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SCOTTISH STATUTORY INSTRUMENTS

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**2016 No. 9**

**REPRESENTATION OF THE PEOPLE**

**The Scottish Parliament Elections (Regional Returning Officers and Constituency Returning Officers) Order 2016**

*Made* - - - - *11th January 2016*  
*Laid before the Scottish Parliament* - - - - *13th January 2016*  
*Coming into force* - - *1st March 2016*

The Scottish Ministers make the following Order in exercise of the powers conferred by section 12(6) of the Scotland Act 1998(1) and article 14(b) of the Scottish Parliament (Elections etc.) Order 2015(2).

In accordance with section 12(7) of that Act they have consulted the Secretary of State.

In accordance with section 7(1) and (2)(g) of the Political Parties, Elections and Referendums Act 2000(3) they have consulted the Electoral Commission.

**Citation and commencement**

1.—(1) This Order may be cited as the Scottish Parliament Elections (Regional Returning Officers and Constituency Returning Officers) Order 2016 and, subject to paragraph (2), comes into force on 1st March 2016.

(2) This Order has no effect for the purposes of any election for which the date of poll is on or before 4th April 2016.

**Interpretation**

2. In this Order “local authority” means a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994(4), and “local government area” means the local government area for which a local authority is constituted.

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(1) 1998 c.46. Section 12 was amended by the Political Parties, Elections and Referendums Act 2000 (c.41), Schedule 21, paragraph 13, by the European Parliamentary Elections Act 2002 (c.24), Schedule 3, paragraph 7 and by the Scotland Act 2012 (c.11), section 1.  
(2) S.S.I. 2015/425, made under sections 12 and 113 of the Scotland Act 1998.  
(3) 2000 c.41. Section 7(2)(g) is amended by section 3(5) of the Scotland Act 2012.  
(4) 1994 c.39.

### **Regional returning officers**

3. For the purposes of the Scotland Act 1998, the person designated as the regional returning officer for a region specified in the first column of Schedule 1 to this Order (regional returning officers for the Scottish Parliament regions) is the person who, under section 41(1) (returning officers: local elections in Scotland) of the Representation of the People Act 1983<sup>(5)</sup>, is the returning officer for elections of councillors for the local authority for the local government area specified in the corresponding entry in the second column of that Schedule.

### **Constituency returning officers**

4. For the purposes of the Scottish Parliament (Elections etc.) Order 2015, the person designated as the constituency returning officer for a constituency specified in the first column of Schedule 2 to this Order (constituency returning officers for Scottish Parliament constituencies situated in more than one local government area) is the person who, under section 41(1) of the Representation of the People Act 1983, is the returning officer for elections of councillors for the local authority for the local government area specified in the corresponding entry in the second column of that Schedule.

### **Revocation**

5. The Scottish Parliament (Constituency Returning Officers) Order 2011<sup>(6)</sup> is revoked.

St Andrew's House,  
Edinburgh  
11th January 2016

*JOE FITZPATRICK*  
Authorised to sign by the Scottish Ministers

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(5) 1983 c.2.

(6) Made 1st March 2011 under article 14(b) of S.I. 2010/2999.

SCHEDULE 1

Article 3

REGIONAL RETURNING OFFICERS FOR THE SCOTTISH PARLIAMENT REGIONS

<i>(1)</i>	<i>(2)</i>
<i>Region</i>	<i>Local government area</i>
Central Scotland	North Lanarkshire
Glasgow	Glasgow City
Highlands and Islands	Highland
Lothian	City of Edinburgh
Mid Scotland and Fife	Fife
North East Scotland	Aberdeen City
South Scotland	Dumfries and Galloway
West Scotland	Renfrewshire

SCHEDULE 2

Article 4

CONSTITUENCY RETURNING OFFICERS FOR SCOTTISH PARLIAMENT  
CONSTITUENCIES SITUATED IN MORE THAN ONE LOCAL GOVERNMENT AREA

<i>(1)</i>	<i>(2)</i>
<i>Constituency</i>	<i>Local government area</i>
Aberdeen South and North Kincardine	Aberdeen City
Angus North and Mearns	Angus
Banffshire and Buchan Coast	Aberdeenshire
Carrick, Cumnock and Doon Valley	East Ayrshire
Clackmannanshire and Dunblane	Clackmannanshire
Clydebank and Milngavie	West Dunbartonshire
Dumbarton	West Dunbartonshire
Midlothian North and Musselburgh	Midlothian
Midlothian South, Tweeddale and Lauderdale	Scottish Borders
Renfrewshire North and West	Renfrewshire
Renfrewshire South	Renfrewshire
Uddingston and Bellshill	North Lanarkshire

*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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## EXPLANATORY NOTE

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

This Order designates regional returning officers for the purposes of elections to the Scottish Parliament. It also designates constituency returning officers for those purposes, for constituencies situated in more than one local authority area. For constituencies that are wholly situated in one local authority area, the constituency returning officer is the person who is the returning officer at elections of councillors for that local authority.

Paragraph 2 of Schedule 1 to the Scotland Act 1998 provides for there to be eight regions for the purposes of the Act and for seven regional members to be returned for each region. The regions are those specified in the Scottish Parliament (Constituencies and Regions) Order 2014 ([S.I. 2014/501](#)). There are 73 constituencies, which are those specified in that Order and the constituencies of the Orkney Islands and the Shetland Islands (which are provided for by Schedule 1 to the Scotland Act 1998).

Article 3 designates regional returning officers for each region. Regional returning officers perform functions, conferred by or under the 1998 Act, in relation to the election and return of regional members of the Scottish Parliament.

Article 4 designates constituency returning officers for the Scottish Parliament constituencies specified in Schedule 2. Constituency returning officers perform functions, conferred by [S.S.I. 2015/425](#), in relation to the election and return of members of the Scottish Parliament.

Article 5 revokes the previous Order which designated constituency returning officers for the constituencies specified in Schedule 2. The previous Order which designated regional returning officers has been revoked, with savings, by the Scottish Parliament (Regional Returning Officers) (Revocation) Order 2015 ([S.I. 2015/743](#)).

A full list of Scottish Parliament constituencies and their constituency returning officers is included in the policy note which accompanies this Order.