

## SCHEDULES

### SCHEDULE 1

Section 1.

#### CONSTITUENCIES, REGIONS AND REGIONAL MEMBERS

##### *General*

- 1 The constituencies for the purposes of this Act are—
- (a) the Orkney Islands,
  - (b) the Shetland Islands, and
  - (c) the parliamentary constituencies in Scotland, except a parliamentary constituency including either of those islands.
- 2 (1) There shall be eight regions for the purposes of this Act.
- (2) Those regions shall be the eight European Parliamentary constituencies which were provided for by the European Parliamentary Constituencies (Scotland) Order 1996.
- (3) Seven regional members shall be returned for each region.
- (4) Sub-paragraphs (2) and (3) are subject to any Order in Council under the Parliamentary Constituencies Act 1986 (referred to in this Schedule as the 1986 Act), as that Act is extended by this Schedule.

##### *Reports of Boundary Commission*

- 3 (1) This paragraph applies where the Boundary Commission for Scotland (referred to in this Schedule as the Commission) submit a report to the Secretary of State under section 3(1) or (3) of the 1986 Act recommending any alteration in any parliamentary constituencies.
- (2) In the report the Commission shall recommend any alteration—
- (a) in any of the regions, or
  - (b) in the number of regional members to be returned for any of the regions,
- which, in their opinion, is required to be made in order to give effect to the rules in paragraph 7.
- (3) If in the case of a report under section 3(1) or (3) of that Act the Commission do not make any recommendation within sub-paragraph (2), they shall in the report state that, in their opinion, no such alteration is required.
- (4) A report making a recommendation for an alteration in any region shall state—
- (a) the name by which the Commission recommend that the region should be known, and
  - (b) the number of regional members to be returned for the region.
- (5) The Commission shall lay any report recommending any alteration in parliamentary constituencies before the Parliament.

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*Status: This is the original version (as it was originally enacted).*

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- 4 (1) An Order in Council under section 4 of the 1986 Act which has the effect of making any alteration in any constituency of the Parliament, or makes any alteration within paragraph 3(2), may come into force for the purposes of any election for membership of the Parliament on a different day from the day on which it comes into force for the purposes of any parliamentary election; and paragraph 1(c) shall be read accordingly.
- (2) The coming into force of such an Order, so far as it has the effect of making any alteration in any constituency of the Parliament or makes any alteration within paragraph 3(2), shall not affect the return of any member of the Parliament, or its constitution, until the Parliament is dissolved.

#### *Notices*

- 5 (1) Where the Commission have provisionally determined to make recommendations affecting any region, they shall publish in at least one newspaper circulating in the region a notice stating—
- (a) the effect of the proposed recommendations and (except in a case where they propose to recommend that no alteration within paragraph 3(2) be made) that a copy of the recommendations is open to inspection at a specified place or places within the region, and
  - (b) that representations with respect to the proposed recommendations may be made to the Commission within one month after the publication of the notice;
- and the Commission shall take into consideration any representations duly made in accordance with any such notice.
- (2) Where the Commission revise any proposed recommendations after publishing notice of them under sub-paragraph (1), the Commission shall comply again with that sub-paragraph in relation to the revised recommendations, as if no earlier notice had been published.

#### *Local inquiries*

- 6 (1) The Commission may, if they think fit, cause a local inquiry to be held in respect of any region.
- (2) If, on the publication of a notice under paragraph 5(1) of a recommendation for any alteration within paragraph 3(2), the Commission receive any representation objecting to the proposed recommendation—
- (a) from an interested authority, or
  - (b) from a body of electors numbering 500 or more,
- the Commission shall not make the recommendation unless a local inquiry has been held in respect of the region since the publication of the notice.
- (3) If a local inquiry was held in respect of the region before the publication of the notice under paragraph 5(1), sub-paragraph (2) shall not apply if the Commission, after considering the matters discussed at the local inquiry, the nature of the representations received on the publication of the notice and any other relevant circumstances, are of the opinion that a further local inquiry would not be justified.
- (4) In this paragraph, in relation to any recommendation—
- “interested authority” means the council for an area which is wholly or partly included in the region affected by the recommendation, and

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“elector” means an elector for the purposes of an election for membership of the Parliament in any constituency included in the region.

- (5) Sections 210(4) and (5) of the Local Government (Scotland) Act 1973 (attendance of witnesses at inquiries) shall apply in relation to any local inquiry held under this paragraph.

*The rules*

- 7 (1) The rules referred to in paragraph 3 are:
- 1 A constituency shall fall wholly within a region.
- 2 The regional electorate of any region shall be as near the regional electorate of each of the other regions as is reasonably practicable having regard, where appropriate, to special geographical considerations.
- 3 So far as reasonably practicable, the ratio which the number of regional member seats bears to the number of constituency member seats shall be 56 to 73.
- 4 The number of regional member seats for a region shall be—
- (a) one eighth of the total number of regional member seats, or
  - (b) (if that total number is not exactly divisible by eight) either one eighth of the highest number which is less than that total number and exactly divisible by eight or the number produced by adding one to one eighth of that highest number (as provided by sub-paragraphs (2) to (4)).
- (2) If the total number of regional member seats is not exactly divisible by eight, the Commission shall calculate the difference between—
- (a) the total number of regional member seats, and
  - (b) the highest number which is less than that total number and exactly divisible by eight,
- and that is the number of residual seats to be allocated by the Commission.
- (3) The Commission shall not allocate more than one residual seat for a region.
- (4) The Commission shall divide the regional electorate for each region by the aggregate of—
- (a) the number of constituencies in the region, and
  - (b) one eighth of the highest number which is less than the total number of regional member seats and exactly divisible by eight,
- and, in allocating the residual seat or seats for a region or regions, shall have regard to the desirability of allocating the residual seat or seats to the region or regions for which that calculation produces the highest number or numbers.
- 8 (1) For the purposes of any report of the Commission in relation to a region, the regional electorate is the number of persons—
- (a) whose names appear on the enumeration date on the registers of local government electors, and
  - (b) who are registered at addresses within a constituency included in the region.
- (2) In sub-paragraph (1), “the enumeration date” means the date on which the notice about the report is published in accordance with section 5(1) of the 1986 Act.