



Scotland Act 1998

1998 CHAPTER 46

PART I

THE SCOTTISH PARLIAMENT

General elections

5 Candidates.

- (1) At a general election, the candidates may stand for return as constituency members or regional members.
- (2) A person may not be a candidate to be a constituency member for more than one constituency.
- (3) The candidates to be regional members shall be those included in a list submitted under subsection (4) or individual candidates.
- (4) Any registered political party may submit to the regional returning officer a list of candidates to be regional members for a particular region (referred to in this Act, in relation to the region, as the party's "regional list").
- (5) A registered political party's regional list has effect in relation to the general election and any vacancy occurring among the regional members after that election and before the next general election.
- (6) Not more than twelve persons may be included in the list (but the list may include only one person).
- (7) A registered political party's regional list must not include a person—
 - (a) who is included in any other list submitted under subsection (4) for the region or any list submitted under that subsection for another region,
 - (b) who is an individual candidate to be a regional member for the region or another region,

Changes to legislation: There are currently no known outstanding effects for the Scotland Act 1998, Section 5. (See end of Document for details)

- (c) who is a candidate to be a constituency member for a constituency not included in the region, or
 - (d) who is a candidate to be a constituency member for a constituency included in the region but is not a candidate of that party.
- (8) A person may not be an individual candidate to be a regional member for a particular region if he is—
- (a) included in a list submitted under subsection (4) for the region or another region,
 - (b) an individual candidate to be a regional member for another region,
 - (c) a candidate to be a constituency member for a constituency not included in the region, or
 - (d) a candidate of any registered political party to be a constituency member for a constituency included in the region.
- (9) In this Act, “registered political party” means a party registered under [F1Part II of the Political Parties, Elections and Referendums Act 2000] .

Textual Amendments

- F1** Words in s. 5(9) substituted (16.2.2001) by 2000 c. 41, s. 158(1), **Sch. 21 para. 13(2)** (with s. 156(6)); S.I. 2001/222, art. 2, **Sch. 1 Pt. I**
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Modifications etc. (not altering text)

- C1** S. 5(2) extended (11.3.1999) by S.I. 1999/787, arts. 1, 6, **Sch. 2 Pt. II para. 9(4)(b)(iii)**
- C2** S. 5(7) extended (11.3.1999) by S.I. 1999/787, arts. 1, 6, **Sch. 2 Pt. II para. 9(4)(b)(iv)**
- C3** S. 5(8) extended (11.3.1999) by S.I. 1999/787, arts. 1, 6, **Sch. 2 Pt. II para. 9(4)(b)(v)**

Changes to legislation:

There are currently no known outstanding effects for the Scotland Act 1998, Section 5.