
STATUTORY INSTRUMENTS

2001 No. 497

Representation of the People (Scotland) Regulations 2001

PART IV

ABSENT VOTERS

[^{F1}Requirement to provide fresh signatures following rejection of a postal voting statement

60B.—(1) Where an absent voter is notified under regulation 61C that the signature does not match the example held on the personal identifiers record, and the absent voter continues to be shown on the relevant record as voting by post, the registration officer may require the absent voter to provide a fresh signature for the personal identifiers record.

(2) In doing so the registration officer must—

- (a) issue a notice in writing to the absent voter, requiring the provision of a fresh signature, and
- (b) inform the absent voter of the date (six weeks from the sending of the notice) on which the absent voter would cease to be entitled to vote by post in the event of a failure or refusal to provide a fresh signature.

(3) The registration officer must, if the absent voter has not responded to the notice within three weeks from the date on which the notice was sent, as soon as practicable send a copy of the notice to the absent voter.

(4) The notice and any copy must be sent by the registration officer to the current or last known address of the absent voter.

(5) Where a notice or copy of a notice is sent by post, the registration officer may use—

- (a) a universal postal service provider; or
- (b) a commercial delivery firm,

and postage must be prepaid.

(6) A notice or copy of a notice sent to an absent voter in accordance with paragraph (2) or (3) must be accompanied by a pre-addressed reply envelope and, in the case of any notice or copy of a notice sent to an address in the United Kingdom, return postage must be prepaid.

(7) Following the date specified in the notice sent to the absent voter, the registration officer must determine whether the absent voter has failed or refused to provide a fresh signature.

(8) Where the registration officer determines that the absent voter has refused or failed to provide a fresh signature, the registration officer must remove that person's entry from the records kept pursuant to paragraph 3(4) or 7(6) of Schedule 4 and from the postal voters list or proxy postal voters list (as the case may be) kept under paragraph 5(2) or 7(8) of that Schedule.

(9) Where a registration officer removes an absent voter's entry in the circumstances to which paragraph (8) refers—

- (a) the registration officer shall inform the absent voter, where appropriate, of the location of the polling station allotted or likely to be allotted to the voter under the appropriate rules (as defined in paragraph 1 of Schedule 4);

Status: Point in time view as at 31/10/2019.

Changes to legislation: Representation of the People (Scotland) Regulations 2001, Section 60B is up to date with all changes known to be in force on or before 01 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)

- (b) regulations 57(4) and 58 shall apply as if the registration officer were refusing an application under Schedule 4; and
 - (c) in the case of an entry removed from the proxy postal voters list, the registration officer must also notify the elector who appointed the proxy whose entry has been removed.
- (10) The registration officer shall include in the notice to be sent to an absent voter regarding their removal from the records kept pursuant to paragraph 3(4) or 7(6) of Schedule 4 and from the postal voters list or proxy postal voters list (as the case may be) kept under paragraph 5(2) or 7(8) of that Schedule, information—
- (a) explaining the effect of such removal; and
 - (b) reminding the absent voter that they may make a fresh application under Schedule 4 to vote by post or by proxy (as the case may be).
- (11) Where an absent voter has provided a registration officer with a fresh signature in response to a notice issued by the registration officer under this paragraph, or in response to a notice issued by the registration officer under any other enactment following the rejection of the absent voter's postal voting statement at an election or referendum, the registration officer may use that signature and enter it in the records kept in accordance with regulation 61B and paragraphs [F²3(9)], 4(6) and 7(12) of Schedule 4.]

Textual Amendments

- F1** Reg. 60B 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), **26**
- F2** Word in reg. 60B(11) substituted (27.4.2017) by The Representation of the People (Scotland) (Amendment) Regulations 2017 (S.I. 2017/604), regs. 1, **12**

Status:

Point in time view as at 31/10/2019.

Changes to legislation:

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