



The Scottish Parliament
Pàrlamaid na h-Alba

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13th Report 2020 (Session 5)

**Standards, Procedures and Public Appointments
Committee**
**Comataidh Inbhean, Dòighean-obrach is Cur-an-dreuchd
Poblach**

**The Scottish Parliament (Elections etc.)
Miscellaneous Amendments) Order
2020 [draft]**



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Standards, Procedures and Public Appointments Committee

The remit of the Standards, Procedures and Public Appointments Committee is to consider and report on—

- (a) the practice and procedures of the Parliament in relation to its business;
- (ab) a proposal for a Bill relating to the arrangements for financial assistance to non-Government political parties represented in the Parliament;
- (b) whether a member's conduct is in accordance with these Rules and any Code of Conduct for members, matters relating to members interests, and any other matters relating to the conduct of members in carrying out their Parliamentary duties;
- (c) the adoption, amendment and application of any Code of Conduct for members; and
- (d) matters relating to public appointments in Scotland;
- (e) matters relating to the regulation of lobbying; and
- (f) matters relating to Scottish general elections falling within the responsibility of the Cabinet Secretary for Government Business and Constitutional Relations.



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Committee Membership



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Patrick Harvie
Scottish Green Party



Neil Findlay
Scottish Labour



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Scottish Conservative
and Unionist Party



Gil Paterson
Scottish National Party



John Scott
Scottish Conservative
and Unionist Party



Maureen Watt
Scottish National Party

The Scottish Parliament (Elections etc.) Miscellaneous Amendments) Order 2020 [draft]

1. The Scottish Parliament (Elections etc.) Miscellaneous Amendments) Order 2020 [draft] was laid before the Scottish Parliament on 21 October 2020 and referred to the Standards, Procedures and Public Appointments Committee (SPPA Committee).
2. The purpose of the Order is to amend the Scottish Parliament (Elections etc.) Order 2015 (the 2015 Order) which provides the rules that govern the conduct of elections of members of the Scottish Parliament. It also makes changes to the Political Parties, Elections and Referendums Act 2000 in relation to certain exemptions from qualifying expenses at Scottish Parliament elections.
3. Since the 2015 Order was made, the Scotland Act 2016 has transferred powers from the Secretary of State for Scotland to the Scottish Ministers to make provision about electoral registration and the conduct of elections for, and return of members to, the Scottish Parliament.
4. This Order makes a number of policy and technical changes to the provisions for running elections to the Scottish Parliament, including in the following areas:
 - Exclusion of certain items from expenditure limits;
 - Increase of candidates' expenditure limits if a poll is postponed;
 - Advertising that candidates' expenditure returns are available for inspection;
 - Legibility of imprints on printed campaign materials;
 - Procedures to be followed if a poll is postponed by the Presiding Officer;
 - Address to be used by some prisoners for dispatch of poll cards and when applying for an absent vote;
 - Minimum number of counting agents which can be appointed;
 - Emergency proxies;
 - Standardisation of the deadlines for replacement of spoilt or lost postal ballot papers; and
 - Printing instructions for party names on the regional ballot paper.

Delegated Powers and Law Reform Committee Consideration

5. At its meeting on [3 November 2020](#), the DPLRC considered this instrument and had no comments to make.

SPPA Committee Consideration

6. Motion S5M-23119 was lodged by Graeme Dey, Minister for Parliamentary Business and Veterans, and supported by Michael Russell, Cabinet Secretary for Government Business and Constitutional Relations and Jenny Gilruth, Minister for Europe and International Development.
7. At the SPPA Committee's meeting on 26 November 2020, it took evidence on the Scottish Parliament (Elections etc.) Miscellaneous Amendments) Order 2020 [draft] from—

Graeme Dey, Minister for Parliamentary Business and Veterans;

Roddy Angus, Elections Policy Advisor, Iain Hockenhull, Bill Team Leader, and Ewan McCaig, Solicitor, Legal Directorate, Scottish Government.
8. Following the evidence session, Graeme Dey moved Motion S5M-23119 that the Standards, Procedures and Public Appointments Committee recommends that the Scottish Parliament (Constituencies and Regions) Order 2020 [draft] be approved.
9. The motion was agreed to without division.
10. The evidence taken and the debate can be found in the Official Report for the SPPA Committee meeting of 26 November 2020.

The Standards, Procedures and Public Appointments Committee recommends that The Scottish Parliament (Elections etc.) Miscellaneous Amendments) Order 2020 [draft] be approved.

Annex: Extract from minutes

22nd Meeting 2020 (Session 5), Thursday 26 November 2020

Subordinate legislation: The Committee took evidence on the Scottish Parliament (Elections etc.) Miscellaneous Amendments) Order 2020 [draft] from—

Graeme Dey, Minister for Parliamentary Business and Veterans;

Roddy Angus, Elections Policy Advisor, Iain Hockenhull, Bill Team Leader, and Ewan McCaig, Solicitor, Legal Directorate, Scottish Government.

Subordinate legislation: Graeme Dey moved—S5M- S5M-23119—That the Standards, Procedures and Public Appointments Committee recommends that the Scottish Parliament (Elections etc.) Miscellaneous Amendments) Order 2020 [draft] be approved.

The motion was agreed to.

