

Becoming a Scottish Parliament Candidate

Key Points

- 'MSP' stands for Member of the Scottish Parliament
- They are chosen by voters every four years
- MSPs work at the Scottish Parliament in Edinburgh and also in their local areas
- They choose who will be the First Minister
- The method for voting for MSPs is a form of Proportional Representation called the Additional Member System (AMS)

Members of the Scottish Parliament (MSPs) are chosen by voters every four years to represent the interests of the people of Scotland.

They usually divide their time between the Scottish Parliament at Holyrood in Edinburgh and their local constituency or region.

Most MSPs are sponsored by a particular political party but you can also stand as an Independent candidate

You can decide to stand as a Constituency candidate or a Regional candidate, or both.

Why Become an MSP?

There are lots of reasons to consider putting yourself forward for election as an MSP candidate.

MSPs choose the First Minister who in turn chooses his or her Ministers from the 129 elected MSPs. Those Ministers form the government, known as the Executive.

MSPs make decisions about issues that have been devolved to the Scottish Parliament. These include areas of enormous concern to the Scottish people, such as:

- Health
- Education
- Law
- Transport
- Economic development

Devolved Issues

Visit the Scottish Executive website at www.scotland.gov.uk for a list of issues devolved to the Scottish Parliament.

Powers of the Scottish Parliament

Scotland was granted devolution by the passing of the Scotland Act in 1998 which means that Scotland has a Parliament with devolved powers within the United Kingdom. Any powers which remain with the UK Parliament at Westminster are reserved.

The Scottish Parliament is able to pass laws on all devolved matters. These include health, education, training, local government, social work, planning, housing and economic development.

The Scottish Parliament can make laws about devolved issues without them having to be approved by the UK Parliament. While the UK Parliament can still make laws for Scotland it will not normally make a law on a devolved matter without the consent of the Scottish Parliament. The Scottish Parliament also has limited powers to raise or lower the rate of tax in Scotland.

The Scottish Parliament makes decisions through debates and committees.

Debates happen in the main chamber of the Scottish Parliament. During this time MSPs debate and approve new laws. They can also ask the First Minister about the work of the Scottish Executive.

Committees are each made up of a small number of MSPs and are a central part of the work of the Scottish Parliament. They look at proposed new laws in detail to make sure they will be workable. They do this by:

- Taking evidence from the public and experts working in the area they are looking into
- Looking at proposed laws in detail
- Conducting inquiries about public bodies and other instructions
- Education

The committee system is used to encourage member of the public to be involved with the Parliament.

What Does Being an MSP Involve?

Actions that MSPs Can Take

MSPs can:

- Lodge a motion for debate in the Scottish Parliament
- Speak in a debate
- Introduce a bill to change the law
- Propose an amendment to a bill
- Ask a question to the Scottish Executive
- Refer matters to, or ask questions of, another person or organisation

For more about what MSPs do, visit the Scottish Parliament website at www.scottish.parliament.uk

MSPs represent their constituents on matters that can be decided by the Scottish Parliament.

Being an MSP involves duties inside and outside Parliament:

In Parliament

After they are elected, MSPs negotiate amongst themselves to choose a First Minister who must then be approved by a majority.

The chosen First Minister appoints a group of MSPs to be Scottish Ministers. These Ministers form the Scottish Executive or government.

MSPs who are not members of the Executive are likely to be appointed to sit on various committees, scrutinising legislation or conducting investigations.

There are also a number of cross-party groups which promote and address specific issues, not necessarily confined to devolved matters.

Any MSP can contribute to, or initiate, debates in the Parliamentary chamber. They can introduce motions and ask questions of Ministers and public officials.

Outside Parliament

Most MSPs maintain an office in their local area where they spend part of every week.

Many hold surgeries in their areas, to hear the views and concerns of local people.

Salary

The basic salary for MSPs is £52,226. On top of that, they get a series of allowances to employ research staff or pay office rental expenses.

Ministers and party leaders are entitled to additional allowances.

More Information

All MSPs must subscribe to a Code of Conduct, which you can access at www.scottish.parliament.uk
The Scottish Parliament website also provides more information about how Parliament works and its history.

Who Can Stand For Election to the Scottish Parliament?

Anyone can stand for election as an MSP as long as you are over 18 years of age and a citizen of the:

- United Kingdom
- Commonwealth
- Republic of Ireland
- European Union, resident in Scotland

You cannot be an MSP if you:

- Are an undischarged bankrupt
- Are in a post paid for by the Crown (e.g. civil servant, police officer)
- Are serving a jail term of more than 12 months
- Have been convicted of certain electoral offences

How To Become an MSP

Most candidates are sponsored by a political party but there is nothing to stop you forming your own political party and putting yourself forward for election.

Or you could stand as an independent candidate, with no party affiliation.

Under the Additional Members System (AMS) used in Scottish Parliamentary elections, candidates can stand as Constituency candidates or Regional candidates.

The official steps to becoming an MSP are:

1. Official nomination is submitted to Returning Officer in the relevant Constituency or Region
2. Deposit is paid for each nomination
3. If nomination is valid, name appears on ballot paper
4. Candidate (or party on the regional list) appoints Election Agent
5. Candidate (and party in respect of the Regional election) and supporters campaign for votes
6. Votes are cast in the election using the Additional Member System (AMS)

Detailed guidance for prospective candidates and Election Agents will be available from the Electoral Commission from January 2007.

In the meantime, read on for more details about:

- Nominations
- Election Agents
- Campaign Material
- Election Expenses

Nominations

To stand for election to a particular Constituency or Region, a nomination paper must be submitted to the Returning Officer in the relevant Constituency or Region on behalf of the candidate or registered political party.

The candidate must agree to the nomination in writing for it to be valid.

The candidate must also declare that he or she is not disqualified from standing.

It is a serious offence to include false information on the nomination or consent to nomination, and a person found guilty of such an offence may face imprisonment for up to a year or an unlimited fine.

A deposit of £500 is required for each nomination, payable by legal tender or bankers' draft. Other means of payment are at the discretion of the Returning Officer.

The nomination paper for a Constituency candidate and individual Regional candidate must contain:

- The candidate's full name
- Full home address
- If he or she is standing as the candidate of a registered political party
- A description of not more than six words if standing on behalf of a registered political party. If not, only the word 'Independent' can be used.

- This description will appear on the ballot paper. If a description is submitted, it must be accompanied by a certificate of authorisation from that registered party's Nominating Officer

A registered emblem of the party can also appear on the ballot paper if it is requested in writing.

The nomination paper for a regional party list must contain:

- The full names and home addresses of each candidate included in that list in the order in which they will be allocated a regional seat
- A description of not more than six words

Full details on how nominations are handled are available from the Returning Officer for the appropriate Constituency or Region.

Election Agents

An Election Agent must be appointed for each Constituency candidate and for each list of candidates or individual candidate standing on the Regional list.

The Election Agent is responsible for the proper management of the candidate's or party's campaign.

Candidates can choose to act as their own Election Agent.

Campaign Material

Campaign publicity material is subject to a number of restrictions under electoral law, and is also subject to the general civil and criminal law relating to published material.

All posters, placards and bills that refer to the election must carry an imprint on the face giving the name and address of each of the printer, the publisher, and the promoter of the material.

This also applies to all printed material distributed to promote the election of a candidate.

Election Expenses

There is legal limit on the amount candidates can spend on election campaigns. The figure is a maximum. Candidates don't have to spend up to the limit.

Limits for candidates at Scottish Parliamentary elections are:

- For a Constituency Candidate in a county constituency (including Orkney or Shetland): £5,761 plus 6.5 pence for every entry in Register of Electors
- For a Constituency Candidate in a burgh constituency: £5,761 plus 4.8 pence for every entry in the Register of Electors
- For a Regional Candidate: the maximum amount for each constituency in the region (calculated according to the limits given above) added together

These figures may be increased prior to the elections on 3rd May 2007.