



# Scottish Elections (Reform) Act 2020

## 2020 asp 12

### PART 2

#### ELECTORAL COMMISSION

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  - (a) in sub-sub-paragraph (a), the words “13A, 19(11) or” are repealed,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

#### *“Financing of Commission: devolved Scottish elections*

- 14A (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

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*Status: This is the original version (as it was originally enacted).*

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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).”.