
SCOTTISH STATUTORY INSTRUMENTS

2020 No. 426

CONSTITUTIONAL LAW
REPRESENTATION OF THE PEOPLE

The Scottish Parliament (Elections etc.)
(Miscellaneous Amendments) Order 2020

Made - - - - 10th December 2020

Coming into force - - 11th December 2020

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 12(1) and 113(2), (4) and (5) of the Scotland Act 1998(1) and sections 72A(1)(c), 85A(1)(c), 156(5), paragraph 4 of schedule 8 and paragraph 4 of schedule 8A of the Political Parties, Elections and Referendums Act 2000(2) and all other powers enabling them to do so.

In accordance with section 7(1) and (2)(g), paragraph 4(2) of schedule 8 and paragraph 4(2) of schedule 8A of the Political Parties Elections and Referendums Act 2000, the Scottish Ministers have consulted the Electoral Commission.

In accordance with section 115 and schedule 7 of the Scotland Act 1998(3) and section 156(4)(j) and (ja)(4) of the Political Parties, Elections and Referendums Act 2000, a draft of this Order has been laid before, and approved by resolution of, the Scottish Parliament.

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- (1) [1998 c.46](#) (“the 1998 Act”). Section 12 was substituted by section 4(1) of the Scotland Act [2016 \(c.11\)](#) (“the 2016 Act”). The powers in section 113(2), (4) and (5) of the 1998 Act apply to the exercise of the Scottish Ministers power under section 12 by virtue of section 113(1A) of that Act, which was inserted by section 3 of the Scotland Act [2012 \(c.11\)](#) (“the 2012 Act”).
 - (2) [2000 c.41](#) (“the 2000 Political Parties Act”). Section 72A was added to the 2000 Political Parties Act by section 7(2) of the 2016 Act and section 85A was added by section 7(3) of the 2016 Act. Section 156(5) of the 2000 Political Parties Act was amended by section 7(13) of the 2016 Act. The power in paragraph 4 of schedule 8A was added by schedule 3 of the Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act [2014 \(c.4\)](#) (“the 2014 Act”). The powers in paragraph 4 of schedule 8 and paragraph 4 of schedule 8A are exercisable by the Scottish Ministers in accordance with sections 72A(1)(c) and 85A(1)(c) of the 2000 Political Parties Act.
 - (3) Schedule 7 was amended by section 3 of the 2012 Act. There are other amendments that are not relevant to this Order.
 - (4) Section 156(4)(ja) was added by section 26(13) of the 2014 Act. By virtue of section 156(4B)-(4D) an order falling within section 156(4) which is made by the Scottish Ministers is subject to the affirmative procedure. Section 156(4B)-(4D) were added by section 7(12) of the 2016 Act. The powers to make this Order are exercised together by virtue of section 33(2) of the Interpretation and Legislative Reform (Scotland) Act [2010 \(asp 10\)](#). The Order is subject to the affirmative procedure by virtue of section 33(3) of that Act.