Scottish Elections (Reform) Act 2020

2020 asp 12

The Bill for this Act of the Scottish Parliament was passed by the Parliament on 3rd June 2020 and received Royal Assent on 8th July 2020

An Act of the Scottish Parliament to reform certain aspects of the law relating to Scottish parliamentary and local government elections, including length of terms; to make provision about the role of the Electoral Commission in relation to those elections; to confer functions on the Electoral Management Board for Scotland in relation to Scottish parliamentary elections; to rename and make provision about the Local Government Boundary Commission for Scotland; and for connected purposes.

PART 1

GENERAL REFORMS

Term lengths

1 Dates of general elections to the Scottish Parliament

(1) In the Scotland Act 1998—

(a) in section 2 (ordinary general elections)—

(i) subsection (1) is repealed,

(ii) in subsection (2), for the words from the beginning to "fourth" substitute " The day on which the poll at an ordinary general election for membership of the Parliament is to be held is the first Thursday in May in the fifth ",

(b) in the table in paragraph 1(2) of schedule 7 (procedure for subordinate legislation), the entry relating to section 2(1) is repealed.

(2) Section 1 of the Scottish Elections (Dates) Act 2016 (date of general election for Scottish Parliament) is repealed.

Commencement Information

I1 S. 1 in force at 1.10.2020 by S.S.I. 2020/278, reg. 2, **sch.**

Status: *Point in time view as at 14/05/2021. 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 Elections (Reform) Act 2020. (See end of Document for details)*

2 Dates of Scottish local government elections

(1) In section 5 of the Local Government etc. (Scotland) Act 1994 (elections and term of office of councillors)—

(a) subsections (1A) and (1B) are repealed,

(b) in subsection (1C), for "fourth" substitute " fifth ".

(2) In section 43 of the Representation of the People Act 1983 (day of ordinary local elections in Scotland etc.), in subsection (1C) for "5(1A) or (1B)" substitute " 5(1C) ".

Commencement Information

I2 S. 2 in force at 14.5.2021 by S.S.I. 2021/124, reg. 2, **sch.**

Scottish Parliament elections

3 Postponement of general elections to the Scottish Parliament

(1) The Scotland Act 1998 is amended as follows.

(2) In section 2 (ordinary general elections)—

(a) in subsection (5)(a), after "Parliament" insert " (unless the Parliament is already dissolved) ",

(b) after subsection (5) insert—

"(5ZZA) Before proposing a day for the holding of the poll under subsection (5), the Presiding Officer must consult the Electoral Commission.".

(3) In section 3 (extraordinary general elections), after subsection (2) insert—

"(2A) Subsection (2B) applies if a proclamation is made under subsection (2).

(2B) If the Presiding Officer proposes another day for the holding of the poll at the extraordinary general election which is not more than one month later than the day on which the poll is required to be held under the proclamation, Her Majesty may by further proclamation under the Scottish Seal—

(a) require the poll at the election to be held instead on the day proposed under this subsection, and

(b) require the Parliament to meet within the period of seven days beginning immediately after the day of the poll.

(2C) Before proposing a day for the holding of the poll under subsection (2B), the Presiding Officer must consult the Electoral Commission.". ".

Commencement Information

I3 S. 3 in force at 1.10.2020 by S.S.I. 2020/278, reg. 2, **sch.**

Status: *Point in time view as at 14/05/2021. 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 Elections (Reform) Act 2020. (See end of Document for details)*

Scottish local government elections

4 Electoral wards: number of councillors

(1) Section 1 of the Local Governance (Scotland) Act 2004 (electoral wards) is amended as follows.

(2) In subsection (2)—

(a) for "either three or four" substitute " two, three, four or five ",

(b) the words "(order giving effect to proposals made by Boundary Commission)" are repealed,

(c) after "("the 1973 Act")" insert " (regulations giving effect to proposals made by Boundaries Scotland after, in particular, complying with the duty in section 28(2), and schedule 6, of the 1973 Act) ".

(3) In subsection (2A), for "either one or two" substitute " one ".

Commencement Information

I4 S. 4 in force at 14.5.2021 by S.S.I. 2021/124, reg. 2, **sch.**

VALID FROM 29/09/2021

5 Electors: prohibition on voting more than once

(1) The Representation of the People Act 1983 is amended as follows.

(2) In section 2(2) (prohibitions on voting more than once)—

(a) the word "or" following paragraph (a) is repealed,

(b) at the end of paragraph (b) insert ", or

(c) in more than one electoral area at an election of councillors for any local government area in Scotland when the polls for more than one local government election are held on the same day.".

(3) In section 61 (voting offences)—

(a) after subsection (2)(a) insert—

"(ab) the person votes as elector otherwise than by proxy in more than one electoral area at an election of councillors for any local government area in Scotland when the polls for more than one local government election are held on the same day, or

(ac) the person votes as elector otherwise than by proxy in any electoral area at an election of councillors for a local government area in Scotland when—

(i) there is in force an appointment of a person to vote as the person's proxy at the election in some other electoral area in Scotland, and

(ii) the polls for more than one local government election are held on the same day, or",

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(b) after subsection (3)(a) insert—

"(ab) the person votes as proxy for the same elector in more than one electoral area at an election of councillors for any local government area in Scotland when the polls for more than one local government election are held on the same day, or".

6 Electronic voting

(1) The Local Governance (Scotland) Act 2004 is amended in accordance with subsections (2) and (3).

(2) In section 2 (single transferable vote)—

(a) the existing text becomes subsection (1),

(b) in that subsection, for "marking on the ballot paper" substitute " specifying ",

(c) after that subsection insert—

"(2) A preference is specified in accordance with subsection (1) by the person—

(a) marking the preference on the ballot paper, or

(b) communicating the preference by such electronic means as may be permitted by or under this Act or any other enactment.".

(3) In section 3 (power to make further provision about local government elections), after subsection (2A) insert—

"(2B) The references to "ballot papers" and "transferred ballot paper" in subsection (2) are to be read as including any paper or electronic form used to record a vote communicated by electronic means.".

Commencement Information

I5 S. 6 in force at 1.10.2020 by S.S.I. 2020/278, reg. 2, **sch.**

7 Evaluation of pilot schemes

In section 5 of the Scottish Local Government (Elections) Act 2002 (pilot schemes for local elections)—

(a) in subsection (8), for "local authority" substitute " Electoral Commission ",

(b) in subsection (10)—

(i) in the opening words, for "local authority" substitute " Electoral Commission ",

(ii) after paragraph (a) insert—

"(aa) the arrangements made under the scheme assisted disabled persons (within the meaning of section 6(2) of the Equality Act 2010) to vote at the elections,",

(c) after subsection (11) insert—

"(11A) In preparing the report, the Electoral Commission may consult such persons as they think appropriate.",

(d) for subsection (12) substitute—

"(12) The Electoral Commission must—

(a) send a copy of the report to—

(i) the Scottish Ministers, and

(ii) the local authority which proposed the scheme, and

(b) publish the report in such manner as they think fit,

by the end of the period of three months beginning with the date of the declaration of the result of the elections to which the report relates.".

Commencement Information

I6 S. 7 in force at 1.10.2020 by S.S.I. 2020/278, reg. 2, **sch.**

Registration of attainers

8 Entitlement to register as an elector before attaining voting age

(1) Section 4 of the Representation of the People Act 1983 (entitlement to be registered as parliamentary or local government elector) is amended in accordance with subsections (2) and (3).

(2) In subsection (5), after "electors", in the second place where it occurs, insert " , other than a register of local government electors in Scotland (see subsection (5B)), ".

(3) After subsection (5A) insert—

"(5B) A person otherwise qualified is (despite subsection (3)(d)) entitled to be registered in a register of local government electors in Scotland if the person is 14 years of age or over, but—

(a) the person's entry in the register must give the date on which the person will attain voting age, and

(b) until the date given in the entry the person shall not by virtue of the entry be treated as an elector for any purposes other than those of an election the date of the poll for which is the date so given or any later date.

(5C) If a person entitled to be registered by virtue of subsection (5B) has an anonymous entry in the register, the references in paragraphs (a) and (b) of that subsection to the person's entry in the register are to be read as references to the person's entry in the record of anonymous entries prepared in pursuance of paragraph 8A of schedule 2.".

(4) Regulation 44 of the Representation of the People (Scotland) Regulations 2001 (S.S.I. 2001/497) is amended as follows—

(a) in paragraph (2)(d), after "section 4(5)" insert " or (5B) ",

(b) in paragraph (4)(ii), after "section 4(5)" insert " or (5B) ".

Commencement Information

I7 S. 8 in force at 1.10.2020 by S.S.I. 2020/278, reg. 2, **sch.**

Status: *Point in time view as at 14/05/2021. This version of this Act contains provisions that are not valid for this point in time.*
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PART 2

ELECTORAL COMMISSION

Codes of practice

9 Expenditure of candidates at Scottish parliamentary elections

In the Political Parties, Elections and Referendums Act 2000, after section 6G insert—

"**6H Code of practice on expenditure of candidates at Scottish parliamentary elections**

(1) The Commission may prepare, and from time to time revise, a code of practice giving guidance as to—
   (a) the matters which are, or are not, to be regarded as election expenses,
   (b) the cases or circumstances in which expenses are, or are not, to be regarded as incurred,

   for the purposes of any order under section 12(1) of the Scotland Act 1998 in so far as regulating the incurring of expenses for the purposes of a candidate's election at a Scottish Parliamentary general election or an election under section 9 of the Scotland Act 1998 (constituency vacancies).

(2) Once the Commission have prepared a draft code under this section, the Commission must submit it to the Scottish Ministers for their approval.

(3) The Scottish Ministers may approve a draft code either without modification or with such modifications as they may determine.

(4) Once the Scottish Ministers have approved a draft code, they must lay a copy of the draft before the Scottish Parliament, either—
   (a) in its original form, or
   (b) in a form which incorporates any modifications determined under subsection (3).

(5) If the draft incorporates any modifications determined under subsection (3), the Scottish Ministers must at the same time lay before the Scottish Parliament a statement of their reasons for making the modifications.

(6) If, within the 40-day period, the Scottish Parliament resolves not to approve the draft code, the Scottish Ministers must take no further steps in relation to the draft code.

(7) If no such resolution is made within the 40-day period—
   (a) the Scottish Ministers must issue the code in the form of the draft laid before the Scottish Parliament, and
   (b) the Commission must arrange for it to be published in such manner as the Commission think appropriate.

(8) Subsection (6) does not prevent a new draft code from being laid before the Scottish Parliament.

(9) In this section, "the 40-day period", in relation to the draft code, means the period of 40 days beginning with the day on which the draft code is laid before the Scottish Parliament (taking no account of any time during which the Parliament is dissolved or in recess for more than 4 days).

(10) In this section, references to a draft code include references to a draft revised code.".

Commencement Information

I8 S. 9 in force at 1.10.2020 by S.S.I. 2020/278, reg. 2, **sch.**

VALID FROM 29/09/2021

10 Expenditure of candidates at Scottish local government elections

In schedule 4B of the Representation of the People Act 1983 (Scottish local government elections: election expenses) (as inserted by section 17(4) of the Local Electoral Administration and Registration Services (Scotland) Act 2006), after paragraph 12 insert—

"**PART 2A**

GUIDANCE BY THE ELECTORAL COMMISSION

12A (1) The Commission may prepare, and from time to time revise, a code of practice giving—

(a) guidance as to the matters which do, or do not, fall within Part 1 or Part 2 of this schedule,

(b) guidance (supplementing the definition in section 90ZB) as to the cases or circumstances in which expenses are, or are not, to be regarded as incurred for the purposes of a candidate's election.

(2) Once the Commission have prepared a draft code under this paragraph, the Commission must submit it to the Scottish Ministers for their approval.

(3) The Scottish Ministers may approve a draft code either without modification or with such modifications as they may determine.

(4) Once the Scottish Ministers have approved a draft code, they must lay a copy of the draft before the Scottish Parliament, either—

(a) in its original form, or

(b) in a form which incorporates any modifications determined under sub-paragraph (3).

Status: *Point in time view as at 14/05/2021. This version of this Act contains provisions that are not valid for this point in time.*
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(5) If the draft incorporates any modifications determined under sub-paragraph (3), the Scottish Ministers must at the same time lay before the Scottish Parliament a statement of their reasons for making them.

(6) If, within the 40-day period, the Scottish Parliament resolves not to approve the draft code, the Scottish Ministers must take no further steps in relation to the draft code.

(7) If no such resolution is made within the 40-day period—
   (a) the Scottish Ministers must issue the code in the form of the draft laid before the Scottish Parliament, and
   (b) the Commission must arrange for it to be published in such manner as the Commission think appropriate.

(8) Sub-paragraph (6) does not prevent a new draft code from being laid before the Scottish Parliament.

(9) In this paragraph, "the 40-day period", in relation to the draft code, means the period of 40 days beginning with the day on which the draft code is laid before the Scottish Parliament (taking no account of any time during which the Parliament is dissolved or in recess for more than 4 days).

(10) In this Part, references to a draft code include references to a draft revised code.".

11 Attendance of observers at Scottish parliamentary elections

(1) The Political Parties, Elections and Referendums Act 2000 is amended in accordance with subsections (2) to (5).

(2) In section 6G (code of practice on attendance of observers at local government elections in Scotland)—
   (a) in subsection (1), after "at" insert " Scottish Parliamentary general elections, elections under section 9 of the Scotland Act 1998 (constituency vacancies) and ",
   (b) the title of the section becomes " Code of practice on attendance of observers at Scottish Parliamentary elections and local government elections in Scotland ".

(3) In section 6C(3) (accredited observers: individuals), after "to" insert " a Scottish Parliamentary general election, an election under section 9 of the Scotland Act 1998 (constituency vacancies) or ".

(4) In section 6D(4) (accredited observers: organisations), after "to" insert " a Scottish Parliamentary general election, an election under section 9 of the Scotland Act 1998 (constituency vacancies) or ".

(5) In section 6F(1) (code of practice on attendance of observers at elections etc.), after "than" insert " a Scottish Parliamentary general election, an election under section 9 of the Scotland Act 1998 (constituency vacancies) and ".

(6) In section 24 of the Referendums (Scotland) Act 2020 (code of practice on attendance of observers)—

(a) after "at", in the first place where it occurs, insert " Scottish parliamentary elections and ",

(b) after "to", in the second place where it occurs, insert " Scottish Parliamentary general elections, elections under section 9 of the Scotland Act 1998 (constituency vacancies) and ".

Commencement Information

I9 S. 11 in force at 1.10.2020 by S.S.I. 2020/278, reg. 2, **sch.**

VALID FROM 29/09/2021

12 Controlled expenditure of third parties at Scottish local government elections

In section 85A(1) of the Political Parties, Elections and Referendums Act 2000 (controlled expenditure of third parties: power of Scottish Ministers), after "Parliament" insert " and local government elections in Scotland ".

Reporting and standards

13 Reviews of electoral and political matters

(1) The Political Parties, Elections and Referendums Act 2000 is amended as follows.

(2) In section 6 (reviews of electoral and political matters)—

(a) subsection (1)(d) is repealed,

(b) in subsection (6)(a)—

(i) the word "and" following sub-paragraph (ii) is repealed,

(ii) in sub-paragraph (iii), after "and" following that sub-paragraph insert—

"(iv) local government elections in Scotland; and",

(c) after subsection (6) insert—

"(6A) This section is subject to section 6ZA.".

(3) After section 6 insert—

"**6ZA Reviews of electoral and political matters: devolved Scottish elections**

(1) Where a report under subsection (1) of section 6 relates to Scottish Parliamentary general elections or local government elections in Scotland, the Commission must submit the report to—

(a) the Scottish Ministers in so far as the report relates to—

(i) a matter mentioned in paragraph (a) of that subsection, or

(ii) the law relating to such a matter,

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(b) the Secretary of State in so far as the report relates to—

(i) a matter mentioned in paragraph (b), (c), (e) or (f) of that subsection, or

(ii) the law relating to such a matter.

(2) At the request of the Scottish Ministers, and within such time as the Scottish Ministers may specify, the Commission must—

(a) review, and

(b) submit a report to the Scottish Ministers on,

such matter as the Scottish Ministers may specify in so far as it relates to any elections mentioned in subsection (3) and does not relate to a reserved matter (within the meaning of the Scotland Act 1998).

(3) The elections are—

(a) Scottish Parliamentary general elections,

(b) elections held under section 9 of the Scotland Act 1998 (constituency vacancies),

(c) local government elections in Scotland.”.

Commencement Information

I10 S. 13 in force at 1.10.2020 by S.S.I. 2020/278, reg. 2, **sch.**

14 Setting of performance standards

(1) The Political Parties, Elections and Referendums Act 2000 is amended as follows.

(2) In section 9A (setting of performance standards), after subsection (5) insert—

“(5A) But subsections (3) and (5) do not apply in relation to standards relating to—

(a) Scottish Parliamentary general elections,

(b) elections held under section 9 of the Scotland Act 1998 (constituency vacancies), or

(c) local government elections in Scotland.”.

(3) After section 9A insert—

“**9AA Setting performance standards: devolved Scottish elections**

(1) Before determining standards under subsection (1) of section 9A relating to any elections mentioned in subsection (5A)(a) to (c) of that section, the Commission must consult—

(a) the Scottish Ministers, and

(b) any other person they think appropriate.

(2) When the Commission publish standards under subsection (1) of section 9A relating to any elections mentioned in subsection (5A)(a) to (c) of that section—

(a) the Commission must send a copy of the published standards to the Scottish Ministers, and

(b) the Scottish Ministers must lay a copy of the published standards before the Scottish Parliament.”.

Commencement Information

I11 S. 14 in force at 1.10.2020 by S.S.I. 2020/278, reg. 2, **sch.**

Funding

15 Financing of Electoral Commission

(1) Schedule 1 of the Political Parties, Elections and Referendums Act 2000 (the Electoral Commission) is amended as follows.

(2) In paragraph 14(1)—

(a) in sub-sub-paragraph (a), the words “13A, 19(11) or” are repealed,

(b) after sub-sub-paragraph (a) insert—

“(aa) met by the Scottish Parliamentary Corporate Body under paragraph 14A,”.

(3) After paragraph 14 insert—

14A “**Financing of Commission: devolved Scottish elections**

(1) The Scottish Parliamentary Corporate Body (in this paragraph, the “SPCB”) must reimburse the Commission for any expenditure properly incurred by the Commission (in so far as it cannot be met out of income received by the Commission) which is attributable to the exercise of the Commission's devolved Scottish functions.

(2) Sub-paragraph (1) does not require the SPCB to reimburse any expenditure which exceeds or is otherwise not covered by an estimate or, as the case may be, a revised estimate approved under this paragraph.

(3) However, the SPCB may reimburse that expenditure.

(4) Before the start of each financial year, the Commission must prepare an estimate of the Commission's income and expenditure for the year in relation to the Commission's devolved Scottish functions and, by such date as the SPCB determines, send the estimate to the SPCB for approval.

(5) The Commission may, in the course of a financial year, prepare a revised estimate for the remainder of the year and send it to the SPCB for approval.

(6) In preparing an estimate or a revised estimate, the Commission must ensure that the estimated level of income and expenditure is consistent with the economical, efficient and effective exercise by the Commission of their devolved Scottish functions.

(7) An estimate or a revised estimate must contain a statement that the Commission have complied with the duty under sub-paragraph (6).

(8) In this paragraph, "devolved Scottish functions", in relation to the Commission, means the functions of the Commission under Part 1 in relation to—

(a) Scottish Parliamentary general elections,

(b) elections held under section 9 of the Scotland Act 1998 (constituency vacancies), and

(c) local government elections in Scotland,

in so far as those functions do not relate to reserved matters (within the meaning of the Scotland Act 1998).".

(4) In paragraph 25—

(a) the existing text becomes sub-paragraph (1),

(b) after that sub-paragraph insert—

"(2) In this schedule, "devolved Scottish functions", in relation to the Commission, has the meaning given in paragraph 14A(8).".

Commencement Information

I12 S. 15 in force at 1.10.2020 by S.S.I. 2020/278, reg. 2, **sch.**

16 Reimbursement of costs by Scottish Ministers etc.

Section 13A of the Political Parties, Elections and Referendums Act 2000 (reimbursement of costs by Scottish Ministers etc.) is repealed.

Commencement Information

I13 S. 16 in force at 1.10.2020 by S.S.I. 2020/278, reg. 2, **sch.**

Examination and audit: devolved Scottish elections

17 Electoral Commission: five-year plan

(1) Schedule 1 of the Political Parties, Elections and Referendums Act 2000 (the Electoral Commission) is amended as follows.

(2) After paragraph 15 insert—

15A "**Five-year plan: devolved Scottish elections**

(1) At the same time as the Commission submit to the Speaker's Committee a plan under paragraph 15(1), the Commission must also submit the plan to the Scottish Parliamentary Corporate Body (in this paragraph, the "SPCB").

(2) The SPCB—

(a) must examine each plan submitted to it in so far as the plan relates to the Commission's devolved Scottish functions,

(b) must decide whether it is satisfied that the plan is consistent with the economical, efficient and effective discharge by the Commission of their devolved Scottish functions, and

(c) if it is not so satisfied, may recommend such modifications to the plan as it considers appropriate for the purpose of achieving such consistency.

(3) The SPCB must, after concluding its examination and making its recommendations (if any) under sub-paragraph (2) in relation to a plan—

(a) report to the Speaker's Committee on its findings and its recommendations (if any), and

(b) as soon as reasonably practicable after the plan is laid by the Speaker's Committee under paragraph 15(4)—

(i) lay the plan before the Scottish Parliament, and

(ii) if the SPCB made any recommendations for modifications to the plan under sub-paragraph (2), lay before the Scottish Parliament a document describing its reasons for making the recommendations.”.

Commencement Information

I14 S. 17 in force at 1.10.2020 by S.S.I. 2020/278, reg. 2, **sch.**

18 Accounts and accounting officer

(1) Schedule 1 of the Political Parties, Elections and Referendums Act 2000 (the Electoral Commission) is amended as follows.

(2) After paragraph 18(2) insert—

“(3) As soon as is reasonably practicable after the Comptroller and Auditor General has certified the Commission's accounts and laid a copy of the accounts as so certified before each House of Parliament under sub-paragraph (2), the Commission must—

(a) submit a copy of the accounts as so certified to the Scottish Parliamentary Corporate Body, and

(b) lay a copy of the accounts as so certified before the Scottish Parliament.”.

(3) In paragraph 19(4), after “Speaker's Committee” insert “ , the Scottish Parliament, the Scottish Parliamentary Corporate Body ”.

Commencement Information

I15 S. 18 in force at 1.10.2020 by S.S.I. 2020/278, reg. 2, **sch.**

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Changes to legislation: *There are currently no known outstanding effects for the Scottish Elections (Reform) Act 2020. (See end of Document for details)*

Reporting

19 Reports by Electoral Commission: devolved Scottish elections

(1) Schedule 1 of the Political Parties, Elections and Referendums Act 2000 (the Electoral Commission) is amended as follows.

(2) In paragraph 20(3), for the words "functions under Part 1 in relation to local Government elections in Scotland" substitute " devolved Scottish functions ".

(3) In paragraph 20A—

(a) in sub-paragraph (1), for the words "functions mentioned in sub-paragraph (3)" substitute " Commission's devolved Scottish functions ",

(b) sub-paragraph (3) is repealed.

Commencement Information

I16 S. 19 in force at 1.10.2020 by S.S.I. 2020/278, reg. 2, **sch.**

VALID FROM 29/09/2021

Expenses and donations for local government elections

20 Electoral Commission: election expenses at Scottish local government elections

(1) In section 26 of the Electoral Administration Act 2006 (return as to election expenses), subsection (2) is repealed and accordingly the amendments made by that section apply to local government elections in Scotland.

(2) Section 19 of the Local Electoral Administration and Registration Services (Scotland) Act 2006 (return as to election expenses) is repealed.

(3) In section 81 of the Representation of the People Act 1983 (return as to election expenses)—

(a) after subsection (3A) insert—

"(3B) In the application of paragraph (c) of subsection (3A) in relation to a local government election in Scotland, any regulations under that paragraph are to be made by the Scottish Ministers and such regulations are subject to the affirmative procedure.",

(b) subsection (10B) is repealed.

(4) In section 7(2) of the Political Parties, Elections and Referendums Act 2000 (Electoral Commission to be consulted on changes to electoral law), after paragraph (e) insert—

"(eza) regulations to be made by the Scottish Ministers under section 81(3A)(c) of the Representation of the People Act 1983 (other matters to be included in election expenses return in relation to local government elections in Scotland);".

21 Electoral Commission: donations to candidates at local government elections

(1) In section 130 of the Political Parties, Elections and Referendums Act 2000 (control of donations to candidates), subsection (4) is repealed and accordingly the amendments made by that section have effect in relation to local government elections in Scotland.

(2) In schedule 2A of the Representation of the People Act 1983 ("the 1983 Act") (control of donations to candidates)—

(a) in paragraph 3 (sponsorship), after sub-paragraph (4) insert—

"(4A) But any modification of sub-paragraph (2) or (3) by order under sub-paragraph (4) has no effect in relation to local government elections in Scotland.",

(b) in paragraph 10 (statement of relevant donations)—

(i) after sub-paragraph (2) insert—

"(2A) In the application of sub-paragraph (2) in relation to a local government election in Scotland, the reference to the Secretary of State is to be read as if it were a reference to the Scottish Ministers, and regulations made by the Scottish Ministers under that sub-paragraph are subject to the affirmative procedure.",

(ii) sub-paragraph (3) is repealed.

(3) As a consequence of subsection (2)(b)(ii), paragraph 10(2) of schedule 2A of the 1983 Act and any regulations made under that paragraph apply to local government elections in Scotland.

(4) The references in subsection (3) are to that paragraph and to those regulations as they had effect on the date that the Bill for this Act was introduced to the Scottish Parliament.

(5) Regulations made by the Scottish Ministers under paragraph 10(2) of schedule 2A of the 1983 Act may amend or revoke the regulations described under subsection (3) in so far as they apply to local government elections in Scotland.

(6) In section 7(2) of the Political Parties, Elections and Referendums Act 2000 (Electoral Commission to be consulted on changes to electoral law), after paragraph (eza) (as inserted by section 20(4) of this Act) insert—

"(ezb) regulations to be made by the Scottish Ministers under paragraph 10(2) of schedule 2A of the Representation of the People Act 1983 (evidence of donor's anonymous registration to accompany statement of relevant donations in relation to local government elections in Scotland);".

Voting by disabled persons: devolved Scottish elections

22 Reports on elections: voting by disabled persons at devolved Scottish elections

In section 5 of the Political Parties, Elections and Referendums Act 2000 (reports on elections and referendums), after subsection (2B) insert—

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Changes to legislation: *There are currently no known outstanding effects for the Scottish Elections (Reform) Act 2020. (See end of Document for details)*

"(2C) Subsection (2D) applies where a report under this section relates to one of the following elections—

(a) a Scottish Parliamentary general election,

(b) an election held under section 9 of the Scotland Act 1998 (constituency vacancies), or

(c) an ordinary election of councillors for local government areas in Scotland.

(2D) The report must include a description of the steps taken by returning officers to assist disabled persons (within the meaning of section 6(2) of the Equality Act 2010) to vote at the election.

(2E) In subsection (2D), "returning officer"—

(a) in the case of a Scottish Parliamentary general election, means an officer who is—

(i) appointed by order in accordance with section 12(1) of the Scotland Act 1998, or

(ii) appointed by order under section 12(6) of that Act,

(b) in the case of an election held under section 9 of that Act, means an officer who is appointed by order in accordance with section 12(1) of that Act,

(c) in the case of an ordinary election of councillors for local government areas in Scotland, means an officer who is appointed under section 41(1) of the Representation of the People Act 1983.". Miscellaneous".

Commencement Information

I17 S. 22 in force at 1.10.2020 by S.S.I. 2020/278, reg. 2, **sch.**

Miscellaneous

23 Notification of Commission regulations: devolved Scottish elections

In schedule 1 of the Political Parties, Elections and Referendums Act 2000 (the Electoral Commission) after paragraph 21 insert—

"21A (1) If the Commission make any regulations which relate to any elections mentioned in sub-paragraph (4), they must give a copy to the Scottish Ministers without delay.

(2) If the Commission alter or revoke any regulations mentioned in sub-paragraph (1), they must give notice to the Scottish Ministers without delay.

(3) Notice of an alteration must include details of the alteration.

(4) The elections are—

(a) Scottish Parliamentary general elections,

(b) elections held under section 9 of the Scotland Act 1998 (constituency vacancies),

(c) local government elections in Scotland.”.

Commencement Information
I18 S. 23 in force at 1.10.2020 by S.S.I. 2020/278, reg. 2, **sch.**

PART 3

ELECTORAL MANAGEMENT BOARD FOR SCOTLAND

24 Electoral Management Board for Scotland: general functions

In section 1 of the Local Electoral Administration (Scotland) Act 2011 (Electoral Management Board for Scotland)—

(a) for subsection (2) substitute—

“(2) The Board has the general functions of co-ordinating the administration of—

(a) Scottish parliamentary elections, and

(b) local government elections in Scotland.”,

(b) for subsection (3) substitute—

“(3) Those functions include—

(a) assisting regional returning officers, constituency returning officers, local authorities and other persons in carrying out their functions in relation to Scottish parliamentary elections,

(b) assisting returning officers, local authorities and other persons in carrying out their functions in relation to local government elections, and

(c) promoting best practice in Scottish parliamentary elections and local government elections by providing information, advice or training (or otherwise).”.

Commencement Information
I19 S. 24 in force at 1.10.2020 by S.S.I. 2020/278, reg. 2, **sch.**

25 Directions to returning officers: Scottish parliamentary elections

Before section 5 of the Local Electoral Administration (Scotland) Act 2011 (but after the italic heading preceding that section) insert—

“4A **Directions to returning officers: Scottish parliamentary elections**

(1) The convener may give directions in writing to regional returning officers and constituency returning officers about the exercise of their functions in relation to—

(a) Scottish parliamentary elections generally, or

(b) a particular Scottish parliamentary election.

Status: *Point in time view as at 14/05/2021. 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 Elections (Reform) Act 2020. (See end of Document for details)*

(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.”.

Commencement Information
I20 S. 25 in force at 1.10.2020 by S.S.I. 2020/278, reg. 2, **sch.**

26 Directions to electoral registration officers: Scottish parliamentary elections

After section 5 of the Local Electoral Administration (Scotland) Act 2011 insert—

“**5A Directions to electoral registration officers: Scottish parliamentary elections**

(1) The convener may give directions in writing to electoral registration officers about the exercise of their functions in relation to a particular Scottish parliamentary 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.”.

Commencement Information
I21 S. 26 in force at 1.10.2020 by S.S.I. 2020/278, reg. 2, **sch.**

27 Electoral Management Board for Scotland: miscellaneous amendments

(1) The Local Electoral Administration (Scotland) Act 2011 is amended as follows.

(2) In section 2(4), for “different local authority areas (including different kinds of areas) throughout Scotland” substitute “—

(a) different local authority areas (including different kinds of areas) throughout Scotland, and

(b) the different constituencies and regions provided for Scottish parliamentary elections by schedule 1 of the Scotland Act 1998 (including different kinds of constituencies and regions).”.

(3) The title of section 5 becomes “ Directions to returning officers: local government elections ”.

(4) The title of section 6 becomes “ Directions to electoral registration officers: local government elections ”.

(5) In section 7 (consultation before giving direction), for “5” substitute “ 4A, 5, 5A ”.

(6) In section 9 (interpretation of Part 1)—

(a) after the definition of "the 1983 Act" insert—

""constituency returning officer" means an officer appointed by order in accordance with section 12(1) of the Scotland Act 1998,",

(b) after the definition of "local government election" insert—

""regional returning officer" means an officer appointed by order under section 12(6) of the Scotland Act 1998,",

(c) for the definition of "returning officer" substitute—

""returning officer" means an officer who is—

(a) appointed under section 41(1) of the 1983 Act,

(b) a constituency returning officer, or

(c) a regional returning officer,",

(d) after that definition insert—

"" "Scottish parliamentary election" means an election for membership of the Scottish Parliament.".

Commencement Information

I22 S. 27 in force at 1.10.2020 by S.S.I. 2020/278, reg. 2, **sch.**

PART 4

BOUNDARIES SCOTLAND

28 Boundaries Scotland

(1) The commission originally constituted under section 12 of the Local Government (Scotland) Act 1973 as the Local Government Boundary Commission for Scotland is to continue to be a commission but is renamed and is to be known as Boundaries Scotland.

(2) Accordingly—

(a) in section 12(1) of the Local Government (Scotland) Act 1973, for the words from "Local" to the end of the subsection substitute " commission to be known as Boundaries Scotland which is to carry out the functions conferred on it by or under this Act or any other enactment. ",

(b) any reference in any enactment to the Local Government Boundary Commission for Scotland is, unless the contrary intention appears, to be construed as a reference to the commission's new name, Boundaries Scotland.

(3) The schedule makes further provision in consequence of this section.

Commencement Information

I23 S. 28 in force at 14.5.2021 by S.S.I. 2021/124, reg. 2, **sch.**

Status: *Point in time view as at 14/05/2021. 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 Elections (Reform) Act 2020. (See end of Document for details)*

29 Reviews of local government wards and number of councillors

(1) In the Local Government (Scotland) Act 1973—

(a) for section 16(2) substitute—

"(2) Boundaries Scotland must review the electoral arrangements for a local government area for the purpose of—

(a) considering whether to make proposals to the Scottish Ministers for a substantive change in those arrangements,

(b) considering what proposals, if any, to make, and

(c) formulating any such proposals.

(2A) Boundaries Scotland must submit to the Scottish Ministers a report on its review of the electoral arrangements for a local government area under subsection (2)—

(a) in the case of the first report on its review of that area after the coming into force of this subsection by, in so far as is reasonably practicable, no later than 31 December 2028, and

(b) thereafter, in so far as is reasonably practicable, at intervals of not more than 15 years after the date of the submission of the report on its previous review of that area under subsection (2).",

(b) the title of section 16 becomes " Wards and councillors: substantive changes in electoral arrangements ".

(2) For the purposes of subsection (2A) of section 16 of the Local Government (Scotland) Act 1973 (as inserted by subsection (1)(a) of this section), a report on the review of the electoral arrangements for a local government area under section 20 of the Islands (Scotland) Act 2018 is to be taken to be the first report mentioned in paragraph (a) of subsection (2A) (irrespective of whether the report is submitted before or after that subsection comes into force).

(3) Accordingly, section 20(4) of the Islands (Scotland) Act 2018 is repealed.

Commencement Information

I24 S. 29 in force at 14.5.2021 by S.S.I. 2021/124, reg. 2, **sch.**

30 Changes to boundaries of parliamentary constituencies: procedure

(1) Paragraph 6 of schedule 1 of the Scotland Act 1998 (Orders in Council) is amended as follows.

(2) In sub-paragraph (3)—

(a) the words "by leave of the Parliament" are repealed,

(b) after "amend the draft" insert " to make such minor or technical alterations as they consider appropriate ".

(3) After that sub-paragraph insert—

"(3A) As soon as reasonably practicable after laying the draft so amended, the Scottish Ministers must publish a statement setting out their reasons for making the minor or technical alterations to the draft.

(3B) The Scottish Ministers must not withdraw a draft Order laid before the Parliament under paragraph 3(9)(b) or sub-paragraph (3) except with the agreement of the Parliament.”.

(4) After sub-paragraph (4) insert—

“(4A) If the Scottish Ministers do not lay an amended draft Order under sub-paragraph (3), the Scottish Ministers must notify Boundaries Scotland that it is required to conduct, in accordance with sub-paragraph (4B), a further review of the alterations proposed to the boundaries by the draft Order which was rejected or withdrawn.

(4B) Once notified, Boundaries Scotland must conduct a further review of the proposed alterations and may determine the manner and the extent of the review, provided that the purpose of the review is to—

(a) consider the representations (if any) of the Parliament, and

(b) reconsider the proposals and make any further or supplementary proposals as it thinks fit.

(4C) This schedule applies to a further review under sub-paragraph (4B) as it applies to a review and report under paragraph 3 except that—

(a) Boundaries Scotland is to submit a report on the further review—

(i) before such date as the Scottish Ministers may direct, or

(ii) in the absence of such direction, within such reasonable time as it may determine,

(b) sub-paragraphs (1)(a), (3) and (4) of paragraph 7 do not apply to a further review under sub-paragraph (4B),

(c) where a report has already been submitted following a further review under sub-paragraph (4B), the Scottish Ministers may notify Boundaries Scotland under sub-paragraph (4A) that it is required to conduct a further review only if the Parliament has by resolution directed them to do so.

(4D) A further review under sub-paragraph (4B) is to be disregarded for the purposes of calculating the intervals between reports of Boundaries Scotland under paragraph 3.”.

Commencement Information

I25 S. 30 in force at 14.5.2021 by S.S.I. 2021/124, reg. 2, **sch.**

31 Changes to local government areas or electoral arrangements: procedure

(1) The Local Government (Scotland) Act 1973 is amended in accordance with subsections (2) to (7).

(2) For section 17 (Commission's reports and their implementation) substitute—

“**17 Boundaries Scotland's reports and implementation**

(1) Boundaries Scotland must submit a report to the Scottish Ministers where it—

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(a) has a power or duty to formulate proposals to the Scottish Ministers, and

(b) has been conducting a review of—

(i) any area in accordance with section 14 or 15, or

(ii) electoral arrangements in accordance with section 16.

(2) Boundaries Scotland must—

(a) include in the report either—

(i) the proposals it has formulated following the review (or any part of the review), or

(ii) a notification that it has no proposals to make following the review (or any part of the review), and

(b) submit the report not later than the expiry of any time limit applicable to the review in question in terms of section 14, 15 or 16.

(3) Where the report includes a proposal that the number of councillors to be returned in an electoral ward is two, Boundaries Scotland must include in the report an explanation as to why it considers the proposal to be appropriate unless the proposal relates to an electoral ward consisting wholly or partly of one or more inhabited islands (within the meaning of section 1(2) of the Islands (Scotland) Act 2018).

(4) As soon as practicable after Boundaries Scotland has submitted a report under this section, the Scottish Ministers must—

(a) lay the report before the Scottish Parliament, and

(b) if the report proposes an alteration to any local government area or to any electoral arrangements, either—

(i) by regulations give effect to those proposals, or

(ii) lay before the Scottish Parliament for approval by resolution a draft Scottish statutory instrument containing regulations giving effect to those proposals ("draft instrument"), in the case where the regulations are subject to the affirmative procedure.

(5) Regulations under subsection (4)(b) are subject to the affirmative procedure if they—

(a) abolish or alter the boundaries of—

(i) any local government area,

(ii) any electoral ward, or

(b) increase or decrease the number of councillors to be returned in any electoral ward.

(6) If the draft instrument is withdrawn, or if the motion for the approval of the draft instrument is rejected by the Scottish Parliament, the Scottish Ministers must either—

(a) amend the draft instrument to make such minor or technical alterations as they consider appropriate ("amended draft instrument") and lay the amended draft instrument before the Scottish Parliament, or

(b) notify Boundaries Scotland that it is required to conduct a further review of the proposals in accordance with section 17A.

(7) As soon as reasonably practicable after laying for approval the amended draft instrument in accordance with subsection (6)(a), the Scottish Ministers must publish a statement setting out their reasons for making the minor or technical alterations to the draft instrument.

(8) The Scottish Ministers must not withdraw a draft instrument or an amended draft instrument laid before the Scottish Parliament under subsection (4)(b)(ii) or, as the case may be, (6)(a) except with the agreement of the Scottish Parliament.

(9) If the Scottish Parliament approves—

(a) a draft instrument laid before it by the Scottish Ministers under subsection (4)(b)(ii), or

(b) an amended draft instrument laid before it by the Scottish Ministers under subsection (6)(a),

the Scottish Ministers must make the regulations contained in the draft instrument or, as the case may be, the amended draft instrument.

(10) The Scottish Ministers may lay before the Scottish Parliament under paragraph (b)(ii) of subsection (4) more than one draft Scottish statutory instrument containing regulations giving effect to proposals referred to in that subsection.

(11) Accordingly, the references in subsections (6) to (8) to a draft instrument or an amended draft instrument include references to more than one draft instrument or amended draft instrument.

17A Further reviews and reports by Boundaries Scotland

(1) Boundaries Scotland must conduct a further review of proposals to alter any local government area or electoral arrangements where it has been notified by the Scottish Ministers under section 17(6)(b).

(2) Boundaries Scotland may determine the manner and the extent of the review under this section, provided that the purpose of the review is to—

(a) consider the representations (if any) of the Scottish Parliament, and

(b) reconsider the proposals and make any further or supplementary proposals as it thinks fit.

(3) Sections 18 (except subsections (2) and (3)) and 19 apply to a review under this section as they apply to a review under section 17 (but subject to the modification in subsection (4)).

(4) The modification is that the reference in subsection (2A) of section 18 to a consultation under subsection (2)(a) of that section is to be read as if it were a reference to any consultation carried out by Boundaries Scotland in connection with a review under this section.

(5) Boundaries Scotland may take such steps under section 18(3) as it thinks fit in relation to a review under this section.

(6) Boundaries Scotland must—

(a) before such date as the Scottish Ministers may direct, or in the absence of such direction, within such reasonable time as it may determine,

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submit a report to the Scottish Ministers on its further review under this section, and

(b) include in the report either—

(i) any further or supplementary proposals it has formulated following the review, or

(ii) a notification that it has no further or supplementary proposals to make.

(7) Where the report includes a further or supplementary proposal that the number of councillors to be returned in an electoral ward is two, Boundaries Scotland must include in the report an explanation as to why it considers the proposal to be appropriate unless the proposal relates to an electoral ward consisting wholly or partly of one or more inhabited islands (within the meaning of section 1(2) of the Islands (Scotland) Act 2018).

(8) Subsections (4) to (9) of section 17 apply to a report submitted under this section as they apply to a report submitted under section 17.

(9) But where a report has already been submitted under this section, the Scottish Ministers may notify Boundaries Scotland under subsection (6)(b) of section 17 that it is required to conduct a further review only if the Scottish Parliament has by resolution directed them to do so.

(10) A further review under this section is to be disregarded for the purposes of calculating the intervals between reviews under this Part.”.

(3) In section 18(3)(b) (procedure for reviews)—

(a) for “an order giving effect, with or without modifications,” substitute “ regulations giving effect ”,

(b) the words from “or, as the case may be” to the end of that paragraph are repealed.

(4) In section 24 (consequential and transitional arrangements)—

(a) in subsection (1) for “orders” substitute “ regulations ”,

(b) in subsection (4)—

(i) for “An order” substitute “ Regulations ”,

(ii) for “order” substitute “ regulations ”,

(c) in subsection (5) for “order”, in each place where it occurs, substitute “ regulations ”.

(5) In section 25(1) (transitional agreements as to property and finance)—

(a) for “order”, in the first place where it occurs, substitute “ regulations ”,

(b) for “an order” substitute “ regulations ”.

(6) In section 26 (variation and revocation)—

(a) for subsection (1) substitute—

“(1) The power conferred by section 233 to vary and revoke orders under this Act is to be read to apply to regulations under this Part but modified to apply only in relation to any supplementary provision contained in any such regulations, and regulations varying or revoking any such provision may be made only after compliance with subsections (2) and (3).”,

(b) in subsection (2), for "order", in both places where it occurs, substitute " regulations ",
(c) in subsection (3), for "an order" substitute " regulations ",
(d) in subsection (4), for "a draft order" substitute " draft regulations ",
(e) in subsection (5) for "an order" substitute " regulations ".

(7) The title of section 26 becomes " Variation and revocation of regulations under Part 2 ".

(8) In section 1 of the Local Governance (Scotland) Act 2004 (electoral wards)—
(a) in subsection (2), for "order", in the first place where it occurs, substitute " regulations ",
(b) in subsection (2A), for "an order" substitute " regulations ".

Commencement Information
I26 S. 31 in force at 14.5.2021 by S.S.I. 2021/124, reg. 2, **sch.** (with reg. 3)

32 Scottish Parliament constituency boundaries: timing of first report

In paragraph 3(4) of schedule 1 of the Scotland Act 1998, for "no earlier than 1 May 2018 and no later than 1 May 2022" substitute " no later than 1 May 2025 ".

Commencement Information
I27 S. 32 in force at 14.5.2021 by S.S.I. 2021/124, reg. 2, **sch.**

33 Publishing of proposals affecting Scottish Parliament constituencies

In the opening words of paragraph 7(2) of schedule 1 of the Scotland Act 1998, for "at least one newspaper circulating in the constituency" substitute " such manner as it thinks fit ".

Commencement Information
I28 S. 33 in force at 14.5.2021 by S.S.I. 2021/124, reg. 2, **sch.**

PART 5

FINAL PROVISIONS

34 Ancillary provision

(1) The Scottish Ministers may by regulations make any incidental, supplementary, consequential, transitional, transitory or saving provision they consider appropriate for the purposes of, in connection with or for giving full effect to this Act.

(2) Regulations under subsection (1) may—
(a) modify any enactment (including this Act),

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(b) make different provision for different purposes.

(3) Regulations under subsection (1)—

(a) are subject to the affirmative procedure if they add to, replace or omit any part of the text of an Act,

(b) otherwise, are subject to the negative procedure.

35 Commencement

(1) This section and sections 34 and 36 come into force on the day after Royal Assent.

(2) The other provisions of this Act come into force on such day as the Scottish Ministers may by regulations appoint.

(3) Regulations under this section may—

(a) include transitional, transitory or saving provision,

(b) make different provision for different purposes.

36 Short title

The short title of this Act is the Scottish Elections (Reform) Act 2020.

Status: *Point in time view as at 14/05/2021. 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 Elections (Reform) Act 2020. (See end of Document for details)*

SCHEDULE

(introduced by section 28(3))

BOUNDARIES SCOTLAND: MODIFICATION OF ENACTMENTS

Local Government (Scotland) Act 1973

1 (1) The Local Government (Scotland) Act 1973 is amended as follows.

(2) In the following provisions, for "the Boundary Commission" substitute " Boundaries Scotland "

(a) section 12(2),
(b) section 13,
(c) section 14(1), (2), (3) and (4),
(d) section 15(1), (2), (3), (4) and (6),
(e) section 16(3),
(f) in section 18—
(i) in subsection (1),
(ii) in subsection (2), in both places,
(iii) in subsection (2A)(a),
(iv) in subsection (3),
(v) in subsection (4),
(g) section 19(1) and (2),
(h) section 21(1) and (2),
(i) section 27,
(j) section 28(2),
(k) paragraphs 1(1), 2(1), 4(1), 5, 6, 7, 8(1), 9 and 10(1) of schedule 4, and
(l) paragraph 1(1) of schedule 6.

(3) In the following provisions, for "the Commission" substitute " Boundaries Scotland "

(a) section 13,
(b) in section 14—
(i) in subsection (1), in both places,
(ii) in subsection (2),
(iii) in subsection (3), in both places,
(iv) in subsection (4), in both places,
(c) section 15(2),
(d) in section 16(3),
(e) in section 18(3)(b), in both places,
(f) in section 21(1), in all three places,
(g) in paragraph 1 of schedule 4—
(i) in sub-paragraph (2),
(ii) in sub-paragraph (3), in both places,
(iii) in sub-paragraph (4), in all three places,
(h) in paragraph 2 of schedule 4—
(i) in sub-paragraph (2), in both places,
(ii) in sub-paragraph (3), in both places,
(i) paragraph 4(1) of schedule 4,

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(j) paragraph 6 of schedule 4,
(k) in paragraph 8 of schedule 4—
(i) in sub-paragraph (1),
(ii) in sub-paragraph (2), in both places,
(iii) in sub-paragraph (4),
(iv) in sub-paragraph (5),
(l) paragraph 9(e) and (f) of schedule 4,
(m) in paragraph 10 of schedule 4—
(i) in sub-paragraph (1), in both places,
(ii) in sub-paragraph (2).

(4) In the following provisions, for “them” substitute “ it ”
(a) section 13,
(b) section 15(6),
(c) section 18(2)(a)(i), (ab) and (d),
(d) section 19(1).

(5) In the following provisions, for “they” substitute “ it ”
(a) section 14(3),
(b) section 18(4),
(c) paragraph 7 of schedule 4.

(6) In the following provisions, for “they have” substitute “ it has ”
(a) section 15(3),
(b) section 18(3)(b).

(7) In section 15(4) and in paragraph 7 of schedule 4, for “their” substitute “ its ”.

(8) In section 18(1) and (3), for “they shall” substitute “ it must ”.

(9) In section 18(1), (2)(a)(iii), (2)(b) and (3)(a), for “they think” substitute “ it thinks ”.

(10) In paragraph 4(1) of schedule 4, for “the Commission's” substitute “ its ”.

(11) The title of section 12 becomes “ Boundaries Scotland ”.

(12) The title of section 21 becomes “ Delegation of Boundaries Scotland's functions ”.

(13) The title of section 27 becomes “ Consultation with Boundaries Scotland on schemes for community councils ”.

(14) The italic heading immediately preceding section 12 becomes “ Proposals by Boundaries Scotland ”.

(15) The title of schedule 4 becomes “ Constitution and proceedings of Boundaries Scotland ”.

Commencement Information
I29 Sch. para. 1 in force at 14.5.2021 by S.S.I. 2021/124, reg. 2, **sch.**

House of Commons Disqualification Act 1975

2 In Part 2 of schedule 1 of the House of Commons Disqualification Act 1975—

(a) after the entry for the Board of the Pension Protection Fund insert— " Boundaries Scotland ",

(b) the entry for the Local Government Boundary Commission for Scotland is repealed.

Commencement Information

I30 Sch. para. 2 in force at 14.5.2021 by S.S.I. 2021/124, reg. 2, **sch.**

Scotland Act 1998

3 (1) Schedule 1 of the Scotland Act 1998 is amended as follows.

(2) In the following provisions, for "the Local Government Boundary Commission for Scotland" substitute " Boundaries Scotland "

(a) paragraph 3(1), (3), (4), (6), (8) and (9),

(b) paragraph 4(1), (2) and (3),

(c) paragraph 6(1),

(d) paragraph 7(1), (2), (3) and (4),

(e) paragraph 8(1) and (2),

(f) paragraph 9(1), (2) and (3),

(g) paragraph 10(1), (2) and (3),

(h) in paragraph 12—

(i) in rule 2(2) and (8),

(ii) in rule 3,

(iii) in rule 4,

(i) paragraph 14(2).

(3) In the following provisions, for "they think" substitute " it thinks "

(a) paragraph 4(2),

(b) paragraph 9(1),

(c) paragraph 10(1),

(d) in paragraph 12—

(i) rule 2(2),

(ii) rule 3.

(4) In the following provisions, for "they" substitute " it "

(a) paragraph 7(1)(a) and (b), (2) and (4),

(b) paragraph 9(2),

(c) paragraph 10(2),

(d) paragraph 12, rule 4, in both places.

(5) In paragraph 3(3)—

(a) in sub-sub-paragraph (a), for "they propose" substitute " it proposes ",

(b) in sub-sub-paragraph (b), for "their opinion" substitute " its opinion ".

Status: *Point in time view as at 14/05/2021. This version of this Act contains provisions that are not valid for this point in time.*
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(6) In paragraph 3(6) and (8)(a) and (b), for "they recommend" substitute " it recommends ".

(7) In paragraph 7(2)—

(a) in the opening words, for "have" substitute " has ",

(b) in sub-sub-paragraph (b), for "the Commission" substitute " Boundaries Scotland ".

(8) The italic heading immediately preceding paragraph 3 becomes " Reports of Boundaries Scotland ".

Commencement Information

I31 Sch. para. 3 in force at 14.5.2021 by S.S.I. 2021/124, reg. 2, **sch.**

Scottish Public Services Ombudsman Act 2002

4 In Part 2 of schedule 2 of the Scottish Public Services Ombudsman Act 2002, under the heading "Scottish public authorities"—

(a) after paragraph 20A insert—

"20AA Boundaries Scotland",

(b) paragraph 28 is repealed.

Commencement Information

I32 Sch. para. 4 in force at 14.5.2021 by S.S.I. 2021/124, reg. 2, **sch.**

Freedom of Information (Scotland) Act 2002

5 In Part 7 of schedule 1 of the Freedom of Information (Scotland) Act 2002—

(a) after paragraph 61A insert—

"61AA Boundaries Scotland",

(b) paragraph 71 is repealed.

Commencement Information

I33 Sch. para. 5 in force at 14.5.2021 by S.S.I. 2021/124, reg. 2, **sch.**

Public Appointments and Public Bodies etc. (Scotland) Act 2003

6 In schedule 2 of the Public Appointments and Public Bodies etc. (Scotland) Act 2003 (the specified authorities), under the heading "Advisory bodies"—

(a) before the entry for the Judicial Appointments Board for Scotland insert— " Boundaries Scotland ",

(b) the entry for the Local Government Boundary Commission for Scotland is repealed.

Commencement Information
I34 Sch. para. 6 in force at 14.5.2021 by S.S.I. 2021/124, reg. 2, **sch.**

Public Services Reform (Scotland) Act 2010

7 (1) The Public Services Reform (Scotland) Act 2010 is amended as follows.

(2) In schedule 5 (improvement of public functions: listed bodies), under the heading "Scottish public authorities with mixed functions or no reserved functions"—

(a) after the entry for Bòrd na Gàidhlig insert— " Boundaries Scotland ",

(b) the entry for the Local Government Boundary Commission for Scotland is repealed.

(3) In schedule 8 (information on exercise of public functions: listed public bodies)—

(a) after the entry for Bòrd na Gàidhlig insert— " Boundaries Scotland ",

(b) the entry for the Local Government Boundary Commission for Scotland is repealed.

Commencement Information
I35 Sch. para. 7 in force at 14.5.2021 by S.S.I. 2021/124, reg. 2, **sch.**

Public Records (Scotland) Act 2011

8 In the schedule of the Public Records (Scotland) Act 2011, under the heading "Others"—

(a) after the entry for Bòrd na Gàidhlig insert— " Boundaries Scotland ",

(b) the entry for the Local Government Boundary Commission for Scotland is repealed.

Commencement Information
I36 Sch. para. 8 in force at 14.5.2021 by S.S.I. 2021/124, reg. 2, **sch.**

Procurement Reform (Scotland) Act 2014

9 In Part 3 of the schedule of the Procurement Reform (Scotland) Act 2014—

(a) after paragraph 23 insert—

"23A Boundaries Scotland",

(b) paragraph 36 is repealed.

Commencement Information
I37 Sch. para. 9 in force at 14.5.2021 by S.S.I. 2021/124, reg. 2, **sch.**

Status: *Point in time view as at 14/05/2021. 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 Elections (Reform) Act 2020. (See end of Document for details)*

Gender Representation on Public Boards (Scotland) Act 2018

10 In schedule 1 of the Gender Representation on Public Boards (Scotland) Act 2018 (public authorities)—

(a) after the entry for Bòrd na Gàidhlig insert— " Boundaries Scotland ",

(b) the entry for the Local Government Boundary Commission for Scotland is repealed.

Commencement Information

I38 Sch. para. 10 in force at 14.5.2021 by S.S.I. 2021/124, reg. 2, **sch.**

Islands (Scotland) Act 2018

11 In section 20 of the Islands (Scotland) Act 2018 (reviews of wards in certain local government areas)—

(a) in subsection (1), for "the Local Government Boundary Commission for Scotland ("Boundary Commission")" substitute " Boundaries Scotland ",

(b) in subsection (3), for "the Boundary Commission" substitute " Boundaries Scotland ".

Commencement Information

I39 Sch. para. 11 in force at 14.5.2021 by S.S.I. 2021/124, reg. 2, **sch.**

Representation of the People (Scotland) Regulations 2001

12 In regulation 100(1) of the Representation of the People (Scotland) Regulations 2001 (S.S.I. 2001/497), for "the Local Government Boundary Commission for Scotland" substitute " Boundaries Scotland ".

Commencement Information

I40 Sch. para. 12 in force at 14.5.2021 by S.S.I. 2021/124, reg. 2, **sch.**

Ethical Standards in Public Life etc. (Scotland) Act 2000 (Codes of Conduct for Members of certain Scottish Public Authorities) Order 2006

13 In the schedule of the Ethical Standards in Public Life etc. (Scotland) Act 2000 (Codes of Conduct for Members of certain Scottish Public Authorities) Order 2006 (S.S.I. 2006/26)—

(a) after the entry for Architecture and Design Scotland insert— " Boundaries Scotland ",

(b) the entry for the Local Government Boundary Commission for Scotland is revoked.

Commencement Information

I41 Sch. para. 13 in force at 14.5.2021 by S.S.I. 2021/124, reg. 2, **sch.**

Scottish Parliament (Disqualification) Order 2015

14 In Part 1 of the schedule of the Scottish Parliament (Disqualification) Order 2015 (S.S.I. 2015/350)—

(a) after the entry relating to any member of Bòrd na Gàidhlig insert— " Any member of Boundaries Scotland. ",

(b) the entry relating to any member of the Local Government Boundary Commission for Scotland is revoked.

Commencement Information

I42 Sch. para. 14 in force at 14.5.2021 by S.S.I. 2021/124, reg. 2, **sch.**

Status:
Point in time view as at 14/05/2021. 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 Elections (Reform) Act 2020.