



The Scottish Parliament
Pàrlamaid na h-Alba

Published 6 October 2025
SP Paper 884
5th Report, 2025 (Session 6)

Standards, Procedures and Public Appointments Committee

Report on the Scottish Parliament (Elections etc.) (Miscellaneous Amendments) Order 2025



Published in Scotland by the Scottish Parliamentary Corporate Body.

All documents are available on the Scottish
Parliament website at:
<https://www.parliament.scot/documents>

For information on the Scottish Parliament contact
Public Information on:
Telephone: 0131 348 5000
Textphone: 0800 092 7100
Email: sp.info@parliament.scot

Contents

Introduction	1
Consideration by the Delegated Powers and Law Reform Committee	2
Consideration by the Standards, Procedures and Public Appointments Committee	3

Standards, Procedures and Public Appointments Committee

To consider and report on the following (and any additional matter added under Rule 6.1.5A)—

- (a) the practice and procedures of the Parliament in relation to its business;
- (b) whether a member's conduct is in accordance with these Rules and any Code of Conduct for members, matters relating to members interests, and any other matters relating to the conduct of members in carrying out their Parliamentary duties;
- (c) the adoption, amendment and application of any Code of Conduct for members;
- (d) matters relating to public appointments in Scotland;
- (e) matters relating to the regulation of lobbying; and
- (f) matters falling within the responsibility of the Minister for Parliamentary Business.

2. Where the Committee considers it appropriate, it may by motion recommend that a member's rights and privileges be withdrawn to such extent and for such period as are specified in the motion."



SPPA.Committee@parliament.scot



0131 348 5176

Committee Membership



Convener
Martin Whitfield
Scottish Labour



Deputy Convener
Ruth Maguire
Scottish National Party



Emma Roddick
Scottish National Party



Sue Webber
Scottish Conservative
and Unionist Party



Annie Wells
Scottish Conservative
and Unionist Party

Introduction

1. A draft Order was laid before the Parliament on 23 June 2025. Following discussions between Scottish Parliament officials and Scottish Government officials, the instrument was withdrawn on 26 August 2025 and re-laid on 28 August 2025.
2. The Order:
 - increases the age that looked after or formerly looked after people can register to vote using a declaration of local connection from 15 years old and under to those aged under 21 years old
 - clarifies the scope of Electoral Commission oversight of candidates for Scottish Parliament elections
 - updates the definitions of notional expenditure and the offence of undue influence at Scottish Parliament elections
 - reduces the dissolution period of the Scottish Parliament before a general election from 28 days to 20 days and makes consequential amendments to provisions linked to the dissolution date
 - amends the limits on election expenses which apply where the date of the poll is changed
 - updates the requirement for Returning Officers to provide equipment to assist electors to cast their votes
 - updates rules relating to proxy voting relating to some prisoners, those accompanying persons having medical treatment, and replacement of proxies where a nominated proxy is unable to vote.
3. The Policy Note accompanying the Order explains that:
 - ” "Most of the rules which governed the running of the Scottish Parliament general election held in May 2021 will remain the same. However, this instrument does include a number of changes which reflect developments since the last election."

Consideration by the Delegated Powers and Law Reform Committee

4. As noted earlier in this report, the the original version of the draft instrument was withdrawn on 26 August 2025. This was in order to correct an issue with article 9 (changing the date on which a person becomes a "candidate") which was raised by the Delegated Powers and Law Reform (DPLR) Committee with the Scottish Government on 13 August.
5. The DPLR Committee also asked the Scottish Government four questions in relation to the original Order. One of these (question 4) was addressed in the re-laid instrument. The DPLR Committee considered that the other questions remained relevant to the re-laid instrument and drew the attention of the Standards, Procedures and Public Appointments (SPPA) Committee to the [correspondence with the Scottish Government](#) on these questions.

Consideration by the Standards, Procedures and Public Appointments Committee

6. The Committee took evidence on the Order from the Electoral Commission and the Electoral Management Board for Scotland at its meeting on 4 September 2025. Both bodies were consulted by the Scottish Government in the development of the Order.
7. Issues that were explored in evidence
 - The proposed reduction of the dissolution period from 28 working days to 20 working days
 - The breaking of the link between the date of dissolution and the point at which individuals become candidates, including any potential impacts for those who will be both candidates and MSPs for a period of time prior to dissolution
 - Accessibility and the introduction of a general duty to assist voters with accessibility need to be able to cast their votes
 - The increase of the age that looked after or formerly looked after people can register to vote using a declaration of local connection and what work will be undertaken to ensure that people in this group are able to register to vote on this basis.
8. The Committee then took evidence from the then Minister for Parliamentary Business, Jamie Hepburn MSP, and Scottish Government officials at its meeting on 18 September 2025.
9. Issues that the Committee asked the Minister about included:
 - The reduction in the dissolution period from 28 working days to 20 working days and the reference in the Policy Note to the expectation that the Scottish Parliament would enter into a short recess period in advance of dissolution. The Committee noted that the recommendation of any recess period would be a matter for the Parliamentary Bureau.
 - The general duty to assist voters being introduced and the experience of providing this support that returning officers and staff at polling stations gained in relation to the 2024 UK General Election.
 - Work to promote the option to register to vote on the basis of a declaration of local connection to looked after or formerly looked after young people.
 - Other proposed changes to legislation not included in this Order. The Minister confirmed that while future changes to legislation would be brought forward, he did not anticipate bringing forward any more legislation relating to the Scottish Parliament election in May 2026 during this Session.

10. The Committee also discussed work underway to provide access to the Online Absent Vote Application service. The Minister noted that serious concerns have been raised about the relevant legislation progressing through the UK Parliament in time for access to the service to "go live" ahead of May. The Minister set out that he had:
 - ” "already set in motion a mitigation measure, which is set out in statutory instruments that will be laid on Monday, to delay until the end of 2026 any signature refresh for absent votes that are required before the election in May. That measure should reduce any scope for confusion between the online absent vote application system for UK Parliament elections and the separate process for Scottish Parliament elections."
11. Following the evidence session, Jamie Hepburn moved Motion S6M-18103 that the Standards, Procedures and Public Appointments Committee recommends that the Scottish Parliament (Elections etc.) (Miscellaneous Amendments) Order 2025 [draft] be approved.
12. The motion was agreed to without division.
13. The evidence taken and the debate can be found in the Official Report for the SPPA Committee meeting of 18 September 2025.

The Committee recommends to the Parliament that the Scottish Parliament (Elections etc.) (Miscellaneous Amendments) Order 2025 (draft) be approved.

