1984 No. 352 (S. 38)

REPRESENTATION OF THE PEOPLE

The Scottish Local Elections Amendment Rules 1984

Made - - - -	*9th March* 1984
Laid before Parliament	*22nd March* 1984
Coming into Operation	*12th April* 1984

In exercise of the powers conferred on me by section 42 of the Representation of the People Act 1983**(a)**, and of all other powers enabling me in that behalf, I hereby make the following rules:—

1.—(1) These rules may be cited as the Scottish Local Elections Amendment Rules 1984, and shall come into operation on 12th April 1984.

(2) In these rules, the expression "the principal rules" means the Scottish Local Elections Rules 1974**(b)**.

2. For rule 2 of the principal rules there shall be substituted the following rule:—

"**2.** In the application of the parliamentary elections rules in Schedule 1 to the Representation of the People Act 1983 to the elections of councillors for local government areas in Scotland adaptations, alterations and exceptions shall be made therein so that the elections shall be conducted in accordance with the rules set out in Schedule 1 to these rules.".

3. The rules in Schedule 1 to the principal rules shall be amended as follows:—

(*a*) In rule 1(2)—

(i) for the words "sections 9, 10 or", there shall be substituted the word "section";

(ii) after the words "Local Government (Scotland) Act 1973"**(c)** there shall be inserted the words "or section 44 or 45 of the Representation of the People Act 1983";

(iii) for the words "section 10" there shall be substituted the words "section 45"; and

(iv) for the words "sections 9 or 37" there shall be substituted the words "section 37 or 44".

(a) 1983 c. 2.
(b) S.I. 1974/82; the relevant amending instrument is S.I. 1979/656.
(c) 1973 c. 65.

(*b*) In rule 2(1) after the words "rules to be done is a" there shall be inserted the word "Saturday,".

(*c*) In rule 11(4) for the words "Local Government (Scotland) Act 1973" there shall be substituted the words "Representation of the People Act 1983".

(*d*) In rule 16(1)(*a*) for the words "Education (Scotland) Act 1962"**(a)** there shall be substituted the words "Education (Scotland) Act 1980"**(b)**.

(*e*) In rule 18 for the words "Representation of the People (Scotland) Regulations 1969"**(c)** there shall be substituted the words "Representation of the People (Scotland) Regulations 1983"**(d)**.

(*f*) In rule 24(4) for the words "section 60(1) of the Representation of the People Act 1949"**(e)** there shall be substituted the words "section 72(1) of the Representation of the People Act 1983".

(*g*) At the end of rule 25(1) there shall be added the words "but the constables on duty at polling stations or at the counting of the votes shall not be required to make the declaration of secrecy.".

(*h*) In rules 25(3) and 25(4) for the words "section 53 of the Representation of the People Act 1949" there shall be substituted the words "section 66 of the Representation of the People Act 1983".

(*i*) In rule 26(3) for the words "Representation of the People Act 1949" there shall be substituted the words "Representation of the People Act 1983".

(*j*) The following provisions shall be revoked:—
(i) rule 32(1)(*b*);
(ii) in rule 37(1)(*f*) the word "Jews";
(iii) rule 51(1).

4. Schedule 2 to the principal rules shall be revoked.

George Younger,
One of Her Majesty's
Principal Secretaries of State.

New St. Andrew's House,
Edinburgh.
9th March 1984.

(a) 1962 c. 47. **(b)** 1980 c. 44. **(c)** S.I. 1969/912.
(d) S.I. 1983/548. **(e)** 1949 c. 68.

EXPLANATORY NOTE

(This Note is not part of the Rules.)

These rules amend the Scottish Local Election Rules 1974 ("the principal rules"). The principal change is to exclude Saturdays from the computation of time for the purposes of the election timetable (rules 3(*b*) and (*j*)(i) and (ii).

These rules also make amendments consequential on the consolidation of the Representation of the People Acts by the Representation of the People Act 1983 and the making of the Representation of the People (Scotland) Regulations 1983 (rules 2, and 3(*a*), (*c*), (*e*), (*f*), (*h*) and (*i*).

Rule 3(*d*) amends rule 16(1)(*a*) of Schedule 1 to the principal rules following the Education (Scotland) Act 1980.

Rule 3(*g*) inserts a provision which expressly states that constables on duty at polling stations or at the counting of the votes are not required to make the declaration of secrecy.

Rule 3(*j*)(iii) revokes rule 51(1) of Schedule 1 to the principal rules because the substance of that provision is to be found in section 44(1) of the Representation of the People Act 1983.

Rule 4 revokes Schedule 2 to the principal rules which is spent.

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