
STATUTORY INSTRUMENTS

2016 No. 295

The Recall of MPs Act 2015 (Recall Petition) Regulations 2016

PART 4

ABSENT SIGNERS

CHAPTER 2

Applications for Absent Signing

Appeals: Scotland

75.—(1) An appeal lies to the sheriff from a decision of the registration officer refusing an application—

- (a) to sign a petition by post or proxy under regulation 51(1) or (2) or 53(1) or (2);
- (b) to sign a petition by post as proxy under regulation 58(5);
- (c) to sign a petition by proxy instead of post or by post instead of proxy under regulation 51(6) or (7);
- (d) for a signing sheet to be sent to a different address under regulation 53(4)(a) or 58(8);
- (e) to appoint a proxy under regulation 57(6) and (7).

(2) An appeal lies on any point of law from any decision of the sheriff under this regulation to the court of three judges constituted under paragraph (3).

(3) The court for hearing appeals under paragraph (2) is to consist of three judges of the Court of Session who are to be appointed by the Court of Session by act of sederunt and of whom one judge is to be appointed from each division of the Inner House and one from the Lords Ordinary in the Outer House; and the Principal Clerk of Session is to be clerk of the court.

(4) The Court of Session may by act of sederunt fill any vacancy in the court of three judges, and regulate its sittings and forms of process so as to carry out the provisions of these Regulations; and acts of sederunt under this regulation may be made, and the court of three judges may sit, either during the sitting of the Court of Session or in vacation or recess.

(5) No appeal lies from a decision of the Court of Session on appeal from a decision of the sheriff under this regulation.

(6) An appeal to the sheriff or Court of Session by virtue of this regulation which is pending when notice of a petition is given under regulation 14 (notice of petition) does not prejudice the operation as respects the petition of the decision appealed against, and anything done in pursuance of the decision—

- (a) is as good as if no such appeal had been brought; and
- (b) is not affected by the decision of the appeal.

(7) The registration officer must make the necessary entries in the record kept under regulation 51(4) and 58(7) as may be required to give effect to that decision.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Recall of MPs Act 2015 (Recall Petition) Regulations 2016. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

(8) On any appeal, the registration officer is deemed to be party to the proceedings and the registration expenses payable to that officer include any expenses properly incurred by virtue of this regulation.

Commencement Information

II Reg. 75 in force at 4.3.2016, see [reg. 1](#)

Changes to legislation:

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Changes and effects yet to be applied to :

- Regulations applied by [2022 c. 37 Sch. 11 para. 7\(3\)](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 3 para. 1(1)(e)(ia) inserted by [S.I. 2020/581 reg. 13\(5\)\(a\)\(ii\)](#)
- Sch. 3 para. 3(1)(b)(v) inserted by [S.I. 2023/1225 reg. 10\(22\)\(b\)](#)
- Sch. 3 para. 1(1)(e)(i) words omitted by [S.I. 2020/581 reg. 13\(5\)\(a\)\(i\)](#)
- reg. 2(2)(aa) inserted by [S.I. 2022/1382 reg. 69\(b\)](#)
- reg. 2(2)(ea) inserted by [S.I. 2022/1382 reg. 69\(c\)](#)
- reg. 2(2)(ia) inserted by [S.I. 2022/1382 reg. 69\(e\)](#)
- reg. 2(2)(ja) inserted by [S.I. 2022/1382 reg. 69\(f\)](#)
- reg. 2(2)(jb)-(je) inserted by [S.I. 2023/1147 reg. 19\(2\)](#)
- reg. 2(2)(ma)-(mc) inserted by [S.I. 2023/1225 reg. 10\(2\)\(a\)\(i\)](#)
- reg. 2(2)(za) inserted by [S.I. 2022/1382 reg. 69\(a\)](#)
- reg. 2(2)(za) omitted by [S.I. 2023/1116 reg. 16\(2\)](#)
- reg. 2(5)(n) inserted by [S.I. 2023/1116 reg. 14\(6\)\(c\)](#)
- reg. 2(5)(ba)(bb) inserted by [S.I. 2023/1116 reg. 14\(6\)\(b\)](#)
- reg. 2(5)(ma)(mb) inserted by [S.I. 2023/1225 reg. 10\(2\)\(b\)](#)
- reg. 2(5)(za) inserted by [S.I. 2023/1116 reg. 14\(6\)\(a\)](#)
- reg. 13A13B inserted by [S.I. 2023/1116 reg. 14\(1\)](#)
- reg. 17(3)(c) inserted by [S.I. 2022/1382 reg. 71\(b\)](#)
- reg. 17(3)(c) words substituted by [S.I. 2023/1116 reg. 15](#)
- reg. 18(7)(fa) inserted by [S.I. 2022/1382 reg. 72\(a\)](#)
- reg. 19(3)(e) inserted by [S.I. 2023/1116 reg. 14\(2\)](#)
- reg. 19(3A) inserted by [S.I. 2022/1382 reg. 73\(a\)](#)
- reg. 19(4A) inserted by [S.I. 2022/1309 reg. 12\(1\)\(b\)](#)
- reg. 19(5A) inserted by [S.I. 2022/1382 reg. 73\(b\)](#)
- reg. 20A amendments by [S.I. 2022/1382](#), regs. 70-75, 77, 78, 80-82 extended to N.I. by [S.I. 2023/1382 reg. 13](#)
- reg. 20A inserted by [S.I. 2022/1382 reg. 74](#)
- reg. 20A words omitted by [S.I. 2023/1116 reg. 16\(1\)\(a\)](#)
- reg. 20A heading words omitted by [S.I. 2023/1116 reg. 16\(1\)\(b\)](#)
- reg. 22(1)(ba) inserted by [S.I. 2023/1225 reg. 10\(4\)](#)
- reg. 25(3A) inserted by [S.I. 2022/1382 reg. 75\(b\)](#)
- reg. 25(4A)-(4C) inserted by [S.I. 2022/1382 reg. 75\(d\)](#)
- reg. 25(4A) words omitted by [S.I. 2023/1116 reg. 17\(3\)\(a\)](#)
- reg. 25(4A)(b) words inserted by [S.I. 2023/1116 reg. 17\(3\)\(b\)](#)
- reg. 25(6) inserted by [S.I. 2022/1382 reg. 75\(f\)](#)
- reg. 27(1A)-(1N) inserted by [S.I. 2022/1382 reg. 76\(3\)](#)
- reg. 28(3A) inserted by [S.I. 2023/1116 reg. 18\(3\)](#)
- reg. 28(6A)-(6C) inserted by [S.I. 2023/1116 reg. 18\(7\)](#)
- reg. 28(7A)-(7C) inserted by [S.I. 2023/1116 reg. 18\(9\)](#)
- reg. 29(1)(1A) substituted for reg. 29(1) by [S.I. 2023/1116 reg. 19\(2\)](#)
- reg. 29(2A) amendments by [S.I. 2022/1382](#), regs. 70-75, 77, 78, 80-82 extended to N.I. by [S.I. 2023/1382 reg. 13](#)
- reg. 29(2A) inserted by [S.I. 2022/1382 reg. 77](#)

- reg. 30(7A) amendments by S.I. 2022/1382, regs. 70-75, 77, 78, 80-82 extended to N.I. by [S.I. 2023/1382 reg. 13](#)
- reg. 30(7A) inserted by [S.I. 2022/1382 reg. 78](#)
- reg. 30A inserted by [S.I. 2022/1382 reg. 79](#)
- reg. 33(5)(ea) amendments by S.I. 2022/1382, regs. 70-75, 77, 78, 80-82 extended to N.I. by [S.I. 2023/1382 reg. 13](#)
- reg. 33(5)(ea) inserted by [S.I. 2022/1382 reg. 80](#)
- reg. 37(1)(ea) amendments by S.I. 2022/1382, regs. 70-75, 77, 78, 80-82 extended to N.I. by [S.I. 2023/1382 reg. 13](#)
- reg. 37(1)(ea) inserted by [S.I. 2022/1382 reg. 81](#)
- reg. 37(1)(eb) inserted by [S.I. 2023/1116 reg. 22](#)
- reg. 39(3)(e) and word inserted by [S.I. 2023/1225 reg. 10\(5\)\(a\)\(ii\)](#)
- reg. 39(5)(d) and word inserted by [S.I. 2023/1225 reg. 10\(5\)\(b\)\(ii\)](#)
- reg. 43(2)(ba) amendments by S.I. 2022/1382, regs. 70-75, 77, 78, 80-82 extended to N.I. by [S.I. 2023/1382 reg. 13](#)
- reg. 43(2)(ba) inserted by [S.I. 2022/1382 reg. 82](#)
- reg. 44(1)(da) inserted by [S.I. 2022/1382 reg. 83](#)
- reg. 45(1A) inserted by [S.I. 2022/1382 reg. 84](#)
- reg. 45A inserted by [S.I. 2023/1116 reg. 14\(3\)](#)
- reg. 46(1) reg. 46 renumbered as reg. 46(1) by [S.I. 2020/581 reg. 13\(2\)\(b\)](#)
- reg. 46(2) inserted by [S.I. 2020/581 reg. 13\(2\)\(c\)](#)
- reg. 46(2) words inserted by [S.I. 2023/1225 reg. 10\(6\)](#)
- reg. 46A inserted by [S.I. 2023/1116 reg. 14\(4\)](#)
- reg. 51(1A)(1B) inserted by [S.I. 2023/1147 reg. 19\(6\)\(b\)](#)
- reg. 51(1B)(a) words substituted by [S.I. 2023/1406 reg. 13\(3\)\(a\)](#)
- reg. 51(7A) inserted by [S.I. 2023/1147 reg. 19\(6\)\(e\)](#)
- reg. 52(1)(da) inserted by [S.I. 2018/699 reg. 8\(3\)\(a\)\(iii\)](#)
- reg. 52(1A) inserted by [S.I. 2018/699 reg. 8\(3\)\(b\)](#)
- reg. 52(9)(10) inserted by [S.I. 2018/699 reg. 8\(3\)\(c\)](#)
- reg. 52(9)-(9B) substituted for reg. 52(9) by [S.I. 2020/581 reg. 13\(3\)\(a\)](#)
- reg. 52(10) words substituted by [S.I. 2020/581 reg. 13\(3\)\(b\)](#)
- reg. 54(1)(da) inserted by [S.I. 2018/699 reg. 8\(4\)\(a\)\(ii\)](#)
- reg. 54(1A) inserted by [S.I. 2018/699 reg. 8\(4\)\(b\)](#)
- reg. 54(6)(7) inserted by [S.I. 2018/699 reg. 8\(4\)\(c\)](#)
- reg. 54(6)-(6B) substituted for reg. 54(6) by [S.I. 2020/581 reg. 13\(4\)\(a\)](#)
- reg. 54(7) words substituted by [S.I. 2020/581 reg. 13\(4\)\(b\)](#)
- reg. 57(3)(za) inserted by [S.I. 2023/1147 reg. 19\(7\)\(a\)](#)
- reg. 57(5)(5A) substituted for reg. 57(5) by [S.I. 2023/1147 reg. 19\(7\)\(b\)](#)
- reg. 58(6A) inserted by [S.I. 2023/1147 reg. 19\(8\)\(a\)](#)
- reg. 60(1)(aa) inserted by [S.I. 2023/1147 reg. 19\(9\)\(a\)](#)
- reg. 60(6A)-(6E) inserted by [S.I. 2023/1147 reg. 19\(9\)\(b\)](#)
- reg. 63(1A) inserted by [S.I. 2023/1147 reg. 19\(10\)\(b\)](#)
- reg. 63A inserted by [S.I. 2022/1382 reg. 86](#)
- reg. 64(5)(b)(v) and word inserted by [S.I. 2022/332 art. 9\(2\)\(b\)](#)
- reg. 64(5)(b)(iv) inserted by [S.I. 2021/1188 art. 9\(3\)\(c\)](#)
- reg. 65(4)(b)(v) and word inserted by [S.I. 2022/332 art. 9\(3\)\(b\)](#)
- reg. 65(4)(b)(iv) inserted by [S.I. 2021/1188 art. 9\(4\)\(c\)](#)
- reg. 68(6A) inserted by [S.I. 2023/1147 reg. 19\(11\)](#)
- reg. 69A inserted by [S.I. 2022/1382 reg. 88](#)
- reg. 71(2A) inserted by [S.I. 2022/1382 reg. 89\(3\)](#)
- reg. 71(4A)(4B) inserted by [S.I. 2022/1382 reg. 89\(6\)](#)
- reg. 71(4A) words inserted by [S.I. 2023/1147 reg. 19\(12\)\(a\)](#)
- reg. 71(4C) inserted by [S.I. 2023/1147 reg. 19\(12\)\(b\)](#)
- reg. 71(8) inserted by [S.I. 2022/1382 reg. 89\(7\)](#)
- reg. 71A inserted by [S.I. 2022/1382 reg. 90](#)
- reg. 72A-72C inserted by [S.I. 2023/1147 reg. 19\(13\)](#)
- reg. 72B(5A) inserted by [S.I. 2023/1406 reg. 13\(5\)\(a\)](#)
- reg. 72B(6) words inserted by [S.I. 2023/1406 reg. 13\(5\)\(b\)\(i\)](#)

- reg. 72B(6)(d)(i) words inserted by S.I. 2023/1406 reg. 13(5)(b)(ii)
- reg. 72B(7)(c)(ii)(aa) word inserted by S.I. 2023/1406 reg. 13(5)(c)
- reg. 72B(8) words substituted by S.I. 2023/1406 reg. 13(5)(d)(i)
- reg. 72B(8)(a) words substituted by S.I. 2023/1406 reg. 13(5)(d)(ii)
- reg. 72B(8)(b) words substituted by S.I. 2023/1406 reg. 13(5)(d)(iii)
- reg. 72B(8)(c) words substituted by S.I. 2023/1406 reg. 13(5)(d)(iii)
- reg. 72B(8)(ca) inserted by S.I. 2024/43 reg. 25(2)
- reg. 73(9)-(13) inserted by S.I. 2023/1147 reg. 19(14)(b)
- reg. 73A inserted by S.I. 2023/1147 reg. 19(15)
- reg. 99(2A) inserted by S.I. 2023/1225 reg. 10(7)(c)
- reg. 99A-99D inserted by S.I. 2023/1225 reg. 10(8)
- reg. 102A-102E inserted by S.I. 2023/1225 reg. 10(10)
- reg. 110(6)-(9) inserted by S.I. 2023/1225 reg. 10(12)(c)
- reg. 110A inserted by S.I. 2023/1225 reg. 10(13)
- reg. 112(1)(f) inserted by S.I. 2023/1225 reg. 10(15)(a)
- reg. 112(2)(d) inserted by S.I. 2023/1225 reg. 10(15)(b)
- reg. 115(1)(a)(i) words in reg. 115(1)(a) renumbered as reg. 115(1)(a)(i) by S.I. 2023/1225 reg. 10(17)(b)(ii)(aa)
- reg. 115(1)(a)(ii)(iii) inserted by S.I. 2023/1225 reg. 10(17)(b)(ii)(bb)
- reg. 115(1)(c)(i) words in reg. 115(1)(c) renumbered as reg. 115(1)(c)(i) by S.I. 2023/1225 reg. 10(17)(b)(iii)(aa)
- reg. 115(1)(c)(ii) inserted by S.I. 2023/1225 reg. 10(17)(b)(iii)(bb)
- reg. 115A inserted by S.I. 2023/1225 reg. 10(18)
- reg. 117(ba) inserted by S.I. 2023/1141 reg. 8(2)
- reg. 119(1A) inserted by S.I. 2023/1147 reg. 19(16)(a)
- reg. 122A inserted by S.I. 2023/1225 reg. 10(19)
- reg. 123(4A)-(4F) inserted by S.I. 2023/1225 reg. 10(20)(a)
- reg. 123A inserted by S.I. 2023/1141 reg. 8(3)
- reg. 124A inserted by S.I. 2023/1116 reg. 14(5)
- reg. 144(2A) inserted by S.I. 2022/1382 reg. 91(b)