



Scottish Elections (Reform) Act 2020

2020 asp 12

PART 2

ELECTORAL COMMISSION

Expenses and donations for local government elections

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of the Political Parties, Elections and Referendums Act 2000 (control of donations to candidates), subsection (4) is repealed and accordingly the amendments made by that section have effect in relation to local government elections in Scotland.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 - (ii) sub-paragraph (3) is repealed.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.

Changes to legislation: There are currently no known outstanding effects for the
Scottish Elections (Reform) Act 2020, Section 21. (See end of Document for details)

- (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);”.

Commencement Information

II [S. 21](#) in force at 29.9.2021 by [S.S.I. 2021/311](#), reg. 2, [sch.](#) (with reg. 3)

Changes to legislation:

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