THE SCOTTISH PARLIAMENT

Stephen Imrie
Clerk Team Leader, Committee Office
The Scottish Parliament
stephen.imrie@parliament.scot

Background

The Scottish Parliament has been in existence since 1999. Its powers and procedures have undergone significant changes since those originally set out in the Scotland Act 1998, with major revisions in 2012 and again in 2016.

Elections and membership

The system used for Scottish Parliament general elections is a mixed member system comprising a first-past-the-post component, under which seats are allocated in single member constituencies, and a proportional representation (PR) component based on regional party lists. These two elements are then linked through a formula known as the d'Hondt method or system. This electoral system is known as the Additional Member System (AMS).

Part 1 of the Scotland Act 1998 sets out the processes by which Members are elected to the Scottish Parliament. Under AMS, each voter has two votes. The first is used to vote for a named candidate for a geographically defined single member constituency. There are 73 constituencies and candidates are elected via the same first-past-the-post system which is used for elections to Westminster. The second vote is used to elect an 'additional' member. This vote is cast for a political party or an independent candidate. There are 8 regions and 7 candidates are elected from each. In total, therefore, 56 ‘list’ or ‘regional’ members are elected. Each person in Scotland, therefore, is represented by 1 constituency and 7 regional Members of the Scottish Parliament (MSPs).

The regional vote is intended to make representation in the Parliament more proportional in relation to share of the vote, taking into account the size of the regional vote for each party (or independent candidate) and the number of constituency seats won by each party (or independent candidate) in that region.
Size and structure

The Scottish Parliament is unicameral. It consists of 129 MSPs, one of whom, upon election via a secret ballot of MSPs becomes its Presiding Officer (our equivalent of a Speaker).

In the five sessions to date, the Scottish Parliament has seen 2 sessions with coalition government, two sessions with a minority government and, unusually given the nature of the electoral system, one session of majority government. The current session (since May 2016) has 63 MSPs from the Scottish National Party (SNP), 30 from the Scottish Conservative and Unionist Party, 23 from the Scottish Labour Party, 7 from the Scottish Green Party, 6 from the Scottish Liberal Democrats and the Presiding Officer (Ken Macintosh MSP). There are 45 female MSPs out of 129 (35%).

The Parliament sits on a Tuesday, Wednesday and Thursday, with most votes taken electronically at Decision Time (towards the end of a business day). The Parliament currently has 15 committees (although this varies between and within sessions). Additionally, the Parliamentary Bureau sits in private to deal with the scheduling of business and other matters, as does the Conveners Group which meets to discuss matters relating to committees.

Each day of the week currently starts with questions to Ministers, with questions to the First Minister currently on Thursday at noon.

Main powers of the legislature

The main powers of the Scottish Parliament, prior to the passing of the Scotland Act 2016, included:

- 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
• many aspects of transport

With the passing of the 2016 Act, increased powers over taxation, primarily income tax, means that the Scottish Parliament is now responsible for raising around half of the income that is spent in Scotland; see Figure 1.

**Figure 1: Tax revenues as a percentage of devolved expenditure**

The Scottish Parliament also has significant new powers over certain social security benefits and welfare powers; around 12.5% of benefit spend in Scotland, mainly Carer’s Allowance, Disability Living Allowance and Personal Independence Payments; powers over those benefits under the Regulated Social Fund (Winter Fuel Payments, Cold Weather Payments, Sure Start Maternity Grants and Funeral Payments); powers to vary housing cost elements of Universal Credit and change payment arrangements for Universal Credit, and; powers over Discretionary Housing Payments and Discretionary Payments and Assistance.

Source: SPICe, data from Scottish Government 2016
Key issues

As with most legislatures, issues relating to the economy, the health and education systems, the environment and law and order and never far from the main matters discussed.

However, given the history of Scotland and the process of devolution, inter-dispersed with a referendum on Scottish Independence in September 2014 and a Referendum, UK-wide, on leaving the European Union held in June 2016, constitutional issues are never far from the top of a list of issues discussed in the Parliament and in Scotland as a whole.

Key references/Further Reading

- Past and Present – a Timeline
- The Scotland Act 1998
- How the Parliament Works?

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