  | 1.2.2  | Paragraph amended, 1.4.11, 10th Report 2010 (S3)  |   |
|                  | 1.2.3  | Paragraph amended, 1.4.11, 10th Report 2010 (S3)  |   |
|                  | 1.2.4  | Paragraph amended, 1.4.11, 10th Report 2010 (S3)  |   |
| 1.3              | 1.3.2  | Paragraph amended, 1.4.11, 10th Report 2010 (S3)  |   |
| 1.5              | 1.5.2  | Paragraph amended, 1.4.11, 10th Report 2010 (S3)  |   |
|                  | 1.5.3  | Paragraph amended, 1.4.11, 10th Report 2010 (S3)  |   |
| 1.6              | 1.6.1  | Paragraph amended, 18.3.05, 3rd Report 2005 (S2); amended, 28.9.07, 1st Report 2007 (S3), amended 30.10.15, 10th Report 2015 (S4) |   |
| 1.7              | 1.7.1  | Paragraph amended, 18.3.05, 3rd Report 2005 (S2); amended, 28.9.07, 1st Report 2007 (S3); amended, 1.4.11, 10th Report 2010 (S3)  |   |
| 1.8              |        | Rule inserted, 22.12.06, 7th Report 2006 (S2)   |   |
|                  | 1.8.2  | Paragraph amended, 28.9.07, 1st Report 2007 (S3)  |   |
|                  | 1.8.3  | Paragraph amended, 28.9.07, 1st Report 2007 (S3); amended, 20.8.12, 1st Report 2011 (S4)  |   |
| <b>CHAPTER 2</b> |        |   |   |
| 2.1              | 2.1.4  | Paragraph inserted, 6.3.03, 1st Report 2003 (S1)  |   |
| 2.2              | 2.2.3  | Paragraph amended, 17.12.99, 1st Report 1999 (S1); amended, 18.3.05, 2nd Report 2005 (S2)   |   |
|                  | 2.2.4  | Paragraph inserted, 17.12.99, 1st Report 1999 (S1)  |   |
|                  | 2.2.5  | Paragraph amended and renumbered, 17.12.99, 1st Report 1999 (S1)  |   |
|                  | 2.2.6  | Paragraph amended and renumbered, 17.12.99, 1st Report 1999 (S1); amended, 20.8.12, 4th Report 2012 (S4)                          |   |
|                  | 2.2.7  | Paragraph amended and renumbered, 17.12.99, 1st Report 1999 (S1)  |   |
|                  | 2.2.8  | Paragraph renumbered, 17.12.99, 1st Report 1999 (S1)  |   |
|                  | 2.2.9  | Paragraph renumbered, 17.12.99, 1st Report 1999 (S1)  |   |
|                  | 2.2.10 | Paragraph renumbered, 17.12.99, 1st Report 1999 (S1)  |   |
|                  | 2.2.11 | Paragraph renumbered, 17.12.99, 1st Report 1999 (S1); amended, 20.8.12, 4th Report 2012 (S4)                                      |   |
|                  | 2.4    | 2.4.1   | Paragraph deleted, 4.9.03, 1st Report 2003 (S2) |
|                  |        | 2.4.2   | Paragraph amended, 4.9.03, 1st Report 2003 (S2) |
| 2.4.5            |        | Paragraph amended, 4.9.03, 1st Report 2003 (S2)   |   |
| 2.4.7            |        | Paragraph amended, 17.12.99, 1st Report 1999 (S1); amended, 1.4.11, 10th Report 2010 (S3)   |   |
| 2.4.8            |        | Paragraph amended, 1.4.11, 10th Report 2010 (S3)  |   |
| 2.5              | 2.4.9  | Paragraph amended, 1.4.11, 10th Report 2010 (S3)  |   |
|                  | 2.5.A1 | Paragraph inserted, 3.2.14, 9th Report 2013 (S4)  |   |
|                  | 2.5.1  | Paragraph amended, 3.2.14, 9th Report 2013 (S4)   |   |
|                  | 2.5.2  | Paragraph amended, 3.2.14, 9th Report 2013 (S4)   |   |
|                  | 2.5.3  | Paragraph amended, 1.4.11, 10th Report 2010 (S3); amended, 3.2.14, 9th Report 2013 (S4)   |   |
|                  | 2.5.4  | Paragraph replaced, 3.2.14, 9th Report 2013 (S4)  |   |
| 2.7              | 2.7.1  | Paragraph amended, 6.9.04, 5th Report 2004 (S2)   |   |

### CHAPTER 3

Chapter title amended, 4.2.02, 5th Report 2001 (S1)

| <b>Rule</b> | <b>Para.</b> | <b>Description</b>   |
|-------------|--------------|--|
| 3.1         | 3.1.1        | Paragraph amended, 6.1.03, 5th Report 2002 (S1)  |
|             | 3.1.2        | Paragraph amended, 1.4.11, 10th Report 2010 (S3)   |
|             | 3.1.5        | Paragraph amended, 1.4.11, 10th Report 2010 (S3)   |
| 3.2         | 3.2.1        | Paragraph amended, 3.2.14, 9th Report 2013 (S4)  |
|             | 3.2.3        | Paragraph amended, 3.2.14, 9th Report 2013 (S4)  |
|             | 3.2.4        | Paragraph amended, 3.2.14, 9th Report 2013 (S4)  |
|             | 3.2.5        | Paragraph amended, 1.4.11, 10th Report 2010 (S3)   |
|             | 3.2.6        | Paragraph amended, 3.2.14, 9th Report 2013 (S4)  |
|             | 3.2.8        | Paragraph amended, 1.4.11, 10th Report 2010 (S3)   |
|             | 3.3          | 3.3.1  |
| 3.3.5       |              | Paragraph amended, 3.2.14, 9th Report 2013 (S4)  |
| 3.3.6       |              | Paragraph amended, 4.9.03, 1st Report 2003 (S2); replaced, 3.2.14, 9th Report 2013 (S4)  |
| 3.3.8       |              | Paragraph amended, 3.2.14, 9th Report 2013 (S4)  |
| 3.3.10      |              | Paragraph amended, 1.4.11, 10th Report 2010 (S3)   |
| 3.3.10A     |              | Paragraph inserted, 3.2.14, 9th Report 2013 (S4)   |
| 3.3.10B     |              | Paragraph inserted, 3.2.14, 9th Report 2013 (S4)   |
| 3.3.10C     |              | Paragraph inserted, 3.2.14, 9th Report 2013 (S4)   |
| 3.3.10D     |              | Paragraph inserted, 3.2.14, 9th Report 2013 (S4)   |
| 3.3.10E     |              | Paragraph inserted, 3.2.14, 9th Report 2013 (S4)   |
| 3.3.11      |              | Paragraph amended, 3.2.14, 9th Report 2013 (S4)  |
| 3.3.12      |              | Paragraph amended, 3.2.14, 9th Report 2013 (S4)  |
| 3.3.13      |              | Paragraph amended, 1.4.11, 10th Report 2010 (S3)   |
| 3.5         | 3.5.2        | Paragraph amended, 6.10.06, 4th Report 2006 (S2)   |
| 3.5A        |              | Rule inserted, 3.2.14, 9th Report 2013 (S4)  |
| 3.5B        |              | Rule inserted, 3.2.14, 9th Report 2013 (S4)  |
| 3.6         | 3.6.1        | Paragraph amended, 5.6.13, 1st Report 2013 (S4)  |
|             | 3.6.2        | Paragraph inserted, 5.6.13, 1st Report 2013 (S4)   |
|             | 3.6.3        | Paragraph inserted, 5.6.13, 1st Report 2013 (S4)   |
| 3.7         | 3.7.1        | Paragraph amended, 11.12.08, 1st Report 2008 (S3); amended, 5.6.13, 1st Report 2013 (S4) |
|             | 3.7.4        | Paragraph amended, 4.9.03, 1st Report 2003 (S2)  |
|             | 3.7.9        | Paragraph amended, 6.3.03, 2nd Report 2003 (S1)  |
| 3.11        |              | Rule replaced, 4.2.02, 5th Report 2001 (S1)  |
|             | 3.11.6       | Paragraph deleted, 4.9.03, 1st Report 2003 (S2)  |
|             | 3.11.9       | Paragraph amended, 4.9.03, 1st Report 2003 (S2)  |
| 3.11A       |              | Rule inserted, 19.5.06, 2nd Report 2006 (S2)   |
| 3.12        |              | Rule deleted, 19.5.06, 2nd Report 2006 (S2)  |
| 3.13        |              | Rule inserted, 15.6.01, 3rd Report 2001 (S1)   |
| 3.14        |              | Rule inserted, 15.6.01, 3rd Report 2001 (S1)   |
| 3.15        |              | Rule inserted, 15.6.01, 3rd Report 2001 (S1)   |
| 3.16        |              | Rule inserted, 15.6.01, 3rd Report 2001 (S1)   |
|             | 3.16.1       | Paragraph amended, 3.4.07, 10th Report 2006 (S2)   |

### **CHAPTER 3A**

|      |        |   |
|------|--------|---|
|      |        | Chapter inserted, 14.10.02, 4th Report 2002 (S1)  |
|      |        | Chapter title amended, 18.3.05, 3rd Report 2005 (S2)  |
|      |        | Chapter replaced, 1.4.11, 10th Report 2010 (S3)   |
| 3A.1 |        | Title amended, 1.7.13, 5th Report 2013 (S4)   |
|      | 3A.1.1 | Paragraph amended, 18.3.05, 3rd Report 2005 (S2); amended, 19.5.06, 2nd Report 2006 (S2); rule replaced, 1.7.13, 5th Report 2013 (S4) |
|      | 3A.1.2 | Paragraph replaced, 19.5.06, 2nd Report 2006 (S2)   |
| 3A.2 |        | Rule deleted, 19.5.06, 2nd Report 2006 (S2)   |
|      | 3A.2.1 | Rule amended, 1.7.13, 5th Report 2013 (S4)  |
| 3A.3 |        | Rule title amended, 18.3.05, 3rd Report 2005 (S2), rule replaced, 1.7.13, 5th Report 2013 (S4)  |
|      | 3A.3.1 | Paragraph amended, 18.3.05, 3rd Report 2005 (S2); paragraph amended, 1.7.13, 5th Report 2013 (S4)                                     |

| <b>Rule</b> | <b>Para.</b> | <b>Description</b>  |
|-------------|--------------|---|
|             |              | Paragraph amended, 28.9.07, 1st Report 2007 (S3)  |
|             | 3A.3.2       | Paragraph inserted, 1.7.13, 5th Report 2013 (S4)  |
|             | 3A.3.3       | Paragraph inserted, 1.7.13, 5th Report 2013 (S4)  |
|             | 3A.3.4       | Paragraph inserted, 1.7.13, 5th Report 2013 (S4)  |
| 3A.4        |              | Paragraph amended, 28.9.07, 1st Report 2007 (S3)<br>Rule title amended, 18.3.05, 3rd Report 2005 (S2); rule deleted, 1.7.13, 5th Report 2013 (S4) |
|             | 3A.4.1       | Paragraph amended, 18.3.05, 3rd Report 2005 (S2)  |
| 3A.5        |              | Paragraph amended, 28.9.07, 1st Report 2007 (S3)<br>Rule inserted, 18.3.05, 3rd Report 2005 (S2); rule deleted, 1.7.13, 5th Report 2013 (S4)      |
|             | 3A.5.1       | Paragraph amended, 28.9.07, 1st Report 2007 (S3)  |
|             | 3A.5.2       | Paragraph amended, 28.9.07, 1st Report 2007 (S3)  |
| 3A.6        |              | Rule inserted, 18.3.05, 3rd Report 2005 (S2)  |
|             | 3A.6.1       | Paragraph amended, 28.9.07, 1st Report 2007 (S3)  |
|             | 3A.6.3       | Paragraph amended, 1.7.13, 5th Report 2013 (S4)   |

### **CHAPTER 3B**

Chapter inserted, 24.4.09, 3rd Report 2009 (S3)

|      |        |   |
|------|--------|---|
| 3B.2 | 3B.2.5 | Paragraph amended, 1.7.13, 5th Report 2013 (S4) |
|------|--------|---|

### **CHAPTER 4**

Chapter title amended, 20.8.12, 4th Report 2012 (S4)

|     |       |  |
|-----|-------|--|
| 4.1 | 4.1.5 | Paragraph amended, 1.4.11, 10th Report 2010 (S3) |
| 4.2 | 4.2.1 | Paragraph amended, 1.4.11, 10th Report 2010 (S3) |
| 4.5 | 4.5.2 | Paragraph amended, 1.4.11, 10th Report 2010 (S3) |
|     | 4.5.3 | Paragraph amended, 1.4.11, 10th Report 2010 (S3) |
| 4.6 | 4.6.1 | Paragraph amended, 1.4.11, 10th Report 2010 (S3) |
|     | 4.6.2 | Paragraph amended, 1.4.11, 10th Report 2010 (S3) |
| 4.8 | 4.8.1 | Paragraph amended, 1.4.11, 10th Report 2010 (S3) |
|     | 4.8.2 | Paragraph amended, 20.8.12, 4th Report 2012 (S4) |

### **CHAPTER 5**

|     |       |  |
|-----|-------|--|
| 5.2 | 5.2.1 | Paragraph amended, 17.12.99, 1st Report 1999 (S1)  |
|     | 5.2.4 | Paragraph amended, 1.4.11, 10th Report 2010 (S3)   |
|     | 5.2.5 | Paragraph amended, 1.4.11, 10th Report 2010 (S3)   |
|     | 5.2.6 | Paragraph amended, 1.4.11, 10th Report 2010 (S3)   |
|     | 5.2.7 | Paragraph amended, 1.4.11, 10th Report 2010 (S3)   |
| 5.3 | 5.3.1 | Paragraph amended, 1.4.11, 10th Report 2010 (S3)   |
|     | 5.3.5 | Paragraph amended, 1.4.11, 10th Report 2010 (S3)   |
|     | 5.3.6 | Paragraph amended, 1.4.11, 10th Report 2010 (S3)   |
| 5.4 | 5.4.2 | Paragraph amended, 30.11.05, 7th Report 2005 (S2); amended, 20.8.12, 1st Report 2012 (S4); amended 21.11.12, 6th Report 2012 (S4)  |
| 5.6 | 5.6.1 | Paragraph amended, 17.12.99, 1st Report 1999 (S1); amended, 24.11.00, 3rd Report 2000 (S1); amended, 20.8.12, 2nd Report 2012 (S4); amended, 20.8.12, 4th Report 2012 (S4) |
|     | 5.6.2 | Paragraph amended, 18.3.05, 2nd Report 2005 (S2)   |
| 5.7 |       | Rule title amended, 20.8.12, 4th Report 2012 (S4)  |
|     | 5.7.1 | Paragraph amended, 1.4.11, 10th Report 2010 (S3); amended, 20.8.12, 4th Report 2012 (S4)   |
| 5.8 | 5.8.1 | Paragraph amended, 4.9.03, 1st Report 2003 (S2); amended, 6.9.04, 5th Report 2004 (S2)   |
|     | 5.8.2 | Paragraph amended, 27.6.14, 3rd Report 2014 (S4)   |
|     | 5.8.3 | Paragraph amended, 27.6.14, 3rd Report 2014 (S4)   |
| 5.9 | 5.9.2 | Paragraph amended, 17.12.99, 1st Report 1999 (S1); amended 18.3.05 2nd Report 2005 (S2); amended 30.11.05, 7th Report 2005   |

| Rule             | Para.  | Description   |
|------------------|--------|---|
|                  |        | (S2); amended 3.4.07, 10th Report 2006 (S2); amended, 20.8.12, 2nd Report 2012 (S4) ); amended 21.11.12, 6th Report 2012 (S4)   |
| <b>CHAPTER 6</b> |        |   |
| 6.1              | 6.1.1  | Paragraph deleted, 4.9.03, 1st Report 2003 (S2)   |
|                  | 6.1.4  | Paragraph amended, 24.11.00, 2nd Report 2000 (S1); amended, 4.9.03, 1st Report 2003 (S2)  |
|                  | 6.1.5  | Paragraph amended, 6.3.03, 4th Report 2002 (S1); amended, 18.3.05, 3rd Report 2005 (S2); amended, 5.6.13, 2nd Report 2013 (S4)  |
|                  |        | Paragraph amended, 28.9.07, 1st Report 2007 (S3)  |
|                  |        | Paragraph amended, 11.12.08, 8th Report 2008 (S3)   |
|                  | 6.1.6  | Paragraph amended, 18.3.05, 3rd Report 2005 (S2)  |
|                  |        | Paragraph amended, 28.9.07, 1st Report 2007 (S3)  |
| 6.2              | 6.2.1  | Paragraph amended, 4.9.03, 1st Report 2003 (S2)   |
|                  | 6.2.2  | Paragraph amended, 20.8.12, 1st Report 2012 (S4)  |
| 6.3              |        | Previous paragraph 6 deleted, 15.3.02, 2nd Report 2002 (S1)   |
|                  | 6.3.1  | Paragraph amended, 4.9.03, 1st Report 2003 (S2)   |
|                  | 6.3.2  | Paragraph amended, 17.12.99, 1st Report 1999 (S1); amended, 24.11.00, 2nd Report 2000 (S1); amended, 12.5.05, 4th Report 2005 (S2); amended, 26.6.09, 7th Report 2009 (S3)                      |
|                  | 6.3.3  | Paragraph amended, 1.4.11, 10th Report 2010 (S3)  |
|                  | 6.3.4  | Paragraph amended, 1.4.11, 10th Report 2010 (S3)  |
|                  | 6.3.5  | Paragraph amended, 22.12.06, 6th Report 2006 (S2); amended, 3.2.14, 7th Report 2013 (S4)  |
| 6.3A             |        | Rule inserted, 15.3.02, 2nd Report 2002 (S1)  |
|                  | 6.3A.1 | Paragraph amended, 22.12.06, 6th Report 2006 (S2)   |
|                  | 6.3A.2 | Paragraph amended, 22.12.06, 6th Report 2006 (S2)   |
|                  | 6.3A.3 | Paragraph amended, 26.6.09, 7th Report 2009 (S3)  |
|                  | 6.3A.4 | Paragraph amended, 4.9.03, 1st Report 2003 (S2); amended, 22.12.06, 6th Report 2006 (S2); amended, 1.4.11, 10th Report 2010 (S3); amended 17.11.11, 1st Report 2011 (S4)                        |
|                  | 6.3A.5 | Paragraph amended, 4.9.03, 1st Report 2003 (S2); amended, 22.12.06, 6th Report 2006 (S2); amended, 1.4.11, 10th Report 2010 (S3)  |
| 6.3B             |        | Rule inserted, 22.12.06, 6th Report 2006 (S2)   |
|                  | 6.3B.2 | Paragraph amended, 1.4.11, 10th Report 2010 (S3); amended, 20.8.12, 4th Report 2012 (S4)  |
| 6.4              |        | Rule replaced, 28.9.07, 1st Report 2007 (S3)  |
| 6.5              |        | Rule title amended, 18.3.05, 3rd Report 2005 (S2)   |
|                  | 6.5.1  | Paragraph amended, 18.3.05, 3rd Report 2005 (S2)  |
|                  |        | Rule deleted, 28.9.07, 1st Report 2007 (S3)   |
| 6.6              | 6.6.1  | Paragraph amended, 17.12.99, 1st Report 1999 (S1); amended, 20.8.12, 4th Report 2012 (S4); paragraph amended, 27.6.14, 3rd Report 2014 (S4), amended 30.10.15, 8th Report 2015 (S4)             |
| 6.7              |        | Rule title amended, 11.12.08, 8th Report 2008 (S3)  |
|                  | 6.7.1  | Paragraph amended, 6.1.03, 7th Report 2002 (S1)   |
|                  |        | Paragraph amended, 11.12.08, 8th Report 2008 (S3)   |
|                  | 6.7.2  | Paragraph amended, 20.8.12, 4th Report 2012 (S4)  |
| 6.8              |        | Rule title amended, 6.3.03, 4th Report 2002 (S1)  |
|                  | 6.8.1  | Paragraph amended, 6.3.03, 4th Report 2002 (S1); amended, 20.8.12, 1st Report 2012 (S4)   |
|                  | 6.8.4  | Paragraph amended, 1.4.11, 10th Report 2010 (S3)  |
| 6.10             |        | Rule replaced, 30.11.05, 6th Report 2005 (S2)   |
| 6.11             |        | Rule title amended, 5.6.13, 2nd Report 2013 (S4)  |
|                  | 6.11.1 | Paragraph amended, 17.12.99, 1st Report 1999 (S1); amended, 24.11.00, 3rd Report 2000 (S1); amended, 4.9.03, 1st Report 2003 (S2); amended, 24.4.09, 3rd Report 2009 (S3); amended, 6.4.11, 3rd |

| <b>Rule</b>                                    | <b>Para.</b> | <b>Description</b>   |
|--|--------------|--|
|  |              | Report 2010 (S3); amended 21.11.12, 6th Report 2012 (S4); amended, 5.6.13, 2nd Report 2013 (S4), amended 30.10.15, 9th Report 2015 (S4)  |
| 6.13   | 6.13.1       | Paragraph amended, 6.1.03, 5th Report 2002 (S1)  |
|  | 6.13.2       | Paragraph amended, 4.9.03, 1st Report 2003 (S2)  |
|  | 6.13.3       | Paragraph inserted, 6.1.03, 5th Report 2002 (S1); amended, 4.9.03, 1st Report 2003 (S2)  |
| 6.14   | 6.14.1       | Paragraph amended, 6.1.03, 5th Report 2002 (S1); amended, 4.9.03, 1st Report 2003 (S2)   |
|  | 6.14.4       | Paragraph amended, 4.2.02, 5th Report 2001 (S1)  |
| <b>CHAPTER 6A</b>                              |              |  |
| Chapter inserted, 6.1.03, 5th Report 2002 (S1) |              |  |
| 6A.1   | 6A.1.1       | Paragraph amended, 4.9.03, 1st Report 2003 (S2)  |
| 6A.3   | 6A.3.3       | Paragraph amended, 17.11.11, 1st Report 2011 (S4)  |
|  | 6A.3.3A      | Paragraph inserted, 17.11.11, 1st Report 2011 (S4)   |
| <b>CHAPTER 7</b>                               |              |  |
| 7.2  | 7.2.3        | Paragraph amended, 1.4.11, 10th Report 2010 (S3)   |
| 7.4  |              | Rule replaced, 17.12.99, 1st Report 1999 (S1)  |
|  | 7.4.1        | Paragraph amended, 4.2.02, 5th Report 2001 (S1)  |
|  | 7.4.2A       | Paragraph inserted, 10.1.05, 7th Report 2004 (S2)  |
|  | 7.4.3        | Paragraph amended, 10.1.05, 7th Report 2004 (S2)   |
|  | 7.4.5        | Paragraph amended, 1.4.11, 10th Report 2010 (S3)   |
| 7.5  | 7.5.4        | Paragraph amended, 4.9.03, 1st Report 2003 (S2)  |
| 7.6  | 7.6.1        | Paragraph amended, 1.4.11, 10th Report 2010 (S3); amended, 20.8.12, 4th Report 2012 (S4)   |
| 7.7  | 7.7.1        | Paragraph amended, 4.9.03, 1st Report 2003 (S2); amended, 1.4.11, 10th Report 2010 (S3)  |
| 7.8  | 7.8.1        | Paragraph amended, 17.12.99, 1st Report 1999 (S1); amended, 4.2.02, 5th Report 2001 (S1)   |
| <b>CHAPTER 8</b>                               |              |  |
| 8.2  | 8.2.2        | Paragraph amended, 17.12.99, 1st Report 1999 (S1)  |
|  | 8.2.3        | Paragraph replaced, 6.10.06, 4th Report 2006 (S2)  |
|  | 8.2.4        | Paragraph amended, 1.4.11, 10th Report 2010 (S3)   |
|  | 8.2.5        | Paragraph amended, 6.10.06, 4th Report 2006 (S2), amended 30.10.15, 10th Report 2015 (S4)  |
|  | 8.2.7        | Paragraph amended, 4.9.03, 1st Report 2003 (S2); amended, 6.4.11, 3rd Report 2010 (S3)   |
|  | 8.2.8        | Paragraph inserted, 6.10.06, 4th Report 2006 (S2)  |
|  | 8.2.9        | Paragraph inserted, 6.10.06, 4th Report 2006 (S2)  |
| 8.3  | 8.3.2        | Paragraph amended, 4.2.02, 1st Report 2002 (S1); amended, 24.4.09, 3rd Report 2009 (S3); amended, 26.6.09, 7th Report 2009 (S3); amended, 1.4.11, 10th Report 2010 (S3); amended, 6.4.11, 3rd Report 2010 (S3) |
|  | 8.3.3        | Paragraph amended, 1.4.11, 10th Report 2010 (S3)   |
|  | 8.3.8        | Paragraph inserted, 6.3.03, 1st Report 2003 (S1)   |
| 8.5  | 8.5.2        | Paragraph amended, 17.12.99, 1st Report 1999 (S1)  |
|  | 8.5.3        | Paragraph replaced, 6.10.06, 4th Report 2006 (S2)  |
|  | 8.5.4        | Paragraph amended, 1.4.11, 10th Report 2010 (S3)   |
|  | 8.5.5        | Paragraph amended, 6.10.06, 4th Report 2006 (S2), amended 30.10.15, 10th Report 2015 (S4)  |
|  | 8.5.6        | Paragraph replaced, 6.10.06, 4th Report 2006 (S2)  |
|  | 8.5.7        | Paragraph inserted, 6.10.06, 4th Report 2006 (S2)  |

| <b>Rule</b> | <b>Para.</b> | <b>Description</b>   |
|-------------|--------------|--|
| 8.6         | 8.6.2        | Paragraph amended, 1.4.11, 10th Report 2010 (S3)   |
|             | 8.6.3        | Paragraph amended, 1.4.11, 10th Report 2010 (S3)   |
|             | 8.6.4A       | Paragraph inserted, 15.6.01, 3rd Report 2001 (S1); amended, 4.9.03, 1st Report 2003 (S2)   |
|             | 8.6.4B       | Paragraph inserted, 15.6.01, 3rd Report 2001 (S1)  |
| 8.10        | 8.6.4C       | Paragraph inserted, 6.10.06, 4th Report 2006 (S2)  |
|             |              | Rule title amended 30.10.15, 8th Report 2015 (S4)  |
|             | 8.10.1       | Paragraph amended, 20.8.12, 4th Report 2012 (S4), amended 30.10.15, 8th Report 2015 (S4)   |
| 8.11        | 8.10.2       | Paragraph replaced 30.10.15, 8th Report 2015 (S4)  |
|             | 8.10.3       | Paragraph deleted 30.10.15, 8th Report 2015 (S4)   |
|             | 8.11.1       | Paragraph amended, 4.9.03, 1st Report 2003 (S2)  |
| 8.11A       | 8.11.3       | Paragraph amended, 4.9.03, 1st Report 2003 (S2)  |
|             |              | Rule inserted, 24.4.09, 3rd Report 2009 (S3)   |
| 8.11B       | 8.11A.6      | Paragraph amended, 5.6.13, 2nd Report 2013 (S4), amended 30.10.15, 10th Report 2015 (S4)   |
|             | 8.11A.7      | Paragraph amended, 5.6.13, 2nd Report 2013 (S4)  |
|             | 8.11A.8      | Paragraph amended, 5.6.13, 2nd Report 2013 (S4)  |
| 8.12        |              | Rule inserted, 6.4.11, 3rd Report 2010 (S3)  |
|             | 8.11B.2      | Paragraph amended, 5.6.13, 2nd Report 2013 (S4)  |
|             | 8.11B.3      | Paragraph amended, 5.6.13, 2nd Report 2013 (S4)  |
|             | 8.11B.4      | Paragraph amended, 5.6.13, 2nd Report 2013 (S4)  |
|             | 8.11B.5      | Paragraph amended, 5.6.13, 2nd Report 2013 (S4)  |
| 8.12A       | 8.12.1       | Paragraph amended, 20.8.12, 4th Report 2012 (S4)   |
| 8.13A       |              | Rule transferred from Rule 8.13A and amended, 4.9.03, 1st Report 2003 (S2)   |
| 8.14        |              | Rule inserted, 6.1.03, 5th Report 2002 (S1); transferred to Rule 8.12A and amended, 4.9.03, 1st Report 2003 (S2)                               |
|             | 8.14.2       | Paragraph amended, 4.9.03, 1st Report 2003 (S2); amended, 10.1.05, 7th Report 2004 (S2)  |
|             | 8.14.3       | Paragraph amended, 4.9.03, 1st Report 2003 (S2); amended, 10.1.05, 7th Report 2004 (S2)  |
| 8.15        | 8.14.5       | Paragraph inserted, 10.1.05, 7th Report 2004 (S2)  |
|             | 8.15.3       | Paragraph amended, 10.1.05, 7th Report 2004 (S2)   |
| 8.16        |              | Rule title amended, 17.12.99, 1st Report 1999 (S1); previous paragraph 2 deleted and transferred to Rule 7.4.5, 17.12.99, 1st Report 1999 (S1) |
| 8.17        | 8.17.3       | Paragraph amended, 1.4.11, 10th Report 2010 (S3)   |

## CHAPTER 9

|       |        |   |
|-------|--------|---|
| 9.1   | 9.1.1  | Paragraph amended, 24.11.00, 2nd Report 2000 (S1); amended, 4.5.01, 1st Report 2001 (S1); amended, 26.6.09, 7th Report 2009 (S3); amended, 1.4.11, 10th Report 2010 (S3); amended, 5.6.13, 2nd Report 2013 (S4) |
|       | 9.1.2  | Paragraph inserted, 1.4.11, 10th Report 2010 (S3)   |
| 9.2   | 9.2.1  | Paragraph amended, 4.5.01, 1st Report 2001 (S1); amended, 4.2.02, 1st Report 2002 (S1); amended, 20.8.12, 4th Report 2012 (S4)  |
|       | 9.2A   | Rule inserted, 4.2.02, 1st Report 2002 (S1)   |
| 9.3   | 9.2A.1 | Paragraph amended, 20.8.12, 4th Report 2012 (S4)  |
|       | 9.2A.3 | Paragraph amended, 6.3.03, 1st Report 2003 (S1)   |
|       | 9.3.1  | Paragraph amended, 1.4.11, 10th Report 2010 (S3)  |
|       | 9.3.1A | Paragraph inserted, 15.10.12, 5th Report 2012 (S4)  |
|       | 9.3.2A | Paragraph inserted, 10.1.05, 7th Report 2004 (S2)   |
| 9.3.3 | 9.3.3  | Paragraph amended, 4.5.01, 1st Report 2001 (S1); amended 4.2.02, 1st Report 2002 (S1); amended, 10.1.05, 7th Report 2004 (S2); amended, 1.4.11, 10th Report 2010 (S3); replaced 15.10.12, 5th Report 2012 (S4)  |
|       | 9.3.3A | Paragraph inserted, 4.5.01, 1st Report 2001 (S1); amended,  |

| <b>Rule</b> | <b>Para.</b> | <b>Description</b>  |
|-------------|--------------|---|
|             |              | 12.11.04, 6th Report 2004 (S2); amended, 10.1.05, 7th Report 2004 (S2)  |
|             | 9.3.4        | Paragraph amended, 1.4.11, 10th Report 2010 (S3)  |
|             | 9.3.5        | Paragraph amended, 4.5.01, 1st Report 2001 (S1)   |
|             | 9.3.6        | Paragraph amended, 4.5.01, 1st Report 2001 (S1)   |
| 9.4A        |              | Rule inserted, 10.1.05, 7th Report 2004 (S2)  |
|             | 9.4A.1       | Paragraph amended, 20.8.12, 4th Report 2012 (S4)  |
| 9.5         | 9.5.1        | Paragraph amended, 4.9.03, 1st Report 2003 (S2)   |
|             | 9.5.2        | Paragraph amended, 4.5.01, 1st Report 2001 (S1)   |
|             | 9.5.3        | Paragraph replaced, 4.5.01, 1st Report 2001 (S1); amended, 4.9.03, 1st Report 2003 (S2)   |
|             | 9.5.3A       | Paragraph inserted, 4.5.01, 1st Report 2001 (S1); amended, 10.1.05, 7th Report 2004 (S2); amended, 20.8.12, 2nd Report 2012 (S4)  |
|             | 9.5.3B       | Paragraph inserted, 4.5.01, 1st Report 2001 (S1); amended, 10.1.05, 7th Report 2004 (S2); amended, 20.8.12, 2nd Report 2012 (S4)  |
|             | 9.5.3C       | Paragraph inserted, 4.5.01, 1st Report 2001 (S1); amended, 20.8.12, 2nd Report 2012 (S4)  |
|             | 9.5.4        | Paragraph amended, 4.5.01, 1st Report 2001 (S1)   |
| 9.6         | 9.6.1        | Paragraph amended, 4.5.01, 1st Report 2001 (S1)   |
|             | 9.6.2        | Paragraph amended, 24.11.00, 3rd Report 2000 (S1); amended, 4.5.01, 1st Report 2001 (S1); amended, 10.1.05, 7th Report 2004 (S2); amended, 5.6.13, 2nd Report 2013 (S4) |
|             | 9.6.3        | Paragraph amended, 4.5.01, 1st Report 2001 (S1); amended, 20.8.12, 4th Report 2012 (S4)   |
|             | 9.6.3A       | Paragraph inserted, 10.1.05, 7th Report 2004 (S2)   |
|             | 9.6.4        | Paragraph amended, 4.5.01, 1st Report 2001 (S1)   |
|             | 9.6.7        | Paragraph amended, 22.12.06, 8th Report 2006 (S2)   |
| 9.7         | 9.7.1        | Paragraph amended, 4.5.01, 1st Report 2001 (S1)   |
|             | 9.7.3        | Paragraph amended, 4.5.01, 1st Report 2001 (S1)   |
|             | 9.7.4        | Paragraph amended, 4.5.01, 1st Report 2001 (S1); amended, 1.4.11, 1st Report 2011 (S3)  |
|             | 9.7.6        | Paragraph amended, 4.5.01, 1st Report 2001 (S1)   |
|             | 9.7.7        | Paragraph amended, 4.5.01, 1st Report 2001 (S1); amended, 4.2.02, 1st Report 2002 (S1); amended, 1.4.11, 10th Report 2010 (S3)  |
|             | 9.7.8A       | Paragraph inserted, 10.1.05, 7th Report 2004 (S2)   |
|             | 9.7.8B       | Paragraph inserted, 10.1.05, 7th Report 2004 (S2); amended, 1.4.11, 1st Report 2011 (S3)  |
|             | 9.7.8C       | Paragraph inserted, 10.1.05, 7th Report 2004 (S2)   |
|             | 9.7.9        | Paragraph amended, 24.11.00, 3rd Report 2000 (S1); amended, 4.5.01, 1st Report 2001 (S1); amended, 10.1.05, 7th Report 2004 (S2); amended, 5.6.13, 2nd Report 2013 (S4) |
|             | 9.7.10       | Paragraph inserted, 10.1.05, 7th Report 2004 (S2); amended, 20.8.12, 4th Report 2012 (S4); amended, 5.6.13, 2nd Report 2013 (S4)  |
| 9.8         | 9.8.2        | Paragraph amended, 4.5.01, 1st Report 2001 (S1)   |
|             | 9.8.4        | Paragraph amended, 4.5.01, 1st Report 2001 (S1); amended, 1.4.11, 10th Report 2010 (S3)   |
|             | 9.8.4A       | Paragraph inserted, 10.1.05, 7th Report 2004 (S2)   |
|             | 9.8.5        | Paragraph amended, 4.5.01, 1st Report 2001 (S1); amended, 4.2.02, 5th Report 2001 (S1); amended, 4.9.03, 1st Report 2003 (S2); amended, 10.1.05, 7th Report 2004 (S2)   |
|             | 9.8.5A       | Paragraph inserted, 10.1.05, 7th Report 2004 (S2)   |
|             | 9.8.5B       | Paragraph inserted, 10.1.05, 7th Report 2004 (S2); amended, 1.4.11, 10th Report 2010 (S3)   |
|             | 9.8.5C       | Paragraph inserted, 10.1.05, 7th Report 2004 (S2); amended, 20.8.12, 4th Report 2012 (S4)   |
|             | 9.8.5D       | Paragraph inserted, 10.1.05, 7th Report 2004 (S2); amended, 20.8.12, 4th Report 2012 (S4)   |
|             | 9.8.6        | Paragraph amended, 4.5.01, 1st Report 2001 (S1)   |

| <b>Rule</b> | <b>Para.</b> | <b>Description</b>   |
|-------------|--------------|--|
|             | 9.8.9        | Paragraph amended, 4.5.01, 1st Report 2001 (S1); amended, 10.1.05, 7th Report 2004 (S2)  |
| 9.9         | 9.9.1        | Paragraph amended, 20.8.12, 1st Report 2011 (S4)   |
|             | 9.9.2        | Paragraph amended, 20.8.12, 1st Report 2011 (S4)   |
|             | 9.9.3        | Paragraph amended, 4.5.01, 1st Report 2001 (S1)  |
|             | 9.9.4        | Paragraph amended, 4.5.01, 1st Report 2001 (S1); amended, 4.9.03, 1st Report 2003 (S2); amended, 20.8.12, 1st Report 2011 (S4)   |
| 9.10        | 9.10.2       | Paragraph amended, 4.5.01, 1st Report 2001 (S1); amended, 10.1.05, 7th Report 2004 (S2); amended, 1.4.11, 10th Report 2010 (S3)  |
|             | 9.10.2A      | Paragraph inserted, 4.5.01, 1st Report 2001 (S1); amended, 4.2.02, 1st Report 2002 (S1); amended, 10.1.05, 7th Report 2004 (S2); amended, 1.4.11, 10th Report 2010 (S3)  |
|             | 9.10.3       | Paragraph amended, 4.5.01, 1st Report 2001 (S1)  |
|             | 9.10.4       | Paragraph amended, 4.5.01, 1st Report 2001 (S1); amended, 10.1.05, 7th Report 2004 (S2), amended 30.10.15, 10th Report 2015 (S4)   |
|             | 9.10.5       | Paragraph amended, 4.5.01, 1st Report 2001 (S1)  |
|             | 9.10.6       | Paragraph amended, 4.5.01, 1st Report 2001 (S1); replaced, 4.2.02, 1st Report 2002 (S1)  |
|             | 9.10.7A      | Paragraph inserted, 4.5.01, 1st Report 2001 (S1); amended, 1.4.11, 10th Report 2010 (S3)   |
|             | 9.10.8       | Paragraph amended, 4.5.01, 1st Report 2001 (S1); amended, 6.3.03, 1st Report 2003 (S1); amended, 4.9.03, 1st Report 2003 (S2); amended, 10.1.05, 7th Report 2004 (S2); amended, 1.4.11, 1st Report 2011 (S3), amended 30.10.15, 10th Report 2015 (S4)  |
|             | 9.10.12      | Paragraph amended, 1.4.11, 10th Report 2010 (S3); amended, 1.4.11, 1st Report 2011 (S3), amended 30.10.15, 10th Report 2015 (S4)   |
|             | 9.10.13      | Paragraph amended, 10.1.05, 7th Report 2004 (S2); amended, 20.8.12, 4th Report 2012 (S4)   |
|             | 9.10.15      | Paragraph amended, 6.3.03, 1st Report 2003 (S1)  |
| 9.11        | 9.11.1       | Paragraph amended, 4.9.03, 1st Report 2003 (S2); amended, 20.8.12, 4th Report 2012 (S4)  |
| 9.12        |              | Paragraph 6 amended, 17.12.99, 1st Report 1999 (S1); paragraph 7 inserted, 17.12.99, 1st Report 1999 (S1); Rule replaced, 4.5.01, 1st Report 2001 (S1). Older version of Rule continued to have effect in relation to Bills introduced before 4.5.01 until 13.2.02; paragraph 4 of the old Rule amended, 15.6.01, 3rd Report 2001 (S1) |
|             | 9.12.6       | Paragraph replaced, 1.4.11, 1st Report 2011 (S3)   |
|             | 9.12.7       | Paragraph amended, 15.6.01, 3rd Report 2001 (S1); amended, 4.2.02, 1st Report 2002 (S1); amended, 1.4.11, 10th Report 2010 (S3); amended, 20.8.12, 4th Report 2012 (S4)  |
| 9.13A       |              | Rule inserted, 22.12.06, 6th Report 2006 (S2)  |
|             | 9.13A.1      | Paragraph amended, 1.4.11, 10th Report 2010 (S3)   |
|             | 9.13A.2      | Paragraph amended, 1.4.11, 10th Report 2010 (S3); amended, 20.8.12, 4th Report 2012 (S4)   |
| 9.14        |              | Previous paragraph 3 amended, 6.3.03, 1st Report 2003 (S1); previous paragraph 5 amended, 4.9.03, 1st Report 2003 (S2); previous paragraph 6 amended, 4.5.01, 1st Report 2001 (S1) and 6.3.03, 1st Report 2003 (S1). Previous paragraphs 3 to 6 replaced by paragraphs 3 to 19, 12.11.04, 6th Report 2004 (S2).                        |
|             | 9.14.1       | Paragraph amended, 20.8.12, 4th Report 2012 (S4)   |
|             | 9.14.3       | Paragraph amended 30.10.15, 10th Report 2015 (S4)  |
|             | 9.14.7       | Paragraph amended 30.10.15, 10th Report 2015 (S4)  |
|             | 9.14.10      | Paragraph amended 30.10.15, 10th Report 2015 (S4)  |
|             | 9.14.11      | Paragraph amended, 1.4.11, 10th Report 2010 (S3)   |
|             | 9.14.12      | Paragraph amended, 20.8.12, 4th Report 2012 (S4)   |
|             | 9.14.13      | Paragraph amended, 20.8.12, 4th Report 2012 (S4), amended  |



| Rule  | Para.   | Description  |
|-------|---------|--|
|       |         | 30.10.15, 10th Report 2015 (S4)  |
|       | 9.14.15 | Paragraph amended, 24.4.09, 1st Report 2009 (S3)   |
| 9.14A | 9.14.18 | Paragraph amended, 15.10.12, 5th Report 2012 (S4)  |
|       |         | Transitional Rule inserted, 12.11.04, 6th Report 2004 (S2); removed, 6.10.06 pursuant to motion S2M-1957, agreed on 11.11.04     |
| 9.15  | 9.15.2  | Paragraph amended, 4.9.03, 1st Report 2003 (S2)  |
|       | 9.15.7  | Paragraph amended, 4.5.01, 1st Report 2001 (S1); amended, 12.11.04, 6th Report 2004 (S2)   |
|       | 9.15.7A | Paragraph inserted, 12.11.04, 6th Report 2004; amended, 20.8.12, 4th Report 2012 (S4), amended 30.10.15, 10th Report 2015 (S4)   |
|       | 9.15.7B | Paragraph inserted, 12.11.04, 6th Report 2004  |
|       | 9.15.8  | Paragraph replaced, 4.5.01, 1st Report 2001 (S1); amended, 22.12.06, 6th Report 2006 (S2); amended, 5.6.13, 2nd Report 2013 (S4) |
|       | 9.15.9  | Paragraph inserted, 4.5.01, 1st Report 2001 (S1)   |
| 9.16  | 9.16.1  | Paragraph amended, 20.1.00, motion S1M-433; amended, 20.8.12, 4th Report 2012 (S4)   |
|       | 9.16.2  | Paragraph amended, 20.8.12, 4th Report 2012 (S4)   |
|       | 9.16.3  | Paragraph amended, 4.5.01, 1st Report 2001 (S1); amended, 18.3.05, 1st Report 2005 (S2); amended, 5.6.13, 2nd Report 2013 (S4)   |
|       | 9.16.4  | Paragraph replaced, 4.5.01, 1st Report 2001 (S1)   |
|       | 9.16.5  | Paragraph amended 30.10.15, 8th Report 2015 (S4)   |
|       | 9.16.6  | Paragraph amended, 4.2.02, 1st Report 2002 (S1); amended, 20.8.12, 4th Report 2012 (S4)  |
|       | 9.16.7  | Paragraph replaced 30.10.15, 8th Report 2015 (S4)  |
|       | 9.16.7A | Paragraph inserted 30.10.15, 8th Report 2015 (S4)  |
| 9.17  |         | Previous paragraphs 2 to 6 deleted, 24.11.00, 2nd Report 2000 (S1); Rule title amended, 26.6.09, 7th Report 2009 (S3)            |
|       | 9.17.1  | Paragraph replaced, 24.11.00, 2nd Report 2000 (S1); amended, 26.6.09, 7th Report 2009 (S3)                                       |
| 9.17A |         | Rule inserted, 5.6.13, 2nd Report 2013 (S4)  |
|       | 9.17A.1 | Paragraph inserted, 5.6.13, 2nd Report 2013 (S4)   |
|       | 9.17A.2 | Paragraph inserted, 5.6.13, 2nd Report 2013 (S4)   |
|       | 9.17A.3 | Paragraph inserted, 5.6.13, 2nd Report 2013 (S4)   |
|       | 9.17A.4 | Paragraph inserted, 5.6.13, 2nd Report 2013 (S4)   |
| 9.18  | 9.18.1  | Paragraph amended, 4.5.01, 1st Report 2001 (S1); amended, 22.12.06, 8th Report 2006 (S2)   |
|       | 9.18.2  | Paragraph amended, 4.5.01, 1st Report 2001 (S1); amended, 22.12.06, 8th Report 2006 (S2)   |
|       | 9.18.3  | Paragraph amended 30.10.15, 9th Report 2015 (S4)   |
|       | 9.18.5  | Paragraph amended, 4.5.01, 1st Report 2001 (S1); amended, 22.12.06, 8th Report 2006 (S2), amended 30.10.15, 9th Report 2015 (S4) |
|       | 9.18.6  | Paragraph amended, 4.5.01, 1st Report 2001 (S1); amended, 22.12.06, 8th Report 2006 (S2), amended 30.10.15, 9th Report 2015 (S4) |
|       | 9.18.7  | Paragraph amended, 4.5.01, 1st Report 2001 (S1); amended, 22.12.06, 8th Report 2006 (S2)   |
|       | 9.18.8  | Paragraph inserted, 22.12.06, 8th Report 2006 (S2)   |
| 9.18A |         | Rule inserted, 22.12.06, 8th Report 2006 (S2)  |
|       | 9.18A.2 | Paragraph replaced 30.10.15, 9th Report 2015 (S4)  |
| 9.19  | 9.19.2  | Paragraph replaced 30.10.15, 9th Report 2015 (S4)  |
| 9.20  | 9.20.2  | Paragraph replaced 30.10.15, 9th Report 2015 (S4)  |
| 9.21  |         | Previous paragraph 4 deleted, 4.5.01, 1st Report 2001 (S1); Rule replaced, 13.2.04, 2nd Report 2004 (S2)                         |
|       | 9.21.1  | Paragraph amended, 20.8.12, 4th Report 2012 (S4)   |
|       | 9.21.3  | Paragraph amended, 18.3.05, 1st Report 2005 (S2)   |
|       | 9.21.5  | Paragraph amended, 22.12.06, 6th Report 2006 (S2); amended,  |

| <b>Rule</b>       | <b>Para.</b> | <b>Description</b>   |
|-------------------|--------------|--|
|                   |              | 5.6.13, 2nd Report 2013 (S4)   |
|                   | 9.21.6       | Paragraph amended, 22.12.06, 6th Report 2006 (S2); amended, 5.6.13, 2nd Report 2013 (S4)   |
|                   | 9.21.7       | Paragraph amended, 1.4.11, 10th Report 2010 (S3)   |
| <b>CHAPTER 9A</b> |              |  |
|                   |              | Chapter inserted, 24.11.00, 2nd Report 2000 (S1)   |
| 9A.1              | 9A.1.1       | Paragraph replaced, 12.5.05, 4th Report 2005 (S2)  |
|                   | 9A.1.1B      | Paragraph inserted 30.10.15, 10th Report 2015 (S4)   |
|                   | 9A.1.4       | Paragraph amended 30.10.15, 10th Report 2015 (S4)  |
|                   | 9A.1.4B      | Paragraph amended 30.10.15, 10th Report 2015 (S4)  |
|                   | 9A.1.1A      | Paragraph inserted, 12.5.05, 4th Report 2005 (S2)  |
|                   | 9A.1.3       | Paragraph amended, 12.5.05, 4th Report 2005 (S2)   |
|                   | 9A.1.4A      | Paragraph inserted, 12.5.05, 4th Report 2005 (S2)  |
|                   | 9A.1.4B      | Paragraph inserted, 12.5.05, 4th Report 2005 (S2)  |
|                   | 9A.1.8       | Paragraph inserted, 4.5.01, 1st Report 2001 (S1)   |
| 9A.2              | 9A.2.1       | Paragraph amended 30.10.15, 10th Report 2015 (S4)  |
|                   | 9A.2.2       | Paragraph amended, 1.4.11, 10th Report 2010 (S3)   |
|                   | 9A.2.3       | Paragraph amended, 4.5.01, 1st Report 2001 (S1); amended, 12.5.05, 4th Report 2005 (S2); amended, 15.10.12, 5th Report 2012 (S4); paragraph amended, 27.6.14, 4th Report 2014 (S4) |
| 9A.3              |              | Rule deleted 30.10.15, 10th Report 2015 (S4)   |
|                   | 9A.3.3       | Paragraph replaced, 4.5.01, 1st Report 2001 (S1)   |
| 9A.4              | 9A.4.1       | Paragraph replaced, 27.6.14, 4th Report 2014 (S4)  |
|                   | 9A.4.2       | Paragraph amended, 12.5.05, 4th Report 2005 (S2); paragraph amended, 27.6.14, 4th Report 2014 (S4), amended 30.10.15, 10th Report 2015 (S4)  |
| 9A.5              | 9A.5.2       | Paragraph amended, 12.5.05, 4th Report 2005 (S2)   |
|                   | 9A.5.3       | Paragraph replaced, 12.5.05, 4th Report 2005 (S2); amended, 1.4.11, 10th Report 2010 (S3)  |
|                   | 9A.5.4       | Paragraph replaced, 12.5.05, 4th Report 2005 (S2)  |
|                   | 9A.5.4A      | Paragraph inserted, 12.5.05, 4th Report 2005 (S2); amended, 1.4.11, 10th Report 2010 (S3)  |
|                   | 9A.5.4B      | Paragraph inserted, 12.5.05, 4th Report 2005 (S2)  |
|                   | 9A.5.4C      | Paragraph inserted, 12.5.05, 4th Report 2005 (S2)  |
|                   | 9A.5.6       | Paragraph amended, 4.9.03, 1st Report 2003 (S2); replaced, 12.5.05, 4th Report 2005 (S2); amended, 19.1.06, 1st Report 2006 (S2)   |
|                   | 9A.5.9       | Paragraph replaced, 19.1.06, 1st Report 2006 (S2)  |
|                   | 9A.5.10      | Paragraph inserted, 19.1.06, 1st Report 2006 (S2)  |
| 9A.6              | 9A.6.1       | Paragraph amended, 12.5.05, 4th Report 2005 (S2); amended, 1.4.11, 10th Report 2010 (S3)   |
|                   | 9A.6.2       | Paragraph amended, 4.9.03, 1st Report 2003 (S2); amended, 12.5.05, 4th Report 2005 (S2)  |
|                   | 9A.6.4       | Paragraph amended, 12.5.05, 4th Report 2005 (S2), amended 30.10.15, 10th Report 2015 (S4)  |
|                   | 9A.6.7       | Paragraph amended, 12.5.05, 4th Report 2005 (S2)   |
|                   | 9A.6.7A      | Paragraph inserted, 12.5.05, 4th Report 2005 (S2)  |
|                   | 9A.6.7B      | Paragraph inserted, 12.5.05, 4th Report 2005 (S2)  |
| 9A.6A             |              | Rule inserted, 12.5.05, 4th Report 2005 (S2)   |
| 9A.7              | 9A.7.1       | Paragraph amended, 4.9.03, 1st Report 2003 (S2); amended, 12.5.05, 4th Report 2005 (S2)  |
|                   | 9A.7.2       | Paragraph amended, 4.5.01, 1st Report 2001 (S1)  |
|                   | 9A.7.3       | Paragraph amended, 4.5.01, 1st Report 2001 (S1)  |
|                   | 9A.7.3A      | Paragraph inserted, 4.5.01, 1st Report 2001 (S1); amended, 4.9.03, 1st Report 2003 (S2)  |
|                   | 9A.7.3B      | Paragraph inserted, 4.5.01, 1st Report 2001 (S1); amended, 20.8.12, 2nd Report 2012 (S4)   |
|                   | 9A.7.4       | Paragraph amended, 4.5.01, 1st Report 2001 (S1)  |

| <b>Rule</b> | <b>Para.</b> | <b>Description</b>  |
|-------------|--------------|---|
|             | 9A.7.6       | Paragraph amended, 4.9.03, 1st Report 2003 (S2)   |
|             | 9A.7.7       | Paragraph amended, 6.1.03, 4th Report 2002 (S1); paragraph amended, 27.6.14, 4th Report 2014 (S4)   |
|             | 9A.7.8       | Paragraph amended, 6.1.03, 4th Report 2002 (S1)   |
|             | 9A.7.11      | Paragraph replaced, 19.1.06, 1st Report 2006 (S2)   |
|             | 9A.7.12      | Paragraph inserted, 19.1.06, 1st Report 2006 (S2)   |
| 9A.8        | 9A.8.1       | Paragraph amended, 12.5.05, 4th Report 2005 (S2)  |
|             | 9A.8.2       | Paragraph amended, 4.9.03, 1st Report 2003 (S2)   |
|             | 9A.8.2A      | Paragraph inserted, 19.1.06, 1st Report 2006 (S2); paragraph amended, 27.6.14, 4th Report 2014 (S4)   |
|             | 9A.8.6       | Paragraph amended, 4.9.03, 1st Report 2003 (S2)   |
|             | 9A.8.7       | Paragraph amended, 4.9.03, 1st Report 2003 (S2)   |
|             | 9A.8.8       | Paragraph amended, 4.5.01, 1st Report 2001 (S1)   |
|             | 9A.8.9       | Paragraph amended, 4.9.03, 1st Report 2003 (S2)   |
|             | 9A.8.10      | Paragraph amended, 4.9.03, 1st Report 2003 (S2)   |
| 9A.9        | 9A.9.1       | Paragraph amended, 4.5.01, 1st Report 2001 (S1); replaced, 12.5.05, 4th Report 2005 (S2)  |
|             | 9A.9.1A      | Paragraph inserted, 12.5.05, 4th Report 2005 (S2)   |
|             | 9A.9.1AA     | Paragraph inserted, 27.6.14, 4th Report 2014 (S4)   |
|             | 9A.9.1B      | Paragraph inserted, 19.1.06, 1st Report 2006 (S2)   |
|             | 9A.9.2       | Paragraph replaced, 19.1.06, 1st Report 2006 (S2)   |
|             | 9A.9.3       | Paragraph amended, 19.1.06, 1st Report 2006 (S2)  |
|             | 9A.9.4       | Paragraph amended, 4.5.01, 1st Report 2001 (S1); replaced, 19.1.06, 1st Report 2006 (S2)  |
|             | 9A.9.4A      | Paragraph inserted, 19.1.06, 1st Report 2006 (S2); paragraph amended, 27.6.14, 4th Report 2014 (S4)   |
|             | 9A.9.4B      | Paragraph inserted, 27.6.14, 4th Report 2014 (S4)   |
|             | 9A.9.5       | Paragraph amended, 4.9.03, 1st Report 2003 (S2)   |
|             | 9A.9.6       | Paragraph amended, 4.5.01, 1st Report 2001 (S1); amended, 4.9.03, 1st Report 2003 (S2)  |
|             | 9A.9.7       | Paragraph amended, 4.9.03, 1st Report 2003 (S2); paragraph amended, 27.6.14, 4th Report 2014 (S4)   |
|             | 9A.9.7A      | Paragraph inserted, 27.6.14, 4th Report 2014 (S4)   |
|             | 9A.9.8       | Paragraph amended, 4.5.01, 1st Report 2001 (S1); amended, 4.9.03, 1st Report 2003 (S2)  |
|             | 9A.9.9       | Paragraph amended, 4.9.03, 1st Report 2003 (S2)   |
|             | 9A.9.10      | Paragraph amended, 4.9.03, 1st Report 2003 (S2)   |
| 9A.10       | 9A.10.1      | Paragraph amended, 4.9.03, 1st Report 2003 (S2)   |
|             | 9A.10.2      | Paragraph amended, 4.5.01, 1st Report 2001 (S1); amended, 4.9.03, 1st Report 2003 (S2); paragraph amended, 27.6.14, 4th Report 2014 (S4)  |
|             | 9A.10.3      | Paragraph amended, 4.9.03, 1st Report 2003 (S2)   |
|             | 9A.10.4      | Paragraph amended, 4.5.01, 1st Report 2001 (S1); amended, 4.9.03, 1st Report 2003 (S2); amended, 1.4.11, 10th Report 2010 (S3)  |
|             | 9A.10.5      | Paragraph amended, 4.5.01, 1st Report 2001 (S1); amended, 4.2.02, 5th Report 2001 (S1); amended, 4.9.03, 1st Report 2003 (S2); paragraph amended, 27.6.14, 4th Report 2014 (S4) |
|             | 9A.10.6      | Paragraph amended, 4.5.01, 1st Report 2001 (S1); amended, 4.9.03, 1st Report 2003 (S2); paragraph amended, 27.6.14, 4th Report 2014 (S4)  |
|             | 9A.10.8      | Paragraph amended, 4.5.01, 1st Report 2001 (S1); amended, 4.9.03, 1st Report 2003 (S2)  |
| 9A.11       | 9A.11.1      | Paragraph amended, 20.8.12, 1st Report 2011 (S4)  |
|             | 9A.11.2      | Paragraph amended, 20.8.12, 1st Report 2011 (S4)  |
|             | 9A.11.4      | Paragraph amended, 4.5.01, 1st Report 2001 (S1); amended, 20.8.12, 1st Report 2011 (S4)   |
| 9A.11A      |              | Rule inserted, 12.5.05, 4th Report 2005 (S2)  |
|             | 9A.11A.1     | Paragraph amended, 1.4.11, 10th Report 2010 (S3)  |
| 9A.12       | 9A.12.1      | Paragraph amended 30.10.15, 10th Report 2015 (S4)   |

| <b>Rule</b> | <b>Para.</b> | <b>Description</b>  |
|-------------|--------------|---|
|             | 9A.12.2      | Paragraph amended, 4.5.01, 1st Report 2001 (S1)   |
|             | 9A.12.2A     | Paragraph inserted, 4.5.01, 1st Report 2001 (S1); amended, 4.2.02, 1st Report 2002 (S1); amended, 4.9.03, 1st Report 2003 (S2); amended, 1.4.11, 10th Report 2010 (S3)            |
|             | 9A.12.3      | Paragraph amended, 4.5.01, 1st Report 2001 (S1)   |
|             | 9A.12.4      | Paragraph amended, 4.5.01, 1st Report 2001 (S1), amended 30.10.15, 10th Report 2015 (S4)  |
|             | 9A.12.5      | Paragraph amended, 4.5.01, 1st Report 2001 (S1); paragraph amended, 27.6.14, 4th Report 2014 (S4)   |
|             | 9A.12.6      | Paragraph amended, 4.5.01, 1st Report 2001 (S1); amended, 4.2.02, 1st Report 2002 (S1)  |
|             | 9A.12.7A     | Paragraph inserted, 4.5.01, 1st Report 2001 (S1); amended, 1.4.11, 10th Report 2010 (S3)  |
|             | 9A.12.8      | Paragraph amended, 4.5.01, 1st Report 2001 (S1); amended, 4.9.03, 1st Report 2003 (S2); paragraph amended, 27.6.14, 4th Report 2014 (S4), amended 30.10.15, 10th Report 2015 (S4) |
|             | 9A.12.11     | Paragraph amended, 27.6.14, 4th Report 2014 (S4)  |
|             | 9A.12.12     | Paragraph amended, 1.4.11, 10th Report 2010 (S3), amended 30.10.15, 10th Report 2015 (S4)   |
|             | 9A.12.14     | Paragraph amended, 4.9.03, 1st Report 2003 (S2)   |
|             | 9A.12.15     | Paragraph amended, 4.9.03, 1st Report 2003 (S2)   |
| 9A.13       | 9A.13.1      | Paragraph amended, 4.9.03, 1st Report 2003 (S2); amended, 20.8.12, 4th Report 2012 (S4)   |
| 9A.14       |              | Rule replaced, 4.5.01, 1st Report 2001 (S1)   |
|             | 9A.14.3      | Paragraph amended, 4.9.03, 1st Report 2003 (S2)   |
|             | 9A.14.4      | Paragraph amended, 4.9.03, 1st Report 2003 (S2)   |
|             | 9A.14.7      | Paragraph amended, 15.6.01, 3rd Report 2001 (S1); amended, 4.2.02, 1st Report 2002 (S1); amended, 1.4.11, 10th Report 2010 (S3); amended, 20.8.12, 4th Report 2012 (S4)           |

#### **CHAPTER 9B**

Chapter inserted, 30.11.05, 7th Report 2005 (S2)

|      |        |  |
|------|--------|--|
| 9B.2 | 9B.2.2 | Paragraph amended 21.11.12, 6th Report 2012 (S4) |
| 9B.3 | 9B.3.1 | Paragraph amended, 20.8.12, 4th Report 2012 (S4) |
|      | 9B.3.2 | Paragraph amended, 20.8.12, 4th Report 2012 (S4) |
|      | 9B.3.3 | Paragraph amended, 20.8.12, 4th Report 2012 (S4) |
|      | 9B.3.4 | Paragraph amended, 20.8.12, 1st Report 2011 (S4) |
|      | 9B.3.6 | Paragraph amended, 5.6.13, 2nd Report 2013 (S4)  |

#### **CHAPTER 9BA**

Chapter inserted, 21.11.12, 6th Report 2012 (S4)

|       |         |   |
|-------|---------|---|
| 9BA.3 | 9BA.3.6 | Paragraph amended, 5.6.13, 2nd Report 2013 (S4) |
|       | 9BA.3.7 | Paragraph amended, 5.6.13, 2nd Report 2013 (S4) |

#### **CHAPTER 9C**

Chapter inserted, 26.6.09, 7th Report 2009 (S3)

|      |        |   |
|------|--------|---|
| 9C.1 | 9C.1.1 | Paragraph amended, 20.8.12, 4th Report 2012 (S4); paragraph amended, 27.6.14, 4th Report 2014 (S4)  |
|      | 9C.1.3 | Paragraph amended 30.10.15, 10th Report 2015 (S4)   |
| 9C.2 |        | Paragraph amended, 20.8.12, 4th Report 2012 (S4)  |
| 9C.3 | 9C.2.1 | Paragraph amended, 1.4.11, 10th Report 2010 (S3); amended, 15.10.12, 5th Report 2012 (S4); paragraph amended, 27.6.14, 4th Report 2014 (S4) |
|      | 9C.3.2 |   |
| 9C.4 |        | Paragraph amended, 27.6.14, 4th Report 2014 (S4)  |
|      | 9C.4.2 |   |
| 9C.6 | 9C.6.3 | Paragraph amended, 1.4.11, 10th Report 2010 (S3)  |

| <b>Rule</b> | <b>Para.</b> | <b>Description</b>   |
|-------------|--------------|--|
|             | 9C.6.5       | Paragraph amended, 1.4.11, 10th Report 2010 (S3)   |
| 9C.7        | 9C.7.1       | Paragraph amended, 1.4.11, 10th Report 2010 (S3)   |
|             | 9C.7.8       | Paragraph amended, 20.8.12, 4th Report 2012 (S4)   |
| 9C.9        | 9C.9.4       | Paragraph amended, 20.8.12, 2nd Report 2012 (S4)   |
|             | 9C.9.5       | Paragraph amended, 20.8.12, 2nd Report 2012 (S4)   |
|             | 9C.9.6       | Paragraph amended, 20.8.12, 2nd Report 2012 (S4)   |
|             | 9C.9.9       | Paragraph amended, 20.8.12, 4th Report 2012 (S4)   |
|             | 9C.9.10      | Paragraph amended, 27.6.14, 4th Report 2014 (S4)   |
|             | 9C.9.12      | Paragraph amended, 20.8.12, 4th Report 2012 (S4)   |
| 9C.10       | 9C.10.3      | Paragraph amended, 27.6.14, 4th Report 2014 (S4)   |
|             | 9C.10.9      | Paragraph amended, 5.6.13, 2nd Report 2013 (S4)  |
| 9C.11       | 9C.11.2A     | Paragraph inserted, 27.6.14, 4th Report 2014 (S4)  |
|             | 9C.11.7      | Paragraph amended, 27.6.14, 4th Report 2014 (S4)   |
|             | 9C.11.7A     | Paragraph inserted, 27.6.14, 4th Report 2014 (S4)  |
|             | 9C.11.10     | Paragraph amended, 27.6.14, 4th Report 2014 (S4)   |
|             | 9C.11.10A    | Paragraph inserted, 27.6.14, 4th Report 2014 (S4)  |
|             | 9C.11.15     | Paragraph amended, 1.4.11, 1st Report 2011 (S3)  |
|             | 9C.11.17     | Paragraph amended, 5.6.13, 2nd Report 2013 (S4)  |
|             | 9C.11.18     | Paragraph amended, 5.6.13, 2nd Report 2013 (S4)  |
| 9C.12       | 9C.12.4      | Paragraph amended, 1.4.11, 10th Report 2010 (S3)   |
|             | 9C.12.8      | Paragraph amended, 1.4.11, 10th Report 2010 (S3)   |
| 9C.13.1     | 9C.13.1      | Paragraph amended, 20.8.12, 1st Report 2011 (S4)   |
|             | 9C.13.2      | Paragraph amended, 20.8.12, 1st Report 2011 (S4)   |
|             | 9C.13.4      | Paragraph amended, 20.8.12, 1st Report 2011 (S4)   |
| 9C.14       | 9C.14.2      | Paragraph amended, 1.4.11, 10th Report 2010 (S3); paragraph amended, 27.6.14, 4th Report 2014 (S4) |
|             | 9C.14.3      | Paragraph amended, 1.4.11, 10th Report 2010 (S3)   |
|             | 9C.14.5      | Paragraph amended 30.10.15, 10th Report 2015 (S4)  |
|             | 9C.14.6      | Paragraph amended, 27.6.14, 4th Report 2014 (S4)   |
|             | 9C.14.9      | Paragraph amended, 1.4.11, 10th Report 2010 (S3)   |
|             | 9C.14.10     | Paragraph amended, 27.6.14, 4th Report 2014 (S4), amended 30.10.15, 10th Report 2015 (S4)          |
|             | 9C.14.13     | Paragraph amended, 27.6.14, 4th Report 2014 (S4)   |
|             | 9C.14.14     | Paragraph amended, 1.4.11, 10th Report 2010 (S3), amended 30.10.15, 10th Report 2015 (S4)          |
|             | 9C.14.15     | Paragraph amended, 20.8.12, 4th Report 2012 (S4)   |
|             | 9C.15.1      | Paragraph amended, 20.8.12, 4th Report 2012 (S4)   |
| 9C.16       | 9C.16.7      | Paragraph amended, 1.4.11, 10th Report 2010 (S3); amended, 20.8.12, 4th Report 2012 (S4)           |

## CHAPTER 10

|       |        |   |
|-------|--------|---|
| 10.1  | 10.1.2 | Paragraph amended, 1.4.11, 10th Report 2010 (S3)  |
|       | 10.1.3 | Paragraph amended, 6.4.11, 3rd Report 2010 (S3); amended, 20.8.12, 1st Report 2011 (S4); amended, 5.6.13, 2nd Report 2013 (S4)  |
|       | 10.1.4 | Paragraph inserted, 20.8.12, 1st Report 2011 (S4)   |
| 10.3  |        | Rule title amended, 5.6.13, 2nd Report 2013 (S4)  |
|       | 10.3.1 | Paragraph amended, 6.4.11, 3rd Report 2010 (S3); amended, 5.6.13, 2nd Report 2013 (S4)  |
|       | 10.3.2 | Paragraph amended, 22.12.06, 9th Report 2006 (S2); amended, 6.4.11, 3rd Report 2010 (S3); amended, 5.6.13, 2nd Report 2013 (S4) |
|       | 10.3.3 | Paragraph inserted, 6.4.11, 3rd Report 2010 (S3); amended, 5.6.13, 2nd Report 2013 (S4)   |
|       | 10.3.4 | Paragraph inserted, 20.8.12, 1st Report 2011 (S4)   |
| 10.3A |        | Rule inserted, 6.4.11, 3rd Report 2010 (S3)   |
| 10.4  | 10.4.1 | Paragraph amended, 6.4.11, 3rd Report 2010 (S3)   |
|       | 10.4.2 | Paragraph amended, 20.8.12, 4th Report 2012 (S4)  |
|       | 10.4.4 | Paragraph amended, 6.4.11, 3rd Report 2010 (S3); amended,   |

| <b>Rule</b> | <b>Para.</b> | <b>Description</b>  |
|-------------|--------------|---|
|             |              | 20.8.12, 4th Report 2012 (S4)   |
| 10.5        | 10.5.2       | Paragraph amended, 20.8.12, 4th Report 2012 (S4)  |
|             | 10.5.4       | Paragraph amended, 20.8.12, 4th Report 2012 (S4)  |
| 10.6        | 10.6.1       | Paragraph amended, 6.4.11, 3rd Report 2010 (S3)   |
|             | 10.6.2       | Paragraph amended, 20.8.12, 4th Report 2012 (S4)  |
|             | 10.6.3       | Paragraph amended, 20.8.12, 4th Report 2012 (S4)  |
|             | 10.6.4       | Paragraph amended, 6.4.11, 3rd Report 2010 (S3)   |
|             | 10.6.5       | Paragraph amended, 1.4.11, 10th Report 2010 (S3); amended, 6.4.11, 3rd Report 2010 (S3); amended, 20.8.12, 4th Report 2012 (S4) |
| 10.8        |              | Rule title amended, 6.4.11, 3rd Report 2010 (S3)  |
|             | 10.8.1       | Paragraph amended, 6.4.11, 3rd Report 2010 (S3); amended, 20.8.12, 4th Report 2012 (S4)   |
| 10.10       | 10.10.1      | Paragraph amended, 24.4.09, 3rd Report 2009 (S3)  |
| 10.11       | 10.11.1      | Paragraph amended, 6.4.11, 3rd Report 2010 (S3)   |

#### **CHAPTER 10A**

|       |         |  |
|-------|---------|--|
|       |         | Chapter inserted, 20.8.12, 1st Report 2012 (S4)  |
| 10A.2 | 10A.2.1 | Paragraph amended, 20.8.12, 4th Report 2012 (S4); paragraph amended, 27.6.14, 2nd Report 2014 (S4) |
|       | 10A.2.2 | Paragraph amended, 27.6.14, 2nd Report 2014 (S4)   |
| 10A.3 | 10A.3.1 | Paragraph amended, 27.6.14, 2nd Report 2014 (S4)   |

#### **CHAPTER 11**

|      |         |   |
|------|---------|---|
| 11.1 | 11.1.2  | Paragraph amended, 6.3.03, 1st Report 2003 (S1)   |
| 11.2 | 11.2.1  | Paragraph amended, 6.3.03, 1st Report 2003 (S1)   |
|      | 11.2.3  | Paragraph amended, 17.12.99, 1st Report 1999 (S1)   |
| 11.3 | 11.3.1  | Paragraph amended, 17.12.99, 1st Report 1999 (S1); amended, 4.9.03, 1st Report 2003 (S2); amended, 13.2.04, 2nd Report 2004 (S2); amended, 10.1.05, 7th Report 2004 (S2); amended 18.3.05, 1st Report 2005 (S2); amended, 26.6.09, 7th Report 2009 (S3); amended, 1.4.11, 10th Report 2010 (S3), amended 30.10.15, 8th Report 2015 (S4) |
|      | 11.3.2  | Paragraph replaced, 6.3.03, 1st Report 2003 (S1)  |
| 11.4 | 11.4.2  | Paragraph amended, 6.10.06, 4th Report 2006 (S2); amended, 1.4.11, 10th Report 2010 (S3)  |
|      | 11.4.3  | Paragraph amended, 17.12.99, 1st Report 1999 (S1)   |
| 11.5 | 11.5.3  | Paragraph amended, 1.4.11, 10th Report 2010 (S3)  |
|      | 11.5.4  | Paragraph amended, 17.12.99, 1st Report 1999 (S1)   |
|      | 11.5.5  | Paragraph amended, 4.9.03, 1st Report 2003 (S2); amended, 1.4.11, 10th Report 2010 (S3)   |
| 11.6 | 11.6.1  | Paragraph amended, 17.12.99, 1st Report 1999 (S1)   |
|      | 11.6.6  | Paragraph amended, 1.4.11, 10th Report 2010 (S3)  |
| 11.7 | 11.7.1  | Paragraph amended, 13.2.04, 2nd Report 2004 (S2)  |
|      | 11.7.2  | Paragraph amended, 17.12.99, 1st Report 1999 (S1)   |
|      | 11.7.3  | Paragraph inserted, 17.12.99, 1st Report 1999 (S1)  |
|      | 11.7.4  | Paragraph renumbered, 17.12.99, 1st Report 1999 (S1)  |
| 11.8 | 11.8.2  | Paragraph amended, 17.12.99, 1st Report 1999 (S1); amended, 6.3.03, 1st Report 2003 (S1); amended, 1.4.11, 1st Report 2011 (S3)   |
|      | 11.8.3  | Paragraph amended, 13.2.04, 2nd Report 2004 (S2)  |
|      | 11.8.5  | Paragraph amended, 17.12.99, 1st Report 1999 (S1)   |
| 11.9 | 11.9.4  | Paragraph amended, 1.4.11, 10th Report 2010 (S3)  |
|      | 11.9.5  | Paragraph amended, 1.4.11, 10th Report 2010 (S3)  |
|      | 11.9.6  | Paragraph amended, 4.9.03, 1st Report 2003 (S2); amended, 1.4.11, 10th Report 2010 (S3)   |
|      | 11.9.8  | Paragraph amended, 1.4.11, 10th Report 2010 (S3)  |
|      | 11.9.12 | Paragraph amended, 1.4.11, 10th Report 2010 (S3)  |
|      | 11.9.13 | Paragraph amended, 1.4.11, 10th Report 2010 (S3)  |

| <b>Rule</b> | <b>Para.</b> | <b>Description</b>  |
|-------------|--------------|---|
| 11.10       | 11.9.14      | Paragraph amended, 1.4.11, 10th Report 2010 (S3)  |
|             |              | Rule title amended, 6.3.03, 2nd Report 2003 (S1)  |
|             | 11.10.1      | Paragraph amended, 6.3.03, 2nd Report 2003 (S1)   |
|             | 11.10.2      | Paragraph amended, 17.12.99, 1st Report 1999 (S1); amended, 6.3.03, 2nd Report 2003 (S1); amended, 4.9.03, 1st Report 2003 (S2); amended, 1.4.11, 10th Report 2010 (S3) |
|             | 11.10.3      | Paragraph amended, 17.12.99, 1st Report 1999 (S1); amended, 4.9.03, 1st Report 2003 (S2)  |
|             | 11.10.4      | Paragraph amended, 6.3.03, 2nd Report 2003 (S1)   |
|             | 11.10.5      | Paragraph amended, 6.3.03, 2nd Report 2003 (S1); amended, 4.9.03, 1st Report 2003 (S2); amended, 1.4.11, 10th Report 2010 (S3)  |
|             | 11.10.6      | Paragraph amended, 1.4.11, 10th Report 2010 (S3)  |
|             | 11.10.7      | Paragraph amended, 6.3.03, 2nd Report 2003 (S1); amended, 1.4.11, 10th Report 2010 (S3)   |
|             | 11.10.8      | Paragraph amended, 6.3.03, 2nd Report 2003 (S1)   |
|             | 11.10.9      | Paragraph amended, 6.3.03, 2nd Report 2003 (S1)   |
|             | 11.10.10     | Paragraph amended, 6.3.03, 2nd Report 2003 (S1)   |
|             | 11.10.12     | Paragraph amended, 6.3.03, 2nd Report 2003 (S1); amended, 1.4.11, 10th Report 2010 (S3)   |
| 11.10A      | 11.10.13     | Paragraph amended, 6.3.03, 2nd Report 2003 (S1)   |
|             |              | Rule inserted, 6.3.03, 2nd Report 2003 (S1)   |
|             | 11.10A.2     | Paragraph amended, 4.9.03, 1st Report 2003 (S2); amended, 1.4.11, 10th Report 2010 (S3)   |
|             | 11.10A.3     | Paragraph amended, 4.9.03, 1st Report 2003 (S2)   |
|             | 11.10A.7     | Paragraph amended, 1.4.11, 10th Report 2010 (S3)  |
|             | 11.10A.8     | Paragraph amended, 1.4.11, 10th Report 2010 (S3)  |
|             | 11.10A.12    | Paragraph amended, 4.9.03, 1st Report 2003 (S2)   |
|             | 11.10A.15    | Paragraph amended, 1.4.11, 10th Report 2010 (S3)  |
|             | 11.10A.17    | Paragraph amended, 1.4.11, 10th Report 2010 (S3)  |
|             | 11.11        | 11.11.1   |

## CHAPTER 12

|         |  |   |
|---------|--|---|
| 12.1    | 12.1.2   | Paragraph amended, 17.12.99, 1st Report 1999 (S1)   |
|         | 12.1.3   | Paragraph inserted, 17.12.99, 1st Report 1999 (S1)  |
|         | 12.1.4   | Paragraph inserted, 17.12.99, 1st Report 1999 (S1)  |
|         | 12.1.5   | Paragraph amended and renumbered, 17.12.99, 1st Report 1999 (S1)  |
|         | 12.1.6   | Paragraph amended and renumbered, 17.12.99, 1st Report 1999 (S1); amended, 1.4.11, 10th Report 2010 (S3)  |
|         | 12.1.7   | Paragraph renumbered, 17.12.99, 1st Report 1999 (S1); amended, 15.3.02, 2nd Report 2002 (S1)  |
|         | 12.1.8   | Paragraph renumbered, 17.12.99, 1st Report 1999 (S1); amended, 4.2.02, 5th Report 2001 (S1); amended, 1.4.11, 10th Report 2010 (S3)   |
|         | 12.1.8A  | Paragraph inserted, 4.2.02, 5th Report 2001 (S1)  |
|         | 12.1.8B  | Paragraph inserted, 4.2.02, 5th Report 2001 (S1)  |
|         | 12.1.9   | Paragraph renumbered, 17.12.99, 1st Report 1999 (S1); amended, 15.3.02, 2nd Report 2002 (S1)  |
|         | 12.1.10  | Paragraph amended and renumbered, 17.12.99, 1st Report 1999 (S1); amended, 4.2.02, 5th Report 2001 (S1); amended, 15.3.02, 2nd Report 2002 (S1); amended, 1.4.11, 10th Report 2010 (S3) |
|         | 12.1.11  | Paragraph inserted, 17.12.99, 1st Report 1999 (S1); amended, 6.1.03, 4th Report 2002 (S1); amended, 1.4.11, 10th Report 2010 (S3)   |
|         | 12.1.12  | Paragraph amended and renumbered, 17.12.99, 1st Report 1999 (S1)  |
| 12.1.13 | Paragraph amended and renumbered, 17.12.99, 1st Report 1999 (S1) |   |

| <b>Rule</b>       | <b>Para.</b> | <b>Description</b>   |
|-------------------|--------------|--|
|                   | 12.1.14      | Paragraph amended and renumbered, 17.12.99, 1st Report 1999 (S1); amended, 1.4.11, 10th Report 2010 (S3)                           |
|                   | 12.1.15      | Paragraph inserted, 17.12.99, 1st Report 1999 (S1); amended, 15.3.02, 2nd Report 2002 (S1); amended, 6.1.03, 4th Report 2002 (S1)  |
|                   | 12.1.16      | Paragraph inserted, 17.12.99, 1st Report 1999 (S1); amended, 15.3.02, 2nd Report 2002 (S1)   |
|                   | 12.1.17      | Paragraph inserted, 17.12.99, 1st Report 1999 (S1); amended, 6.1.03, 4th Report 2002 (S1); amended, 1.4.11, 10th Report 2010 (S3)  |
|                   | 12.1.18      | Paragraph inserted, 17.12.99, 1st Report 1999 (S1); amended, 1.4.11, 10th Report 2010 (S3)   |
|                   | 12.1.19      | Paragraph inserted, 17.12.99, 1st Report 1999 (S1); amended, 15.3.02, 2nd Report 2002 (S1); amended, 1.4.11, 10th Report 2010 (S3) |
| 12.2              | 12.2.1       | Paragraph amended, 1.4.11, 10th Report 2010 (S3)   |
|                   | 12.2.2       | Paragraph amended, 22.12.06, 6th Report 2006 (S2); amended, 1.4.11, 10th Report 2010 (S3)  |
|                   | 12.2.3       | Paragraph amended, 24.11.00, 2nd Report 2000; amended, 4.2.02, 1st Report 2002 (S1); amended, 26.6.09, 7th Report 2009 (S3)        |
|                   | 12.2.3       | Paragraph amended, 20.8.12, 4th Report 2012 (S4)   |
| 12.2A             |              | Rule inserted, 15.3.02, 2nd Report 2002 (S1); replaced, 22.12.06, 6th Report 2006 (S2)   |
|                   | 12.2A.2A     | Paragraph inserted, 3.2.14, 7th Report 2013 (S4)   |
|                   | 12.2A.3      | Paragraph amended, 3.2.14, 7th Report 2013 (S4)  |
|                   | 12.2A.4      | Paragraph amended, 1.4.11, 10th Report 2010 (S3); amended, 3.2.14, 7th Report 2013 (S4)  |
| 12.3              | 12.3.2       | Paragraph amended, 6.1.03, 5th Report 2002 (S1)  |
|                   | 12.3.3       | Paragraph amended, 4.2.02, 5th Report 2001 (S1); amended, 10.1.05, 7th Report 2004 (S2)  |
|                   | 12.3.3A      | Paragraph inserted, 10.1.05, 7th Report 2004 (S2); amended, 12.5.05, 4th Report 2005 (S2); amended, 20.8.12, 2nd Report 2012 (S4)  |
|                   | 12.3.3B      | Paragraph inserted, 20.8.12, 2nd Report 2012 (S4)  |
| 12.5              | 12.5.1       | Paragraph amended, 4.2.02, 5th Report 2001 (S1)  |
|                   | 12.5.3       | Paragraph amended, 15.3.02, 2nd Report 2002 (S1)   |
|                   | 12.5.8       | Paragraph amended, 17.12.99, 1st Report 1999 (S1); amended, 15.3.02, 2nd Report 2002 (S1)  |
| 12.6              | 12.6.1       | Paragraph amended, 15.3.02, 2nd Report 2002 (S1)   |
|                   | 12.6.2       | Rule inserted, 20.8.12, 1st Report 2012 (S4)   |
| 12.8              | 12.8.2       | Paragraph amended, 6.1.03, 4th Report 2002 (S1) (amendment to 2nd sentence made in error; corrected 22.12.06)                      |
| 12.9              | 12.9.1       | Paragraph amended, 24.11.00, 2nd Report 2000 (S1); amended, 4.9.03, 1st Report 2003 (S2); amended 24.4.09, 4th Report 2009 (S3)    |
| 12.10             | 12.10.1      | Paragraph amended, 6.1.03, 5th Report 2002 (S1)  |
| <b>CHAPTER 13</b> |              |  |
| 13.1              | 13.1.2       | Paragraph amended, 1.4.11, 10th Report 2010 (S3)   |
|                   | 13.1.3       | Paragraph amended, 1.4.11, 10th Report 2010 (S3)   |
| 13.2              | 13.2.1       | Paragraph amended, 20.8.12, 4th Report 2012 (S4)   |
|                   | 13.2.2       | Paragraph amended, 1.4.11, 10th Report 2010 (S3); amended, 20.8.12, 4th Report 2012 (S4)   |
| 13.3              |              | Rule title amended, 20.8.12, 4th Report 2012 (S4)  |
|                   | 13.3.1       | Paragraph amended, 20.8.12, 4th Report 2012 (S4)   |
|                   | 13.3.3       | Paragraph amended, 17.12.99, 1st Report 1999 (S1)  |
|                   | 13.3.4       | Paragraph amended, 18.3.05, 2nd Report 2005 (S2); amended,   |



| <b>Rule</b> | <b>Para.</b> | <b>Description</b>  |
|-------------|--------------|---|
|             |              | 20.8.12, 2nd Report 2012 (S4)   |
|             | 13.3.4A      | Paragraph inserted, 6.3.03, 1st Report 2003 (S1)  |
|             | 13.3.5       | Paragraph amended, 17.12.99, 1st Report 1999 (S1); amended, 1.4.11, 10th Report 2010 (S3)   |
| 13.4        | 13.4.1       | Paragraph amended, 18.3.05, 2nd Report 2005 (S2); amended, 20.8.12, 2nd Report 2012 (S4)  |
| 13.5        | 13.5.1       | Paragraph amended, 6.1.03, 6th Report 2002 (S1); amended, 20.8.12, 4th Report 2012 (S4)   |
|             | 13.5.2       | Paragraph amended, 17.12.99, 1st Report 1999 (S1); amended, 15.6.01, 2nd Report 2001 (S1); amended, 6.1.03, 6th Report 2002 (S1)  |
|             | 13.5.2A      | Paragraph inserted, 6.1.03, 6th Report 2002 (S1)  |
|             | 13.5.3       | Paragraph amended, 13.2.04, 2nd Report 2003 (S2)  |
| 13.6        |              | Previous Rule amended, 17.12.99, 1st Report 1999 (S1); amended, 4.9.03, 1st Report 2003 (S2); amended, 13.2.04, 2nd Report 2003 (S2); Rule replaced and re-titled, 18.3.05, 2nd Report 2005 (S2); |
|             | 13.6.1       | Paragraph amended, 1.4.11, 10th Report 2010 (S3); amended, 20.8.12, 2nd Report 2012 (S4)  |
| 13.6A       |              | Rule inserted, 18.3.05, 2nd Report 2005 (S2)  |
|             | 13.6A.1      | Paragraph amended, 1.4.11, 10th Report 2010 (S3); amended, 20.8.12, 2nd Report 2012 (S4)  |
|             | 13.6A.2      | Paragraph amended, 1.4.11, 10th Report 2010 (S3); amended, 20.8.12, 2nd Report 2012 (S4)  |
|             | 13.6A.3      | Paragraph amended, 20.8.12, 2nd Report 2012 (S4)  |
|             | 13.6A.4      | Paragraph amended, 1.4.11, 10th Report 2010 (S3); amended, 20.8.12, 2nd Report 2012 (S4)  |
| 13.6B       |              | Rule inserted, 20.8.12, 2nd Report 2012 (S4)  |
| 13.7        |              | Rule title amended, 18.3.05, 2nd Report 2005 (S2)   |
|             | 13.7.A1      | Paragraph inserted, 18.3.05, 2nd Report 2005 (S2); replaced, 20.8.12, 2nd Report 2012 (S4)  |
|             | 13.7.A2      | Paragraph inserted, 18.3.05, 2nd Report 2005 (S2); deleted, 20.8.12, 2nd Report 2012 (S4)   |
|             | 13.7.A3      | Paragraph inserted, 18.3.05, 2nd Report 2005 (S2); amended, 20.8.12, 2nd Report 2012 (S4)   |
|             | 13.7.1       | Paragraph amended, 17.12.99, 1st Report 1999 (S1); amended, 20.8.12, 4th Report 2012 (S4)   |
|             | 13.7.2       | Paragraph amended, 17.12.99, 1st Report 1999 (S1); amended, 18.3.05, 2nd Report 2005 (S2); amended, 20.8.12, 2nd Report 2012 (S4)   |
|             | 13.7.3       | Paragraph amended, 17.12.99, 1st Report 1999 (S1); amended, 1.4.11, 10th Report 2010 (S3)   |
|             | 13.7.4       | Paragraph amended, 17.12.99, 1st Report 1999 (S1); amended, 18.3.05, 2nd Report 2005 (S2)   |
|             | 13.7.5       | Paragraph amended, 17.12.99, 1st Report 1999 (S1); amended, 13.2.04, 2nd Report 2003 (S2); amended, 18.3.05, 2nd Report 2005 (S2); amended, 20.8.12, 2nd Report 2012 (S4)                         |
|             | 13.7.6       | Paragraph amended, 17.12.99, 1st Report 1999 (S1); deleted, 13.2.04, 2nd Report 2003 (S2)   |
|             | 13.7.9       | Paragraph amended, 17.12.99, 1st Report 1999 (S1); amended, 18.3.05, 2nd Report 2005 (S2); amended, 20.8.12, 2nd Report 2012 (S4)   |
|             | 13.7.10      | Paragraph inserted, 17.12.99, 1st Report 1999 (S1); amended, 18.3.05, 2nd Report 2005 (S2)  |
|             | 13.7.11      | Paragraph inserted, 17.12.99, 1st Report 1999 (S1); amended, 18.3.05, 2nd Report 2005 (S2); amended, 1.4.11, 10th Report 2010 (S3)  |
| 13.8        | 13.8.1       | Paragraph amended, 13.2.04, 2nd Report 2003 (S2)  |

| <b>Rule</b> | <b>Para.</b> | <b>Description</b>   |
|-------------|--------------|--|
|             | 13.8.2       | Paragraph amended, 1.4.11, 10th Report 2010 (S3)   |
|             | 13.8.3       | Paragraph amended, 20.8.12, 4th Report 2012 (S4)   |
|             | 13.8.5       | Paragraph amended, 17.12.99, 1st Report 1999 (S1); amended, 4.9.03, 1st Report 2003 (S2); amended, 20.8.12, 2nd Report 2012 (S4) |
| 13.9        |              | Rule replaced, 13.2.04, 2nd Report 2003 (S2)   |
|             | 13.9.2       | Paragraph amended, 18.3.05, 2nd Report 2005 (S2); amended, 20.8.12, 4th Report 2012 (S4)   |
|             | 13.9.4       | Paragraph amended, 1.4.11, 10th Report 2010 (S3); amended, 20.8.12, 2nd Report 2012 (S4)   |
|             | 13.9.6       | Paragraph amended, 18.3.05, 2nd Report 2005 (S2); amended, 20.8.12, 2nd Report 2012 (S4); amended, 20.8.12, 4th Report 2012 (S4) |

#### **CHAPTER 14**

|      |        |   |
|------|--------|---|
| 14.1 | 14.1.2 | Paragraph amended, 1.4.11, 10th Report 2010 (S3)  |
|      | 14.1.4 | Paragraph amended, 20.8.12, 4th Report 2012 (S4)  |
| 14.2 | 14.2.1 | Paragraph amended, 4.9.03, 1st Report 2003 (S2); paragraph amended, 27.6.14, 3rd Report 2014 (S4) |
|      | 14.2.2 | Paragraph amended, 4.9.03, 1st Report 2003 (S2); paragraph amended, 27.6.14, 3rd Report 2014 (S4) |
| 14.3 | 14.3.2 | Paragraph amended, 1.4.11, 10th Report 2010 (S3)  |
| 14.4 | 14.4.1 | Paragraph amended, 17.12.99, 1st Report 1999 (S1)   |

#### **CHAPTER 15**

|      |         |   |
|------|---------|---|
| 15.3 | 15.3.1  | Paragraph amended, 1.4.11, 10th Report 2010 (S3)  |
|      | 15.3.2  | Paragraph amended, 1.4.11, 10th Report 2010 (S3)  |
|      | 15.3.4  | Paragraph amended, 4.9.03, 1st Report 2003 (S2)   |
| 15.4 |         | Previous paragraph 3 deleted, 6.1.03, 6th Report 2002 (S1); current paragraphs 3 and 4 renumbered consequentially |
|      | 15.4.1  | Paragraph amended, 30.11.05, 6th Report 2005 (S2)   |
|      | 15.4.3  | Paragraph amended, 30.11.05, 6th Report 2005 (S2)   |
|      | 15.4.4  | Paragraph amended, 17.12.99, 1st Report 1999 (S1); amended, 30.11.05, 6th Report 2005 (S2)                        |
| 15.5 |         | Paragraph 2 amended, 6.1.03, 6th Report 2002 (S1)Rule replaced, 30.11.05, 6th Report 2005 (S2)                    |
| 15.6 | 15.6.1  | Paragraph amended, 30.11.05, 6th Report 2005 (S2)   |
|      | 15.6.1A | Paragraph inserted, 6.1.03, 6th Report 2002 (S1); deleted, 30.11.05, 6th Report 2005 (S2)                         |
|      | 15.6.2  | Paragraph amended, 30.11.05, 6th Report 2005 (S2)   |
|      | 15.6.3  | Paragraph amended, 6.1.03, 6th Report 2002 (S1); replaced, 30.11.05, 6th Report 2005 (S2)                         |
| 15.7 |         | Rule inserted, 30.11.05, 6th Report 2005 (S2)   |
| 15.8 |         | Rule inserted, 30.11.05, 6th Report 2005 (S2)   |

#### **CHAPTER 16**

|      |        |  |
|------|--------|--|
| 16.1 | 16.1.3 | Paragraph amended 30.10.15, 10th Report 2015 (S4)  |
| 16.2 | 16.2.3 | Paragraph amended, 4.9.03, 1st Report 2003 (S2), amended 30.10.15, 10th Report 2015 (S4)   |
| 16.3 | 16.3.1 | Paragraph amended 30.10.15, 10th Report 2015 (S4)  |
|      | 16.3.2 | Paragraph amended, 6.1.03, 4th Report 2002 (S1); amended, 30.11.05, 7th Report 2005 (S2); amended 21.11.12, 6th Report 2012 (S4) |
| 16.5 | 16.5.1 | Paragraph amended, 3.4.07, 10th Report 2006 (S2)   |
| 16.6 |        | Rule inserted, 3.4.07, 10th Report 2006 (S2)   |
|      | 16.6.1 | Paragraph amended 30.10.15, 10th Report 2015 (S4)  |

| <b>Rule</b>       | <b>Para.</b> | <b>Description</b>  |
|-------------------|--------------|---|
| <b>CHAPTER 17</b> |              |   |
| 17.1              |              | Rule title amended, 17.12.99, 1st Report 1999 (S1); previous paragraphs 1 and 2 deleted, 17.12.99, 1st Report 1999 (S1)   |
|                   | 17.1.1       | Paragraph amended and renumbered, 17.12.99 (S1); amended, 6.10.06, 4th Report 2006 (S2)   |
|                   |              | Paragraph amended, 28.9.07, 1st Report 2007 (S3)  |
| 17.2              |              | Paragraph 1 amended, 17.12.99, 1st Report 1999 (S1); paragraph 2 inserted, 17.12.99, 1st Report 1999 (S1); Rule replaced, 6.9.04, 3rd Report 2004 (S2)  |
| 17.2A             |              | Rule inserted, 22.12.06, 6th Report 2006 (S2)   |
|                   | 17.2A.1      | Paragraph amended, 24.4.09, 3rd Report 2009 (S3)  |
| 17.4              | 17.4.1       | Paragraph amended, 1.4.11, 10th Report 2010 (S3)  |
|                   | 17.4.2       | Paragraph amended, 20.8.12, 4th Report 2012 (S4)  |
| 17.5              |              | Rule inserted, 18.3.05, 3rd Report 2005 (S2)  |
| 17.6              |              | Rule inserted, 22.12.06, 6th Report 2006 (S2)   |
|                   | 17.6.3       | Paragraph renumbered, 6.4.11, 3rd Report 2010 (S3)  |
|                   | 17.6.3       | Paragraph amended, 6.4.11, 3rd Report 2010 (S3)   |
| <b>CHAPTER 18</b> |              |   |
|                   |              | Chapter deleted, 22.12.06, 6th Report 2006 (S2)   |
| 18.1              | 18.1.1       | Paragraph amended, 17.12.99, 1st Report 1999 (S1)   |
|                   | 18.1.2       | Paragraph inserted, 17.12.99, 1st Report 1999 (S1)  |
| 18.2              | 18.2.1       | Table amended, 17.12.99, 1st Report 1999 (S1); replaced, 24.11.00, 2nd Report 2000 (S1); amended, 4.2.02, 1st Report 2002 (S1); amended, 15.3.02, 2nd Report 2002 (S1); amended, 30.11.05, 7th Report 2005 (S2) |

