

---

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order makes provision in consequence of the [Local Electoral Administration and Registration Services Act 2006 \(asp 14\)](#) (“the Act”). The Act creates an offence at section 15 (Offences relating to applications for postal and proxy votes) by inserting a new section 62B (Scottish local government elections: offences relating to applications for postal and proxy votes) into the Representation of the People Act 1983 (“the 1983 Act”).

Section 62B provides that a person committing certain specified offences when applying for postal and proxy votes will be guilty of a corrupt practice. Sections 160 and 173 of the 1983 Act set out the effects, for electoral purposes, of being found guilty of a corrupt practice.

Sections 160(5A) and 173A already make provision preventing a person found guilty of a corrupt practice from holding public office in Scotland.

Article 2 amends sections 160, 173 and 173A to include the section 62B offence with the result that that a person found guilty of a corrupt practice, committed at a Scottish local government election, will also be prevented from standing as a candidate or being elected at elections to the European, United Kingdom or Scottish Parliaments.

As a consequence of the changes made by article 2, article 3 repeals provisions in the Electoral Administration Act [2006 c. 22](#) which are no longer necessary.