STATUTORY INSTRUMENTS

2016 No. 551 (C. 35)

REPRESENTATION OF THE PEOPLE

The Electoral Administration Act 2006 (Commencement No. 10 and Transitional Provision) Order 2016

Made - - - - 28th April 2016

The Chancellor of the Duchy of Lancaster makes the following Order in exercise of the powers conferred by section 77(2), (3) and (4) of the Electoral Administration Act 2006(**1**).

In accordance with section 59(4) of, and paragraph 102 of Schedule 1 to, that Act he has been informed by the Electoral Commission that they are satisfied that they will receive the information mentioned in paragraph 15A(2) of Schedule 7, and paragraph 16(3) of Schedule 7A, to the Political Parties, Elections and Referendums Act 2000(**2**) in relation to a member of the Scottish Parliament(**3**).

Citation and interpretation

1.—(1) This Order may be cited as the Electoral Administration Act 2006 (Commencement No. 10 and Transitional Provision) Order 2016.

(2) In this Order—

"the 2000 Act" means the Political Parties, Elections and Referendums Act 2000;

"the 2006 Act" means the Electoral Administration Act 2006;

"controlled transaction" is to be construed in accordance with paragraph 2 of Schedule 7A to the 2000 Act; and

"donation" is to have the meaning given in paragraph 1(5) of Schedule 7 to the 2000 Act.

(**1**) 2006 c. 22. The powers under section 77 are conferred on "the Secretary of State" whose functions, by virtue of the Chancellor of the Duchy of Lancaster Order 2015 (S.I. 2015/1376), article 3 and Schedule 1, and paragraph 12 of Schedule 2, are exercisable concurrently with the Chancellor of the Duchy of Lancaster. See section 74A of the Electoral Administration Act 2006.

(**2**) 2000 c. 41. Paragraph 15A is inserted into Schedule 7 to the 2000 Act by section 59(3) of the 2006 Act. Paragraph 16(3) of Schedule 7A is inserted into the 2000 Act by paragraph 99 of Schedule 1 to the 2006 Act.

(**3**) Paragraph 15A of Schedule 7 and paragraph 16 of Schedule 7A to the 2000 Act apply to the holders of a relevant elective office. Paragraph 1(8)(c) of Schedule 7 provides that the office of "member of the Scottish Parliament" is a relevant elective office. That definition is applied for the purposes of Schedule 7A by paragraph 1(7)(c) of that Schedule. Paragraph 1(8) of Schedule 7A excludes a member of the Scottish Parliament who is not also a member of a registered party from the application of that Schedule.

Appointed day

2. The following provisions of the 2006 Act come into force on 4th May 2016 so far as they relate to a member of the Scottish Parliament—

(a) section 59(1), (2) and (3) (reporting donations to holders of certain elective offices)(**4**);

(b) paragraph 99 of Schedule 1 so far as it provides for the insertion of paragraph 16 of Schedule 7A (register of recordable transactions) to the 2000 Act.

Transitional provision

3. The provisions brought into force by article 2 have no effect in relation to any donation received or controlled transaction entered into before 24th March 2016.

John Penrose
Minister for Constitutional Reform
Cabinet Office

28th April 2016

(**4**) Section 59 was amended by section 15 of the Interests of Members of the Scottish Parliament (Amendment) Act 2016 (asp 4).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force those provisions of the Electoral Administration Act 2006 set out in article 2 on 4th May 2016. The commencement of those provisions applies only to members or membership of the Scottish Parliament.

Those provisions remove the requirement for members of the Scottish Parliament to deliver a report to the Electoral Commission in respect of a donation under paragraph 10 of Schedule 7 to the Political Parties, Elections and Referendums Act 2000 (c. 41), or a controlled transaction under paragraph 9 of Schedule 7A to that Act. These reporting requirements continue to apply to any such donation or controlled transaction received or entered into before 24th March 2016.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Electoral Administration Act 2006 have been brought into force by a commencement order made before the date of this Order.

Provision	*Date of Commencement*	*S.I. No.*
Section 9	11.09.2006	2006/1972
Section 10	01.01.2007	2006/3412
Section 11	01.01.2007	2006/3412
Section 12	01.01.2007 (for England, Wales and Scotland)	2006/3412 and
	and 14.05.2008 (for Northern Ireland)	2008/1316
Section 13 (partially)	01.01.2007 (for England, Wales and Scotland)	2006/3412
	30.11.2007	2007/3376 and
Section 13 (partially)	and 14.05.2008 (for Northern Ireland)	2008/1316
Section 14	01.01.2007	2006/3412
Section 15	11.09.2006	2006/1972
Section 16	01.01.2007 (for England, Wales and Scotland)	2006/3412 and
	and 01.07.2008 (for Northern Ireland)	2008/1316
Section 17	01.01.2007 (for England, Wales and Scotland)	2006/3412 and
	and 07.02.2007 (for Northern Ireland)	2007/230

Provision	*Date of Commencement*	*S.I. No.*
Section 18	01.01.2007 (for England, Wales and Scotland)	2006/3412 and
	and 01.07.2008 (for Northern Ireland)	2008/1316
Section 19	01.01.2007 (for England, Wales and Scotland)	2006/3412 and
	and 01.07.2008 (for Northern Ireland)	2008/1316
Section 20	01.01.2007 (for England, Wales and Scotland)	2006/3412 and
	and 01.07.2008 (for Northern Ireland)	2008/1316
Section 21	01.01.2007 (for England, Wales and Scotland)	2006/3412 and
	and 01.07.2008 (for Northern Ireland)	2008/1316
Section 22	01.01.2007 (for England, Wales and Scotland)	2006/3412 and
	and 01.07.2008 (for Northern Ireland)	2008/1316
Section 23	11.09.2006 (partially)	2006/1972
	01.01.2007 (remaining parts for England, Wales and Scotland)	2006/3412 and
	and 01.07.2008 (remaining parts for Northern Ireland)	2008/1316
Section 24	01.01.2007 (for England, Wales and Scotland)	2006/3412 and
	and 01.07.2008 (for Northern Ireland)	2008/1316
Section 25	11.09.2006	2006/1972
Section 26	01.01.2007 (for England, Wales and Scotland)	2006/3412 and
	and 01.07.2008 (for Northern Ireland)	2008/1316
Section 27	11.09.2006	2006/1972
Section 28	01.01.2007 (for England, Wales and Scotland)	2006/3412 and
	and 01.07.2008 (for Northern Ireland)	2008/1316
Section 29	31.01.2007 (for England, Wales and Scotland)	2006/3412 and
	and 01.07.2008 (for Northern Ireland)	2008/1316
Section 30	01.01.2007 (for England, Wales and Scotland)	2006/3412 and
	and 01.07.2008 (for Northern Ireland)	2008/1316