

2016 No. 8

REPRESENTATION OF THE PEOPLE

The Representation of the People (Absent Voting at Local Government Elections) (Scotland) Amendment Regulations 2016

Made - - - - *11th January 2016*
Laid before the Scottish Parliament *13th January 2016*
Coming into force - - *1st March 2016*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 20(1) of the Scottish Elections (Reduction of Voting Age) Act 2015^(a) and all other powers enabling them to do so.

Citation and commencement

1. These Regulations may be cited as the Representation of the People (Absent Voting at Local Government Elections) (Scotland) Amendment Regulations 2016 and come into force on 1st March 2016.

Amendment of the Representation of the People (Absent Voting at Local Government Elections) (Scotland) Regulations 2007

2. The Representation of the People (Absent Voting at Local Government Elections) (Scotland) Regulations 2007^(b) are amended as follows—

- (a) in regulation 9(2)(a)(i) and (4)(a) (attestation of applications for a proxy vote), for “aged 18” substitute “aged 16”;
- (b) in the heading to regulation 17 (supply or disclosure of absent voting records), omit “: anonymous entries”; and
- (c) in regulation 17—
 - (i) in paragraph (1), omit “in accordance with this regulation”; and
 - (ii) after paragraph (2), insert—

“(3) Where the registration officer supplies or discloses information covered by regulation 16(1)(a), he or she must ensure that it does not include any details of a person aged under 16 years of age, unless—

 - (a) the information has been requested for the purposes of a local government election;

^(a) 2015 asp 7.

^(b) S.S.I. 2007/170, amended by S.I. 2009/1182, S.S.I. 2009/35, S.S.I. 2009/94, S.I. 2011/2085, S.S.I. 2011/211, S.S.I. 2011/399, S.I. 2012/1479 and S.S.I. 2013/142.

- (b) the notice of poll for that election has been published;
- (c) the information is needed for the purposes of, or in connection with, that election;
and
- (d) that person will have attained the age of 16 on or before the date of the poll for that election.”.

St Andrew’s House,
Edinburgh
11th January 2016

MARCO BIAGI
Authorised to sign by the Scottish Ministers

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision in consequence of the Scottish Elections (Reduction of Voting Age) Act 2015 (“the principal Act”). They amend the Representation of the People (Absent Voting at Local Government Elections) (Scotland) Regulations 2007 in relation to voters under the age of 18.

Paragraph (a) of regulation 2 reduces the age at which a person can attest an application for a proxy vote to age 16.

Paragraphs (b) and (c) of regulation 2 make provision, similar to section 13 of the principal Act, to protect information relating to any young person that is held on absent voter records or lists, except where it is requested in relation to a forthcoming local government election at which the young person will have attained the age of 16.

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