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STATUTORY INSTRUMENTS

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**2007 No. 937**

**The Scottish Parliament (Elections etc.) Order 2007**

**PART III**

**THE ELECTION CAMPAIGN**

**Broadcasting of local items during election period**

**63.**—(1) Each broadcasting authority shall adopt a code of practice with respect to the participation of candidates at a Scottish parliamentary election in items about the constituency or electoral areas in question which are included in relevant services during the election period.

(2) The code for the time being adopted by a broadcasting authority under this section shall be either—

- (a) a code drawn up by that authority, whether on their own or jointly with one or more other broadcasting authorities; or
- (b) a code drawn up by one or more other such authorities,

and a broadcasting authority shall from time to time consider whether the code for the time being so adopted by them should be replaced by a further code falling within paragraph (a) or (b).

(3) Before drawing up a code under this article a broadcasting authority shall have regard to any views expressed by the Electoral Commission and any such code may make different provision for different cases.

(4) The Office of Communications shall do all that they can to secure that the code for the time being adopted by them under this article is observed in the provision of relevant services; and the British Broadcasting Corporation and Sianel Pedwar Cymru shall each observe in the provision of relevant services the code so adopted by them.

(5) For the purposes of paragraph (1) “the election period”, in relation to an election, means the period beginning—

- (a) (if an ordinary general election) with the date of the dissolution of the Scottish Parliament;
- (b) (if an extraordinary general election) with the date of Her Majesty’s proclamation dissolving the Scottish Parliament; or
- (c) (if an election to fill a constituency vacancy) with the date of the occurrence of the vacancy in the constituency,

and ending with the close of the poll.

(6) In this section—

“broadcasting authority” means the British Broadcasting Corporation, the Office of Communications or Sianel Pedwar Cymru;

“candidate”, in relation to an election, means a candidate standing nominated at the election or included in a list of candidates submitted in connection with it;

“relevant services”—

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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- (a) in relation to the British Broadcasting Corporation or Sianel Pedwar Cymru, means services broadcast by that body; and
- (b) in relation to the Office of Communications, means services licensed under Part 1 or 3 of the Broadcasting Act 1990<sup>(1)</sup> or Part 1 or 2 of the Broadcasting Act 1996<sup>(2)</sup>.

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<sup>(1)</sup> 1990 c. 42.  
<sup>(2)</sup> 1996 c. 55.