

*Changes to legislation:* There are currently no known outstanding effects for the Scotland Act 1998, Cross Heading: Local inquiries. (See end of Document for details)

## SCHEDULES

### [<sup>F1</sup>SCHEDULE 1

#### CONSTITUENCIES, REGIONS AND REGIONAL MEMBERS

##### Textual Amendments

- F1** Sch. 1 substituted (22.7.2004 with effect subject to transitional modifications set out in Sch. 2 of the amending Act until "the appropriate date", see s. 1(2)(3) of the amending Act) by [Scottish Parliament \(Constituencies\) Act 2004 \(c. 13\)](#), s. 1(1)-(4), **Sch. 1** (however, paras. 3-14 of Sch. 1 as so substituted or as so substituted and modified (as the case may be) have no effect until 30.6.2007, see s. 1(4))

##### *Local inquiries*

- 9 (1) [<sup>F2</sup>Boundaries Scotland] may if [<sup>F3</sup>it thinks] fit cause a local inquiry to be held in respect of any constituency or constituencies.
- (2) If [<sup>F4</sup>Boundaries Scotland] receive any relevant representations objecting to a proposed recommendation for the alteration of a constituency [<sup>F5</sup>it] must not make the recommendation unless since the publication of the notice under paragraph 7(2) a local inquiry has been held in respect of the constituency.
- (3) If a local inquiry was held in respect of the constituency before the publication of the notice under paragraph 7(2), sub-paragraph (2) above does not apply if [<sup>F6</sup>Boundaries Scotland] after considering—
- (a) the matters discussed at the inquiry,
  - (b) the nature of the relevant representations received, and
  - (c) any other relevant circumstances,
- think that a further local inquiry is not justified.
- (4) A relevant representation is a representation made in accordance with paragraph 7(2) (b)—
- (a) by the council for an area which is wholly or partly comprised in the constituency;
  - (b) by a body of not less than 100 persons entitled to vote as electors at an election for membership of the Parliament held in the constituency.

##### Textual Amendments

- F2** Words in Sch. 1 para. 9(1) substituted (S.) (14.5.2021) by [Scottish Elections \(Reform\) Act 2020 \(asp 12\)](#), s. 35, **sch. para. 3(2)(f)**; S.S.I. 2021/124, reg. 2, sch.
- F3** Words in Sch. 1 para. 9(1) substituted (S.) (14.5.2021) by [Scottish Elections \(Reform\) Act 2020 \(asp 12\)](#), s. 35, **sch. para. 3(3)(b)**; S.S.I. 2021/124, reg. 2, sch.
- F4** Words in Sch. 1 para. 9(2) substituted (S.) (14.5.2021) by [Scottish Elections \(Reform\) Act 2020 \(asp 12\)](#), s. 35, **sch. para. 3(2)(f)**; S.S.I. 2021/124, reg. 2, sch.

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- F5** Word in Sch. 1 para. 9(2) substituted (S.) (14.5.2021) by [Scottish Elections \(Reform\) Act 2020 \(asp 12\)](#), s. 35, [sch. para. 3\(4\)\(b\)](#); S.S.I. 2021/124, reg. 2, sch.
- F6** Words in Sch. 1 para. 9(3) substituted (S.) (14.5.2021) by [Scottish Elections \(Reform\) Act 2020 \(asp 12\)](#), s. 35, [sch. para. 3\(2\)\(f\)](#); S.S.I. 2021/124, reg. 2, sch.

- 10 (1) [<sup>F7</sup>Boundaries Scotland] may if [<sup>F8</sup>it thinks] fit cause a local inquiry to be held in respect of any region or regions.
- (2) If [<sup>F9</sup>Boundaries Scotland] receive any relevant representations objecting to a proposed recommendation for the alteration of a region [<sup>F10</sup>it] must not make the recommendation unless since the publication of the notice under paragraph 7(2) a local inquiry has been held in respect of the region.
- (3) If a local inquiry was held in respect of the region before the publication of the notice under paragraph 7(2), sub-paragraph (2) above does not apply if [<sup>F11</sup>Boundaries Scotland] after considering—
- (a) the matters discussed at the inquiry,
  - (b) the nature of the relevant representations received, and
  - (c) any other relevant circumstances,
- think that a further local inquiry is not justified.
- (4) A relevant representation is a representation made in accordance with paragraph 7(2) (b)—
- (a) by the council for an area which is wholly or partly included in the region;
  - (b) by a body of not less than 500 persons entitled to vote as electors at an election for membership of the Parliament held in any one or more of the constituencies included in the region.

#### **Textual Amendments**

- F7** Words in Sch. 1 para. 10(1) substituted (S.) (14.5.2021) by [Scottish Elections \(Reform\) Act 2020 \(asp 12\)](#), s. 35, [sch. para. 3\(2\)\(g\)](#); S.S.I. 2021/124, reg. 2, sch.
- F8** Words in Sch. 1 para. 10(1) substituted (S.) (14.5.2021) by [Scottish Elections \(Reform\) Act 2020 \(asp 12\)](#), s. 35, [sch. para. 3\(3\)\(c\)](#); S.S.I. 2021/124, reg. 2, sch.
- F9** Words in Sch. 1 para. 10(2) substituted (S.) (14.5.2021) by [Scottish Elections \(Reform\) Act 2020 \(asp 12\)](#), s. 35, [sch. para. 3\(2\)\(g\)](#); S.S.I. 2021/124, reg. 2, sch.
- F10** Word in Sch. 1 para. 10(2) substituted (S.) (14.5.2021) by [Scottish Elections \(Reform\) Act 2020 \(asp 12\)](#), s. 35, [sch. para. 3\(4\)\(c\)](#); S.S.I. 2021/124, reg. 2, sch.
- F11** Words in Sch. 1 para. 10(3) substituted (S.) (14.5.2021) by [Scottish Elections \(Reform\) Act 2020 \(asp 12\)](#), s. 35, [sch. para. 3\(2\)\(g\)](#); S.S.I. 2021/124, reg. 2, sch.

- 11 Section 210(4) and (5) of the Local Government (Scotland) Act 1973 (c. 69) (attendance of witnesses at inquiries) applies in relation to a local inquiry held under paragraph 9 or 10.]

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