

Electoral stakeholders

(By e-mail)

July 2021

Dear Colleague,

UK ELECTIONS BILL

The UK Government introduced an Elections Bill to the House of Commons on 5 July 2021, the text of which is available at: <https://bills.parliament.uk/bills/3020>. The Bill contains provision in relation to Scottish Parliament and local government elections and as such requires the consent of the Scottish Parliament under the Legislative Consent Memorandum (LCM) process.

Scottish Ministers have intimated to the Presiding Officer of the Scottish Parliament and to UK Ministers that they are not at present in a position to lodge an LCM in relation to the Bill. This is because Scottish Ministers wish to fully consider the proposals, informed by the views of stakeholders on the Bill. I am writing to electoral stakeholders in Scotland to ask for their comments on the Bill and in particular the provisions applicable to Scottish devolved elections. A copy of this letter will be published on the Scottish Government website and any other interested party is invited to email ElectionsTeam@gov.scot with their comments.

The Elections Bill covers a wide range of topics and in a number of areas seeks to make changes that will apply to elections within the devolved responsibility of the Scottish Parliament. In addition, many of the Bill's changes that apply only to reserved elections (for example, voter identification) will nonetheless have implications for electoral administrators in Scotland in holding UK parliamentary elections.

The Scottish Government is committed to working constructively with the UK Government to ensure that elections work well in the best interests of voters and candidates, and that people can continue to be confident in the outcome of electoral events.

The UK Government has published material in relation to the Bill. The Annex to this letter highlights some of that material and provides a short summary of the Bill's content.

We would be very grateful for all comments by **Friday 6 August 2021**.

Yours sincerely

Penny Curtis
Deputy Director, Elections and FOI Division
Scottish Government

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The UK Elections Bill makes the following provision in relation to reserved elections:

- a) to introduce a requirement for voters to show an approved form of photographic identification before collecting their ballot paper to vote in a polling station;
- b) in respect of postal and proxy voting, including a need to reapply for a postal vote after 3 years;
- c) to allow UK citizens who have lived abroad for longer than 15 years to vote in UK parliamentary elections;
- d) on voting and candidacy rights of EU citizens in local elections in England and Northern Ireland;
- e) about the membership of the Speaker's Committee; and
- f) about the Electoral Commission's functions in relation to criminal proceedings.

The Bill also seeks to make the following provision in relation to Scottish Parliament and local government elections (in addition to reserved elections):

- g) to make it clearer in law what constitutes 'undue influence' of a voter;
- h) to remove restrictions on who can act as a companion to a disabled voter at a polling station and requiring local returning officers to provide support for a wider range of needs;
- i) for the designation of a strategy and policy statement in respect of the Electoral Commission;
- j) about financial information to be provided by a political party on applying for registration;
- k) for preventing a person being registered as a political party and being a recognised non-party campaigner at the same time;
- l) about regulation of expenditure for political purposes;
- m) about disqualification of offenders for holding elective offices as a result of intimidatory or abusive behaviour; and
- n) about information to be included in electronic campaigning material - requiring political campaigners to explicitly declare who they are when promoting campaign content online and on whose behalf.

UK Government Information:

[Elections Bill publications - Parliamentary Bills - UK Parliament](#) (including Bill text, explanatory notes, and impact assessments)

[Elections Bill 2021: Summary factsheet - GOV.UK \(www.gov.uk\)](#)

[Voter Identification - FAQs - GOV.UK \(www.gov.uk\)](#)

[Local Elections: EU Citizens Living in the UK - Thursday 17 June 2021 - Hansard - UK Parliament](#)

[Defending Democracy - Policy Exchange Speech - 15 June 2021](#)

[Empowering British Citizens Overseas to Participate in our Democracy Statement](#)