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SCOTTISH STATUTORY INSTRUMENTS

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**2005 No. 102**

**REPRESENTATION OF THE PEOPLE**

**The Representation of the People (Variation  
of Limits of Candidates' Local Government  
Election Expenses) (Scotland) Order 2005**

<i>Made</i>	- - - -	<i>1st March 2005</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>2nd March 2005</i>
<i>Coming into force</i>	- -	<i>1st April 2005</i>

The Scottish Ministers, in exercise of the powers conferred by section 76A(1)(b) of the Representation of the People Act 1983(1) and of all other powers enabling them in that behalf, in order to give effect to a recommendation of the Electoral Commission, hereby make the following Order:

**Citation, commencement and extent**

1.—(1) This Order may be cited as the Representation of the People (Variation of Limits of Candidates' Local Government Election Expenses) (Scotland) Order 2005 and shall come into force on 1st April 2005.

(2) This Order extends to Scotland only.

**Variation of expenses limits at a local government election**

2. The maximum amounts of a candidate's election expenses at a local government election in Scotland shall be varied by substituting for the sums "£242" and "4.7p" in section 76(2)(b)(ii) of the Representation of the People Act 1983(2), the sums "£600" and "5p", respectively.

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(1) 1983 c. 2; section 76A was substituted and deemed to be a pre-commencement enactment by section 133(1) and (2) respectively of the Political Parties, Elections and Referendums Act 2000 (c. 41). The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).

(2) The sums in section 76(2)(b)(ii) were substituted by S.I. 1997/879, and substituted again in relation to local government elections in Scotland by S.S.I. 2003/76.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## **Revocation**

**3.** The Representation of the People (Variation of Limits of Candidates' Local Government Election Expenses) (Scotland) Order 2003**(3)** is hereby revoked.

St Andrew's House, Edinburgh  
1st March 2005

*TOM McCABE*  
A member of the Scottish Executive

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order increases the maximum amounts of candidates' election expenses at local government elections in Scotland.

These amounts were last increased by the Representation of the People (Variation of Limits of Candidates' Local Government Election Expenses) (Scotland) Order 2003 (“the 2003 Order”), which is revoked by article 3 of this Order.

The increased amounts were recommended by the Electoral Commission in their report, *Variation of election expenses at UK Parliamentary and local government elections*, which recommended that parity throughout the United Kingdom would be desirable. The increases have regard to the increase in the value of money since expense limits were last varied and the impact of the effect of sections 90A to 90C of the Representation of the People Act 1983 (amended by section 134 of the Political Parties, Elections and Referendums Act 2000 (c. 41)) on the definition of election expenses.

Similar increases to the maximum amounts of candidates' election expenses at a parliamentary general election in the United Kingdom and at local government elections in England and Wales have been made by the Representation of the People (Variation of Limits of Candidates' Election Expenses) Order 2005 (S.I.2005/269).

The maximum amount of a candidate's election expenses is made up of a fixed amount (expressed in pounds) plus a sum expressed in pence (and fractions of pence) for each entry in the register of electors.