

PARLIAMENTARY BUREAU

LEGISLATIVE CONSENT MEMORANDUM - ELECTIONS BILL (UK LEGISLATION)

Introduction

1. Under Rule 9B.3.5, the Parliamentary Bureau is required to refer any legislative consent memorandum (LCM) that has been lodged with the Parliament to the committee within whose remit the subject matter of the relevant provision falls.

Elections Bill

2. The Elections Bill was introduced in the House of Commons on 5 July 2021. An LCM was lodged by John Swinney MSP, Deputy First Minister and Cabinet Secretary for Covid Recovery on 21 September 2021.

3. The Bill modifies electoral law across a range of subjects, with some changes limited to reserved elections and others applying to both reserved and devolved elections.

4. The LCM indicates that the Scottish Government does not intend to lodge a motion seeking the Scottish Parliament's consent to the UK Parliament legislating on devolved matters in this Bill. The LCM states that it would be preferable to consider adoption of some of the Bill's measures further in separate Scottish legislation, informed by experience in relation to implementation of the Bill in UK reserved elections and after consultation with electoral stakeholders and others.

Designation of lead committee

5. The Bill is concerned with the administration and conduct of elections. The remit of the Standards, Procedures and Public Appointments Committee includes to consider and report on matters relating to "*local government elections*" and "*Scottish general elections*". The remit of the Standards, Procedures and Public Appointments Committee is therefore engaged.

6. No other committee remit appears to be engaged.

7. The LCM will also be considered by the Delegated Powers and Law Reform Committee in regard to provisions in the Bill conferring powers on the Scottish Ministers to make subordinate legislation.

Recommendation

8. The Bureau is invited to agree to refer, under Rule 9B.3.5, the LCM on the Elections Bill to the Standards, Procedures and Public Appointments Committee to consider and report on it.

Parliamentary Business Team
24 September 2021