



Local Electoral Administration and Registration Services (Scotland) Act 2006

2006 asp 14

PART 1

LOCAL GOVERNMENT ELECTIONS

Election expenses

17 Meaning of election expenses for the purposes of the 1983 Act

- (1) The 1983 Act is amended as follows.
- (2) Sections 90A (meaning of election expenses) and 90B (incurring of election expenses for purposes of section 90A), so far as applying in relation to a local government election in Scotland, are repealed.
- (3) Before section 90C insert—

“90ZB Scottish local government elections: meaning of “election expenses”

- (1) This section applies in relation to a local government election in Scotland.
- (2) In this Part of this Act, “election expenses”, in relation to a candidate at such an election, means any expenses incurred at any time in respect of any matter specified in Part 1 of Schedule 4B which is used for the purposes of the candidate’s election.
- (3) For the purposes of subsection (2) above, it is immaterial whether any such matter is so used before or after the date when the candidate becomes a candidate at the election.
- (4) No election expenses are to be regarded as incurred by virtue of subsection (2) above or section 90C below in respect of any matter specified in Part 2 of Schedule 4B.

- (5) In this section and in section 90C below, “for the purposes of the candidate’s election” means with a view to, or otherwise in connection with, promoting or procuring the candidate’s election at the election.
 - (6) For the purposes of this Part of this Act so far as applying to a local government election in Scotland, election expenses are incurred by or on behalf of a candidate at the election if they are incurred—
 - (a) by the candidate or his election agent; or
 - (b) by any person authorised by the candidate or his election agent to incur expenses.
 - (7) In this Part of this Act so far as applying to a local government election in Scotland, any reference to election expenses incurred by or on behalf of a candidate at the election includes expenses—
 - (a) which are incurred as mentioned in subsection (2) above before the date when he becomes a candidate at the election; but
 - (b) which by virtue of that subsection and subsection (3) above fall to be regarded as election expenses.
 - (8) In this Part and in Part 3 of this Act so far as applying to a local government election in Scotland, any reference (in whatever terms) to promoting or procuring a candidate’s election at an election includes doing so by prejudicing the electoral prospects of another candidate at the election.”.
- (4) Before Schedule 5 insert the Schedule set out in schedule 1 to this Act.