

LOCAL ELECTORAL ADMINISTRATION ACT 2011

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 2 – Electoral Commission: local government elections etc.

12. Local government elections in Scotland are the only statutory governmental elections in the UK which currently fall outwith the remit of the Electoral Commission. Part 2 of the Act extends some of the statutory powers and responsibilities of the Electoral Commission so that these can be exercised in relation to elections to Scottish local authorities.
13. [Sections 10 to 15](#) contain provisions to enable the Electoral Commission to:
 - report on administration of ordinary local government elections (section 10);
 - include local government elections in Scotland within the Commission's Observers Scheme (section 11);
 - be consulted on changes to electoral law in relation to local government elections (section 12);
 - apply performance standards to returning officers for local government elections (section 13);
 - provide guidance and advice to electoral administrators, candidates and political parties (section 14); and
 - run public awareness and information campaigns in relation to the local government electoral system (section 15).
14. [Section 16](#) sets out the mechanisms for financing the Commission. It requires the Commission to be reimbursed by the Scottish Government for expenditure incurred by the Commission on carrying out their functions in relation to local government elections in Scotland, subject to a maximum specified by the Scottish Ministers by order.
15. [Section 17](#) sets out the reporting requirements of the Commission. Subsection (3) requires the Commission to prepare and lay before the Scottish Parliament a report on the performance of their functions in relation to local government elections in Scotland as soon as practicable after the end of each financial year. The report should also be published.
16. [Section 18](#) enables the Scottish Public Services Ombudsman to consider any complaint or request to investigate a matter arising as a result of the Electoral Commission's work in relation to local government elections in Scotland.