

Standards, Procedures and Public Appointments Committee
Thursday 12 March 2026
9th Meeting, 2026 (Session 6)

Legislative consent memorandum on the Representation of the People Bill (UK Parliament legislation)

Note by the Clerk

1. Legislative consent memorandum LCM-S6-74 was lodged on 27 February 2026 by Shona Robison MSP, Cabinet Secretary for Finance and Local Government, and is supported by Graeme Dey, Minister for Parliamentary Business and Veterans. The LCM has been referred to the Standards, Procedures and Public Appointments Committee for scrutiny.
2. The LCM is available on the Scottish Parliament [website](#).

Representation of the People Bill

3. The Bill was introduced by the UK Government in the House of Commons on 12 February 2026. The Second Reading in the House of Commons took place on 2 March 2025. The Bill is now at Committee Stage.
4. The Bill and associated documents can be viewed on the UK Parliament [website](#).
5. The Bill is made up of 4 parts and 3 schedules. Its provisions extend to various degrees to England, Wales, Scotland, and Northern Ireland.
6. The Explanatory Notes which accompany the Bill set out the Bill's purpose as follows:

“1. This Bill amends existing electoral law and makes new electoral law provisions which aim to ensure that UK elections remain secure and protected against interference.

2 The Bill will allow the Government to meet its commitments to improve voter registration, address the inconsistencies in voter ID rules that prevent legitimate voters from voting, give 16- and 17-year-olds the right to vote in all elections, and to protect democracy by strengthening the rules around donations to political parties. The Bill also aims to deliver on several recommendations from the 2024 strategic review of electoral registration as outlined in the Government's report [Restoring Trust in our Democracy: our strategy for modern and secure elections](#).”

Legislative consent procedure

7. Under the Sewel Convention, the UK Parliament does not normally legislate on devolved matters, or to alter the legislative competence of the Parliament or the

executive competence of the Scottish Government, without the consent of the Scottish Parliament. Consent is given by means of a resolution of the Parliament.

8. Under Chapter 9B of the Standing Orders, the Scottish Government must lodge a legislative consent memorandum (LCM) in relation to each UK Parliament Bill that contains provision (“relevant provision”) that would require the Parliament’s consent under the Convention. Sometimes the Scottish Government may be required to lodge one or more supplementary LCMs during the passage of a Bill. It is also possible for an LCM to be lodged by an individual MSP.
9. Every LCM lodged is referred to a lead committee for scrutiny, and may also be referred to other committees. If the Bill confers power on the Scottish Ministers to make subordinate legislation, the Delegated Powers and Law Reform Committee (DPLRC) must also consider the LCM and may report on it to the lead committee.
10. Once the lead committee has reported, the Scottish Government normally lodges a motion on legislative consent for consideration in the Chamber. Such a motion may give consent to relevant provision in the Bill, refuse consent to such provision, or a mixture of the two. A draft of the motion is normally included in the LCM.

The Scottish Government’s LCM

11. The Scottish Government’s LCM sets out the provisions of the Bill which require the consent of the Scottish Parliament.
12. The LCM states the Scottish Government agrees with the UK Government that certain provisions of the Bill engage the legislative consent process as they apply to elections within the devolved responsibility of the Scottish Parliament. These provisions relate to Parts 2 to 5 of the Bill: registration of voters, conduct of elections, campaigns and political expenditure, and enforcement and the Electoral Commission. The Scottish Government’s positions in relation to specific clauses are detailed in the LCM.
13. The LCM further states that the Scottish Government has not made a recommendation on legislative consent on the basis that “policy and legal analysis required of the Bill is still ongoing, given the complexity of electoral law and the devolution settlement”, and that the Scottish Government wishes to undertake further consultation with stakeholders and the UK Government.
14. The Scottish Government does not intend to lodge a motion on legislative consent in relation to the Bill prior to the 7 May 2026 Scottish Parliament election.

Decision

15. The Committee is invited to note the Scottish Government’s LCM.

Clerks to the Committee
March 2026