## THE ROLE AND REMIT OF THE SCOTTISH AND UK PARLIAMENTS

## Background

The Model Scheme for the Establishment of Community Councils specifies that Members of the Scottish and UK Parliaments are *ex-officio\** members of Community Councils within their constituency or region. Below is an outline of the roles and powers of the various Parliaments.

*\* Member generally taken to be a person, who, by virtue of an office or position held, is officially attached to a committee as a non-voting member*

## The Scottish Parliament

Scotland, Wales and Northern Ireland all held successful referendums on devolution in the late 1990s. In Scotland’s case, this led to the establishment of a separate Parliament following the passing of the [Scotland Act 1998](http://www.opsi.gov.uk/acts/acts1998/19980046.htm). The Scottish Parliament took responsibility for its devolved powers on 1 July 1999.

## Devolved and reserved powers

Devolved powers relate to policy areas which are under the remit of the Scottish Parliament, such as education and health. Reserved powers are those decisions that remain with the UK Parliament in Westminster. Which powers are devolved and which are reserved are determined by legislation. The [Scotland Act 2016](https://www.legislation.gov.uk/ukpga/2016/11/contents/enacted) devolved a range of further powers to the Scottish Parliament, including Income Tax, control over some existing benefits and the ability to create new welfare payments.

## Scottish Parliament – devolved powers

The role of the Scottish Parliament is to make laws in relation to devolved matters in Scotland. All matters that are not specifically reserved are devolved. Devolved matters over which the Scottish Parliament has legislative power include:

## Health

## Education and training

## Local government, social work and housing

## Economic development and transport

## Law and home affairs

## Income Tax and some welfare powers

## Environment

## Sport and the arts

## Agriculture, forestry and fishing

The Scottish Parliament is also able to examine devolved matters and debate a wide range of issues of interest and concern in Scotland, whether devolved or reserved.

## The UK Parliament and reserved powers

With the advent of the Scottish Parliament in 1999, the UK Parliament retained authority over those sections of legislation not devolved to the Scottish Parliament, the Northern Ireland Assembly, and the Welsh Assembly. In terms of Scotland, authority over the following areas are retained by Westminster:

* The constitution, which in the UK is a collection of documents, customs and practices which have evolved over centuries.
* Defence and national security
* Economy
* Trade and industry
* Transport (not devolved to Scotland) such as transport safety and regulation
* Social Security (responsibility for some benefits have now been devolved to the Scottish Parliament and are delivered by [Social Security Scotland](https://www.socialsecurity.gov.scot/benefits))
* TV and radio broadcasting
* Foreign affairs
* Immigration and nationality
* Energy policy