



The Scottish Parliament
Pàrlamaid na h-Alba

Scottish Parliament committees – what are they and what do they do?





What is a committee and what does it do?

Committees are small groups of Members of the Scottish Parliament (MSPs) who meet on a regular basis, usually on a Tuesday, Wednesday or Thursday morning, to scrutinise the work of the Scottish Government, conduct inquiries into subjects within their remit and examine legislation. Hearing the views of the public is a key part of this process.

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.

The Parliament has different kinds of committee. There are mandatory and subject committees, and it can also establish committees to consider particular issues or pieces of legislation.

Mandatory committees are established at the beginning of each session and their remits are determined by parliamentary rules. Those established in session 4, in June 2011, were: Equal Opportunities; European and External Relations; Finance; Public Audit; Public Petitions; Standards, Procedures and Public Appointments; and Subordinate Legislation (which became the Delegated Powers and Law Reform Committee in June 2013).

Subject committees are usually established at the beginning of each session. Those established at the start of session 4 were: Economy, Energy and Tourism; Education and Culture; Health and Sport; Infrastructure and Capital Investment; Justice; Local Government and Regeneration; and Rural Affairs, Climate Change and Environment. The Welfare Reform Committee was established in January 2012.

How are committees formed?

A committee can have between five and fifteen MSPs as members, and most committees currently have between seven and nine members. Members are selected with regard to the balance of political parties in the Parliament. Membership of the committee is proposed by the Parliamentary Bureau and the proposals have to be approved at a meeting of the whole Parliament. MSPs who are not members of a committee can take part in its public proceedings but cannot vote.



The Parliamentary Bureau consists of the Presiding Officer and a representative of each party or grouping with five or more MSPs.

Each committee has a convener to lead the meetings. The members of the committee must choose a convener from a particular political party as decided by the Parliament following a recommendation by the Parliamentary Bureau. The allocation of convenerships also reflects the balance of the political parties in the Parliament. Committees normally have a deputy convener, chosen in the same way, to chair meetings in the convener's absence.

Parties with two or more MSPs can also nominate substitutes. A substitute can stand in for a committee member of the same party if that person is unavailable for a meeting or if there is a temporary gap in the committee membership.

The conveners from each mandatory and subject committee and the Presiding Officer meet regularly to discuss the operation of committees and matters of mutual interest. This group is known as the Conveners Group.



Who attends committee meetings?

MSPs

MSPs who have been appointed as members of the committee usually attend. However, if they are unavailable, their substitute may attend in their place. Any MSP is able to attend a committee meeting, but they are not able to vote unless they are a member of the committee or a substitute.

Clerks

Each committee is supported in their work by a team of clerks, employed by the Parliament, who brief and advise the members, organise meetings, visits and events and provide administrative support.

Official reporters

Official reporters attend committee meetings and produce a written record of what is said in public at a meeting. This record is called the Official Report and is available on our website.

Broadcasting

Broadcasting staff record the committee meetings that are held in public. These meetings are webcast live on the Parliament website: www.scottish.parliament.uk

Witnesses

Committees can invite Cabinet Secretaries, Ministers and other individuals or organisations with an interest in a particular subject to give evidence at a meeting. Witnesses will be invited to speak and can be questioned by committee members.

Journalists

Journalists have allocated seating in committee meetings that are held in public to allow them to report on what is said.

Public

Members of the public can attend all committee meetings held in public. Tickets for proceedings are free and can be booked through Visitor Services (see page 15 for details).

Each committee room is designed to be accessible. They are fitted with TV cameras to film proceedings, as well as an induction loop and infra-red sound enhancement systems.



Who sits where?

Typical seating arrangements
at a committee meeting



Deputy
Convener

Convener

Clerk

Official Reporters

Witnesses

MSPs

Broadcasting

Journalists
and public



What do committees do?

A large part of the committees' work involves taking evidence and gathering views from individuals and organisations when considering legislation and scrutinising the activities of the Scottish Government.

Gathering evidence

Committees can take evidence by email or letter, or they can invite witnesses to give evidence in person and through videoconferencing. They can travel to external locations on fact-finding visits to gather information first hand from groups, organisations and businesses. Occasionally, formal committee meetings are held in venues outside Edinburgh when a committee feels it would be beneficial to its understanding of a subject.

Petitions

Petitions can be submitted by individuals and groups who want to raise an issue. The Public Petitions Committee will consider all those which are admissible and may refer a petition to another committee. The other committee may then decide to consider the matter further, for example, in the context of an inquiry or the scrutiny of a bill. More information is available in the 'Getting Involved' section of our website or from Public Information (contact details are on the back cover).

Inquiries

An inquiry is an important means of holding the Scottish Government to account by scrutinising, in detail, its policy and administration. Inquiries can also focus on pre- or post-legislative scrutiny, an issue of public concern or a response to a Scottish Government consultation.

The subjects of past inquiries have included regulation of care of the elderly, the impact of the Treaty of Lisbon on Scotland, Scottish exports and international trade, preventative spending, and migration and trafficking.



How do committees scrutinise legislation?

One of the key roles of committees is to consider proposed legislation that has been introduced. This includes Scottish Parliament bills and subordinate legislation.

Bills are draft laws, also known as primary legislation. Public bills can be introduced by the Scottish Government, parliamentary committees or individual MSPs; private bills are introduced by an external individual or group for a specific and limited purpose.

Subordinate legislation usually takes the form of statutory instruments and draft instruments and is also known as secondary legislation.



In general, **subordinate legislation** makes the regulations necessary to bring about and apply an Act of the Scottish Parliament. When a bill is passed by the Parliament, much of the detail, for example the timing and implementation, is left to subordinate legislation.

Generally, a bill needs to complete three stages to become an Act of the Scottish Parliament, and the committees play an important role in this process.

Stage 1: The bill is referred to the committee with the relevant remit, known as the lead committee. The views of other relevant committees will also be considered. The lead committee will take evidence and produce a report, recommending whether or not the Parliament should agree to the bill's general principles when it is debated in the Chamber.

Stage 2: If the Parliament agrees to the general principles, the bill will proceed to stage 2. It will then receive more detailed, line-by-line consideration, usually by the lead committee. The committee will consider proposed amendments put forward by MSPs and can take further evidence at this stage if it chooses.

Amendments are proposed changes to the wording of motions or bills.



Stage 3: The Parliament will consider the bill as amended at stage 2 and any further amendments proposed at stage 3. The Parliament will then debate and decide on whether or not to pass the bill.

What is a committee bill?

Committees can make their own proposals for legislation in the form of committee bills.

Procedures for a committee bill

Committees make proposals in the form of a report to the Parliament, setting out why a bill is considered to be necessary and what it would contain. The report may include a draft bill, but does not have to.

A committee must take evidence and consult adequately before its report is finalised.

If the Parliament agrees to the proposal, the committee convener can initiate the drafting of the bill or, if a draft bill already exists, introduce it.

A committee bill is not referred at stage 1 to a lead committee for a report on its general principles, although it is referred to secondary committees such as the Finance or Delegated Powers and Law Reform Committees. The Parliament will consider the general principles of the bill in a stage 1 debate in the normal way.

After stage 1, a committee bill proceeds in a similar manner to other public bills.

How can I follow the work of a committee?

Attend a committee meeting

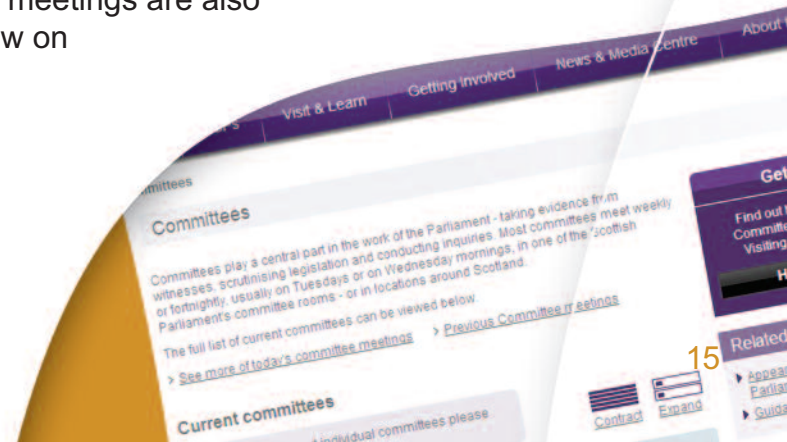
Members of the public can attend all committee meetings held in public. Tickets are free and can be reserved by emailing sp.bookings@scottish.parliament.uk or phoning Visitor Services on 0131 348 5200.

Watch a committee meeting on the internet

Most committee meetings are filmed and broadcast live on the Scottish Parliament website. Archived footage is available on our site and is also posted on YouTube.

Look at the committee webpages

All committees regularly update their pages on the Scottish Parliament website to include information on their membership, current business, calls for evidence and forthcoming meetings. Reports, agendas, papers and minutes of meetings are also available to view on their pages.



For more information on the Scottish Parliament,
its membership, business and procedures,
please contact us.



Public Information
The Scottish Parliament
Edinburgh
EH99 1SP



0800 092 7500
0131 348 5000
0131 348 5395 (Gàidhlig)

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Text the Scottish Parliament on
07786 209888



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