

STATUTORY INSTRUMENTS

2001 No. 497

Representation of the People (Scotland) Regulations 2001

PART II

SERVICE AND OVERSEAS ELECTORS' DECLARATIONS

[^{F1}Overseas electors: reminders and renewal declarations

Textual Amendments

- F1** Regs. 22A-22D and cross-heading inserted (16.1.2024) by [The Representation of the People \(Overseas Electors etc.\) \(Amendment\) Regulations 2023 \(S.I. 2023/1406\)](#), regs. 1(2), **9(6)** (with Sch. 2 para. 3(1)(2))

Reminders to electors registered pursuant to an overseas elector's declaration

22A.—(1) Subject to paragraph (3), the registration officer must, during the relevant period, send to an elector registered pursuant to an overseas elector's declaration—

- (a) a reminder, and
- (b) within a reasonable time after sending that reminder, a second reminder.

(2) In paragraph (1)—

- (a) the “relevant period” means the period—
 - (i) beginning with the 1st July immediately before the 1st November on which the person's registration will end in accordance with section 1D(1)(a) or (3)(a) of the 1985 Act, and
 - (ii) ending with that 1st November;
- (b) a “reminder” is a reminder of the need to make a renewal declaration if the elector wishes to remain registered pursuant to an overseas elector's declaration.

(3) Paragraph (1)(a) and (b) does not apply in respect of an elector registered pursuant to an overseas elector's declaration where—

- (a) the registration officer has received a renewal declaration from that elector, or
- (b) information which the registration officer has received indicates that that elector is no longer entitled to make a renewal declaration.

Renewal declarations

22B.—(1) A renewal declaration must be in writing and must include the declarant's present address.

(2) The Electoral Commission must—

Changes to legislation: Representation of the People (Scotland) Regulations 2001, Cross Heading: Overseas electors: reminders and renewal declarations is up to date with all changes known to be in force on or before 17 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (a) design a paper renewal declaration form which—
 - (i) requires the information required by paragraph (1) and section 1E(1) and (2) of the 1985 Act,
 - (ii) includes a statement that it is an offence to provide false information to the registration officer, together with a statement of the maximum penalty for that offence, and
 - (iii) includes space for the email address and telephone number of the declarant and an explanation that provision of this information is not mandatory,
 - (b) seek the approval of the Secretary of State to the design of that form, and
 - (c) having obtained that approval, make the form available to registration officers.
- (3) The registration officer may authorise the declarant to provide the information required by paragraph (1) and by section 1E(1) and (2) of the 1985 Act to the registration officer by telephone or in person and, where the registration officer does so, the registration officer must transfer the information provided by the declarant into a renewal declaration in writing.
- (4) Where, by virtue of arrangements made by the Secretary of State, a renewal declaration may be made through the digital service, the Secretary of State must—
- (a) request the declarant’s email address and telephone number and provide an explanation of the purpose for which this information will be used and that provision of this information is not mandatory, and
 - (b) send to the registration officer any declaration the Secretary of State receives, together with—
 - (i) the declarant’s email address and telephone number (if provided), and
 - (ii) a reference number unique to that declaration.

Transmission of renewal declaration

22C. A renewal declaration must be transmitted to the registration officer who maintains the register of parliamentary electors in which the declarant is registered pursuant to an overseas elector’s declaration by—

- (a) the Secretary of State, where regulation 22B(4)(b) applies;
- (b) otherwise, by the declarant.

Notification about continued registration as overseas elector following renewal declaration

22D.—(1) Where the registration officer is satisfied that the declarant of a renewal declaration is entitled to remain registered in pursuance of an overseas elector’s declaration in accordance with section 1D(2)(b) of the 1985 Act, the registration officer must notify the declarant of that fact.

(2) Where the registration officer is not so satisfied, the registration officer must notify the declarant of that fact together with the registration officer’s reasons for not being satisfied that the declarant is entitled to remain registered in pursuance of an overseas elector’s declaration.]

Changes to legislation:

Representation of the People (Scotland) Regulations 2001, Cross Heading: Overseas electors: reminders and renewal declarations is up to date with all changes known to be in force on or before 17 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 31I(3)(t) inserted by [S.I. 2022/1382 reg. 39\(2\)](#)