
STATUTORY INSTRUMENTS

2001 No. 497

Representation of the People (Scotland) Regulations 2001

PART IV **S**

ABSENT VOTERS

Additional requirements for applications for a proxy vote in respect of a particular election **S**

^[F1]55.—(1) An application under paragraph 4(2) of Schedule 4 to vote by proxy at a particular election shall set out why the applicant's circumstances on the date of the poll for that election in respect of which it is made will be or are likely to be such that he cannot reasonably be expected to vote in person at his allotted polling station.

^[F2](1A) This regulation does not apply where the applicant has an anonymous entry.]

(2) Where an application under paragraph 4(2) of Schedule 4—

- (a) is made on the grounds of the applicant's ^[F3]disability]; and
- (b) is made after 5 p.m. on the sixth day before the date of poll at the election for which it is made,

the requirements of regulation 53 as to the matters to be specified and the attestation shall apply.

(3) Where an application mentioned in paragraph (2) is made, the person who attests the application shall state, in addition to those matters specified in ^[F4]regulation 53], to the best of his knowledge and belief, the date upon which the applicant became ^[F5]disabled].

^[F6](3A) Where an application under paragraph 4(2) of Schedule 4 is made by a person to whom paragraph 2(5A) of that Schedule applies after 5 p.m. on the sixth day before the date of the poll at the election for which it is made, the requirements of paragraph (3B) as to the matters to be specified and as to attestation shall apply.

(3B) Where an application mentioned in paragraph (3A) is made—

- (a) the application shall additionally state the name and address of the hospital at which the applicant is liable to be detained; and
- (b) the application shall be attested by a manager (or a person on behalf of a manager) within the meaning of section 329 of the Mental Health (Care and Treatment) (Scotland) Act 2003 responsible for the administration of the hospital at which the applicant is liable to be detained, and the attestation shall state—
 - (i) the name of the manager attesting the application;
 - (ii) that the manager is authorised to attest the application;
 - (iii) the position of the manager in the hospital at which the applicant is liable to be detained; and
 - (iv) the statutory provision under which the applicant is liable to be detained at the hospital.]

Status: Point in time view as at 06/04/2014. This version of this provision has been superseded.

Changes to legislation: Representation of the People (Scotland) Regulations 2001, Section 55 is up to date with all changes known to be in force on or before 18 August 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)

[^{F7}(4) Where an application under paragraph 4(2) of Schedule 4 is made—

(a) on grounds relating to the applicant’s occupation, service or employment; and

(b) after 5 p.m. on the sixth day before the date of the poll at the election for which it is made,

the requirements of regulation 55A as to the matters to be specified and the attestation shall apply.]]

Textual Amendments

- F1** Reg. 55 substituted (23.3.2006) by The Representation of the People (Scotland) (Amendment) Regulations 2006 (S.I. 2006/834), regs. 1(1), **5**
- F2** Reg. 55(1A) inserted (1.4.2007) by The Representation of the People (Scotland) (Amendment) Regulations 2007 (S.I. 2007/925), regs. 1(1), **20(2)**
- F3** Word in reg. 55(2)(a) substituted (1.4.2007) by The Representation of the People (Scotland) (Amendment) Regulations 2007 (S.I. 2007/925), regs. 1(1), **31(2)**
- F4** Words in reg. 55(3) substituted (1.4.2007) by The Representation of the People (Scotland) (Amendment) Regulations 2007 (S.I. 2007/925), regs. 1(1), **31(3)(a)**
- F5** Word in reg. 55(3) substituted (1.4.2007) by The Representation of the People (Scotland) (Amendment) Regulations 2007 (S.I. 2007/925), regs. 1(1), **31(3)(b)**
- F6** Reg. 55(3A)(3B) inserted (1.4.2007) by The Representation of the People (Scotland) (Amendment) Regulations 2007 (S.I. 2007/925), regs. 1(1), **31(4)**
- F7** Reg. 55(4) inserted (6.4.2014) by The Representation of the People (Scotland) (Description of Electoral Registers and Amendment) Regulations 2013 (S.I. 2013/3206), regs. 1(3)(b), **23**

Status:

Point in time view as at 06/04/2014. This version of this provision has been superseded.

Changes to legislation:

Representation of the People (Scotland) Regulations 2001, Section 55 is up to date with all changes known to be in force on or before 18 August 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.