

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Scottish Parliament (Elections etc.) Order 2015 (“the 2015 Order”). The 2015 Order sets out provisions relating to the conduct of elections for, and the return of members to, the Scottish Parliament.

The changes made by this Order will not apply to any elections held on or before 5 April 2021. The next ordinary general election for membership of the Scottish Parliament is due to be held on 6 May 2021.

Article 2(2) amends an erroneous cross-reference in the 2015 Order.

Article 2(3) revokes a definition of “disability” in relation to applications for proxy votes at a particular election. The effect is to replace it with the definition at article 2 of the 2015 Order, so that applications can be made based on a short-term inability to do something.

Article 2(4) allows an elector to apply to change the proxy appointed to vote for them where their existing proxy cannot reasonably attend a polling station at an election for reasons related to coronavirus and is not a proxy voter who votes by post. Provision is also made for review of the need for these applications and for them to cease on 10 December 2022.

Article 2(5) disapplies the cut-off date that would usually apply to applications for appointment of a proxy (which is 5 pm on the sixth day before the poll) and allows the application to be made up to 5 pm on the day of the poll.