



Local Governance (Scotland) Act 2004

2004 asp 9

PART 3

MISCELLANEOUS AND GENERAL

14 Election expenses etc.

- (1) The Political Parties, Elections and Referendums Act 2000 (c. 41) is amended as follows.
- (2) Sections 134(2) and 135(3) (which restrict, in relation to local government elections in Scotland, the effect of amendments to the meanings of “election expenses” and “candidate” in Part II of the 1983 Act) are repealed.
- (3) In section 138(2) (which restricts, in relation to local government elections in Scotland, the effect of other amendments to the 1983 Act), after “18” insert “ (other than paragraphs 8 and 15(a)) ”.
- (4) In section 158(3) (which restricts, in relation to local government elections in Scotland, the effect of repeals relating to the 1983 Act), after “II” insert “ (other than section 82(4)) ”.

Commencement Information

II [S. 14](#) in force at 20.1.2005 by [S.S.I. 2004/558](#), [art. 2](#)

15 Ancillary provision

The Scottish Ministers may by order make such incidental, supplemental, consequential, transitional, transitory or saving provision as they consider necessary or expedient for the purposes or in consequence of this Act.

16 Orders and regulations

- (1) Any power of the Scottish Ministers under this Act to make an order or regulations is exercisable by statutory instrument.

Changes to legislation: There are currently no known outstanding effects for the Local Governance (Scotland) Act 2004, Part 3. (See end of Document for details)

- (2) Any such power includes power to make—
- (a) such incidental, supplemental, consequential, transitional, transitory or saving provision as the Scottish Ministers think necessary or expedient,
 - (b) different provision for different purposes.
- (3) Orders under sections 3(1) [^{F1}, 3A] and 15 and regulations under section 11(1) may modify any enactment.
- (4) A statutory instrument containing an order (other than an order made under section 17(2)) or regulations made under this Act is, unless subsection (5) otherwise provides, subject to annulment in pursuance of a resolution of the Scottish Parliament.
- (5) No—
- (a) order under section 3(1) containing provisions of the type mentioned in section 3(2), or
 - [^{F2}(aa) order containing provisions made under section 3A,]
 - (b) order under section 3(1) or 15, or regulations under section 11(1), containing provisions which add to, replace or omit any part of the text of an Act,
- may be made unless a draft of the statutory instrument containing it has been laid before and approved by a resolution of the Parliament.

Textual Amendments

- F1** Word in s. 16(3) inserted (30.4.2010) by [Scottish Local Government \(Elections\) Act 2009 \(asp 10\), ss. 2\(2\)\(a\), 3\(3\); S.S.I. 2010/132, art. 2](#)
- F2** S. 16(5)(aa) inserted (30.4.2010) by [Scottish Local Government \(Elections\) Act 2009 \(asp 10\), ss. 2\(2\)\(b\), 3\(3\); S.S.I. 2010/132, art. 2](#)

17 Short title and commencement

- (1) This Act may be cited as the Local Governance (Scotland) Act 2004.
- (2) This Act (except this section and sections 15 and 16) comes into force on such day as the Scottish Ministers may by order appoint.

Changes to legislation:

There are currently no known outstanding effects for the Local Governance (Scotland) Act 2004, Part 3.