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STATUTORY INSTRUMENTS

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**2007 No. 925**

**The Representation of the People  
(Scotland) (Amendment) Regulations 2007**

**PART 11**

**Miscellaneous Amendments and Transitional Provision**

**Maundy Thursday**

- 48.**—(1) In regulation 8(3) omit the words “Maundy Thursday.”  
(2) In regulation 56(6)(1) omit the words “Maundy Thursday.”

**Additional requirement for postal vote applications**

- 49.** After regulation 51A insert—

**“Additional requirement for applications for ballot papers to be sent to different address from that stated in application**

**51AA.**—(1) Paragraph (2) applies where—

- (a) in the case of an application to vote by post under paragraph 3(1) or (7) or 4(1) of Schedule 4(2), the addresses stated in accordance with regulation 51(2)(b)(3) and (d) are different;
- (b) in the case of an application by a proxy to vote by post under paragraph 7(4) of Schedule 4(4), the proxy’s address stated in accordance with regulation 51(2)(c) and the address stated in accordance with regulation 51(2)(d) are different.
- (2) The application must set out why the applicant’s circumstances will be or are likely to be such that he requires the ballot paper to be sent to the address stated in accordance with regulation 51(2)(d).
- (3) This regulation does not apply where an applicant has, or has applied for, an anonymous entry.”

**Amendments relating to requirement to make notification to absent voters**

- 50.**—(1) Regulation 57(5) is amended as follows.  
(2) In paragraph (4B)—

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(1) Regulation 56 was amended by [S.I. 2001/1879](#) and [2006/834](#), and is further amended by regulation 32 of these Regulations.  
(2) The reference is to Schedule 4 to the Representation of the People Act 2000 ([c. 2](#)). Paragraphs 3(1) and 4(1) were amended by, respectively, section 14(1)(a) and (2)(a) of the Electoral Administration Act 2006 ([c. 22](#)).  
(3) Amended by [S.I. 2006/834](#).  
(4) The reference is to Schedule 4 to the Representation of the People Act 2000 ([c. 2](#)).  
(5) Amended by [S.I. 2006/834](#).

- (a) after “paragraph 3(4)” insert “or 7(6)”;
- (b) after “shall” insert “where practicable”.
- (3) In paragraph (4C) after “shall” insert “where practicable”.
- (4) Omit paragraph (7).

#### **Persons entitled to be present at proceedings on issue and receipt of postal ballot papers: observers**

51. Regulations 67 and 68 are amended by inserting at the beginning of each regulation the words “Without prejudice to the provisions of section 6A, 6B, 6C, 6D or 6E of the Political Parties, Elections and Referendums Act 2000(6).”.

#### **Envelopes**

52. In regulation 74, at the beginning of paragraph (3)(c) insert “unless the envelope has a window through which the number on the ballot paper (or ballot papers) can be displayed,”.

#### **Restrictions on supply of full register and disclosure of information from it**

53. In regulation 94(2)(7), after “also”, where it first occurs, insert “the returning officer at any election or”.

#### **Replacement of declarations of identity by postal voting statements**

54. In the Representation of the People (Scotland) Regulations 2001(8)–
- (a) for each reference to “declaration of identity” or “declarations of identity” substitute “postal voting statement” or “postal voting statements” respectively; and
  - (b) in each of the following places at which there is another reference to “declaration”, substitute “statement”–
    - (i) regulation 79(1)(b),
    - (ii) paragraphs (1), (2), (3), (4) and (7) of regulation 85(9), and
    - (iii) paragraphs (1) and (4) of regulation 88.

#### **Form of Postal Voting Statement**

55. In Schedule 3, for Form G, Form H and Form J substitute the Form G, Form H and Form J set out in Schedule 2 to these Regulations.

#### **Transitional provision: regulation 31J**

56.—(1) Paragraph (2) applies until paragraph 2(1) and (2) of Schedule 2 to the Children Act 2004(10) comes into force.

(2) Regulation 31J(11) must be read as if for sub paragraphs (g) to (i) of paragraph (4) there were substituted–

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(6) 2000 c. 41; sections 6A to 6E were inserted by section 29 of the Electoral Administration Act 2006 (c. 22).

(7) Regulation 94 was added by S.I. 2002/1872.

(8) S.I. 2001/497.

(9) Regulation 85 was amended by S.I. 2002/1872.

(10) 2004 c. 31.

(11) Regulation 31J is inserted by regulation 12 of these Regulations.

“(g) any director of social services in England or Wales within the meaning of section 6(1) of the Local Authority Social Services Act 1970<sup>(12)</sup>”.

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<sup>(12)</sup> 1970 c. 42; section 6(1) was amended by paragraph 2 of Schedule 2 to the Children Act 2004 (c. 31).