

Status: Point in time view as at 01/11/2023.

Changes to legislation: Elections Act 2022, Paragraph 4 is up to date with all changes known to be in force on or before 05 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 11

ILLEGAL PRACTICES

Candidates etc at local elections in Scotland

- 4 (1) This paragraph applies if—
- (a) apart from this paragraph, a candidate at an election, or an election agent of such a candidate, would be guilty of an offence under section 48(1),
 - (b) the election is a local government election within the meaning of section 204 of RPA 1983, and
 - (c) the offence under section 48(1) would relate to the publication of electronic material which can reasonably be regarded as intended to achieve a purpose within—
 - (i) section 43(4) as it applies to candidates at the election, or
 - (ii) section 45(5) as it applies to candidates at the election.
- (2) The candidate or election agent is instead guilty of an illegal practice.
- (3) RPA 1983 applies in relation to the candidate or election agent and the illegal practice as it applies in relation to a candidate or election agent and an illegal practice by virtue of section 110A(14) of that Act (details to appear on election publications).

Commencement Information

- I1** Sch. 11 para. 4 not in force at Royal Assent, see [s. 67\(1\)](#)
I2 Sch. 11 para. 4 in force at 1.11.2023 by [S.I. 2023/1145](#), [reg. 3\(1\)](#)

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