

Scottish Government submission of 22 November 2022

PE1987/A: Amend the Scotland Act 2016 to automatically trigger a by-election if an MSP/Councillor leaves their party

The Government notes the petitioner's *calling on the Scottish Parliament to urge the Scottish Government to amend the Scotland Act 2016 to automatically trigger a by-election by compelling an MSP or Councillor to resign if they leave the party they were elected under.*

The Government has consistently held the view that the Parliament is responsible for all matters relevant to its internal operation, including the terms of its membership.

Turning to the position of councillors, the current regulations do not prevent a councillor remaining in post following their resignation from the political party they were representing when elected. However, the Government have no current plans to change the electoral system in this respect.