

LOCAL ELECTORAL ADMINISTRATION AND REGISTRATION SERVICES (SCOTLAND) ACT 2006

EXPLANATORY NOTES

THE ACT

Part 1: Electoral Administration

Miscellaneous

Section 28 Election campaign and proceedings: miscellaneous amendments

56. This section makes a minor amendment to section 81 of the 1983 Act dealing with the return as to election expenses by providing that any reference to the Electoral Commission is to be read as if it were a reference to the Scottish Ministers (subsection (1)). Subsection (1) is consequential on subsection (2) in that it makes a further modification of one of the amendments which is extended to Scottish local government elections by subsection (2).
57. The paragraphs in Schedules 18 and 22 to the Political Parties, Elections and Referendums Act 2000 which are now applied to local government elections in Scotland by virtue of subsections (2) and (3) update provisions in the 1983 Act or omit those that are out of date and no longer serve a useful purpose. The Schedule 18 and 22 provisions principally amend sections in Part V of the 2000 Act, dealing with control of campaign expenditure. Amendments are made to sections, 73 (payment of expenses through election agent), 74 (candidate's personal expenses), a new section 74A (expenses incurred otherwise than for election purposes) is inserted, 78 (time for sending in and paying claims), 81 (return as to election expenses), 82 (declarations as to election expenses), 89(1) (inspection of returns and declarations for purposes of section 88), and 90 (election expenses where agent not required). Sections 72 (campaign expenditure), parts of 79(3) (limits on campaign expenditure), parts of 81 (return as to election expenses), 82(4) (person before whom declaration as to election expenses may be made), 101 – 105 (dealing with referendums) and 108 (Designation of organisations to whom assistance is available) are deleted.