

Status: Point in time view as at 17/02/2007. This version of this schedule contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Local Electoral Administration and Registration Services (Scotland) Act 2006, SCHEDULE 2. (See end of Document for details)

SCHEDULE 2

(introduced by section 35)

PART 1: MINOR AND CONSEQUENTIAL MODIFICATIONS

Representation of the People Act 1983 (c. 2)

1 The 1983 Act is amended as follows.

Commencement Information

I1 Sch. 2 para. 1 wholly in force at 17.2.2007, see s. 63(2) and S.S.I. 2007/26, art. 3(1)(i) (with transitional provisions in art. 3(2))

2 In section 66(1) (requirement of secrecy), before “shall”, where first occurring, insert—

“(d) every person so attending in pursuance of permission granted under section 8 or 9 (observers at Scottish local government elections) of the Local Electoral Administration and Registration Services (Scotland) Act 2006 (asp 14).”

Commencement Information

I2 Sch. 2 para. 2 wholly in force at 17.2.2007, see s. 63(2) and S.S.I. 2007/26, art. 3(1)(i) (with transitional provisions in art. 3(2))

PROSPECTIVE

3 In section 73(5)(d) (payment of expenses through election agent), for “section 90A(5)(b)” substitute “ section 90ZB(7) ”.

PROSPECTIVE

4 In section 74A (expenses which may be paid otherwise than by election agent)—
(a) in subsection (1)(b), for “section 90A(1)” substitute “ section 90ZB(2) ”,
(b) in subsection (2), the words “(determined in accordance with section 90B below)” are repealed,
(c) in subsection (3), for “sections 90A to” substitute “ section 90ZB and ”.

5 In section 76A(2) (application of power to vary provisions about election expenses)

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- (a) the word “or” immediately following paragraph (c) is repealed,
(b) after paragraph (c) insert—
“(ca) section 75A(5) above; or”.

Commencement Information

I3 Sch. 2 para. 5 wholly in force at 17.2.2007, see s. 63(2) and S.S.I. 2007/26, art. 3(1)(i) (with transitional provisions in art. 3(2))

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- 6 In section 81 (return as to election expenses)—
- (a) in subsection (2)(c), after “section 75(2)” insert “ or 75A(6) ”,
 - (b) in subsection (9)—
 - (i) for “subsection (3)” substitute “ subsection (4A) ”, and
 - (ii) the words “of each such matter” are repealed.
- 7 In section 89 (inspection of returns and declarations)—
- (a) in subsection (1), after “section 75,” insert “ 75A, ”,
 - (b) in subsection (3), after “section 75” insert “ or 75A ”.

Commencement Information

- I4** Sch. 2 para. 7 wholly in force at 17.2.2007, see s. 63(2) and S.S.I. 2007/26, art. 3(1)(i) (with transitional provisions in art. 3(2))

- 8 In section 90C(2) (property, goods, services etc. provided free of charge or at a discount), for “section 90A(3)” substitute “ section 90ZB(4) ”.

PROSPECTIVE

- 9 In section 118 (interpretation of Part 2), in the definition of “election expenses” for “sections 90A” substitute “ sections 90ZB ”.

- 10 In section 129(7)(b) (time for presentation or amendment of petition questioning local election), after “section 75” insert “ or 75A ”.

Commencement Information

- I5** Sch. 2 para. 10 wholly in force at 17.2.2007, see s. 63(2) and S.S.I. 2007/26, art. 3(1)(i) (with transitional provisions in art. 3(2))

- 11 In section 168(1)(a)(i) (prosecution for corrupt practices), before “above” insert “ or 62B ”.

- 12 In section 179 (offences by associations), after “section 110” insert “ or 110A ”.

Commencement Information

- I6** Sch. 2 para. 12 wholly in force at 17.2.2007, see s. 63(2) and S.S.I. 2007/26, art. 3(1)(i) (with transitional provisions in art. 3(2))

- 13 The amendments made by paragraphs 3, 4, 6(b), 8 and 9 apply to the 1983 Act only so far as it applies to a local government election in Scotland.

Commencement Information

- I7** Sch. 2 para. 13 wholly in force at 17.2.2007, see s. 63(2) and S.S.I. 2007/26, art. 3(1)(i) (with transitional provisions in art. 3(2))

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Scottish Local Government (Elections) Act 2002 (asp 1)

- 14 In section 5(4) of the Scottish Local Government (Elections) Act 2002, for “75(1)” substitute “ 75A(2) ”

Commencement Information

- 18** Sch. 2 para. 14 wholly in force at 17.2.2007, see s. 63(2) and S.S.I. 2007/26, art. 3(1)(i) (with transitional provisions in art. 3(2))

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