

Parliamentary Bureau

Proposed Emergency Bill: Timetable and Parliamentary Procedure

Introduction

1. The Scottish Government has indicated it intends to introduce legislation to quash convictions for offences alleged to have been committed while the Horizon system was in use by the Post Office, replicating the approach being taking by the UK Government in the Post Office (Horizon System) Offences Bill. It is expected that the Bill will be introduced on 14 May 2024.

Parliamentary procedure

2. It is understood that the Scottish Government intends to propose that the Parliament agrees to treat the Bill as an Emergency Bill.

3. If so, the Bureau will be required to schedule time for the Parliament to debate a motion to this effect (which can be in the name of any Cabinet Secretary or Minister). It is understood that the Scottish Government will be proposing to schedule this debate for 15 May.

4. If the Parliament agrees to treat the Bill as an Emergency Bill, the default position set out in Rule 9.21 of Standing Orders is that it is referred straight to the Chamber for a debate and decision on the general principles, without any requirement for committee consideration of and report on the general principles. The default position is also that all three stages are dealt with on the same day, with Stage 2 being considered by a Committee of the Whole Parliament.

5. The default procedure would mean that the lead committee, any secondary committee and the Delegated Powers and Law Reform Committee (if relevant) are not required to consider and report on the Bill.

Timetable for consideration

6. Under Rule 9.21.2, the Bureau can propose by motion that the Parliament agree an alternative to the default timescale (i.e. to take the three Stages more quickly than the normal legislative process would allow, but allowing more time for scrutiny than taking all three stages on the same day would allow).

7. Subject to the Parliament's agreement to treat the Bill as an Emergency Bill, the Scottish Government is proposing the following timetable—

- Introduction on Tuesday 14 May;
- Stage 1 debate on the afternoon of Tuesday 21 May;
- Stage 2 being taken as a Committee of the whole Parliament on Wednesday 22 May;

- Stage 3 (amendment proceedings and debate) to take place at a time to be determined.

Deadlines for lodging amendments at Stage 2

8. Rule 9.21.7 provides for the Presiding Officer to determine the deadlines that should apply for lodging amendments to an Emergency Bill. If the Presiding Officer does not make such a determination, the standard lodging deadlines for a Bill apply.

9. The timetable proposed for considering the stages of the Bill means that the standard lodging deadlines are not suitable. Should the Bureau agree that Stages 1 and 2 be held on 21 and 22 May, it is proposed that the deadline for lodging Stage 2 amendment be 10:00am on Wednesday 22 May.

10. In proposing this deadline, what is being sought is to balance the need to allow for some time after the end of the preceding Stage for amendments to be lodged with the need to ensure that any amendments lodged are published in time for all Members to be able to consider them prior to relevant proceedings.

11. The determination of the Presiding Officer will be announced in the Business Bulletin and communicated to all Members by email.

Parliamentary Business Team
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