



Scottish Elections (Reform) Act 2020

2020 asp 12

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

II S. 24 in force at 1.10.2020 by [S.S.I. 2020/278](#), reg. 2, [sch.](#)

Changes to legislation: There are currently no known outstanding effects for the Scottish Elections (Reform) Act 2020, PART 3. (See end of Document for details)

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.
- (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

I2 [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

I3 [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

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- (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

I4 [S. 27](#) in force at 1.10.2020 by [S.S.I. 2020/278](#), reg. 2, [sch.](#)

Changes to legislation:

There are currently no known outstanding effects for the Scottish Elections (Reform) Act 2020, PART 3.