

## STATUTORY INSTRUMENTS

# 2001 No. 497

## Representation of the People (Scotland) Regulations 2001

### PART V

#### ISSUE AND RECEIPT OF POSTAL BALLOT PAPERS

##### *Receipt of postal ballot papers*

#### Checking of lists kept under regulation 87

**88.**—(1) Where the returning officer receives a valid [<sup>F1</sup>postal voting statement] without the postal ballot paper (or papers or, as the case may be, all of the papers) to which it relates, he may, at any time prior to the close of the poll, check the list kept under regulation 87(2) above to see whether the number (or numbers) of a postal ballot paper to which the [<sup>F2</sup>statement] relates is entered in that list.

(2) Where the returning officer receives a postal ballot paper without the [<sup>F1</sup>postal voting statement] to which it relates, he may, at any time prior to the close of the poll, check the list kept under regulation 87(3) above to see whether the number of that ballot paper is entered in that list.

(3) The returning officer shall conduct the checks required by paragraphs (1) and (2) above as soon as practicable after the receipt of packets from every polling station in the constituency under rule 43(1) of the elections rules.

(4) Where the ballot paper number in the list matches that number on a valid [<sup>F1</sup>postal voting statement] or, as the case may be, the postal ballot paper, the returning officer shall retrieve that [<sup>F2</sup>statement] or paper.

(5) The returning officer shall then take the appropriate steps under this Part of these Regulations as though any document earlier marked “provisionally rejected” had not been so marked and shall amend the document accordingly.

#### Textual Amendments

- F1** Words in [Regulations](#) substituted (with effect in accordance with reg. 1(2)(3)(c) of the amending S.I.) by [The Representation of the People \(Scotland\) \(Amendment\) Regulations 2007 \(S.I. 2007/925\)](#), regs. 1(1), [54\(a\)](#)
- F2** Word in [reg. 88\(1\)\(4\)](#) substituted (with effect in accordance with reg. 1(2)(3)(c) of the amending S.I.) by [The Representation of the People \(Scotland\) \(Amendment\) Regulations 2007 \(S.I. 2007/925\)](#), regs. 1(1), [54\(b\)\(iii\)](#)

#### Modifications etc. (not altering text)

- C1** [Reg. 88](#) applied (with modifications) (26.2.2016) by [The European Union Referendum \(Conduct\) Regulations 2016 \(S.I. 2016/219\)](#), reg. 1, [Sch. 3 para. 46](#)

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**Status:** Point in time view as at 27/06/2020.

**Changes to legislation:** Representation of the People (Scotland) Regulations 2001, Section 88 is up to date with all changes known to be in force on or before 07 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)

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**Commencement Information**

**II** Reg. 88 in force at 16.2.2001, see **reg. 1(1)**

**Status:**

Point in time view as at 27/06/2020.

**Changes to legislation:**

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