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Standards, Procedures and Public Appointments Committee

Subordinate legislation considered by the Standards, Procedures and Public Appointments Committee on 1 October 2026



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Contents

Executive summary	1
The draft Representation of the People (Postal Voting for Local Government Elections) (Scotland) Amendment Regulations 2026	2
The draft Scottish Local Government Elections (Election Agents, Expenses and Publication of Information) Amendment Order 2026	3
Consideration by the Standards, Procedures and Public Appointments Committee	4
Conclusion	6

Standards, Procedures and Public Appointments Committee

To consider and report on the following —

- a. the practice and procedures of the Parliament in relation to its business;
- b. whether a member's conduct is in accordance with these Rules and any Code of Conduct for members, matters relating to members interests, and any other matters relating to the conduct of members in carrying out their Parliamentary duties;
- c. the adoption, amendment and application of any Code of Conduct for members;
- d. matters relating to public appointments in Scotland;
- e. matters relating to the regulation of lobbying.

(f) matters falling within the responsibility of the Minister for Parliamentary Business and Veterans



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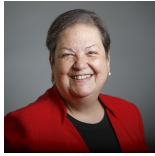
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Scottish National Party



Deputy Convener
Tim Eagle
Scottish Conservative
and Unionist Party



Jackie Baillie
Scottish Labour



Steven Bonnar
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Mark Simpson
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Executive summary

1. This report details the Standards, Procedures and Public Appointments Committee's consideration of:
 - The draft Representation of the People (Postal Voting for Local Government Elections) (Scotland) Amendment Regulations 2026 ('the draft Regulations'); and
 - The draft Scottish Local Government Elections (Election Agents, Expenses and Publication of Information) Amendment Order 2026 ('the draft Order').
2. The Committee agreed to recommend to the Scottish Parliament that it approves both instruments.

The draft Representation of the People (Postal Voting for Local Government Elections) (Scotland) Amendment Regulations 2026

3. [The draft Representation of the People \(Postal Voting for Local Government Elections\) \(Scotland\) Amendment Regulations 2026](#) were laid before Parliament on 4 September and are subject to the affirmative procedure. The draft Regulations were referred to the Standards, Procedures and Public Appointments Committee for consideration.
4. It is for this Committee to recommend to the Scottish Parliament whether the draft Regulations should be approved. The Minister for Parliamentary Business and Veterans lodged motion [S7M-01085](#) which recommended the Committee approve the instrument.
5. The Policy Note accompanying the draft Regulations states that the instrument seeks to "amend the deadline for an elector to seek a replacement for a spoilt or lost ballot paper from 10pm to 5pm on the day of poll". It also notes that, if passed, the changes to the deadline would take effect in advance of the next Scottish Local Government elections in May 2027.
6. The Delegated Powers and Law Reform (DPLR) Committee considered the draft Regulations at its meeting on 15 September. [In its subsequent report on the meeting](#), the DPLR Committee agreed that it did not need to draw the instrument to the attention of the lead Committee on any grounds within its remit.

The draft Scottish Local Government Elections (Election Agents, Expenses and Publication of Information) Amendment Order 2026

7. [The draft Scottish Local Government Elections \(Election Agents, Expenses and Publication of Information\) Amendment Order 2026](#) was laid before the Parliament on 4 September. The draft Order was referred to the Standards, Procedures and Public Appointments Committee for consideration.
8. It is for this Committee to recommend to the Scottish Parliament whether the draft Order should be approved. The Minister for Parliamentary Business and Veterans lodged motion [S7M-01086](#) which recommended the Committee approve the instrument.
9. The Policy Note accompanying the draft Order states that the instrument amends a number of aspects which govern the administration of elections in Scotland to ensure these are in place ahead of the next Scottish Local Government elections in May 2027. In particular, the draft Order would:
 - Allow an election agent, or a candidate acting as their own election agent to specify an alternative address to their home address for public notice purposes;
 - Increase candidates' expenditure limits in line with inflation;
 - Clarify how expense limits will be applied if local government elections are postponed; and
 - Clarify how postal ballot boxes should be electronically aggregated for publication of voting information.
10. The DPLR Committee considered the draft Order at its meeting on 15 September. [In its subsequent report on the meeting](#), the DPLR Committee agreed that it did not need to draw the instrument to the attention of the lead Committee on any grounds within its remit.

Consideration by the Standards, Procedures and Public Appointments Committee

11. On 1 October, the Committee took evidence on the draft Regulations and the draft Order from:

- Jamie Hepburn MSP, Minister for Parliamentary Business and Veterans, Scottish Government;
- Iain Hockenhull, Head of Elections, Scottish Government; and
- Lorraine Walkinshaw, Lawyer, Scottish Government Legal Directorate.

12. The evidence taken and debate held at that meeting on the instruments can be found in the Official Report:

[Read the Official Report from 1 October 2026.](#)

13. Alongside taking evidence on the draft Order and the draft Regulations, the Committee also took the opportunity during this session to consider two negative instruments that the Scottish Government had laid as part of an overall package of local government electoral reform:

- [The Representation of the People \(Absent Voting at Local Government Elections\) \(Scotland\) Amendment Regulations 2026 \(SSI 2026/251\)](#)
- [The Scottish Local Government Elections Amendment Order 2026 \(SSI 2026/254\)](#)

(Later, the Committee agreed under a separate agenda item at this meeting to make no recommendation in relation to these negative instruments.)

14. The Minister made a short opening statement, setting out that all these instruments form a package of subordinate legislation laid by the Scottish Government regarding the operation of the Scottish Local Government Elections 2027.

15. The Committee asked if the Scottish Government collected data on the number of replacement ballot papers requested by voters between 5pm and 10pm. The Minister indicated that there was a very small number of requests made, with some local authorities receiving 0 requests, and others only 1 or 2.

16. Members inquired if an individual requesting the replacement ballot would be unable to vote if they missed the 5pm deadline. The Minister confirmed that this would be the case. However, he expected this would only affect a small number of voters, and added that efforts were being made to ensure voters were aware of the changes to the deadlines to minimise any potential impacts.

17. The Committee asked about the alignment of the package of instruments with the [Scottish Local Government Elections \(Candidacy Rights of Commonwealth Citizens\) Bill](#). The Minister specified that the Bill had distinct provisions that could

only be delivered through primary legislation, however he made clear that both the Bill and the package of instruments shared the common objective of modernising the legislative regime for elections in Scotland.

18. [The DPLR Committee had made observations about drafting errors](#) in The Representation of the People (Absent Voting at Local Government Elections) (Scotland) Amendment Regulations 2026. Noting this, Members asked if the Minister was content that these errors had been sufficiently addressed by the Scottish Government in an additional negative instrument laid on 18 September, which would come before this Committee in due course. The Minister answered in the affirmative.

Conclusion

19. At the end of evidence taking, the Minister moved motion S7M-01085:

That the Standards, Procedures and Public Appointments Committee recommends that The Representation of the People (Postal Voting for Local Government Elections) (Scotland) Amendment Regulations 2026 [draft] be approved.

20. The motion was agreed to without debate or division.

21. **The Standards, Procedures and Public Appointments Committee recommends that The Representation of the People (Postal Voting for Local Government Elections) (Scotland) Amendment Regulations 2026 [draft] be approved.**

22. The Minister then moved motion S7M-01086:

That the Standards, Procedures and Public Appointments Committee recommends that The Scottish Local Government Elections (Election Agents, Expenses and Publication of Information) Amendment Order 2026 [draft] be approved.

23. The motion was agreed to without debate or division.

24. **The Standards, Procedures and Public Appointments Committee recommends that The Representation of the People (Postal Voting for Local Government Elections) (Scotland) Amendment Regulations 2026 [draft] be approved.**

