Proportional Representation (Local Government Elections) (Scotland) Bill

[AS INTRODUCED]

An Act of the Scottish Parliament to introduce proportional representation by means of the single transferable vote for local government elections.

1 Electoral reform

(1) In section 42 of the Representation of the People Act 1983 (c.2) (conduct of local government elections in Scotland)—

(a) before subsection (1) there is inserted—

“(A1) The system of election of councillors for local government areas in Scotland shall be a single transferable vote system under which—

(a) a vote is capable of being given so as to indicate the voter’s order of preference for the candidates; and

(b) a vote is capable of being transferred to the next choice—

(i) when the vote is not required to give a prior choice the necessary quota of votes, or

(ii) when, owing to the deficiency in the number of votes given for a prior choice, that choice is eliminated from the list of candidates.”;

(b) in subsection (1), there is inserted at the beginning “Subject to subsection (A1) above,”.

(2) In section 5(5) of the Local Government etc. (Scotland) Act 1994 (c.39) (elections and term of office of councillors), for the words “one councillor” there is substituted “a maximum of eight councillors”.

2 Power to specify new electoral arrangements

(1) For the purposes of any ordinary local government elections held before the coming into force of the first section 17 order made after this section comes into force, each local government area shall be divided into such new electoral wards, each to be represented by such number of councillors, as the Scottish Ministers may, by order made by statutory instrument, specify.
(2) For the purposes of subsection (1), “section 17 order” means an order under section 17 (Commission’s reports and their implementation) of the Local Government (Scotland) Act 1973 (c.65) (“the 1973 Act”) to give effect to proposals made by the Local Government Boundary Commission for Scotland, where those proposals include such proposals as are authorised by section 13(d) (proposals for change of electoral arrangements) of that Act.

(3) A statutory instrument containing an order under subsection (1) shall not be made unless—

(a) the Scottish Ministers have (whether before or after this section comes into force) consulted such persons or bodies as they consider appropriate on a draft of the instrument; and

(b) the draft (whether or not amended in consequence of that consultation) has been laid before, and approved by resolution of, the Scottish Parliament.

3 Amendment of rules to be observed in considering electoral arrangements

In paragraph 1(2) of Schedule 6 to the 1973 Act, after “local government electors” there is inserted “in each electoral ward, when divided by the number of councillors representing that ward”.

4 Power to make further provision about electoral arrangements

(1) The Scottish Ministers may, by order made by statutory instrument, make such incidental, consequential, transitional or supplementary provision as they consider necessary or expedient in connection with this Act.

(2) A statutory instrument containing an order under subsection (1)—

(a) if it contains provisions to amend or repeal any enactment, shall not be made unless it has been laid in draft before, and approved by resolution of, the Scottish Parliament;

(b) in any other case, shall be subject to annulment in pursuance of a resolution of the Scottish Parliament.

5 Short title and commencement

(1) This Act may be cited as the Proportional Representation (Local Government Elections) (Scotland) Act 2002.

(2) This Act (other than this section) shall come into force on such day as the Scottish Ministers may, by order made by statutory instrument, appoint.
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Introduced by: Tricia Marwick
On: 26 June 2002
Bill type: Member's Bill