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DRAFT STATUTORY INSTRUMENTS

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**2012 No.**

**The Police and Crime Commissioner Elections Order 2012**

**PART 4**

Legal Proceedings

**Incapacity to hold public or judicial office: Scotland**

**78.**—(1) In section 173A of the 1983 Act<sup>(1)</sup> (incapacity where a person has been convicted of a corrupt practice), the reference in subsection (1) to a person convicted of a corrupt practice includes a reference to a person convicted of a corrupt practice under—

- (a) a provision of the 1983 Act applied by paragraph 1 of Schedule 9, or
- (b) a provision of this Order.

(2) In the application of section 173A of the 1983 Act by virtue of paragraph (1)(b)—

- (a) the reference in subsection (1) to section 174 of the 1983 Act includes a reference to that section as applied by paragraph 1 of Schedule 9;
- (b) the reference in subsection (2)(a) to section 173 of the 1983 Act is a reference to that section as it has effect by virtue of article 77;
- (c) the reference in subsection (2)(b) to section 168 of the 1983 Act includes a reference to that section as applied by paragraph 1 of Schedule 9.

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<sup>(1)</sup> Section 173A was substituted by section 136 of the 2000 Act and amended by section 74(1) of, and paragraphs 104 and 123 of Schedule 1 to, the Electoral Administration Act 2006, by section 34(3) of the Local Electoral Administration and Registration Services (Scotland) Act 2006 and by [S.I. 2007/931](#).