
STATUTORY INSTRUMENTS

1999 No. 787

The Scottish Parliament (Elections etc.) Order 1999

PART I
GENERAL

Citation and commencement

1. This Order may be cited as the Scottish Parliament (Elections etc.) Order 1999 and shall come into force on the day after the day on which it is made.

Interpretation

2.—(1) In this Order, except where the context otherwise requires—

“the 1983 Act” means the Representation of the People Act 1983⁽¹⁾;

“the 1985 Act” means the Representation of the People Act 1985⁽²⁾;

“the 1986 Regulations” means the Representation of the People (Scotland) Regulations 1986⁽³⁾;

“the 1998 Act” means the Scotland Act 1998;

“appropriate returning officer” means—

- (a) in relation to a candidate for return as a constituency member (or to an election agent or sub-agent for such a candidate) the constituency returning officer for that constituency; and
- (b) in relation to an individual candidate for return as a regional member or to a registered party submitting a regional list for a particular region, (or to an election agent or sub-agent for such a candidate or such a registered party) the regional returning officer for that region,

a reference to a ballot paper shall, in relation to a general election for membership of the Scottish Parliament be construed as a reference to both the constituency ballot paper and the regional ballot paper;

a reference to a numbered article shall be construed as a reference to the article bearing that number in this Order;

“Citizen of the Union” shall be construed in accordance with Article 8.1 of the Treaty establishing the European Community (as amended by Title II of the Treaty on European Union), and “relevant citizen of the Union” means such a citizen who is not a commonwealth citizen or a citizen of the Republic of Ireland;

“constituency returning officer” means the officer who, in accordance with article 14, is the constituency returning officer for a Scottish parliamentary election in a constituency;

(1) 1983 c. 2
(2) 1985 c. 50
(3) S.I.1986/1111

“European Parliamentary Election” has the same meaning as in section 27(1) of the 1985 Act;
“local authority” has the same meaning as in the Local Government (Scotland) Act 1973(4);
“nominating officer” means the person registered under the Registration of Political Parties Act 1998(5) as the officer with responsibility for the matters referred to in paragraph 5(2) of Schedule 1 to that Act in respect of a registered party;

“ordinary local government election” means an ordinary election of councillors for local government areas in Scotland;

“regional returning officer” means a regional returning officer for the purposes of the 1998 Act;

“register of electors” means the register of local government electors;

“registered emblem” means an emblem registered by a political party under the Registration of Political Parties Act 1998;

“registered party” means a party registered under the Registration of Political Parties Act 1998;

“registration officer” means an electoral registration officer within the meaning of the 1983 Act;

“service voter” means a person who has made a service declaration in accordance with section 15 of the 1983 Act and is registered or entitled to be registered in pursuance of it; and

“Scottish parliamentary election” means an election for membership of the Scottish Parliament and “Scottish parliamentary general election” shall be construed accordingly.

(2) For the purposes of this Order a person shall be deemed not to have attained a given age until commencement of the relevant anniversary of the day of his birth.

(4) 1973 c. 65
(5) 1998 c. 48