

Parliamentary Bureau – Designation of a Bill at Stage 1

Scottish Local Government Elections (Candidacy Rights of Commonwealth Citizens) Bill

Introduction

1. The Scottish Local Government Elections (Candidacy Rights of Commonwealth Citizens) Bill was introduced in the Parliament on 9 September 2026 by the Deputy First Minister and Cabinet Secretary for Finance and Local Government, Jenny Gilruth MSP, and is supported by the Minister for Parliamentary Business and Veterans, Jamie Hepburn MSP.

Discussion

2. The Bill makes a change to the Local Government (Scotland) Act 1973. The 1973 Act sets out the requirements for who is eligible to stand for election, be elected and hold office as a local-government councillor in Scotland. The Bill proposes that Commonwealth citizens with any type of leave to remain in the UK would be allowed to stand for election. Without this change, Commonwealth citizens would only be able to stand as candidates at local government elections if they had indefinite leave to remain. In introducing the Bill for the Scottish Elections (Representation and Reform) Act 2025, the Scottish Government intended to give all foreign nationals with leave to remain the right to stand for election to local governments. However, an oversight in the drafting meant that Commonwealth citizens were not covered by the relevant parts of that Act. This Bill is intended to remedy that error.
3. The Bill falls within the remit of the following committees—

Standards, Procedures and Public Appointments Committee

The remit of the Standards, Procedures and Public Appointments Committee includes to consider and report on matters falling within the responsibility of the Minister for Parliamentary Business and Veterans. The Minister's remit includes local government elections. This Bill is concerned with candidacy rights for local government elections, and the Minister is a formal supporter of the Bill and has been designated as the additional Member in Charge for the Bill. The remit of the Standards, Procedures and Public Appointments Committee is therefore engaged.

Social Justice, Housing and Local Government Committee

The remit of the Social Justice, Housing and Local Government Committee includes to consider and report on matters relating to local government within the responsibility of the Cabinet Secretary for Finance and Local Government. The Cabinet Secretary's remit includes local government, local governance, and local government funding. The Bill relates to who can be elected to a local government and serve as a member of such. The remit of the Social Justice, Housing and Local Government Committee is therefore engaged.

4. It is understood that the Standards, Procedures and Public Appointments Committee has the main interest in the Bill. Lack of formal designation does not, of course, prevent any other committee from considering the Bill if it subsequently decides to do so.

Recommendation

5. The Bureau is invited to consider recommending to the Parliament by motion that it agrees, under Rule 9.6.1, that the Standards, Procedures and Public Appointments Committee be designated as lead committee.
6. A draft motion can be found below.

Draft Parliamentary Bureau motion on the Scottish Local Government Elections (Candidacy Rights of Commonwealth Citizens) Bill:

Designation of Lead Committee – That the Parliament agrees that the Standards, Procedures and Public Appointments Committee be designated as the lead committee in consideration of the Scottish Local Government Elections (Candidacy Rights of Commonwealth Citizens) Bill at Stage 1.

Parliamentary Business Team
September 2026