



# Local Electoral Administration and Registration Services (Scotland) Act 2006

2006 asp 14

## PART 1 **S**

### LOCAL GOVERNMENT ELECTIONS

#### *Miscellaneous*

#### 27 **Tendered votes in certain circumstances** **S**

(1) In section 61 of the 1983 Act (certain voting offences), before subsection (7) insert—

“(6B) A person is not guilty of an offence under subsection (2)(b) or (3)(b) above by reason only of having marked or tendered a ballot paper at a local government election in Scotland in pursuance of any provision—

- (a) made under section 3(1) of the Local Governance (Scotland) Act 2004 (asp 9) as to the conduct of elections of councillors; and
- (b) which entitles him to do so despite the fact that he is or may be entitled to vote by post at the election.”.

(2) In Schedule 4 to the 2000 Act (absent voting in Great Britain)—

(a) in paragraph 2 (manner of voting at parliamentary or local government elections), before sub-paragraph (7) insert—

“(6B) Sub-paragraph (2) above does not prevent a person, at the polling station allotted to him at a local government election in Scotland, marking a tendered ballot paper in pursuance of any provision—

- (a) made under section 3(1) of the Local Governance (Scotland) Act 2004 (asp 9) as to the conduct of elections of councillors, and
  - (b) which entitles him to do so despite the fact that he is or may be entitled to an absent vote at the election.”,
- (b) in paragraph 7 (voting as proxy), at end insert—

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**Changes to legislation:** There are currently no known outstanding effects for the Local Electoral Administration and Registration Services (Scotland) Act 2006, Section 27. (See end of Document for details)

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“(14) Sub-paragraph (2) above does not prevent a person entitled to vote as proxy for another, at the polling station allotted to him at a local government election in Scotland, marking a tendered ballot paper in pursuance of any provision—

- (a) made under section 3(1) of the Local Governance (Scotland) Act 2004 (asp 9) as to the conduct of elections of councillors, and
- (b) which entitles him to do so despite the fact that he is or may be entitled to vote by post as proxy.”.

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**Commencement Information**

- II** S. 27 wholly in force at 17.2.2007, see s. 63(2) and [S.S.I. 2007/26](#), [art. 3\(1\)\(e\)](#) (with transitional provisions in [art. 3\(2\)](#))

**Changes to legislation:**

There are currently no known outstanding effects for the Local Electoral Administration and Registration Services (Scotland) Act 2006, Section 27.