



Local Electoral Administration (Scotland) Act 2011

2011 asp 10

PART 1

ELECTORAL MANAGEMENT BOARD FOR SCOTLAND

Establishment of Board etc.

1 Electoral Management Board for Scotland

- (1) There is established a committee to be known as the Electoral Management Board for Scotland.
- (2) The Board has the general function of co-ordinating the administration of local government elections in Scotland.
- (3) That function includes—
 - (a) assisting local authorities and other persons in carrying out their functions in relation to local government elections,
 - (b) promoting best practice in local government elections by providing information, advice or training (or otherwise).

2 Membership

- (1) The Board is to have—
 - (a) a convener, who must be a returning officer,
 - (b) 8 other members of whom—
 - (i) 5 are to be returning or depute returning officers,
 - (ii) 3 are to be electoral registration officers.
- (2) The Scottish Ministers are to appoint the convener.
- (3) The convener is to appoint the other members.

- (4) When appointing members, the convener is to have regard to the desirability of the membership taken as a whole having a broad range of experience in relation to different local authority areas (including different kinds of areas) throughout Scotland.

3 Duration of appointment

- (1) A person is to be appointed to the Board for a period of 4 years.
(2) A person may be reappointed to the Board (once or more).

4 Procedure etc.

- (1) It is for the Board to regulate its own procedure (and quorum).
(2) The convener may (with the agreement of the other members of the Board) invite a person to attend a meeting of the Board for the purpose of providing advice or otherwise assisting the Board in carrying out its functions.

Directions

5 Directions to returning officers

- (1) The convener may give directions in writing to returning officers about the exercise of their functions in relation to—
(a) local government elections generally, or
(b) a particular local government election.
(2) A direction may require a returning officer to provide the convener with information.
(3) A returning officer to whom a direction is given must comply with the direction.

6 Directions to electoral registration officers

- (1) The convener may give directions in writing to electoral registration officers about the exercise of their functions in relation to a particular local government election.
(2) But a direction is of no effect if it is inconsistent with any direction given under section 52 of the 1983 Act.
(3) An electoral registration officer to whom a direction is given must comply with the direction.

7 Consultation before giving direction

- Before giving a direction under section 5 or 6, the convener must consult—
(a) the other members of the Board,
(b) the Electoral Commission.

Annual report

8 Annual report

- (1) The convener must, as soon as practicable after the end of each financial year, prepare a report on the carrying out of the Board's functions during the year.
- (2) After securing the Board's approval of the report, the convener must—
 - (a) lay the report before the Scottish Parliament, and
 - (b) send a copy of the report to the Scottish Ministers.

Interpretation

9 Interpretation of Part 1

In this Part—

“the 1983 Act” means the Representation of the People Act 1983,

“convener” means the convener of the Board,

“depute returning officer” means a person appointed under section 41(2) of the 1983 Act,

“electoral registration officer” means an officer appointed under section 8(3) of the 1983 Act,

“local government election” has the meaning given in section 204(1) of the 1983 Act,

“returning officer” means an officer appointed under section 41(1) of the 1983 Act.