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SCOTTISH STATUTORY INSTRUMENTS

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**2018 No. 89**

**The Representation of the People  
(Scotland) Amendment Regulations 2018**

**Amendment of the Representation of the People (Scotland) Regulations 2001**

**4.** In regulation 31C (summary procedure for determining in specified circumstances person has ceased to satisfy conditions for registration)(1)—

- (a) in paragraph (2), at the end of the first line omit “either”;
- (b) at the end of paragraph (2)(b) insert “; or”;
- (c) after paragraph (2)(b) insert—
  - “(c) the registration officer has not received the information referred to in paragraph (2)(b)(ii) or (iii) but—
    - (i) has determined that the elector has died after inspecting records kept by—
      - (aa) the council by which the registration officer was appointed; or
      - (bb) a person providing services to, or authorised to exercise any function of, that council;
    - (ii) has received information from the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild of the elector, which allows the registration officer to determine that the elector has died;
    - (iii) has received information as a result of the annual canvass required by section 9D of the 1983 Act(2), which allows the registration officer to determine that the elector has died; or
    - (iv) has received information from a person managing a care home where the elector was resident, which allows the registration officer to determine that the elector has died.
  - (2A) The information referred to in paragraph (2)(c)(ii) and (iv) may be provided in person, by telephone or in writing and must include—
    - (a) the full name and address of the elector who has died;
    - (b) the full name and address of the person providing the information and, in the case of information received under paragraph (2)(c)(ii), that person’s relationship to the elector; and
    - (c) a statement that the person providing the information is aware of the penalty for providing false information to a registration officer.
  - (2B) Where the information referred to in paragraph (2)(c)(ii) and (iv) has been provided in person or by telephone by virtue of paragraph (2A), the registration officer must record that information in writing or in data form”; and
- (d) for paragraph (3) substitute—

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(1) Regulation 31C was substituted by [S.I. 2013/3206](#) and subsequently amended by [S.I. 2015/1966](#).

(2) Section 9D was inserted by section 4 of the Electoral Registration and Administration Act 2013 ([c.6](#)).

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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“(3) In this regulation—

“care home” means a care home service registered under Part 5 of the Public Services Reform (Scotland) Act 2010<sup>(3)</sup> and “care home service” has the meaning given to it by paragraph 2 of schedule 12 of that Act;

“elector” means a person who is duly entered in a register in respect of an address.”.