



Referendums (Scotland) Act 2020

2020 asp 2

Power to modify this Act

37 Power to modify this Act

- (1) The Scottish Ministers may by regulations make such modifications of this Act as they consider necessary or expedient—
 - (a) in consequence of or in connection with any modification of any other enactment relating to—
 - (i) the conduct of referendums or campaigning in any referendum,
 - (ii) the conduct of elections or campaigning in elections,
 - (iii) entitlement to vote at any referendum or any election,
 - (b) to give effect to recommendations of the Electoral Commission.
- (2) Regulations under subsection (1) may include incidental, supplementary, consequential, transitional, transitory or saving provision.
- (3) Regulations under subsection (1) are subject to the affirmative procedure.
- (4) The Scottish Ministers must consult the Electoral Commission and such other persons as they consider appropriate before laying a draft Scottish statutory instrument containing regulations under subsection (1) before the Scottish Parliament for approval.
- (5) When laying a draft Scottish statutory instrument containing regulations under subsection (1) before the Scottish Parliament, the Scottish Ministers must also lay before the Parliament a document giving details of—
 - (a) the consultation carried out under subsection (4),
 - (b) any representations received as a result of the consultation, and
 - (c) the changes (if any) made to the proposed draft regulations as a result of those representations.

38 Power to vary specified sums

- (1) The Scottish Ministers may by regulations vary any sum for the time being specified in this Act.

- (2) The Scottish Ministers may make regulations under subsection (1)—
 - (a) where they consider it expedient to do so in consequence of changes in the value of money, or
 - (b) in order to give effect to a recommendation of the Electoral Commission.
- (3) Regulations under subsection (1) are—
 - (a) where subsection (2)(a) applies, subject to the negative procedure,
 - (b) where subsection (2)(b) applies, subject to the affirmative procedure.
- (4) This section does not affect the generality of the power conferred by section 37(1).