



Scotland Act 2016

2016 CHAPTER 11

PART 1

CONSTITUTIONAL ARRANGEMENTS

Elections etc

3 Elections

(1) Section B3 of Part 2 of Schedule 5 to the Scotland Act 1998 (elections) is amended as follows.

(2) Under the heading “B3 Elections” insert—

“(A) *Elections for membership of the House of Commons and the European Parliament*”.

(3) For “, the European Parliament and the Parliament” substitute “ and the European Parliament ”.

(4) Omit the words from “The franchise at local government elections” to the end of the Exceptions and insert—

“(B) *Elections for membership of the Parliament and local government elections in Scotland*

The subject-matter of sections 2(2A) and 12A of this Act.

The subject-matter of section 43(1AA) of the Representation of the People Act 1983.

The combination of—

- (a) polls at elections or referendums that are outside the legislative competence of the Parliament with polls at—
 - (i) elections for membership of the Parliament, or
 - (ii) local government elections in Scotland, and

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- (b) polls at ordinary general elections for membership of the Parliament with polls at ordinary local government elections in Scotland.

Any digital service provided by a Minister of the Crown for the registration of electors.

The subject matter of—

- (a) Parts 5 and 6 of the Political Parties, Elections and Referendums Act 2000 (expenditure in connection with elections) where a limit applies to expenditure in relation to a period determined by reference both to the date of the poll for an election within the legislative competence of the Parliament and to the date of the poll at an election for membership of the House of Commons or the European Parliament, and
- (b) sections 145 to 148 and 150 to 154 of that Act (enforcement) as they apply for the purposes of Part 5 or 6, so far as the subject-matter of that Part is reserved by paragraph (a).

The subject matter of—

- (a) sections 155 and 156 of the Political Parties, Elections and Referendums Act 2000, except in relation to Parts 5 and 6 of that Act so far as those Parts relate to elections for membership of the Parliament, and
- (b) sections 145 to 148 and 150 to 154 of that Act as they apply for the purposes of section 155 or 156, so far as the subject-matter of that section is reserved by paragraph (a).

The subject-matter of the following sections of the Political Parties, Elections and Referendums Act 2000 in relation to elections for membership of the Parliament—

- (a) section 1, except in relation to—
 - (i) financing the Electoral Commission,
 - (ii) preparation, laying and publication by the Commission of reports about the performance of its functions, and
 - (iii) provision by the Commission of copies of regulations made by it or notice of the alteration or revocation of such regulations,
 - (b) sections 2 to 4, 6(1)(e) and (f) (and (g) to the extent that it relates to the law mentioned in those paragraphs),
 - (c) sections 12, 21 to 33, 35 to 37, 39 to 57, 58 to 67, 69, 71, 71F, 71G, 71H to 71Y and 140A,
 - (d) section 149 (except in relation to the register kept under section 89),
 - (e) sections 157 and 159 to 163, and
 - (f) sections 145 to 148 and 150 to 154 as they apply for the purposes of a provision mentioned in paragraphs (a) to (e), so far as the subject matter of that provision is reserved by those paragraphs.”
- (5) In the Interpretation provision, omit the definitions of “Digital service” and “Ordinary local election” and insert— “ Paragraph 5(1) of Part 3 of this Schedule does not apply to the subject-matter of the Political Parties, Elections and Referendums Act 2000; and references to the subject-matter of that Act are to be read as at the day on which the Scotland Act 2016 received Royal Assent. ”

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Commencement Information

II [S. 3](#) in force at 18.5.2017 by [S.I. 2017/608](#), [reg. 2\(1\)\(a\)](#)

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing S.I. 2017/455, reg. 3 by [S.I. 2019/1438 reg. 2](#)