



The Scottish Parliament
Pàrlamaid na h-Alba

A Scottish Parliament Guide

Legislative Consent

Large print (18 point)

January 2018

What is legislative consent?

The UK Parliament can pass laws for Scotland on devolved matters.

But such laws will normally be passed only after the Scottish Parliament has given its consent.

This is sometimes known as the Sewel convention.



Image of UK Parliament building.

So, how does the consent process work?

When a Bill is introduced to the UK Parliament, the Scottish Government puts a legislative consent memorandum before the Scottish Parliament.

This is a document explaining how and why the UK Bill affects devolved matters.



Image of Scottish Government building.

What does the Scottish Parliament do then?

The Scottish Parliament committee that deals with the devolved subject-matter of the Bill takes the lead in looking at the memorandum and publishes a report on its findings.

The Scottish Parliament will then normally debate a legislative consent motion in the Chamber.

It gives its consent to the UK Parliament Bill by agreeing to the motion.

The Scottish Parliament has to decide whether or not to give its consent before the Bill has finished going through the UK Parliament.



Image of Scottish Parliament Debating Chamber.

Does this mean the Scottish Parliament can veto UK Parliament Bills?

The principles of the Sewel convention were included in the Scotland Act 2016.

In January 2017, the UK Supreme Court ruled that the Scottish Parliament doesn't have a legally enforceable veto over UK Parliament laws.

However, refusal to give consent can still send a powerful political message.

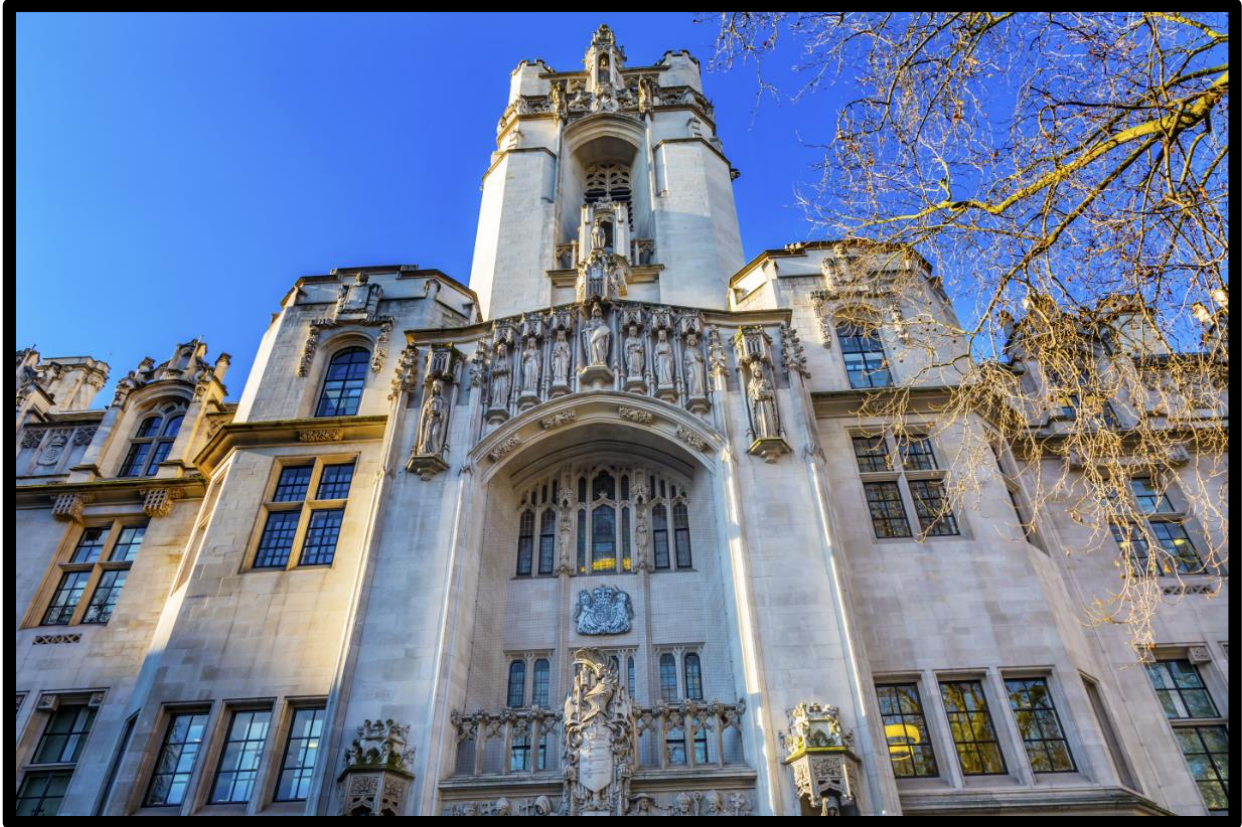


Image of UK Supreme Court.