SCOTTISH STATUTORY INSTRUMENTS

2025 No. 288

REPRESENTATION OF THE PEOPLE

The Political Parties, Elections and Referendums Act 2000 (Non-Party Campaigner Code of Practice) (Appointed Date) (Scotland) Order 2025

Made - - - -	*21st October 2025*
Laid before the Scottish Parliament	*23rd October 2025*
Coming into force - -	*17th November 2025*

The Scottish Ministers make the following Order in exercise of the powers conferred by section 100BA(8)(b) of the Political Parties, Elections and Referendums Act 2000(**a**) ("the 2000 Act").

The Electoral Commission have prepared a draft code of practice entitled "the Non-Party Campaigner Campaign Expenditure (Scottish Parliament Elections) Code of Practice 2025" in accordance with section 100AA(1) of the 2000 Act and have consulted the Scottish Parliament and such other persons as the Commission considers appropriate in accordance with section 100BA(1) of that Act.

Following that consultation, the Commission have modified the draft code and submitted it to the Scottish Ministers in accordance with section 100BA(2) of the 2000 Act.

The Scottish Ministers have approved the draft code without modifications and have laid a copy of it before the Scottish Parliament in accordance with section 100BA(3) and (4) of the 2000 Act.

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Political Parties, Elections and Referendums Act 2000 (Non-Party Campaigner Code of Practice) (Appointed Date) (Scotland) Order 2025 and comes into force on 17 November 2025.

(2) In this Order "the Code of Practice" means the code of practice entitled "the Non-Party Campaigner Campaign Expenditure (Scottish Parliament Elections) Code of Practice 2025", a draft of which was laid before the Scottish Parliament on 16 September 2025.

(**a**) 2000 c. 41. Sections 100AA and 100BA were inserted by section 25 of the Scottish Elections (Representation and Reform) Act 2025 (asp 4).

Appointed Date

2. The date appointed for the coming into force of the Code of Practice is 17 November 2025.

SIOBHIAN BROWN
Authorised to sign by the Scottish Ministers

St Andrew's House
Edinburgh
21st October 2025

EXPLANATORY NOTE

(This note is not part of the Order)

A Code of Practice on controlled expenditures made by non-party campaigners during the Scottish devolved regulated period, which precedes a Scottish Parliament election, has been prepared by the Electoral Commission in accordance with section 100AA(1) of the Political Parties, Elections and Referendums Act 2000.

The Electoral Commission will be required to have regard to the Code of Practice in exercising their functions under Part 6 of that Act (controls relating to third party national election campaigns).

The Code of Practice concerns the kinds of expenses which do, or do not, fall to be considered controlled expenditures, whether an expenditure is to be regarded as intended to promote or procure the electoral success of one or more registered parties or candidates, notional expenditures, donations to non-party campaigners and when expenditures may be regarded as incurred by more than one non-party campaigner.

This Order appoints 17 November 2025 as the date on which the Code of Practice comes into force.

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