

PARLIAMENTARY BUREAU

PROPOSED CARER'S ALLOWANCE SUPPLEMENT (SCOTLAND) BILL: TIMETABLE AND PARLIAMENTARY PROCEDURE

Introduction

1. The Carer's Allowance Supplement (Scotland) Bill was introduced by the Cabinet Secretary for the Social Justice, Housing and Local Government, Shona Robison MSP on 22 June 2021.
2. At its meeting on 22 June 2021, the Bureau agreed to refer the Bill to the Social Justice and Social Security Committee as lead committee at Stage 1.

Parliamentary procedure

3. The Scottish Government has confirmed that it intends to propose that the Parliament agrees to an expedited timetable for considering this Bill.
4. To accommodate the proposed timetable, the Bureau is required to consider proposing to the Parliament a motion to suspend or vary various Standing Orders in order to accommodate an expedited timetable.

Timetable for consideration

5. Subject to the Parliament's agreement, the Scottish Government proposes that the three Stages will take place as follows—
 - The Stage 1 debate on the afternoon of Thursday 23 September;
 - Stage 2 being taken by the Social Justice and Social Security Committee on the morning of Thursday 30 September;
 - Stage 3 on the afternoon of Thursday 7 October.
6. To accommodate this timetable would require the Bureau to propose by motion to the Parliament that Rule 9.5.3A (minimum period between Stage 1 and Stage 2) and Rule 9.5.3B (minimum period between Stage 2 and Stage 3) be suspended.
7. Rule 9.6.3A requires the lead committee to report to the Parliament no later than the fifth sitting day before Stage 1 proceedings. Where, as in the case of this Bill, there is a tight timetable being proposed, the committee would be unable to publish the report within the normal timeframe stipulated in Standing Orders. It is, therefore, proposed that this rule be suspended for the purposes of consideration of this Bill in order to allow the committee to publish the Stage 1 report at its earliest opportunity.
8. Rules 9.7.8A and 9.7.8B require the member in charge of a Bill to produce, in certain circumstances, revised or supplementary Explanatory Notes and Financial

Memorandum where the Bill is amended at Stage 2. Where, as in the case of this Bill, there is a very short gap between Stages 2 and 3, it is proposed that the rules be varied in order to adjust the dates on which the relevant revised accompanying documents must be lodged.

9. Rule 9.7.9 requires the Delegated Powers and Law Reform Committee to consider any changes made at Stage 2 which would insert or substantially alter provision conferring powers to make subordinate legislation, and report to the Parliament. Considering the tight timescale, it is proposed that the rule be varied in order to adjust the date on which the member in charge must produce a revised or supplementary Delegated Powers Memorandum (Rule 9.7.10).

Deadlines for lodging amendments at Stages 2 and 3

10. The timetable proposed for considering the stages of the Bill means that the standard deadlines for lodging amendments are not suitable. The Scottish Government, after consultation with the Social Justice and Social Security Committee which is content with the proposals, proposes that the deadlines should be as follows—

- The deadline for lodging amendments at Stage 2 to be 12 noon on Monday 27 September. This will allow a day and a half after the decision on the general principles of the Bill for amendments to be lodged;
- The Bureau is asked to note that the Marshalled List and Groupings for Stage 2 will also be issued on Monday 27 September, allowing for two week days before Stage 2 for the Parliament to consider all amendments that have been lodged;
- The deadline for lodging amendments at Stage 3 to be 12 noon on Monday 4 October. This allows for a day and a half after Stage 2 proceedings have been completed for amendments to be lodged;
- The Bureau is asked to note that the Marshalled List and Groupings for Stage 3 will be issued on Tuesday 5 October, ensuring a day and a half of consideration before Stage 3 proceedings.

11. The arrangements for lodging amendments above seek 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.

12. As a result, Rule 9.10.2 (amendment deadline for Stage 2) and Rule 9.10.2A (amendment deadline for Stage 3) will need to be varied to accommodate the condensed amendment deadline timetable.

13. If the Bureau agrees to propose these arrangements, and the Parliament subsequently agrees to them, the proposed timetable and deadlines will be announced in the Business Bulletin and communicated to all Members by email.

14. A draft motion is attached as an **Annex**. This would give effect to the required suspension and variation of Rules to allow for the Bill to be considered on the proposed timetable.

Parliamentary Business Team
September 2021

Annex**Draft Parliamentary Bureau motion on the Carer's Allowance Supplement (Scotland) Bill:**

Timetable and procedures for consideration – That subject to the Parliament's agreement to the general principles of the Carer's Allowance Supplement (Scotland) Bill, the Parliament agrees for the purposes of further consideration of the Bill that:

- Rules 9.5.3A and 9.5.3B be suspended;
- Rule 9.6.3A be suspended;
- Rule 9.7.8A be varied to replace the word "fourth" with "third", so that the deadline for lodging revised or supplementary Explanatory Notes will be the third sitting day before the day on which Stage 3 is due to start;
- in Rule 9.7.8B, the words "whichever is the earlier of" be suspended;
- Rule 9.7.8B(a) be varied to replace the word "tenth" with "second", so that the deadline for lodging a revised Financial Memorandum will be the second sitting day after the day on which Stage 2 ends;
- in Rule 9.7.9(a), the words "whichever is the earlier of" be suspended;
- Rule 9.7.9(a)(i) be varied to replace the word "tenth" with "second", so that the deadline for lodging a revised or supplementary Delegated Powers Memorandum will be the second sitting day after the day on which Stage 2 ends;
- Rule 9.10.2 be varied, in so far as it applies to an amendment at Stage 2, to replace the word "fourth", in both places it occurs, with "third", so that the deadline for lodging a Stage 2 amendment will be the third sitting day in advance of proceedings; and
- Rule 9.10.2A be varied to replace the word "fifth" with "third", so that the deadline for lodging a Stage 3 amendment will be the third sitting day in advance of proceedings."