Scottish Local Government (Elections) Act 2009

2009 asp 10

The Bill for this Act of the Scottish Parliament was passed by the Parliament on 17th June 2009 and received Royal Assent on 21st July 2009

An Act of the Scottish Parliament to make provision as respects the year in which local government elections fall to be held; and to make provision in relation to the publication of information about votes cast at local government elections.

VALID FROM 30/04/2010

1 Year of local government elections

(1) In section 5 of the Local Government etc. (Scotland) Act 1994 (c. 39) (elections etc. of councillors), after subsection (1) insert—

"(1A) Following the ordinary election of councillors held in 2007 the next ordinary election of councillors shall take place in 2012.

(1B) After the ordinary election of councillors in 2012 the next ordinary election shall take place in 2017, and ordinary elections shall take place every fourth year after that.".

(2) The schedule to this Act, which contains consequential modifications and the repeal of certain enactments already obsolete or unnecessary, has effect.

VALID FROM 30/04/2010

2 Voting information from local government elections

(1) In the Local Governance (Scotland) Act 2004 (asp 9), after section 3 insert—

Status: *Point in time view as at 21/07/2009. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *There are currently no known outstanding effects for the Scottish Local Government (Elections) Act 2009. (See end of Document for details)*

"**3A Voting information from local government elections**

(1) The Scottish Ministers may by order make provision as to the publication of information about votes cast at elections of councillors.

(2) Such an order may, in particular—

(a) specify information to which the provisions shall apply,

(b) make provision about access to information to facilitate publication,

(c) specify limitations on the publication of information,

(d) make provision relating to votes cast in part of an electoral ward.

(3) Nothing may be done by virtue of an order under this section which would make it possible to ascertain whether or not a particular elector voted.

(4) An order under this section may make provision which applies to any voting information held by virtue of this Act in relation to the local government elections held in 2007.".

(2) In section 16 of that Act (orders and regulations)—

(a) in subsection (3) after "3(1)" insert " , 3A ",

(b) in subsection (5), at the end of paragraph (a) insert—

"(aa) order containing provisions made under section 3A,".

3 Short title and commencement

(1) This Act may be cited as the Scottish Local Government (Elections) Act 2009.

(2) This section comes into force on Royal Assent.

(3) The remaining provisions of this Act come into force on such day as the Scottish Ministers may by order made by statutory instrument appoint; and different days may be appointed for different purposes.

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Changes to legislation: *There are currently no known outstanding effects for the Scottish Local Government (Elections) Act 2009. (See end of Document for details)*

VALID FROM 30/04/2010

SCHEDULE

(introduced by section 1(2))

CONSEQUENTIAL MODIFICATIONS

Representation of the People Act 1983 (c. 2)

1 (1) Section 43 of the Representation of the People Act 1983 (day of ordinary local elections in Scotland, and other timing provisions) is amended in accordance with this paragraph.

(2) In subsection (1B)—

(a) paragraph (a) and the word "or" immediately following are repealed,

(b) in paragraph (b) for "that Act" substitute " the Scotland Act 1998 (c. 46) ("the 1998 Act") ".

(3) In subsection (1C)—

(a) the definition "ordinary general election" is repealed,

(b) for "5(3)" substitute " 5(1A) or (1B) ".

Local Government etc. (Scotland) Act 1994 (c. 39)

2 In section 5 of the Local Government etc. (Scotland) Act 1994, subsections (2) and (3) are repealed.

Scottish Local Government (Elections) Act 2002 (asp 1)

3 Section 1 of the Scottish Local Government (Elections) Act 2002 is repealed.

Status:
Point in time view as at 21/07/2009. This version of this Act contains provisions that are not valid for this point in time.

Changes to legislation:
There are currently no known outstanding effects for the Scottish Local Government (Elections) Act 2009.