



# Planning etc. (Scotland) Act 2006

## 2006 asp 17

### PART 9

#### BUSINESS IMPROVEMENT DISTRICTS

##### *Miscellaneous*

#### **46 Regulations about ballots**

- (1) The Scottish Ministers may by regulations made by statutory instrument make provision in relation to ballots.
- (2) The provision which may be made by regulations under this section includes provision—
  - (a) as to the timing of ballots,
  - (b) as to the persons entitled to vote in a ballot held for the purposes of section 45(2),
  - (c) as to the question to be asked in a ballot,
  - (d) as to the allocation of votes to those persons entitled to vote in a ballot,
  - (e) as to the form that ballots may take,
  - (f) as to the persons who are to hold ballots,
  - (g) as to the conduct of ballots,
  - (h) conferring power on the Scottish Ministers to declare ballots void in cases of material irregularity,
  - (i) for or in connection with enabling a local authority to recover the costs of a ballot from such persons and in such circumstances as may be prescribed.
- (3) Nothing in subsection (2) is to be taken as limiting the power conferred by subsection (1).
- (4) In this section (except in subsection (2)(b)) “ballot” means a ballot held for the purposes of section 38(1) or 45(2).

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*Status: Point in time view as at 07/04/2020.*

*Changes to legislation: There are currently no known outstanding effects for the Planning etc. (Scotland) Act 2006, Section 46. (See end of Document for details)*

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#### **Commencement Information**

- I1** S. 46 in force at 6.2.2007 for specified purposes by S.S.I. 2007/49, art. 2, **Sch.**
- I2** S. 46 in force at 1.4.2007 in so far as not already in force by S.S.I. 2007/130, art. 2(2)(3), **Sch.**

**Status:**

Point in time view as at 07/04/2020.

**Changes to legislation:**

There are currently no known outstanding effects for the Planning etc. (Scotland) Act 2006, Section 46.