



# Scotland Act 1998

## 1998 CHAPTER 46

### PART I

#### THE SCOTTISH PARLIAMENT

##### *Vacancies*

#### **10 Regional vacancies**

- (1) This section applies where the seat of a regional member is vacant.
- (2) If the regional member was returned as an individual candidate, or the vacancy is not filled in accordance with the following provisions, the seat shall remain vacant until the next general election.
- (3) If the regional member was returned (under section 8 or this section) from a registered political party's regional list, the regional returning officer shall notify the Presiding Officer of the name of the person who is to fill the vacancy.
- (4) He must be a person who—
  - (a) is included in that list, and
  - (b) is willing to serve as a regional member for the region.
- (5) Where more than one person satisfies the conditions in subsection (4), the regional returning officer shall notify the name of whichever of them was higher, or highest, in the list.
- (6) Where a person's name has been notified under subsection (3), this Act shall apply as if he had been declared to be returned as a regional member for the region on the day on which notification of his name was received by the Presiding Officer.
- (7) For the purposes of this section, the date on which a vacancy is to be treated as occurring shall be determined under standing orders.