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STATUTORY INSTRUMENTS

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**1999 No. 787**

**The Scottish Parliament (Elections etc.) Order 1999**

**PART II**

**THE FRANCHISE AND ITS EXERCISE**

**Absent vote at a particular Scottish parliamentary election and absent voters list**

**9.—(1)** Where a person applies to the registration officer to vote by post, or to vote by proxy, at a particular Scottish parliamentary election, the registration officer shall grant the application (subject to paragraph (4)) if—

- (a) he is satisfied that the applicant's circumstances on the date of the poll will be or are likely to be such that he cannot reasonably be expected to vote in person at the polling station allotted or likely to be allotted to him under this Order;
- (b) he is satisfied that the applicant is or will be registered in the register; and
- (c) the application meets the requirements set out in Schedule 3.

(2) Paragraph (1) above does not apply to a person who is included in the record kept under article 8 but such a person may, in respect of a particular Scottish parliamentary election, apply to the registration officer—

- (i) for his ballot papers to be sent to a different address in the United Kingdom; or
- (ii) to vote by proxy,

if he is shown in the record so kept as voting by post.

(3) The registration officer shall grant an application under paragraph (2) above if it meets the requirements set out in Schedule 3.

(4) Subject to paragraph (2) above, the registration officer shall, in respect of each Scottish parliamentary election, keep a special list ("the absent voters list") consisting of—

- (a) a list of—
  - (i) those who are for the time being shown in the record kept under article 8 as voting by post (excluding those so shown whose applications under paragraph (2) above to vote by proxy at the election have been granted), together with the addresses provided by them in their applications under article 8 or, as the case may be, paragraph (2) above as the addresses to which their ballot papers are to be sent; and
  - (ii) those whose applications under paragraph (1) above to vote by post at the election have been granted, together with the addresses provided by them in their applications as the addresses to which their ballot papers are to be sent; and
- (b) a list ("the list of proxies") of those who are for the time being shown in the record kept under article 8 as voting by proxy or whose applications under this article to vote by proxy at the election have been granted, together with the names and addresses of those appointed as their proxies.

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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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(5) A person applying to vote by post must provide an address in the United Kingdom as the address to which his ballot papers are to be sent.