

Standards Procedures and Public Appointments Committee
Thursday 16 January 2025
1st Meeting, 2025 (Session 6)

Petition PE1949: Review the rules concerning Dual Mandate MSPs

Introduction

1. [Petition PE1949](#) was lodged in July 2022 and called on the Scottish Parliament to urge the Scottish Government “to review the rules regarding ‘Dual Mandate MSPs’, and legislate to bring them in line with the Senedd and Stormont by preventing MSPs from holding a dual mandate, in time for the next Scottish Parliament elections”.
2. Following initial consideration, the Citizen Participation and Public Petitions Committee referred the petition to the Standards, Procedures and Public Appointments Committee.
3. The Committee subsequently agreed to consider the issue of dual mandates in its scrutiny of the Scottish Elections (Representation and Reform) Bill and commented on the issue in its Stage 1 report.

Scottish Elections (Representation and Reform) Bill

4. Amendments relating to dual mandates were lodged and debated during Stage 2 of the Bill. During Stage 2, the Minister for Parliamentary Business had indicated his support in principle for ending such ‘dual mandates’ but that he considered consultation should be carried out prior to legislation being introduced. Following debate, the amendments were either not moved or withdrawn.
5. At Stage 3, revised amendments were lodged and debated. The amendments agreed at Stage 3 require Scottish Ministers to lay regulations to give effect to disqualification of members of the House of Commons and members of the House of Lords and a discretionary power to make regulations to give effect to disqualification of local authority councillors. During debate on the amendments, the Minister for Parliamentary Business stated that this approach “acknowledges the distinct nature of councillor roles and, candidly, it reflects what I detect to be a broader range of opinion in the chamber on the matter and allows the public consultation to guide us in deciding whether action is required or not. I will report back to the Parliament after the consultation is concluded and will give an indication of the next steps thereafter.”¹
6. In terms of the timescale for the consultation, the Minister stated he is “committed to ensuring that, by autumn 2025, regulations are laid as informed by the consultation, which I have committed to publish, and that those regulations

¹ [Scottish Parliament Official Report, 17 December 2024](#)

are in place well ahead of, and effective by, the Scottish Parliament election that is scheduled for May 2026”.

7. The petitioner was kept updated throughout the consideration of the Bill and has indicated that he was content with the outcome and that the aims of the petition had been achieved through the Bill.

Conclusion

8. The Committee is invited to consider closing the petition under Rule 15.7 of the Standing Orders on the basis that the aims of the petition have been achieved through the Scottish Elections (Representation and Reform) Bill as passed.

Clerks to the Committee
January 2025