



# Scottish Local Government (Elections) Act 2002

2002 asp 1

## *New electoral procedures*

### **6 Revision of procedures in the light of pilot schemes**

- (1) If it appears to the Scottish Ministers, in the light of any report made under section 5 above on a scheme under that section, that it would be desirable for provision similar to that made by the scheme to apply generally and on a permanent basis in relation to—
  - (a) local government elections in Scotland; or
  - (b) any particular description of such elections,they may by order make such provision for and in connection with that purpose as they consider appropriate (which may include provision modifying or disapplying any enactment).
- (2) An order under subsection (1) above—
  - (a) may, however, except from the operation of any of its provisions any local authority's area specified in the order; but
  - (b) subject to that, shall make the same provision—
    - (i) in relation to local government elections; or
    - (ii) if it applies only to a particular description of such elections, in relation to elections of that description, throughout Scotland.
- (3) An order under subsection (1) above shall be made by statutory instrument; and no such order shall be made unless a draft of the statutory instrument containing the order has been laid before, and approved by a resolution of, the Scottish Parliament.
- (4) When laying such a draft before the Parliament the Scottish Ministers shall also lay before the Parliament a copy of the report under section 5 above of each relevant local authority (within the meaning of that section) in whose area a scheme making provision similar to that made by the order has been implemented.
- (5) Rules made under section 42 of the 1983 Act (local elections in Scotland) may make such provision as the Scottish Ministers consider appropriate in connection with any provision made by an order under subsection (1) above.

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*Status: This is the original version (as it was originally enacted).*

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- (6) Nothing in this section shall be taken as prejudicing the generality of any power contained in any other Act to make subordinate legislation with respect to elections of any description.