

## SCHEDULE 2

(introduced by section 35)

### PART 1: MINOR AND CONSEQUENTIAL MODIFICATIONS

#### *Representation of the People Act 1983 (c. 2)*

- 1 The 1983 Act is amended as follows.
- 2 In section 66(1) (requirement of secrecy), before “shall”, where first occurring, insert  
—  
“
  - (d) every person so attending in pursuance of permission granted under section 8 or 9 (observers at Scottish local government elections) of the Local Electoral Administration and Registration Services (Scotland) Act 2006 (asp 14),”.”.
- 3 In section 73(5)(d) (payment of expenses through election agent), for “section 90A(5) (b)” substitute “section 90ZB(7)”.
- 4 In section 74A (expenses which may be paid otherwise than by election agent)—
  - (a) in subsection (1)(b), for “section 90A(1)” substitute “section 90ZB(2)”,
  - (b) in subsection (2), the words “(determined in accordance with section 90B below)” are repealed,
  - (c) in subsection (3), for “sections 90A to” substitute “section 90ZB and”.
- 5 In section 76A(2) (application of power to vary provisions about election expenses)  
—
  - (a) the word “or” immediately following paragraph (c) is repealed,
  - (b) after paragraph (c) insert—  
“
    - (ca) section 75A(5) above; or”.”.
- 6 In section 81 (return as to election expenses)—
  - (a) in subsection (2)(c), after “section 75(2)” insert “or 75A(6)”,
  - (b) in subsection (9)—
    - (i) for “subsection (3)” substitute “subsection (4A)”, and
    - (ii) the words “of each such matter” are repealed.
- 7 In section 89 (inspection of returns and declarations)—
  - (a) in subsection (1), after “section 75,” insert “75A,”,
  - (b) in subsection (3), after “section 75” insert “or 75A”.
- 8 In section 90C(2) (property, goods, services etc. provided free of charge or at a discount), for “section 90A(3)” substitute “section 90ZB(4)”.
- 9 In section 118 (interpretation of Part 2), in the definition of “election expenses” for “sections 90A” substitute “sections 90ZB”.
- 10 In section 129(7)(b) (time for presentation or amendment of petition questioning local election), after “section 75” insert “or 75A”.
- 11 In section 168(1)(a)(i) (prosecution for corrupt practices), before “above” insert “or 62B”.
- 12 In section 179 (offences by associations), after “section 110” insert “or 110A”.
- 13 The amendments made by paragraphs 3, 4, 6(b), 8 and 9 apply to the 1983 Act only so far as it applies to a local government election in Scotland.

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*Status: This is the original version (as it was originally enacted).*

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*Scottish Local Government (Elections) Act 2002 (asp 1)*

- 14        In section 5(4) of the Scottish Local Government (Elections) Act 2002, for “75(1)”  
             substitute “75A(2)”