

Scottish Elections (Reform) Bill 2019

Purpose

1. This paper considers the Scottish Elections (Reform) Bill 2019 and its implications for the work of the Commission.

Background

2. The Scottish Government consulted on electoral reform in 2017 and undertook to introduce legislation to take forward that work. The Scottish Elections (Reform) Bill 2019 was introduced into the Scottish Parliament on 3 September. A copy of the Bill and the accompanying documents have been circulated to the Commission.
3. The lead Committee within the Scottish Parliament will be the Standards, Procedures and Public Appointments Committee Meeting 2019 which will be meeting on Thursday 12 September 2019. Once that meeting has taken place the timing of the Bill will be clearer including when written and oral evidence will be required. The Secretariat assumes that the Commission will submit written evidence and be called to give oral evidence in due course. Following the Commission's discussions on this paper, written evidence to the Committee will be prepared for further consideration at the October meeting (or by correspondence if required before 29 October).

Bill content

4. There are 9 sections in the Bill which are of particular relevance to the Commission:
 - **Sections 1 and 2** propose 5 year term lengths for elections to the Scottish Parliament and local government respectively
 - **Section 4** introduces use of 2 and 5 member wards across Scotland
 - **Section 28** changes the name of the Commission to "Boundaries Scotland"
 - **Section 29** removes the minimum period of 8 years from the current requirement to submit reviews of electoral arrangements every 8-12 years; and requires the next reviews for all areas except the 6 islands councils to be submitted by 31 December 2028.
 - **Section 30** sets out the procedure for changes to parliamentary constituencies
 - **Section 31** sets out the procedure for changes to local government areas or electoral arrangements
 - **Section 32** requires submission of the report of the next review into Scottish Parliament constituencies by May 2024
 - **Section 33** removes the requirement for the Commission to publish notices concerning proposed changes to Scottish Parliament constituencies in local newspapers.
5. Further discussion on each of these sections is set out in Appendix A. Where there are particular issues that the Commission may wish to consider to inform its evidence on the

Bill, these have been highlighted. Appendix A should be considered alongside the Policy Memorandum and Explanatory Notes accompanying the Bill.

6. At Appendix B is a copy of the Commission's response to the Scottish Government's electoral reform consultation, for reference.

Financial Memorandum

7. As set out in the FM (paragraphs 26-36), most of what is proposed affecting the Commission has negligible financial impact. The removal of the requirement to use local newspapers may result in significant savings although the Commission will need to publicise proposals effectively and use of local papers may continue to be part of that. There may be increased costs in terms of Commissioner fees relating to enhanced parliamentary scrutiny of proposals by Parliament.

Conclusion

8. The Commission is invited to consider the issues in the Bill as summarised in Appendix A.

Secretariat
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