

Standards, Procedures and Public Appointments Committee
Thursday 6 November 2025
20th Meeting, 2025 (Session 6)

Note by the Clerk on draft statutory guidance on imprints for non-party campaigners at Scottish Parliamentary elections and council elections in Scotland (SG/2025/215)

Overview

1. At this meeting, the Committee will consider draft statutory guidance on imprints for non-party campaigners at Scottish Parliamentary elections and council elections in Scotland. The document is subject to the procedure set out in section 58 of the Scottish Elections (Representation and Reform) Act 2025. This procedure is comparable to the negative procedure. Emma Roddick MSP has lodged a motion recommending that the document should not be approved, and the Committee is required to debate the motion and report on the instrument.
2. More information about the document is summarised below:

Title of instrument: Draft statutory guidance on imprints for non-party campaigners at Scottish Parliamentary elections and council elections in Scotland (SG/2025/215)

Laid under: Scottish Elections (Representation and Reform) Act 2025

Laid on: 16 September 2025

Procedure: Negative (but see section on Procedure below)

Deadline for committee consideration: 10 November 2025

Deadline for Chamber consideration: 10 November 2025

Procedure

3. Under section 58 of the Scottish Elections (Representation and Reform) Act 2025, Scottish Ministers are required to lay the guidance before the Parliament for a period of 40 days within which the Parliament can resolve not to approve the guidance.
4. Once laid, the document is referred to:
 - the Delegated Powers and Law Reform (DPLR) Committee, for scrutiny on various technical grounds, and

- a lead committee, whose remit includes the relevant subject-matter, for scrutiny on policy grounds.
5. Any MSP may propose, by motion, that the lead committee recommend that the document not be approved. If such a motion is lodged, it must be debated at a meeting of the Committee, and the Committee must then report to the Parliament (by the advisory deadline referred to above).
 6. If there is no motion recommending that the document not be approved, the lead committee is not required to report on the document. If the 40-day period elapses with no motion being lodged, the guidance will come into effect on a date – known as the appointed date – that is set out by Scottish Minister in a statutory instrument. The relevant instrument¹ was laid on 23 October 2025 and sets the appointed date as 17 November 2025.

Delegated Powers and Law Reform Committee consideration

7. The DPLR Committee considered the guidance on 23 September 2025 and reported on it in its [66th Report, 2025](#). The DPLR Committee made no recommendations in relation to the document.

Purpose of the instrument

8. The purpose of this guidance is to explain the operation of Part 8 of the Act, concerned with information that is to be included with digital material and how to comply with its requirements, and explain how the Electoral Commission will undertake its enforcement functions where there is a breach or suspected breach of Part 8 of the Act.

Committee consideration

9. The Committee first considered the instrument at its meeting on 30 October. A motion recommending that the document should not be approved was lodged on 30 October 2025 by Emma Roddick MSP.
10. Under agenda item 2, Committee members can consider the document.
11. Under agenda item 3, Emma Roddick will be invited to speak to and move the motion. Other members and the Minister will also have an opportunity to speak in the debate (which may not last for more than 90 minutes), before the convener puts the question on the motion. If there is a division, only members of the committee may vote.
12. If the motion is agreed to, there must be a Chamber debate, before the end of the 40-day period, on a motion that the document should not be approved. That debate would have to take place in the Chamber on the afternoon of 6 November.

Clerks to the Committee October 2025