

*These notes relate to the Scottish Elections (Franchise and Representation)  
Act 2020 (asp 6) which received Royal Assent on 1 April 2020*

# **SCOTTISH ELECTIONS (FRANCHISE AND REPRESENTATION) ACT 2020**

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## **EXPLANATORY NOTES**

### **THE STRUCTURE AND SUMMARY OF THE ACT**

#### **Part 1 – Foreign Nationals**

##### ***Section 3 - Local government elections: nomination, election and holding office***

12. Section 3 of the Act makes a number of amendments to section 29 of the 1973 Act in regard to allowing a “qualifying foreign national” (as defined in the definition inserted by subsection (4)), to be nominated for election and holding office as a member of a local authority in Scotland. The definition of “qualifying foreign national” for these purposes means a person who does not require leave under the Immigration Act 1971 to enter or remain in the United Kingdom, is to be treated as having indefinite leave to remain in the UK or has pre-settled status. The existing qualifications for nomination, election and holding office as a member of a local authority will apply to such foreign nationals as they currently apply to qualifying Commonwealth citizens and citizens of the Republic of Ireland.