
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2015 No.

The Scottish Parliament (Elections etc.) Order 2015

PART 3

THE ELECTION CAMPAIGN

Schools and rooms for Scottish parliamentary election meetings: candidates for return as constituency members

64.—(1) Subject to the provisions of this article, a candidate for return as a constituency member at a Scottish parliamentary election is entitled for the purpose of holding public meetings in furtherance of the candidate's candidature to the use free of charge at reasonable times between the last day on which notice of the election may be published in accordance with the Scottish Parliamentary Election Rules and the day preceding the date of the poll of—

- (a) a suitable room in the premises of a school to which this article applies;
- (b) any meeting room to which this article applies.

(2) This article applies to any school of which the premises are situated in the constituency or an adjoining constituency, not being an independent school within the meaning given in section 135 of the Education (Scotland) Act 1980(1) (interpretation), but a candidate is not entitled under this article to the use of a room in school premises outside the constituency if there is a suitable room in other premises in the constituency which are reasonably accessible from the same parts of the constituency as those outside and are premises of a school to which this article applies.

(3) This article applies to meeting rooms situated in the constituency, the expense of maintaining which is payable wholly or mainly by—

- (a) the Scottish Ministers or any other part of the Scottish Administration; or
- (b) any Scottish public authority with mixed functions or no reserved functions (within the meaning of the 1998 Act).

(4) Where a room is used for a meeting in pursuance of the rights conferred by this article, the person by whom or on whose behalf the meeting is convened—

- (a) shall defray any expenses incurred in preparing, warming, lighting and cleaning the room and providing attendance for the meeting and restoring the room to its usual condition after the meeting; and
- (b) shall defray any damage done to the room or the premises in which it is situated, or to the furniture, fittings or apparatus in the room or premises.

(5) A candidate is not entitled to exercise the rights conferred by this article except on reasonable notice; and this article does not authorise any interference with the hours during which a room in school premises is used for educational purposes, or any interference with the use of a meeting room

(1) 1980 c.44. The definition of "independent school" in section 135 was amended by the School Education (Ministerial Powers and Independent Schools) (Scotland) Act 2004 (asp 12), section 3 and the Standards in Scotland's Schools etc. Act 2000 (asp 6), schedule 2, paragraph 3(9).

either for the purposes of the person maintaining it or under a prior agreement for its letting for any purpose.

(6) For the purposes of this article and article 65 (except those of paragraph (4)(b) of each article) the premises of a school shall not be taken to include any private dwellinghouse, and in this article—

(a) the expression “meeting room” means any room which it is the practice to let for public meetings; and

(b) the expression “room” includes a hall, gallery or gymnasium.

(7) The provisions of Schedule 7 (use of school rooms and meeting rooms for election meetings) have effect with respect to the rights conferred by this article and article 65 and the arrangements to be made for their exercise.