
STATUTORY INSTRUMENTS

2001 No. 497

Representation of the People (Scotland) Regulations 2001

PART IV

ABSENT VOTERS

Closing date for applications

56.—(1) An application under paragraph [F13(1), (6) or (7), or 7(4)] of Schedule 4 shall be disregarded for the purposes of a particular parliamentary or local government election and an application under paragraph 4(3) of Schedule 4 shall be refused if it is received by the registration officer after 5 p.m. on the eleventh day before the date of the poll at that election.

(2) An application under paragraph [F23(2) or 6(7)] of Schedule 4 shall be disregarded for the purposes of a particular parliamentary or local government election if it is received by the registration officer after 5 p.m. on the sixth day before the date of the poll at that election.

[F3(3) Subject to paragraph (3A), an application under paragraph 4(2) or 6(8) of Schedule 4 shall be refused if it is received by the registration officer after 5 p.m. on the sixth day before the date of the poll at the election for which it is made.

[F4(3A) Where an application made under paragraph 4(2) of Schedule 4 is made—

(a) on the grounds of the applicant's disability and the applicant became disabled after 5 p.m. on the sixth day before the date of the poll at the election for which it is made; or

[F5(aa) on grounds relating to the applicant's occupation, service or employment and the applicant became aware of those grounds after 5 p.m. on the sixth day before the date of poll at the election for which it is made; or]

(b) by a person to whom paragraph 2(5A) of that Schedule applies,

the application, or an application under paragraph 6(8) of that Schedule made by virtue of that application, shall be refused if it is received after 5 p.m. on the day of the poll at the election for which it is made.]]

(4) An application under paragraph [F64(1) or 7(7)] of Schedule 4 shall be refused if it is received by the registration officer after 5 p.m. on the eleventh day before the date of the poll at the election for which it is made.

(5) An application under—

(a) paragraph 3(5)(a) of Schedule 4 by an elector to be removed from the record kept under paragraph 3(4) of that Schedule, or

(b) paragraph 7(9)(a) of Schedule 4 by a proxy to be removed from the record kept under paragraph 7(6) of that Schedule,

and a notice under paragraph 6(10) of that Schedule by an elector cancelling a proxy's appointment shall be disregarded for the purposes of a particular parliamentary or local government election if it is received by the registration officer after [F75.00 p.m. on the eleventh day before the date of the poll at that election.]

Status: Point in time view as at 03/08/2020. This version of this provision has been superseded.

Changes to legislation: Representation of the People (Scotland) Regulations 2001, Section 56 is up to date with all changes known to be in force on or before 20 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)

[^{F8}(5A) Any application or notice mentioned in this regulation shall be disregarded for the purposes of a particular parliamentary or local government election if, before the application or notice is considered by the registration officer, the elector or proxy has returned a postal ballot paper to the returning officer (except where it has been returned in accordance with regulation 77 or 78 (spoilt and lost postal ballot papers)).]

(6) In computing a period of days for the purposes of this regulation, Saturday, Sunday, Christmas Eve, Christmas Day, ^{F9}... Good Friday or a bank holiday shall be disregarded.

(7) In paragraph (6) above “bank holiday” means–

- (a) in relation to a parliamentary general election, a day which is a bank holiday under the Banking and Financial Dealings Act 1971(1) in any part of the United Kingdom, and
- (b) in relation to a parliamentary by election or a local government election, a day which is a bank holiday under that Act in Scotland;

except that where, at a parliamentary general election, any proceedings are commenced afresh by reason of a candidate’s death, sub-paragraph (b) and not (a), shall apply.

^{F10}(8)

Textual Amendments

- F1** Words in [reg. 56\(1\)](#) substituted (23.3.2006) by [The Representation of the People \(Scotland\) \(Amendment\) Regulations 2006 \(S.I. 2006/834\)](#), regs. 1(1), **6(2)**
- F2** Words in [reg. 56\(2\)](#) substituted (23.3.2006) by [The Representation of the People \(Scotland\) \(Amendment\) Regulations 2006 \(S.I. 2006/834\)](#), regs. 1(1), **6(3)**
- F3** [Reg. 56\(3\)\(3A\)](#) substituted for [reg. 56\(3\)](#) (23.3.2006) by [The Representation of the People \(Scotland\) \(Amendment\) Regulations 2006 \(S.I. 2006/834\)](#), regs. 1(1), **6(4)**
- F4** [Reg. 56\(3A\)](#) substituted (1.4.2007) by [The Representation of the People \(Scotland\) \(Amendment\) Regulations 2007 \(S.I. 2007/925\)](#), regs. 1(1), **32(2)**
- F5** [Reg. 56\(3A\)\(aa\)](#) 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), **25(1)**
- F6** Words in [reg. 56\(4\)](#) substituted (23.3.2006) by [The Representation of the People \(Scotland\) \(Amendment\) Regulations 2006 \(S.I. 2006/834\)](#), regs. 1(1), **6(5)**
- F7** Words in [reg. 56\(5\)](#) substituted (4.5.2001) by [The Representation of the People \(Scotland\) \(Amendment\) Regulations 2001 \(S.I. 2001/1749\)](#), regs. 1(1), **5**
- F8** [Reg. 56\(5A\)](#) 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), **25(2)**
- F9** Words in [reg. 56\(6\)](#) omitted (with effect in accordance with [reg. 1\(2\)\(3\)\(b\)](#) of the amending S.I.) by virtue of [The Representation of the People \(Scotland\) \(Amendment\) Regulations 2007 \(S.I. 2007/925\)](#), regs. 1(1), **48(2)**
- F10** [Reg. 56\(8\)](#) omitted (1.4.2007) by virtue of [The Representation of the People \(Scotland\) \(Amendment\) Regulations 2007 \(S.I. 2007/925\)](#), regs. 1(1), **32(3)**

Modifications etc. (not altering text)

- C1** [Reg. 56](#) applied (with modifications) (26.2.2016) by [The European Union Referendum \(Conduct\) Regulations 2016 \(S.I. 2016/219\)](#), reg. 1, **Sch. 3 para. 12**

Commencement Information

- I1** [Reg. 56](#) in force at 16.2.2001, see [reg. 1\(1\)](#)

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