



The Scottish Parliament
Pàrlamaid na h-Alba

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1 February 2022

Dear John

Legislative Consent: Elections Bill – UK Legislation

I am writing to notify you that, on 1 February 2022, the Scottish Parliament agreed not to consent to the Elections Bill, which is currently under consideration at Westminster.

Given the Bill is of interest to all parts of the UK, I am also writing today to Simon Burton, Clerk of the Parliaments, Manon Antoniazzi, Chief Executive and Clerk of the Senedd and Lesley Hogg, Clerk/ Chief Executive of the Northern Ireland Assembly, to inform them of the Scottish Parliament's decision.

I attach the associated memorandum and extract of the Minutes of Proceedings.

Yours sincerely,

DAVID MCGILL
Clerk/Chief Executive

MINUTES OF PROCEEDINGS

Parliamentary Year 1, No. 76, Session 6

Meeting of the Parliament

Tuesday 1 February 2022

Note: (DT) signifies a decision taken at Decision Time.

The meeting opened at 2.00 pm.

5. UK Elections Bill: The Minister for Parliamentary Business (George Adam) moved S6M-03009—That the Parliament agrees not to consent to the UK Elections Bill, as it is for the Scottish Parliament to legislate on electoral law in relation to Scottish Parliament and local government elections; notes that the Scottish Government intends to consult on a number of electoral reforms later in 2022 with a view to bringing forward legislation; expresses its concern that proposals in the UK Elections Bill in relation to reserved elections risk disenfranchising voters, and threatening the independence of the Electoral Commission; notes that the proposal to require voter identification could infringe the human rights of people without a form of identification; supports the agreement of the Scottish Parliament Standards, Procedures and Public Appointments Committee to the Scottish Government's position that legislative consent is required in relation to digital imprints in devolved elections, and opposes the moves by the UK Government to effectively replace existing Scottish legislation on digital imprints by applying an unacceptably broad interpretation of the internet services reservation.

Stephen Kerr moved amendment S6M-03009.2—

As an amendment to motion S6M-03009 in the name of George Adam (UK Elections Bill), leave out from "not to" to end and insert "that the relevant provisions of the UK Elections Bill, introduced in the House of Commons on 5 July 2021, relating to various election improvements and modernisations, so far as these matters fall within the legislative competence of the Scottish Parliament or alter the executive competence of the Scottish Ministers, should be considered by the UK Parliament."

After debate, the amendment was disagreed to ((DT) by division: For 29, Against 90, Abstentions 0).

Neil Bibby moved amendment S6M-03009.1—

As an amendment to motion S6M-03009 in the name of George Adam (UK Elections Bill), insert at end "; believes that the Bill will undermine the ability of civil society organisations, charities and trade unions to engage and campaign in Scotland's and the UK's democracy, and regards the Bill as a costly and dangerous attempt by the UK Conservative administration to manipulate democracy in its favour."

After debate, the amendment was agreed to ((DT) by division: For 90, Against 30, Abstentions 0).

The motion, as amended, was agreed to ((DT) by division: For 91, Against 29, Abstentions 0).

Accordingly, the Parliament resolved— That the Parliament agrees not to consent to the UK Elections Bill, as it is for the Scottish Parliament to legislate on electoral law in relation to Scottish Parliament and local government elections; notes that the Scottish Government intends to consult on a number of electoral reforms later in 2022 with a view to bringing forward legislation; expresses its concern that proposals in the UK Elections Bill in relation to reserved elections risk disenfranchising voters, and threatening the independence of the Electoral Commission; notes that the proposal to require voter identification could infringe the human rights of people without a form of identification; supports the agreement of the Scottish Parliament Standards, Procedures and Public Appointments Committee to the Scottish Government's position that legislative consent is required in relation to digital imprints in devolved elections; opposes the moves by the UK Government to effectively replace existing Scottish legislation on digital imprints by applying an unacceptably broad interpretation of the internet services reservation; believes that the Bill will undermine the ability of civil society organisations, charities and trade unions to engage and campaign in Scotland's and the UK's democracy, and regards the Bill as a costly and dangerous attempt by the UK Conservative administration to manipulate democracy in its favour.

The meeting closed at 6.35 pm.

David McGill
Clerk of the Parliament
1 February 2022