
STATUTORY INSTRUMENTS

2008 No. 305

**The Representation of the People
(Scotland) (Amendment) Regulations 2008**

PART 2

Absent voting: personal identifiers

Requirement to provide fresh signatures at five yearly intervals

5. After regulation 60 (inquiries by registration officer) insert—

“Requirement to provide fresh signatures at five yearly intervals

60A.—(1) The registration officer shall every year by 31st January send every person who remains an absent voter and whose signature held on the personal identifiers record is more than five years old a notice in writing—

- (a) requiring him to provide a fresh signature, and
- (b) informing him of the date (six weeks from the date of sending the notice) on which he would cease to be entitled to vote by post or by proxy in the event of a failure or refusal to provide a fresh signature.

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

(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 him.

(4) 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 shall be prepaid.

(5) A notice or copy of a notice sent to an absent voter in accordance with paragraph (1) 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.

(6) The registration officer must, no later than the date specified in the notice sent to the absent voter in accordance with paragraph (1), determine whether the absent voter has failed or refused to provide a fresh signature.

(7) Where the registration officer determines that the absent voter has failed or refused to provide a fresh signature, he must from the date specified in the notice sent to the absent voter in accordance with paragraph (1) 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, list of

proxies or proxy postal voters list (as the case may be) kept under paragraph 5(2), 5(3) or 7(8) of that Schedule.

(8) Where a registration officer removes an absent voter's entry in the circumstances to which paragraph (7) refers—

- (a) the registration officer shall inform the absent voter of the location of the polling station to which he has been allotted or is likely to be allotted under the appropriate rules (as defined in paragraph 1 of Schedule 4) unless that voter is not likely to be allotted to a polling station;
- (b) regulation 57(4) and regulation 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.

(9) The registration officer shall include in the notice to be sent to an absent voter regarding his removal from the records kept pursuant to paragraph 3(4) or 7(6) of Schedule 4 and from the postal voters list, list of proxies or proxy postal voters list (as the case may be) kept under paragraph 5(2), 5(3) or 7(8) of that Schedule, information—

- (a) explaining the effect of such removal; and
- (b) reminding the absent voter that he may make a fresh application under Schedule 4 to vote by post or by proxy (as the case may be).”.