

Status: Point in time view as at 04/10/2018.

Changes to legislation: There are currently no known outstanding effects for the Scotland Act 1998, Cross Heading: The constituency rules. (See end of Document for details)

SCHEDULES

[^{F1}SCHEDULE 1

CONSTITUENCIES, REGIONS AND REGIONAL MEMBERS

Textual Amendments

- F1** Sch. 1 substituted (22.7.2004 with effect subject to transitional modifications set out in Sch. 2 of the amending Act until "the appropriate date", see s. 1(2)(3) of the amending Act) by [Scottish Parliament \(Constituencies\) Act 2004 \(c. 13\)](#), s. 1(1)-(4), **Sch. 1** (however, paras. 3-14 of Sch. 1 as so substituted or as so substituted and modified (as the case may be) have no effect until 30.6.2007, see s. 1(4))

The constituency rules

12 These are the constituency rules.

Rule 1

(1) So far as is practicable, regard must be had to the boundaries of [^{F2}the local government areas having effect from time to time under section 1 of the Local Government etc. (Scotland) Act 1994].

^{F3}
...

Rule 2

(1) The electorate of a constituency must be as near the electoral quota as is practicable, having regard to Rule 1.

(2) [^{F4}The Local Government Boundary Commission for Scotland] may depart from the strict application of Rule 1 if they think that it is desirable to do so to avoid an excessive disparity between the electorate of a constituency and the electoral quota or between the electorate of a constituency and that of neighbouring constituencies.

(3) The electoral quota is the number obtained by dividing the total electorate by [^{F5}70].

(4) The electorate of a constituency is the aggregate of the persons falling within paragraphs (5) and (6) below.

(5) A person falls within this paragraph if his name appears on the register of local government electors in force on the enumeration date under the Representation of the People Acts for a local government area which is situated wholly in the constituency.

(6) A person falls within this paragraph if his name appears on the register of local government electors in force on the enumeration date under the Representation of the People Acts for a local government area which is situated partly in the constituency and his qualifying address is situated in the constituency.

(7) The total electorate is the total number of persons whose names appear on the registers of local government electors in force on the enumeration

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date under the Representation of the People Acts for all of the local government areas in Scotland (except the local government areas of [^{F6}Comhairle nan Eilean Siar,] Orkney and Shetland).

(8) The enumeration date is, in relation to a report of [^{F4}the Local Government Boundary Commission for Scotland]^{F7} ..., the date on which notice with respect to the report is published in the Edinburgh Gazette in accordance with paragraph 7(1) above.

(9) “ Qualifying address ” and “ local government area ” have the same meanings as in the Representation of the People Act 1983 (c. 2).

Rule 3

[^{F4}The Local Government Boundary Commission for Scotland] may depart from the strict application of Rules 1 and 2 if they think that special geographical considerations (including in particular the size, shape and accessibility of a constituency) render it desirable to do so.

Rule 4

[^{F4}The Local Government Boundary Commission for Scotland] need not aim at giving full effect in all circumstances to Rules 1 to 3 but they must take account (so far as they reasonably can)—

- (a) of the inconveniences attendant on alterations of constituencies other than alterations made for the purposes of Rule 1, and
- (b) of any local ties which would be broken by such alterations.]

Textual Amendments

- F2** Words in Sch. 1 para. 12 substituted (31.10.2012) by [Scotland Act 2012 \(c. 11\)](#), s. 44(5), **Sch. 1 para. 10(2)**; [S.I. 2012/2516](#), art. 2(f)
- F3** Sch. 1 para. 12 omitted (31.10.2012) by virtue of [Scotland Act 2012 \(c. 11\)](#), s. 44(5), **Sch. 1 para. 10(3)**; [S.I. 2012/2516](#), art. 2(f)
- F4** Words in Sch. 1 substituted (18.5.2017) by [Scotland Act 2016 \(c. 11\)](#), **ss. 8(2)**, 72(4)(a); [S.I. 2017/608](#), reg. 2(1)(f)
- F5** Word in Sch. 1 para. 12 substituted (S.) (4.10.2018) by [Islands \(Scotland\) Act 2018 \(asp 12\)](#), **ss. 18(1)(c)(i)**, 31(2); [S.S.I. 2018/282](#), reg. 2
- F6** Words in Sch. 1 para. 12 inserted (S.) (4.10.2018) by [Islands \(Scotland\) Act 2018 \(asp 12\)](#), **ss. 18(1)(c)(ii)**, 31(2); [S.S.I. 2018/282](#), reg. 2
- F7** Words in Sch. 1 para. 12 omitted (31.10.2012) by virtue of [Scotland Act 2012 \(c. 11\)](#), s. 44(5), **Sch. 1 para. 6(3)**; [S.I. 2012/2516](#), art. 2(f)

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