

Citizen Participation and Public Petitions Committee

12th Meeting, 2023 (Session 6), Wednesday 6 September 2023

Admissibility decision

Context

1. [Rule 15.5](#) sets out the criteria of admissibility of petitions. These include that a petition is inadmissible if it “does not comply with Rule 15.4.2 or is otherwise not in proper form”, while Rule 15.4.3 requires the Committee to determine what counts as “proper form”. The Committee’s determination is published on the Parliament’s [website](#).
2. The effect is that, to be admissible, a petition has to comply both with the list of criteria in Rule 15.5, and with the determination.
3. It is the role of the Committee’s clerks to advise petitioners on issues of admissibility, including by assisting them, where possible, in complying with the criteria. In most cases, the clerks’ advice is accepted, but it is always open to a petitioner to dispute that advice. In such a case, the final decision rests with the Committee, under Rule 6.10. Under that Rule (and Rule 15.5.2), it is for the Committee to “decide in a case of dispute whether a petition is admissible”.

Proposed petition on confirmation of wills

4. A petition has been submitted that calls for legislation to require original wills made outside Scotland to be accepted into safe custody (by Registers of Scotland) without additional evidence of validity.
5. The issue for the Committee to decide is whether the proposed petition is admissible by reference to the paragraph in the determination according to which petitions may not seek to involve the Committee “in a decision that is more properly the domain of another body”.
6. Further information about the proposed petition and the grounds on which admissibility is disputed are set out in a separate, private, paper.

Clerk to the Committee