The Scottish Parliament
Pàrlamaid na h-Alba

What are Scottish Statutory Instruments?

A Scottish Statutory Instrument (SSI) is a type of legislation which can be used to make changes to the law without a new Act of Scottish Parliament having to be passed.

When the Parliament passes a bill it gives the Scottish Ministers the power to make SSIs which relate to that bill.

The SSI is sent to Parliament for it to consider ('laid before Parliament').

The SSI is looked at by the Delegated Powers and Law Reform Committee (DPLRC). Who consider the technical aspects of the SSI.

The DPLRC then reports its views to the lead committee within 22 days of it being laid.

22 Days

Once the SSI has been laid it is referred to a 'lead committee' who consider the policy of the instrument.

The subject matter of the SSI decides which committee it is referred to.

There are 2 main types of SSIs subject to parliamentary procedure - **Affirmative and Negative.** They are dealt with in different ways.

Affirmative

The lead committee discusses the SSI, hearing from the relevant Minister, and votes on whether to recommend that it becomes law.

The committee reports its decision to the Parliament within 40 days of it being laid.

40 Days

Negative

A **motion to annul** the SSI can be lodged up to 40 days after the SSI is laid.

If a motion is lodged

Committee votes on whether to recommend that the SSI is annulled.

If no motion is lodged

The Committee considers the SSI, taking the DPLRC report into account.

The Committee reports its decision to the Parliament.

The whole Parliament votes on whether the SSI:

Affirmative

Should the SSI become a law?

Negative

Should the SSI be annulled?

The SSI cannot become law.

The SSI becomes law on a date decided by the Scottish Government.