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STATUTORY INSTRUMENTS

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**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<sup>(1)</sup>.

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<sup>(2)</sup> in relation to a member of the Scottish Parliament<sup>(3)</sup>.

**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.

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- (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)<sup>(4)</sup>;
- (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.

28th April 2016

*John Penrose*  
Minister for Constitutional Reform  
Cabinet Office

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(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.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
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) and 14.05.2008 (for Northern Ireland)	2006/3412 and 2008/1316
Section 13 (partially)	01.01.2007 (for England, Wales and Scotland) 30.11.2007	2006/3412 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) and 01.07.2008 (for Northern Ireland)	2006/3412 and 2008/1316
Section 17	01.01.2007 (for England, Wales and Scotland) and 07.02.2007 (for Northern Ireland)	2006/3412 and 2007/230

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

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 31 (partially)	01.01.2007 (for England, Wales and Scotland) 14.05.2008 (for Northern Ireland) and 01.07.2008 (for Northern Ireland)	2006/3412  2008/1316
Section 32	01.01.2007	2006/3412
Section 33	01.01.2007	2006/3412
Section 34	01.01.2007	2006/3412
Section 35	01.01.2007	2006/3412
Section 36	01.01.2007 (for England, Wales and Scotland) and 01.07.2008 (for Northern Ireland)	2006/3412 and 2008/1316
Section 37	01.01.2007 (for England, Wales and Scotland) and 14.05.2008 (for Northern Ireland)	2006/3412 and 2008/1316
Section 38 (partially)	01.01.2007 (for England, Wales and Scotland) 01.07.2008 (for Northern Ireland) and 01.07.2008	2006/3412 2008/1316
Section 39	11.09.2006	2006/1972
Section 40	11.09.2006	2006/1972
Section 41 (partially)	01.01.2007 (for England, Wales and Scotland) 14.05.2008 (for Northern Ireland) and 01.07.2008	2006/3412 and 2008/1316
Section 42 (partially)	01.01.2007 and 01.01.2008 (for England and Wales) and 14.05.2008 (for Northern Ireland)	2006/3412, 2007/3376 and 2008/1316
Section 43 (partially)	01.01.2007 and 01.01.2008 (for England and Wales) and 01.07.2008 (for Northern Ireland)	2006/3412, 2007/3376 and 2008/1316
Section 44 (partially)	01.01.2007 and 01.01.2008 (for England and Wales) and 01.07.2008 (for Northern Ireland)	2006/3412, 2007/3376 and 2008/1316

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 45	01.01.2007 (for England, Wales and Scotland) and 01.07.2008 (for Northern Ireland)	2006/3412 and 2008/1316
Section 46	01.01.2007 (for England, Wales and Scotland) and 01.07.2008 (for Northern Ireland)	2006/3412 and 2008/1316
Section 47 (partially)	11.09.2006, 01.01.2007 14.05.2008 and 01.07.2007 (for Northern Ireland) and 01.07.2008	2006/1972, 2006/3412 and 2008/1316
Section 48	11.09.2006	2006/1972
Section 49	01.01.2007	2006/3412
Section 50	11.09.2006	2006/1972
Section 51	11.09.2006	2006/1972
Section 52 (partially)	11.09.2006, 01.01.2007 and 07.02.07 and 01.07.2008 (for Northern Ireland)	2006/1972, 2006/3412, 2007/230 and 2008/1316
Section 53	11.09.2006	2006/1972
Section 54	11.09.2006	2006/1972
Section 55	11.09.2006	2006/1972
Section 56	11.09.2006	2006/1972
Section 57	11.09.2006	2006/1972
Section 58	30.06.2007	2007/1847
Section 59 (partially)	01.07.2009 (for members of the House of Commons) and 27.04.2016	2009/1509 2016/538
Section 60	11.09.2006	2006/1972
Section 61 (partially),	11.09.2006 and 01.01.2007 (for England, Wales and Scotland) and 01.07.2008 and 15.09.2014 (for Northern Ireland)	2006/1972, amended by 2006/2268 and 2006/3412 2008/1656 and 2014/1809
Section 62	11.09.2006 (for England, Wales and Scotland)	2006/1972,

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
	and 01.07.2008 (for Northern Ireland)	amended by <a href="#">2006/2268</a> <a href="#">2008/1656</a>
Section 63 (Northern Ireland)	10.03.2008	<a href="#">2008/610</a>
Section 64	11.09.2006	<a href="#">2006/1972</a>
Section 65	11.09.2006	<a href="#">2006/1972</a>
Section 66	01.01.2007 (for England, Wales and Scotland) and 01.07.2008 (for Northern Ireland)	<a href="#">2006/3412</a> <a href="#">2008/1316</a>
Section 67	11.09.2006	<a href="#">2006/1972</a>
Section 68	01.01.2007 (for England and Wales ) 10.02.2010 (for Scotland) and 01.07.2008 (for Northern Ireland)	<a href="#">2006/3412</a> <a href="#">2010/275</a> <a href="#">2008/1316</a>
Section 69 (England, Wales and Scotland)	01.01.2007	<a href="#">2006/3412</a>
Section 70	01.01.2007	<a href="#">2006/3412</a>
Section 71	01.01.2007	<a href="#">2006/3412</a>
Section 72	01.01.2007	<a href="#">2006/3412</a>
Section 73 (partially)	01.01.2007 (for England, Wales and Scotland) 01.07.2008 (for Northern Ireland) and 01.07.2008	<a href="#">2006/3412</a> and <a href="#">2008/1316</a>
Section 74 (partially)	11.09.2006 and 01.01.2007 (for England, Wales and Scotland) 01.07.2008 (for Northern Ireland) and 01.07.2008	<a href="#">2006/1972</a> and <a href="#">2006/3412</a> <a href="#">2008/1656</a> <a href="#">2008/1316</a>
Schedule 1 (partially)	11.09.2006, 01.01.2007 and 07.02.2007 14.05.2008 and 01.07.2008 (for Northern Ireland) 01.07.2008 01.07.2009 (for members of the House of Commons)	<a href="#">2006/1972</a> . as amended by <a href="#">2006/2268</a> , <a href="#">2006/3412</a> and <a href="#">2007/230</a> <a href="#">2008/1316</a> <a href="#">2009/1509</a>

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Schedule 2 (partially)	11.09.2006, 01.01.2007 and 07.02.2007 01.07.2008 (for Northern Ireland) and 01.07.2008	2006/1972, 2006/3412 and 2007/230 2008/1316