



The Scottish Parliament
Pàrlamaid na h-Alba

Delegated Powers and Law Reform Committee

Shona Robison MSP, Cabinet Secretary for Finance and Local Government

25 June 2025

Dear Shona,

Absent Voting (Elections in Scotland and Wales) Bill Legislative Consent Memorandum (“LCM”)

The Committee considered the above LCM at its meeting on 24 June 2025 and agreed to write to you, copying in the Minister for Parliamentary Business, the lead committee (the Standards, Procedures and Public Appointments Committee), the Bill’s Sponsor, Tracey Gilbert MP, and the House of Lords Delegated Powers and Regulatory Reform (DPRR) Committee.

The Committee noted that the timescales associated with [the LCM](#), which was lodged on Thursday 12 June, and is due to be considered in the Scottish Parliament Chamber today, 25 June 2025, have severely limited opportunities for proper parliamentary scrutiny, including by this committee.

While the Committee does not have sufficient time to ask questions, consider responses and report its views to the lead committee in the usual way, it did wish to raise questions in relation to the powers in Clauses 1 and 2 of the Bill, which may be exercised either by a Minister of the Crown, or by the Scottish Ministers with the agreement of a Minister of the Crown, to make regulations in relation to absent voting in the Scottish Parliament and Scottish local elections, using the UK Digital Service. The Committee notes that use of the UK Digital Service in connection with voter registration is a matter which is reserved to the UK Parliament, and that the bill confers executive competence on the Scottish Ministers to make regulations in this regard.

It asks the Scottish Government:

- how decisions will be made regarding which authority will exercise these powers?
- how it intends to facilitate scrutiny by the Scottish Parliament of the policy position in these regulations, where the power is exercised by a Minister of the Crown?

The Committee notes that the Minister for Parliamentary Business [wrote to the lead committee](#) that the LCM was likely to be considered “to an expedited timetable”, and

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he had already expressed his concern in relation to delays in the UK Parliament timetable for the Bill.

The Committee also noted the Electoral Management Board for Scotland's comments in its response to the UK Government's consultation that

“There are no obvious problems with the proposal [to enable electors in Scotland and Wales to use the OAVA services for devolved elections]. However in support of implementation the Gould principle would need to be observed, i.e. that the legislative change would need to be in place well in advance – at least 6 months - of the polls to which they apply. For the May 2026 Scottish Parliament elections changes and accompanying guidance will need to be in place by October 2025 at the very latest.”

The Committee requests a response to this letter, copying in the copy recipients, by **Monday, 30 June 2025**.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Stuart', written in a cursive style.

Stuart McMillan MSP
Convener of the Delegated Powers and Law Reform Committee