



# Scottish Elections (Reform) Act 2020

## 2020 asp 12

### PART 2

#### ELECTORAL COMMISSION

##### *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  - (a) subsection (1)(d) is repealed,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    - (i) the word “and” following sub-paragraph (ii) is repealed,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,
  - (b) the Secretary of State in so far as the report relates to—

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*Status: This is the original version (as it was originally enacted).*

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- (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.”.

#### **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.”.