How the Scottish Parliament works

The Scottish Parliament was established in 1999 following a referendum of the Scottish people in 1997 and after the passing of the Scotland Act in the Westminster Parliament in 1998.

The Scotland Act passed legislative authority in a number of areas to the Scottish Parliament. These areas are known as devolved matters. They cover agriculture, forestry and fisheries, education and training, environment, health and social services, housing, law and order, local government, sport and the arts, tourism and economic development, transport, including drink-driving and speed limits.

However, some issues – in general, those with a UK-wide or international impact – remain the responsibility of the UK Parliament alone, and are known as reserved matters. These are benefits and social security, immigration, defence, foreign policy, employment, broadcasting, trade and industry, nuclear energy, oil, coal, gas and electricity, consumer rights, data protection, and the Constitution.

The Scotland Act 2012 lists further matters to be devolved to the Scottish Parliament. Some of these – for example, powers over drink-driving and speed limits – have now been devolved. However, powers over issues such as income tax are not expected to come fully into effect for a number of years.

Membership

The Scottish Parliament has a single chamber. There are 129 Members of the Scottish Parliament (MSPs) and they are elected under two separate systems. Every elector at a Scottish Parliament election has two votes: one for their local constituency and one for the wider region in which they live.

How MSPs are elected

With one vote, electors choose between candidates standing in their constituency. The candidate winning the largest number of votes will gain the constituency seat – the first-past-the-post system of election. There are 73 constituency MSPs.

The other vote is for a political party, or for a candidate standing as an individual, within a larger electoral area called a Scottish Parliament region. There are eight Scottish Parliament regions and each region has seven seats in the Parliament. In each region, parties are allocated seats depending on the number of votes they receive in this regional ballot, while also taking into account the number of constituency seats they have won in the region. The members chosen to fill these additional 56 seats are known as regional MSPs or list MSPs.

Constituency MSPs and regional MSPs have the same voting rights in the Parliament.

Committees

Committees are small groups of Members of the Scottish Parliament (MSPs) who meet on a regular basis to scrutinise the work of the Scottish Government, conduct inquiries into subjects within their remit and examine legislation. The committees play an important role in the Scottish Parliament because, unlike the UK Parliament at Westminster, the Scottish Parliament is a single-chamber Parliament, with no upper house or second chamber which would revise and scrutinise legislation.

There are two types of committee: mandatory committees dealing with the processes of government and subject committees responsible for particular areas of legislation. Committees are normally established at the beginning of each parliamentary session.
How laws are passed

Any bill introduced to Parliament, whether a bill originating from the Government or a private member’s bill, is allocated to the most appropriate committee of MSPs to guide the bill through the parliamentary process. Each bill goes through three stages:

- **Stage One:** the Bill is introduced to, and debated in principle by, the whole Parliament. In preparation for this debate the committee responsible for the Bill takes written and oral evidence from witnesses.

- **Stage Two:** the committee considers any amendments to the Bill which have been lodged by MSPs. The committee may also take further evidence from witnesses at stage 2.

- **Stage Three:** the amended Bill is presented to the full Parliament for debate and a decision taken as to whether it should be accepted into law or rejected.

For more information on the Scottish Parliament:
www.scottish.parliament.uk

You will find more news about CARE for Scotland on:
www.care.org.uk/scotland