



Scotland Act 1998

1998 CHAPTER 46

PART I

THE SCOTTISH PARLIAMENT

Legislation

36 Stages of Bills.

- (1) Standing orders shall include provision—
 - (a) for general debate on a Bill with an opportunity for members to vote on its general principles,
 - (b) for the consideration of, and an opportunity for members to vote on, the details of a Bill, and
 - (c) for a final stage at which a Bill can be passed or rejected.
- (2) Subsection (1) does not prevent standing orders making provision to enable the Parliament to expedite proceedings in relation to a particular Bill.
- (3) Standing orders may make provision different from that required by subsection (1) for the procedure applicable to Bills of any of the following kinds—
 - (a) Bills which restate the law,
 - (b) Bills which repeal spent enactments,
 - (c) private Bills.
- (4) Standing orders shall provide for an opportunity for the reconsideration of a Bill after its passing if (and only if)—
 - (a) the [^{F1}Supreme Court decides] that the Bill or any provision of it would not be within the legislative competence of the Parliament,
 - [^{F2}(aa) the Supreme Court decides on a reference made in relation to the Bill under section 32A(2)(b) that any provision of the Bill relates to a protected subject-matter,]
 - (b) ^{F3}... or

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(c) an order is made in relation to the Bill under section 35.

[^{F4}(4A) Standing orders shall provide for an opportunity for the reconsideration of a Bill after its rejection if (and only if), on a reference made in relation to the Bill under section 32A(2)(a), the Supreme Court decides that no provision that is subject to the reference relates to a protected subject-matter.]

- (5) Standing orders shall, in particular, ensure that [^{F5}—
- (a) any Bill amended on reconsideration in accordance with standing orders made by virtue of subsection (4)(a) ^{F6}... or (c), and
 - (b) any Bill reconsidered in accordance with standing orders made by virtue of subsection (4)(aa) or (4A),]
- is subject to a final stage at which it can be approved or rejected.

(6) References in subsection (4), sections 28(2)[^{F7}, 31(2A), 31A, 32A(2)(b)] and 38(1)(a) and paragraph 7 of Schedule 3 to the passing of a Bill shall, in the case of a Bill [^{F8}to which subsection (5)(a) or (b) applies], be read as references to the approval of the Bill.

Textual Amendments

- F1** Words in s. 36(4) substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 40(4), 148(1), [Sch. 9 para. 99](#); S.I. 2009/1604, [art. 2](#)
- F2** S. 36(4)(aa) inserted (18.5.2017) by [Scotland Act 2016 \(c. 11\)](#), ss. **11(16)**, 72(4)(a); S.I. 2017/608, [reg. 2\(1\)\(i\)](#)
- F3** S. 36(4)(b) omitted (31.12.2020) by virtue of [European Union \(Withdrawal\) Act 2018 \(c. 16\)](#), s. 25(4), [Sch. 3 para. 12\(2\)](#) (with s. 19, [Sch. 8 para. 37](#)); S.I. 2020/1622, [reg. 3\(l\)](#) (with [regs. 10, 11, 22](#))
- F4** S. 36(4A) inserted (18.5.2017) by [Scotland Act 2016 \(c. 11\)](#), ss. **11(17)**, 72(4)(a); S.I. 2017/608, [reg. 2\(1\)\(i\)](#)
- F5** S. 36(5)(a)(b) substituted (18.5.2017) for words by [Scotland Act 2016 \(c. 11\)](#), ss. **11(18)**, 72(4)(a); S.I. 2017/608, [reg. 2\(1\)\(i\)](#)
- F6** Word in s. 36(5)(a) omitted (31.12.2020) by virtue of [European Union \(Withdrawal\) Act 2018 \(c. 16\)](#), s. 25(4), [Sch. 3 para. 12\(3\)](#) (with s. 19, [Sch. 8 para. 37](#)); S.I. 2020/1622, [reg. 3\(l\)](#) (with [regs. 10, 11, 22](#))
- F7** Words in s. 36(6) inserted (18.5.2017) by [Scotland Act 2016 \(c. 11\)](#), ss. **11(19)(a)**, 72(4)(a); S.I. 2017/608, [reg. 2\(1\)\(i\)](#)
- F8** Words in s. 36(6) substituted (18.5.2017) by [Scotland Act 2016 \(c. 11\)](#), ss. **11(19)(b)**, 72(4)(a); S.I. 2017/608, [reg. 2\(1\)\(i\)](#)

Status:

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Changes to legislation:

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