

Changes to legislation: There are currently no known outstanding effects for the Scotland Act 1998, SCHEDULE 1. (See end of Document for details)

SCHEDULES

[^{F1}SCHEDULE 1

CONSTITUENCIES, REGIONS AND REGIONAL MEMBERS

Textual Amendments

- F1** Sch. 1 substituted (22.7.2004 with effect subject to transitional modifications set out in Sch. 2 of the amending Act until "the appropriate date", see s. 1(2)(3) of the amending Act) by [Scottish Parliament \(Constituencies\) Act 2004 \(c. 13\)](#), s. 1(1)-(4), **Sch. 1** (however, paras. 3-14 of Sch. 1 as so substituted or as so substituted and modified (as the case may be) have no effect until 30.6.2007, see s. 1(4))

General

- 1 (1) There are to be 73 constituencies for the purposes of this Act.
- (2) The constituencies are—
- [^{F2}(za) the existing constituency of Na h-Eileanan an Iar,]
 - (a) the Orkney Islands,
 - (b) the Shetland Islands, and
 - [^{F3}(c) the constituencies provided for by an Order in Council under paragraph 6.]
- ^{F4}(3)

Textual Amendments

- F2** Sch. 1 para. 1(2)(za) inserted (4.10.2018) by [Islands \(Scotland\) Act 2018 \(asp 12\)](#), **ss. 18(1)(a)**, 31(2); [S.S.I. 2018/282](#), reg. 2
- F3** Sch. 1 para. 1(2)(c) substituted (31.10.2012) by [Scotland Act 2012 \(c. 11\)](#), s. 44(5), **Sch. 1 para. 8**; [S.I. 2012/2516](#), art. 2(f)
- F4** Sch. 1 para. 1(3) ceases to have effect (11.11.2010) by virtue of [The Scottish Parliament \(Constituencies and Regions\) Order 2010 \(S.I. 2010/2691\)](#), arts. 1(2), **3(3)**

- 2 (1) There are to be eight regions for the purposes of this Act.
- [^{F5}(2) The regions are the regions provided for by an Order in Council under paragraph 6.]
- (3) Seven regional members are to be returned for each region.

Textual Amendments

- F5** Sch. 1 para. 2(2) substituted (31.10.2012) by [Scotland Act 2012 \(c. 11\)](#), s. 44(5), **Sch. 1 para. 9**; [S.I. 2012/2516](#), art. 2(f)

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[^{F6}Reports of Boundaries Scotland]

Textual Amendments

F6 Sch. 1 para. 3 cross-heading substituted (14.5.2021) by [Scottish Elections \(Reform\) Act 2020 \(asp 12\)](#), s. 35, [sch. para. 3\(8\)](#); S.S.I. 2021/124, reg. 2, sch.

- 3 (1) [^{F7}Boundaries Scotland] must keep under review the boundaries of the constituencies (other than those mentioned in paragraph [^{F8}1(2)(za), (a)] and (b)).
- (2) The review must be conducted in accordance with the constituency rules.
- (3) [^{F9}Boundaries Scotland] must submit to [^{F10}the Scottish Ministers] a report—
 - (a) showing the alterations [^{F11}it proposes] to the boundaries, or
 - (b) stating that in [^{F12}its opinion] no alteration should be made.
- (4) The first report of [^{F13}Boundaries Scotland][^{F14}to the Scottish Ministers] under this paragraph must be submitted to [^{F10}the Scottish Ministers][^{F15}no later than 1 May 2025].
- (5) Subsequent reports must be submitted not less than eight nor more than twelve years after the date of the submission of the last report.
- (6) [^{F16}Boundaries Scotland] may also from time to time ^{F17}... submit to [^{F10}the Scottish Ministers] reports with respect to the area comprised in any two or more constituencies showing the constituencies into which [^{F18}it recommends] the area should be divided in order to give effect to the constituency rules.
- (7) A report under sub-paragraph (6) must recommend the same number of constituencies as that in which the area is comprised.
- (8) A report of [^{F19}Boundaries Scotland] which recommends an alteration to the boundaries of constituencies must state as respects each constituency—
 - (a) the name by which [^{F20}it recommends] it is to be known;
 - (b) whether [^{F21}it recommends] that it is to be a county or a burgh constituency.
- (9) As soon as practicable after [^{F22}Boundaries Scotland] have submitted a report to [^{F10}the Scottish Ministers] under this paragraph [^{F10}the Scottish Ministers] must lay before [^{F23}the Parliament] —
 - (a) the report, and
 - (b) the draft of an Order in Council for giving effect to the recommendations contained in the report.
- (10) Sub-paragraph (9)(b) does not apply if the report states that no alteration is required to be made to the boundaries of the constituencies.

^{F24}(11)

Textual Amendments

F7 Words in Sch. 1 para. 3(1) substituted (S.) (14.5.2021) by [Scottish Elections \(Reform\) Act 2020 \(asp 12\)](#), s. 35, [sch. para. 3\(2\)\(a\)](#); S.S.I. 2021/124, reg. 2, sch.

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- F8** Words in Sch. 1 para. 3(1) substituted (S.) (4.10.2018) by Islands (Scotland) Act 2018 (asp 12), **ss. 18(1)(b)**, 31(2); S.S.I. 2018/282, reg. 2
- F9** Words in Sch. 1 para. 3(3) substituted (S.) (14.5.2021) by Scottish Elections (Reform) Act 2020 (asp 12), s. 35, **sch. para. 3(2)(a)**; S.S.I. 2021/124, reg. 2, sch.
- F10** Words in Sch. 1 para. 3 substituted (18.5.2017) by Scotland Act 2016 (c. 11), **ss. 8(3)**, 72(4)(a); S.I. 2017/608, reg. 2(1)(f)
- F11** Words in Sch. 1 para. 3(3)(a) substituted (S.) (14.5.2021) by Scottish Elections (Reform) Act 2020 (asp 12), s. 35, **sch. para. 3(5)(a)**; S.S.I. 2021/124, reg. 2, sch.
- F12** Words in Sch. 1 para. 3(3)(b) substituted (S.) (14.5.2021) by Scottish Elections (Reform) Act 2020 (asp 12), s. 35, **sch. para. 3(5)(b)**; S.S.I. 2021/124, reg. 2, sch.
- F13** Words in Sch. 1 para. 3(4) substituted (S.) (14.5.2021) by Scottish Elections (Reform) Act 2020 (asp 12), s. 35, **sch. para. 3(2)(a)**; S.S.I. 2021/124, reg. 2, sch.
- F14** Words in Sch. 1 para. 3(4) inserted (18.5.2017) by Scotland Act 2016 (c. 11), **ss. 8(5)(a)**, 72(4)(a); S.I. 2017/608, reg. 2(1)(f)
- F15** Words in Sch. 1 para. 3(4) substituted (S.) (14.5.2021) by Scottish Elections (Reform) Act 2020 (asp 12), **ss. 32, 35**; S.S.I. 2021/124, reg. 2, sch.
- F16** Words in Sch. 1 para. 3(6) substituted (S.) (14.5.2021) by Scottish Elections (Reform) Act 2020 (asp 12), s. 35, **sch. para. 3(2)(a)**; S.S.I. 2021/124, reg. 2, sch.
- F17** Words in Sch. 1 para. 3(6) omitted (18.5.2017) by virtue of Scotland Act 2016 (c. 11), **ss. 8(6)**, 72(4)(a); S.I. 2017/608, reg. 2(1)(f)
- F18** Words in Sch. 1 para. 3(6) substituted (S.) (14.5.2021) by Scottish Elections (Reform) Act 2020 (asp 12), s. 35, **sch. para. 3(6)**; S.S.I. 2021/124, reg. 2, sch.
- F19** Words in Sch. 1 para. 3(8) substituted (S.) (14.5.2021) by Scottish Elections (Reform) Act 2020 (asp 12), s. 35, **sch. para. 3(2)(a)**; S.S.I. 2021/124, reg. 2, sch.
- F20** Words in Sch. 1 para. 3(8)(a) substituted (S.) (14.5.2021) by Scottish Elections (Reform) Act 2020 (asp 12), s. 35, **sch. para. 3(6)**; S.S.I. 2021/124, reg. 2, sch.
- F21** Words in Sch. 1 para. 3(8)(b) substituted (S.) (14.5.2021) by Scottish Elections (Reform) Act 2020 (asp 12), s. 35, **sch. para. 3(6)**; S.S.I. 2021/124, reg. 2, sch.
- F22** Words in Sch. 1 para. 3(9) substituted (S.) (14.5.2021) by Scottish Elections (Reform) Act 2020 (asp 12), s. 35, **sch. para. 3(2)(a)**; S.S.I. 2021/124, reg. 2, sch.
- F23** Words in Sch. 1 paras. 3-7 substituted (18.5.2017) by Scotland Act 2016 (c. 11), **ss. 8(4)(b)**, 72(4)(a); S.I. 2017/608, reg. 2(1)(f)
- F24** Sch. 1 para. 3(11) omitted (18.5.2017) by virtue of Scotland Act 2016 (c. 11), **ss. 8(7)**, 72(4)(a); S.I. 2017/608, reg. 2(1)(f)

- 4 (1) This paragraph applies if [^{F25}Boundaries Scotland] submit a report to [^{F26}the Scottish Ministers] recommending an alteration in a constituency.
- (2) In the report [^{F27}Boundaries Scotland] must recommend any alteration in any of the regions which [^{F28}it thinks] is necessary to give effect to the regional rules.
- (3) A report making a recommendation for an alteration in a region must recommend the name by which [^{F29}Boundaries Scotland] think the region should be known.

Textual Amendments

- F25** Words in Sch. 1 para. 4(1) substituted (S.) (14.5.2021) by Scottish Elections (Reform) Act 2020 (asp 12), s. 35, **sch. para. 3(2)(b)**; S.S.I. 2021/124, reg. 2, sch.
- F26** Words in Sch. 1 paras. 3-7 substituted (18.5.2017) by Scotland Act 2016 (c. 11), **ss. 8(3)**, 72(4)(a); S.I. 2017/608, reg. 2(1)(f)
- F27** Words in Sch. 1 para. 4(2) substituted (S.) (14.5.2021) by Scottish Elections (Reform) Act 2020 (asp 12), s. 35, **sch. para. 3(2)(b)**; S.S.I. 2021/124, reg. 2, sch.

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- F28** Words in Sch. 1 para. 4(2) substituted (S.) (14.5.2021) by [Scottish Elections \(Reform\) Act 2020 \(asp 12\), s. 35, sch. para. 3\(3\)\(a\)](#); S.S.I. 2021/124, reg. 2, sch.
- F29** Words in Sch. 1 para. 4(3) substituted (S.) (14.5.2021) by [Scottish Elections \(Reform\) Act 2020 \(asp 12\), s. 35, sch. para. 3\(2\)\(b\)](#); S.S.I. 2021/124, reg. 2, sch.

F30
...

Textual Amendments

- F30** Sch. 1 para. 5 and cross-heading omitted (31.10.2012) by virtue of [Scotland Act 2012 \(c. 11\), s. 44\(5\), Sch. 1 para. 3](#); S.I. 2012/2516, art. 2(f)

F305

Orders in Council

- 6 (1) The draft of an Order in Council laid before [^{F23}the Parliament] by [^{F31}the Scottish Ministers] for giving effect to the recommendations contained in a report by [^{F32}Boundaries Scotland] under paragraph 3 may make provision for any matters which [^{F31}the Scottish Ministers][^{F33}think] are incidental to or consequential on the recommendations.
- (2) If the draft is approved by resolution of [^{F34}the Parliament][^{F31}the Scottish Ministers] must submit it to Her Majesty in Council.
- (3) If a motion for the approval of the draft is rejected by [^{F34}the Parliament] or withdrawn ^{F35}...[^{F31}the Scottish Ministers] may amend the draft [^{F36}to make such minor or technical alterations as they consider appropriate] and lay the amended draft before [^{F23}the Parliament].
- [^{F37}(3A) As soon as reasonably practicable after laying the draft so amended, the Scottish Ministers must publish a statement setting out their reasons for making the minor or technical alterations to the draft.
- (3B) The Scottish Ministers must not withdraw a draft Order laid before the Parliament under paragraph 3(9)(b) or sub-paragraph (3) except with the agreement of the Parliament.]
- (4) If the draft as so amended is approved by resolution of [^{F34}the Parliament][^{F31}the Scottish Ministers] must submit it to Her Majesty in Council.
- [^{F38}(4A) If the Scottish Ministers do not lay an amended draft Order under sub-paragraph (3), the Scottish Ministers must notify Boundaries Scotland that it is required to conduct, in accordance with sub-paragraph (4B), a further review of the alterations proposed to the boundaries by the draft Order which was rejected or withdrawn.
- (4B) Once notified, Boundaries Scotland must conduct a further review of the proposed alterations and may determine the manner and the extent of the review, provided that the purpose of the review is to—
- (a) consider the representations (if any) of the Parliament, and
 - (b) reconsider the proposals and make any further or supplementary proposals as it thinks fit.

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- (4C) This schedule applies to a further review under sub-paragraph (4B) as it applies to a review and report under paragraph 3 except that—
- (a) Boundaries Scotland is to submit a report on the further review—
 - (i) before such date as the Scottish Ministers may direct, or
 - (ii) in the absence of such direction, within such reasonable time as it may determine,
 - (b) sub-paragraphs (1)(a), (3) and (4) of paragraph 7 do not apply to a further review under sub-paragraph (4B),
 - (c) where a report has already been submitted following a further review under sub-paragraph (4B), the Scottish Ministers may notify Boundaries Scotland under sub-paragraph (4A) that it is required to conduct a further review only if the Parliament has by resolution directed them to do so.
- (4D) A further review under sub-paragraph (4B) is to be disregarded for the purposes of calculating the intervals between reports of Boundaries Scotland under paragraph 3.]
- (5) If a draft of an Order in Council is submitted to Her Majesty in Council under this Schedule, Her Majesty in Council may make an order in terms of the draft.
- (6) An Order in Council made as mentioned in sub-paragraph (5) comes into force on the date specified in the Order.
- (7) The coming into force of the Order does not affect the return of any member to the Parliament or its constitution until the Parliament is dissolved.
- (8) The validity of an Order in Council purporting to be made under this Schedule and reciting that a draft of the Order has been approved by a resolution of [^{F34}the Parliament] must not be called in question in any legal proceedings whatsoever.

Textual Amendments

- F23** Words in Sch. 1 paras. 3-7 substituted (18.5.2017) by [Scotland Act 2016 \(c. 11\), ss. 8\(4\)\(b\), 72\(4\)\(a\); S.I. 2017/608, reg. 2\(1\)\(f\)](#)
- F31** Words in Sch. 1 para. 6(1) substituted (18.5.2017) by [Scotland Act 2016 \(c. 11\), ss. 8\(3\), 72\(4\)\(a\); S.I. 2017/608, reg. 2\(1\)\(f\)](#)
- F32** Words in Sch. 1 para. 6(1) substituted (S.) (14.5.2021) by [Scottish Elections \(Reform\) Act 2020 \(asp 12\), s. 35, sch. para. 3\(2\)\(c\); S.S.I. 2021/124, reg. 2, sch.](#)
- F33** Word in Sch. 1 para. 6(1) substituted (18.5.2017) by [Scotland Act 2016 \(c. 11\), ss. 8\(8\), 72\(4\)\(a\); S.I. 2017/608, reg. 2\(1\)\(f\)](#)
- F34** Words in Sch. 1 paras. 3-7 substituted (18.5.2017) by [Scotland Act 2016 \(c. 11\), ss. 8\(4\)\(a\), 72\(4\)\(a\); S.I. 2017/608, reg. 2\(1\)\(f\)](#)
- F35** Words in Sch. 1 para. 6(3) repealed (S.) (14.5.2021) by [Scottish Elections \(Reform\) Act 2020 \(asp 12\), ss. 30\(2\)\(a\), 35; S.S.I. 2021/124, reg. 2, sch.](#)
- F36** Words in Sch. 1 para. 6(3) inserted (S.) (14.5.2021) by [Scottish Elections \(Reform\) Act 2020 \(asp 12\), ss. 30\(2\)\(b\), 35; S.S.I. 2021/124, reg. 2, sch.](#)
- F37** Sch. 1 para. 6(3A)(3B) inserted (S.) (14.5.2021) by [Scottish Elections \(Reform\) Act 2020 \(asp 12\), ss. 30\(3\), 35; S.S.I. 2021/124, reg. 2, sch.](#)
- F38** Sch. 1 para. 6(4A)-(4D) inserted (S.) (14.5.2021) by [Scottish Elections \(Reform\) Act 2020 \(asp 12\), ss. 30\(4\), 35; S.S.I. 2021/124, reg. 2, sch.](#)

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Notice of proposed report or recommendations

- 7 (1) If [^{F39}Boundaries Scotland] intend to consider making a report under this Schedule—
- (a) [^{F40}it] must inform [^{F26}the Scottish Ministers] by notice in writing;
 - (b) [^{F41}it] must publish a copy of the notice in the Edinburgh Gazette.
- [^{F42}(2) If [^{F43}Boundaries Scotland][^{F44}has] provisionally determined to make recommendations affecting a constituency [^{F45}it] must publish in [^{F46}such manner as it thinks fit] a notice stating—
- (a) the effect of the proposed recommendations and (except if the effect is that no alteration should be made in respect of the constituency) that a copy of the recommendations is open to inspection at a specified place in the constituency, and
 - (b) that representations with respect to the proposed recommendations may be made to the [^{F47}Boundaries Scotland] before the end of the period of one month starting the day after the notice is published.]
- (3) [^{F48}Boundaries Scotland] must take into account any representations made in accordance with the notice.
- (4) If [^{F49}Boundaries Scotland] revise any proposed recommendations after publishing notice of them under sub-paragraph (2) [^{F50}it] must comply again with sub-paragraphs (2) and (3) in relation to the revised recommendations as if no earlier notice had been published.

^{F51}(5)

^{F51}(6)

Textual Amendments

- F26** Words in Sch. 1 paras. 3-7 substituted (18.5.2017) by [Scotland Act 2016 \(c. 11\)](#), **ss. 8(3)**, 72(4)(a); S.I. 2017/608, reg. 2(1)(f)
- F39** Words in Sch. 1 para. 7(1) substituted (S.) (14.5.2021) by [Scottish Elections \(Reform\) Act 2020 \(asp 12\)](#), s. 35, **sch. para. 3(2)(d)**; S.S.I. 2021/124, reg. 2, sch.
- F40** Word in Sch. 1 para. 7(1)(a) substituted (S.) (14.5.2021) by [Scottish Elections \(Reform\) Act 2020 \(asp 12\)](#), s. 35, **sch. para. 3(4)(a)**; S.S.I. 2021/124, reg. 2, sch.
- F41** Word in Sch. 1 para. 7(1)(b) substituted (S.) (14.5.2021) by [Scottish Elections \(Reform\) Act 2020 \(asp 12\)](#), s. 35, **sch. para. 3(4)(a)**; S.S.I. 2021/124, reg. 2, sch.
- F42** Sch. 1 para. 7(2) substituted (31.10.2012) by [Scotland Act 2012 \(c. 11\)](#), s. 44(5), **Sch. 1 para. 4(2)**; S.I. 2012/2516, art. 2(f)
- F43** Words in Sch. 1 para. 7(2) substituted (S.) (14.5.2021) by [Scottish Elections \(Reform\) Act 2020 \(asp 12\)](#), s. 35, **sch. para. 3(2)(d)**; S.S.I. 2021/124, reg. 2, sch.
- F44** Word in Sch. 1 para. 7(2) substituted (S.) (14.5.2021) by [Scottish Elections \(Reform\) Act 2020 \(asp 12\)](#), s. 35, **sch. para. 3(7)(a)**; S.S.I. 2021/124, reg. 2, sch.
- F45** Word in Sch. 1 para. 7(2) substituted (S.) (14.5.2021) by [Scottish Elections \(Reform\) Act 2020 \(asp 12\)](#), s. 35, **sch. para. 3(4)(a)**; S.S.I. 2021/124, reg. 2, sch.
- F46** Words in Sch. 1 para. 7(2) substituted (S.) (14.5.2021) by [Scottish Elections \(Reform\) Act 2020 \(asp 12\)](#), **ss. 33, 35**; S.S.I. 2021/124, reg. 2, sch.
- F47** Words in Sch. 1 para. 7(2)(b) substituted (S.) (14.5.2021) by [Scottish Elections \(Reform\) Act 2020 \(asp 12\)](#), s. 35, **sch. para. 3(7)(b)**; S.S.I. 2021/124, reg. 2, sch.

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- F48** Words in Sch. 1 para. 7(3) substituted (S.) (14.5.2021) by [Scottish Elections \(Reform\) Act 2020](#) (asp 12), s. 35, **sch. para. 3(2)(d)**; S.S.I. 2021/124, reg. 2, sch.
- F49** Words in Sch. 1 para. 7(4) substituted (S.) (14.5.2021) by [Scottish Elections \(Reform\) Act 2020](#) (asp 12), s. 35, **sch. para. 3(2)(d)**; S.S.I. 2021/124, reg. 2, sch.
- F50** Word in Sch. 1 para. 7(4) substituted (S.) (14.5.2021) by [Scottish Elections \(Reform\) Act 2020](#) (asp 12), s. 35, **sch. para. 3(4)(a)**; S.S.I. 2021/124, reg. 2, sch.
- F51** Sch. 1 para. 7(5)(6) omitted (31.10.2012) by virtue of [Scotland Act 2012](#) (c. 11), s. 44(5), **Sch. 1 para. 4(3)**; S.I. 2012/2516, art. 2(f); S.I. 2012/2516, art. 2(f)

- 8 ^{F52}(1) This paragraph applies if ^{F53}Boundaries Scotland] provisionally determine to make recommendations which would involve any alteration in a constituency.]
- (2) ^{F54}Boundaries Scotland] must consider whether any alteration within paragraph 4(2) would be required in order to give effect to the regional rules.
- ^{F55}(3)
- (4) Paragraph 7 applies for the purposes of the proposed recommendations as if for any reference to a constituency there is substituted a reference to a region.

Textual Amendments

- F52** Sch. 1 para. 8(1) substituted (31.10.2012) by [Scotland Act 2012](#) (c. 11), s. 44(5), **Sch. 1 para. 5(2)**; S.I. 2012/2516, art. 2(f)
- F53** Words in Sch. 1 para. 8(1) substituted (S.) (14.5.2021) by [Scottish Elections \(Reform\) Act 2020](#) (asp 12), s. 35, **sch. para. 3(2)(e)**; S.S.I. 2021/124, reg. 2, sch.
- F54** Words in Sch. 1 para. 8(2) substituted (S.) (14.5.2021) by [Scottish Elections \(Reform\) Act 2020](#) (asp 12), s. 35, **sch. para. 3(2)(e)**; S.S.I. 2021/124, reg. 2, sch.
- F55** Sch. 1 para. 8(3) omitted (31.10.2012) by virtue of [Scotland Act 2012](#) (c. 11), s. 44(5), **Sch. 1 para. 5(3)**; S.I. 2012/2516, art. 2(f)

Local inquiries

- 9 (1) ^{F56}Boundaries Scotland] may if ^{F57}it thinks] fit cause a local inquiry to be held in respect of any constituency or constituencies.
- (2) If ^{F58}Boundaries Scotland] receive any relevant representations objecting to a proposed recommendation for the alteration of a constituency ^{F59}it] must not make the recommendation unless since the publication of the notice under paragraph 7(2) a local inquiry has been held in respect of the constituency.
- (3) If a local inquiry was held in respect of the constituency before the publication of the notice under paragraph 7(2), sub-paragraph (2) above does not apply if ^{F60}Boundaries Scotland] after considering—
- (a) the matters discussed at the inquiry,
 - (b) the nature of the relevant representations received, and
 - (c) any other relevant circumstances,
- think that a further local inquiry is not justified.
- (4) A relevant representation is a representation made in accordance with paragraph 7(2) (b)—

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- (a) by the council for an area which is wholly or partly comprised in the constituency;
- (b) by a body of not less than 100 persons entitled to vote as electors at an election for membership of the Parliament held in the constituency.

Textual Amendments

- F56** Words in Sch. 1 para. 9(1) substituted (S.) (14.5.2021) by [Scottish Elections \(Reform\) Act 2020 \(asp 12\)](#), s. 35, [sch. para. 3\(2\)\(f\)](#); S.S.I. 2021/124, reg. 2, sch.
- F57** Words in Sch. 1 para. 9(1) substituted (S.) (14.5.2021) by [Scottish Elections \(Reform\) Act 2020 \(asp 12\)](#), s. 35, [sch. para. 3\(3\)\(b\)](#); S.S.I. 2021/124, reg. 2, sch.
- F58** Words in Sch. 1 para. 9(2) substituted (S.) (14.5.2021) by [Scottish Elections \(Reform\) Act 2020 \(asp 12\)](#), s. 35, [sch. para. 3\(2\)\(f\)](#); S.S.I. 2021/124, reg. 2, sch.
- F59** Word in Sch. 1 para. 9(2) substituted (S.) (14.5.2021) by [Scottish Elections \(Reform\) Act 2020 \(asp 12\)](#), s. 35, [sch. para. 3\(4\)\(b\)](#); S.S.I. 2021/124, reg. 2, sch.
- F60** Words in Sch. 1 para. 9(3) substituted (S.) (14.5.2021) by [Scottish Elections \(Reform\) Act 2020 \(asp 12\)](#), s. 35, [sch. para. 3\(2\)\(f\)](#); S.S.I. 2021/124, reg. 2, sch.

- 10 (1) [^{F61}Boundaries Scotland] may if [^{F62}it thinks] fit cause a local inquiry to be held in respect of any region or regions.
- (2) If [^{F63}Boundaries Scotland] receive any relevant representations objecting to a proposed recommendation for the alteration of a region [^{F64}it] must not make the recommendation unless since the publication of the notice under paragraph 7(2) a local inquiry has been held in respect of the region.
- (3) If a local inquiry was held in respect of the region before the publication of the notice under paragraph 7(2), sub-paragraph (2) above does not apply if [^{F65}Boundaries Scotland] after considering—
- (a) the matters discussed at the inquiry,
 - (b) the nature of the relevant representations received, and
 - (c) any other relevant circumstances,
- think that a further local inquiry is not justified.
- (4) A relevant representation is a representation made in accordance with paragraph 7(2) (b)—
- (a) by the council for an area which is wholly or partly included in the region;
 - (b) by a body of not less than 500 persons entitled to vote as electors at an election for membership of the Parliament held in any one or more of the constituencies included in the region.

Textual Amendments

- F61** Words in Sch. 1 para. 10(1) substituted (S.) (14.5.2021) by [Scottish Elections \(Reform\) Act 2020 \(asp 12\)](#), s. 35, [sch. para. 3\(2\)\(g\)](#); S.S.I. 2021/124, reg. 2, sch.
- F62** Words in Sch. 1 para. 10(1) substituted (S.) (14.5.2021) by [Scottish Elections \(Reform\) Act 2020 \(asp 12\)](#), s. 35, [sch. para. 3\(3\)\(c\)](#); S.S.I. 2021/124, reg. 2, sch.
- F63** Words in Sch. 1 para. 10(2) substituted (S.) (14.5.2021) by [Scottish Elections \(Reform\) Act 2020 \(asp 12\)](#), s. 35, [sch. para. 3\(2\)\(g\)](#); S.S.I. 2021/124, reg. 2, sch.
- F64** Word in Sch. 1 para. 10(2) substituted (S.) (14.5.2021) by [Scottish Elections \(Reform\) Act 2020 \(asp 12\)](#), s. 35, [sch. para. 3\(4\)\(c\)](#); S.S.I. 2021/124, reg. 2, sch.

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F65 Words in Sch. 1 para. 10(3) substituted (S.) (14.5.2021) by [Scottish Elections \(Reform\) Act 2020 \(asp 12\)](#), s. 35, [sch. para. 3\(2\)\(g\)](#); S.S.I. 2021/124, reg. 2, sch.

- 11 Section 210(4) and (5) of the Local Government (Scotland) Act 1973 (c. 69) (attendance of witnesses at inquiries) applies in relation to a local inquiry held under paragraph 9 or 10.

The constituency rules

- 12 These are the constituency rules.

Rule 1

(1) So far as is practicable, regard must be had to the boundaries of ^{F66}the local government areas having effect from time to time under section 1 of the Local Government etc. (Scotland) Act 1994].

^{F67} ...

Rule 2

(1) The electorate of a constituency must be as near the electoral quota as is practicable, having regard to Rule 1.

(2) ^{F68}Boundaries Scotland] may depart from the strict application of Rule 1 if ^{F69}it thinks] that it is desirable to do so to avoid an excessive disparity between the electorate of a constituency and the electoral quota or between the electorate of a constituency and that of neighbouring constituencies.

(3) The electoral quota is the number obtained by dividing the total electorate by ^{F70}70].

(4) The electorate of a constituency is the aggregate of the persons falling within paragraphs (5) and (6) below.

(5) A person falls within this paragraph if his name appears on the register of local government electors in force on the enumeration date under the Representation of the People Acts for a local government area which is situated wholly in the constituency.

(6) A person falls within this paragraph if his name appears on the register of local government electors in force on the enumeration date under the Representation of the People Acts for a local government area which is situated partly in the constituency and his qualifying address is situated in the constituency.

(7) The total electorate is the total number of persons whose names appear on the registers of local government electors in force on the enumeration date under the Representation of the People Acts for all of the local government areas in Scotland (except the local government areas of ^{F71}Comhairle nan Eilean Siar,] Orkney and Shetland).

(8) The enumeration date is, in relation to a report of ^{F68}Boundaries Scotland] ^{F72}..., the date on which notice with respect to the report is published in the Edinburgh Gazette in accordance with paragraph 7(1) above.

(9) “ Qualifying address ” and “ local government area ” have the same meanings as in the Representation of the People Act 1983 (c. 2).

Rule 3

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[^{F73}Boundaries Scotland] may depart from the strict application of Rules 1 and 2 if [^{F74}it thinks] that special geographical considerations (including in particular the size, shape and accessibility of a constituency) render it desirable to do so.

Rule 4

[^{F75}Boundaries Scotland] need not aim at giving full effect in all circumstances to Rules 1 to 3 but [^{F76}it] must take account (so far as [^{F76}it] reasonably can)—

- (a) of the inconveniences attendant on alterations of constituencies other than alterations made for the purposes of Rule 1, and
- (b) of any local ties which would be broken by such alterations.

Textual Amendments

- F66** Words in Sch. 1 para. 12 substituted (31.10.2012) by Scotland Act 2012 (c. 11), s. 44(5), **Sch. 1 para. 10(2)**; S.I. 2012/2516, art. 2(f)
- F67** Sch. 1 para. 12 omitted (31.10.2012) by virtue of Scotland Act 2012 (c. 11), s. 44(5), **Sch. 1 para. 10(3)**; S.I. 2012/2516, art. 2(f)
- F68** Words in Sch. 1 para. 12 substituted (S.) (14.5.2021) by Scottish Elections (Reform) Act 2020 (asp 12), s. 35, **sch. para. 3(2)(h)(i)**; S.S.I. 2021/124, reg. 2, sch.
- F69** Words in Sch. 1 para. 12 substituted (S.) (14.5.2021) by Scottish Elections (Reform) Act 2020 (asp 12), s. 35, **sch. para. 3(3)(d)(i)**; S.S.I. 2021/124, reg. 2, sch.
- F70** Word in Sch. 1 para. 12 substituted (S.) (4.10.2018) by Islands (Scotland) Act 2018 (asp 12), **ss. 18(1)(c)(i)**, 31(2); S.S.I. 2018/282, reg. 2
- F71** Words in Sch. 1 para. 12 inserted (S.) (4.10.2018) by Islands (Scotland) Act 2018 (asp 12), **ss. 18(1)(c)(ii)**, 31(2); S.S.I. 2018/282, reg. 2
- F72** Words in Sch. 1 para. 12 omitted (31.10.2012) by virtue of Scotland Act 2012 (c. 11), s. 44(5), **Sch. 1 para. 6(3)**; S.I. 2012/2516, art. 2(f)
- F73** Words in Sch. 1 para. 12 substituted (S.) (14.5.2021) by Scottish Elections (Reform) Act 2020 (asp 12), s. 35, **sch. para. 3(2)(h)(ii)**; S.S.I. 2021/124, reg. 2, sch.
- F74** Words in Sch. 1 para. 12 substituted (S.) (14.5.2021) by Scottish Elections (Reform) Act 2020 (asp 12), s. 35, **sch. para. 3(3)(d)(ii)**; S.S.I. 2021/124, reg. 2, sch.
- F75** Words in Sch. 1 para. 12 substituted (S.) (14.5.2021) by Scottish Elections (Reform) Act 2020 (asp 12), s. 35, **sch. para. 3(2)(h)(iii)**; S.S.I. 2021/124, reg. 2, sch.
- F76** Word in Sch. 1 para. 12 substituted (S.) (14.5.2021) by Scottish Elections (Reform) Act 2020 (asp 12), s. 35, **sch. para. 3(4)(d)**; S.S.I. 2021/124, reg. 2, sch.

The regional rules

- 13 These are the regional rules.

Rule 1

A constituency must fall wholly within a region.

Rule 2

The regional electorate of a region must be as near the regional electorate of each of the other regions as is practicable, having regard (where appropriate) to special geographical considerations.

- 14 (1) This paragraph applies for the purposes of the regional rules.
- (2) For the purposes of a report of [^{F77}Boundaries Scotland] in relation to a region, the regional electorate is the number of persons—

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- (a) whose names appear on the enumeration date on the registers of local government electors in the region, and
 - (b) who are registered at addresses within a constituency included in the region.
- (3) The enumeration date is the date on which notice with respect to the report is published in the Edinburgh Gazette in accordance with paragraph 7(1) above.

^{F78}(4).....]

Textual Amendments

- F77** Words in Sch. 1 para. 14(2) substituted (S.) (14.5.2021) by [Scottish Elections \(Reform\) Act 2020 \(asp 12\)](#), s. 35, **sch. para. 3(2)(i)**; S.S.I. 2021/124, reg. 2, sch.
- F78** Sch. 1 para. 14(4) omitted (31.10.2012) by virtue of [Scotland Act 2012 \(c. 11\)](#), s. 44(5), **Sch. 1 para. 7**; S.I. 2012/2516, art. 2(f)

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