

**THE FOLLOWING ACCOMPANYING DOCUMENTS ARE ALSO PUBLISHED:
Explanatory Notes (SP Bill 1-EN), a Financial Memorandum (SP Bill 1-FM), a Policy
Memorandum (SP Bill 1-PM), a Delegated Powers Memorandum (SP Bill 1-DPM) and
statements on legislative competence (SP Bill 1-LC).**

Scottish Local Government Elections (Candidacy Rights of Commonwealth Citizens) Bill [AS INTRODUCED]

An Act of the Scottish Parliament to enable Commonwealth citizens with any type of leave to remain in the United Kingdom to stand as candidates at local government elections in Scotland.

PART 1

LOCAL GOVERNMENT ELECTIONS: CANDIDACY RIGHTS OF CERTAIN COMMONWEALTH CITIZENS

1 Local government elections: candidacy rights of certain Commonwealth citizens

- (1) The Local Government (Scotland) Act 1973 is modified as follows.
- (2) In section 29 (qualifications for nomination, election and holding office as member of local authority), in subsection (3)(b), for “indefinite leave to remain within the meaning of that Act” substitute “any description of such leave”.

PART 2

FINAL PROVISIONS

2 Transitional provision: local government by-elections occurring before next ordinary election

- (1) The modification made by section 1(2) does not have effect in relation to an election to fill a casual vacancy in accordance with Part 3 of the Local Government (Scotland) Act 1973 if the day fixed for the holding of the poll to fill the casual vacancy is before the first ordinary local election held after the day on which section 1 comes into force.
- (2) In subsection (1), “ordinary local election” has the meaning given in section 43(1C) of the Representation of the People Act 1983.

3 Ancillary provision

(1) The Scottish Ministers may by regulations make any incidental, supplementary, consequential, transitional, transitory or saving provision they consider appropriate for the purposes of, in connection with or for giving full effect to this Act.

(2) Regulations under this section may—

- (a) modify any enactment (including this Act),
- (b) make different provision for different purposes.

(3) Regulations under this section—

- (a) are subject to the affirmative procedure if they add to, replace or omit any part of the text of an Act,
- (b) otherwise are subject to the negative procedure.

4 Commencement

This Act comes into force on the day after Royal Assent.

5 Short title

The short title of this Act is the Scottish Local Government Elections (Candidacy Rights of Commonwealth Citizens) Act 2027.

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Introduced by: Jenny Gilruth
Supported by: Jamie Hepburn
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Bill type: Government Bill

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