
STATUTORY INSTRUMENTS

2016 No. 551 (C. 35)

REPRESENTATION OF THE PEOPLE

**The Electoral Administration Act 2006 (Commencement
No. 10 and Transitional Provision) Order 2016**

Made - - - - *28th April 2016*

The Chancellor of the Duchy of Lancaster makes the following Order in exercise of the powers conferred by section 77(2), (3) and (4) of the Electoral Administration Act 2006⁽¹⁾.

In accordance with section 59(4) of, and paragraph 102 of Schedule 1 to, that Act he has been informed by the Electoral Commission that they are satisfied that they will receive the information mentioned in paragraph 15A(2) of Schedule 7, and paragraph 16(3) of Schedule 7A, to the Political Parties, Elections and Referendums Act 2000⁽²⁾ in relation to a member of the Scottish Parliament⁽³⁾.

Citation and interpretation

1.—(1) This Order may be cited as the Electoral Administration Act 2006 (Commencement No. 10 and Transitional Provision) Order 2016.

(2) In this Order—

“the 2000 Act” means the Political Parties, Elections and Referendums Act 2000;

“the 2006 Act” means the Electoral Administration Act 2006;

“controlled transaction” is to be construed in accordance with paragraph 2 of Schedule 7A to the 2000 Act; and

“donation” is to have the meaning given in paragraph 1(5) of Schedule 7 to the 2000 Act.

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- (1) **2006 c. 22.** The powers under section 77 are conferred on “the Secretary of State” whose functions, by virtue of the Chancellor of the Duchy of Lancaster Order 2015 (*S.I. 2015/1376*), article 3 and Schedule 1, and paragraph 12 of Schedule 2, are exercisable concurrently with the Chancellor of the Duchy of Lancaster. See section 74A of the Electoral Administration Act 2006.
- (2) **2000 c. 41.** Paragraph 15A is inserted into Schedule 7 to the 2000 Act by section 59(3) of the 2006 Act. Paragraph 16(3) of Schedule 7A is inserted into the 2000 Act by paragraph 99 of Schedule 1 to the 2006 Act.
- (3) Paragraph 15A of Schedule 7 and paragraph 16 of Schedule 7A to the 2000 Act apply to the holders of a relevant elective office. Paragraph 1(8)(c) of Schedule 7 provides that the office of “member of the Scottish Parliament” is a relevant elective office. That definition is applied for the purposes of Schedule 7A by paragraph 1(7)(c) of that Schedule. Paragraph 1(8) of Schedule 7A excludes a member of the Scottish Parliament who is not also a member of a registered party from the application of that Schedule.

Appointed day

2. The following provisions of the 2006 Act come into force on 4th May 2016 so far as they relate to a member of the Scottish Parliament—

- (a) section 59(1), (2) and (3) (reporting donations to holders of certain elective offices)⁽⁴⁾;
- (b) paragraph 99 of Schedule 1 so far as it provides for the insertion of paragraph 16 of Schedule 7A (register of recordable transactions) to the 2000 Act.

Transitional provision

3. The provisions brought into force by article 2 have no effect in relation to any donation received or controlled transaction entered into before 24th March 2016.

28th April 2016

John Penrose
Minister for Constitutional Reform
Cabinet Office

(4) Section 59 was amended by section 15 of the Interests of Members of the Scottish Parliament (Amendment) Act 2016 (asp 4).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force those provisions of the Electoral Administration Act 2006 set out in article 2 on 4th May 2016. The commencement of those provisions applies only to members or membership of the Scottish Parliament.

Those provisions remove the requirement for members of the Scottish Parliament to deliver a report to the Electoral Commission in respect of a donation under paragraph 10 of Schedule 7 to the Political Parties, Elections and Referendums Act 2000 (c. 41), or a controlled transaction under paragraph 9 of Schedule 7A to that Act. These reporting requirements continue to apply to any such donation or controlled transaction received or entered into before 24th March 2016.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Electoral Administration Act 2006 have been brought into force by a commencement order made before the date of this Order.

| <i>Provision</i> | <i>Date of Commencement</i> | <i>S.I. No.</i> |
|------------------------|---|--|
| Section 9 | 11.09.2006 | 2006/1972 |
| Section 10 | 01.01.2007 | 2006/3412 |
| Section 11 | 01.01.2007 | 2006/3412 |
| Section 12 | 01.01.2007 (for England, Wales and Scotland) and 14.05.2008 (for Northern Ireland) | 2006/3412 and 2008/1316 |
| Section 13 (partially) | 01.01.2007 (for England, Wales and Scotland) 30.11.2007 | 2006/3412 2007/3376 and |
| Section 13 (partially) | and 14.05.2008 (for Northern Ireland) | 2008/1316 |
| Section 14 | 01.01.2007 | 2006/3412 |
| Section 15 | 11.09.2006 | 2006/1972 |
| Section 16 | 01.01.2007 (for England, Wales and Scotland) and 01.07.2008 (for Northern Ireland) | 2006/3412 and 2008/1316 |
| Section 17 | 01.01.2007 (for England, Wales and Scotland) and 07.02.2007 (for Northern Ireland) | 2006/3412 and 2007/230 |

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| <i>Provision</i> | <i>Date of Commencement</i> | <i>S.I. No.</i> |
|------------------|---|---|
| Section 18 | 01.01.2007 (for England, Wales and Scotland) and 01.07.2008 (for Northern Ireland) | 2006/3412 and 2008/1316 |
| Section 19 | 01.01.2007 (for England, Wales and Scotland) and 01.07.2008 (for Northern Ireland) | 2006/3412 and 2008/1316 |
| Section 20 | 01.01.2007 (for England, Wales and Scotland) and 01.07.2008 (for Northern Ireland) | 2006/3412 and 2008/1316 |
| Section 21 | 01.01.2007 (for England, Wales and Scotland) and 01.07.2008 (for Northern Ireland) | 2006/3412 and 2008/1316 |
| Section 22 | 01.01.2007 (for England, Wales and Scotland) and 01.07.2008 (for Northern Ireland) | 2006/3412 and 2008/1316 |
| Section 23 | 11.09.2006 (partially) 01.01.2007 (remaining parts for England, Wales and Scotland) and 01.07.2008 (remaining parts for Northern Ireland) | 2006/1972 2006/3412 and 2008/1316 |
| Section 24 | 01.01.2007 (for England, Wales and Scotland) and 01.07.2008 (for Northern Ireland) | 2006/3412 and 2008/1316 |
| Section 25 | 11.09.2006 | 2006/1972 |
| Section 26 | 01.01.2007 (for England, Wales and Scotland) and 01.07.2008 (for Northern Ireland) | 2006/3412 and 2008/1316 |
| Section 27 | 11.09.2006 | 2006/1972 |
| Section 28 | 01.01.2007 (for England, Wales and Scotland) and 01.07.2008 (for Northern Ireland) | 2006/3412 and 2008/1316 |
| Section 29 | 31.01.2007 (for England, Wales and Scotland) and 01.07.2008 (for Northern Ireland) | 2006/3412 and 2008/1316 |
| Section 30 | 01.01.2007 (for England, Wales and Scotland) and 01.07.2008 (for Northern Ireland) | 2006/3412 and 2008/1316 |

| <i>Provision</i> | <i>Date of Commencement</i> | <i>S.I. No.</i> |
|------------------------|--|--|
| Section 31 (partially) | 01.01.2007 (for England, Wales and Scotland) 14.05.2008 (for Northern Ireland) and 01.07.2008 (for Northern Ireland) | 2006/3412 2008/1316 |
| Section 32 | 01.01.2007 | 2006/3412 |
| Section 33 | 01.01.2007 | 2006/3412 |
| Section 34 | 01.01.2007 | 2006/3412 |
| Section 35 | 01.01.2007 | 2006/3412 |
| Section 36 | 01.01.2007 (for England, Wales and Scotland) and 01.07.2008 (for Northern Ireland) | 2006/3412 and 2008/1316 |
| Section 37 | 01.01.2007 (for England, Wales and Scotland) and 14.05.2008 (for Northern Ireland) | 2006/3412 and 2008/1316 |
| Section 38 (partially) | 01.01.2007 (for England, Wales and Scotland) 01.07.2008 (for Northern Ireland) and 01.07.2008 | 2006/3412 2008/1316 |
| Section 39 | 11.09.2006 | 2006/1972 |
| Section 40 | 11.09.2006 | 2006/1972 |
| Section 41 (partially) | 01.01.2007 (for England, Wales and Scotland) 14.05.2008 (for Northern Ireland) and 01.07.2008 | 2006/3412 and 2008/1316 |
| Section 42 (partially) | 01.01.2007 and 01.01.2008 (for England and Wales) and 14.05.2008 (for Northern Ireland) | 2006/3412, 2007/3376 and 2008/1316 |
| Section 43 (partially) | 01.01.2007 and 01.01.2008 (for England and Wales) and 01.07.2008 (for Northern Ireland) | 2006/3412, 2007/3376 and 2008/1316 |
| Section 44 (partially) | 01.01.2007 and 01.01.2008 (for England and Wales) and 01.07.2008 (for Northern Ireland) | 2006/3412, 2007/3376 and 2008/1316 |

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| <i>Provision</i> | <i>Date of Commencement</i> | <i>S.I. No.</i> |
|-------------------------|---|--|
| Section 45 | 01.01.2007 (for England, Wales and Scotland) and 01.07.2008 (for Northern Ireland) | 2006/3412 and 2008/1316 |
| Section 46 | 01.01.2007 (for England, Wales and Scotland) and 01.07.2008 (for Northern Ireland) | 2006/3412 and 2008/1316 |
| Section 47 (partially) | 11.09.2006, 01.01.2007 14.05.2008 and 01.07.2007 (for Northern Ireland) and 01.07.2008 | 2006/1972, 2006/3412 and 2008/1316 |
| Section 48 | 11.09.2006 | 2006/1972 |
| Section 49 | 01.01.2007 | 2006/3412 |
| Section 50 | 11.09.2006 | 2006/1972 |
| Section 51 | 11.09.2006 | 2006/1972 |
| Section 52 (partially) | 11.09.2006, 01.01.2007 and 07.02.07 and 01.07.2008 (for Northern Ireland) | 2006/1972, 2006/3412, 2007/230 and 2008/1316 |
| Section 53 | 11.09.2006 | 2006/1972 |
| Section 54 | 11.09.2006 | 2006/1972 |
| Section 55 | 11.09.2006 | 2006/1972 |
| Section 56 | 11.09.2006 | 2006/1972 |
| Section 57 | 11.09.2006 | 2006/1972 |
| Section 58 | 30.06.2007 | 2007/1847 |
| Section 59 (partially) | 01.07.2009 (for members of the House of Commons) and 27.04.2016 | 2009/1509 2016/538 |
| Section 60 | 11.09.2006 | 2006/1972 |
| Section 61 (partially), | 11.09.2006 and 01.01.2007 (for England, Wales and Scotland) and 01.07.2008 and 15.09.2014 (for Northern Ireland) | 2006/1972, amended by 2006/2268 and 2006/3412 2008/1656 and 2014/1809 |
| Section 62 | 11.09.2006 (for England, Wales and Scotland) | 2006/1972, |

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|--|---|---|
| | and 01.07.2008 (for Northern Ireland) | amended by 2006/2268 2008/1656 |
| Section 63 (Northern Ireland) | 10.03.2008 | 2008/610 |
| Section 64 | 11.09.2006 | 2006/1972 |
| Section 65 | 11.09.2006 | 2006/1972 |
| Section 66 | 01.01.2007 (for England, Wales and Scotland) and 01.07.2008 (for Northern Ireland) | 2006/3412 2008/1316 |
| Section 67 | 11.09.2006 | 2006/1972 |
| Section 68 | 01.01.2007 (for England and Wales) 10.02.2010 (for Scotland) and 01.07.2008 (for Northern Ireland) | 2006/3412 2010/275 2008/1316 |
| Section 69 (England, Wales and Scotland) | 01.01.2007 | 2006/3412 |
| Section 70 | 01.01.2007 | 2006/3412 |
| Section 71 | 01.01.2007 | 2006/3412 |
| Section 72 | 01.01.2007 | 2006/3412 |
| Section 73 (partially) | 01.01.2007 (for England, Wales and Scotland) 01.07.2008 (for Northern Ireland) and 01.07.2008 | 2006/3412 and 2008/1316 |
| Section 74 (partially) | 11.09.2006 and 01.01.2007 (for England, Wales and Scotland) 01.07.2008 (for Northern Ireland) and 01.07.2008 | 2006/1972 and 2006/3412 2008/1656 2008/1316 |
| Schedule 1 (partially) | 11.09.2006, 01.01.2007 and 07.02.2007 14.05.2008 and 01.07.2008 (for Northern Ireland) 01.07.2008 01.07.2009 (for members of the House of Commons) | 2006/1972 . as amended by 2006/2268 , 2006/3412 and 2007/230 2008/1316 2009/1509 |

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| <i>Provision</i> | <i>Date of Commencement</i> | <i>S.I. No.</i> |
|------------------------|--|--|
| Schedule 2 (partially) | 11.09.2006, 01.01.2007 and 07.02.2007 01.07.2008 (for Northern Ireland) and 01.07.2008 | 2006/1972, 2006/3412 and 2007/230 2008/1316 |