STATUTORY INSTRUMENTS

2026 No. 1031 (C. 86)

REPRESENTATION OF THE PEOPLE

The Absent Voting (Elections in Scotland and Wales) Act 2025 (Commencement and Transitional Provisions) Regulations 2026

Made - - - - 15th September 2026

The Secretary of State makes these Regulations in exercise of the powers conferred by section 4(2) to (7) of the Absent Voting (Elections in Scotland and Wales) Act 2025(**a**).

Citation and interpretation

1.—(1) These Regulations may be cited as the Absent Voting (Elections in Scotland and Wales) Act 2025 (Commencement and Transitional Provisions) Regulations 2026.

(2) In these Regulations—

"the 2000 Act" means the Representation of the People Act 2000(**b**);

"the 2025 Act" means the Absent Voting (Elections in Scotland and Wales) Act 2025;

"the 2026 Scottish Regulations" means the Absent Voting (Miscellaneous Amendment) (Scotland) Regulations 2026(**c**);

"the 2026 Welsh Regulations" means the Representation of the People (Absent Voting and Miscellaneous Amendments) (Wales) Regulations 2026(**d**);

"registration officer" means an electoral registration officer appointed in accordance with section 8 of the Representation of the People Act 1983(**e**).

Appointed day

2. The day appointed for the coming into force of section 1(4) to (6) of the 2025 Act is 3rd November 2026.

(**a**) 2025 c. 27.
(**b**) 2000 c. 2.
(**c**) S.S.I. 2026/122.
(**d**) W.S.I. 2026/91.
(**e**) 1983 c. 2. Section 8 was amended by paragraph 68(1) of Schedule 16 to the Local Government (Wales) Act 1994 (c. 19), paragraph 130(2) of Schedule 13 to the Local Government etc (Scotland) Act 1994 (c. 39) and section 11(4) of the Parliamentary Voting System and Constituencies Act 2011 (c. 1).

Specified date

3. For the purposes of the definitions of "devolved election postal vote entitlement" and "parliamentary election postal vote entitlement" in section 4(6) of the 2025 Act, the specified date is 3rd November 2026.

Transitional provision: outstanding absent voting applications

4.—(1) Paragraph (2) applies where—

(a) either—

(i) an absent voting application for local government elections in Scotland is treated as having not been made, in accordance with regulation 24(1) of the 2026 Scottish Regulations, or

(ii) a devolved absent voting application or a devolved proxy postal voting application is treated as having not been made in accordance with regulation 30(1) of the 2026 Welsh Regulations, and

(b) the same application included an application under paragraph 3, 4, 6 or 7 of Schedule 4 to the 2000 Act(**a**) in relation to a parliamentary election or parliamentary elections.

(2) Where this paragraph applies—

(a) the application described in paragraph (1)(b) is also to be treated as having not been made, and

(b) as soon as practicable on or after 3rd November 2026 the registration officer must send the applicant information about how to make a fresh application.

Transitional provision: aligning expiry of certain parliamentary election postal voting entitlements where devolved election postal voting entitlements expiring

5.—(1) Paragraph (2) applies where—

(a) immediately before 3rd November 2026, a person ("P") holds both a parliamentary election postal voting entitlement and a devolved election postal voting entitlement(**b**), and

(b) P's devolved election postal vote entitlement ends on the transitional expiry date in accordance with regulation 25(4)(a) of the 2026 Scottish Regulations or regulation 32(4) of the 2026 Welsh Regulations.

(2) P's parliamentary postal vote entitlement ends on the same date as P's devolved election postal vote entitlement (unless it ends sooner).

(3) As soon as practicable on or after 3rd November 2026, the registration officer must alter the record kept under paragraph 3(4) or 7(6) of Schedule 4 to the 2000 Act (as the case may be)

(**a**) Paragraphs 3 and 6 were amended by paragraph 164 of Schedule 27 to the Civil Partnership Act 2004 (c. 33). Paragraphs 3, 4 and 7 were amended by section 14 of the Electoral Administration Act 2006 (c. 22) ("EAA 2006") and section 20(c) of the Local Electoral Administration and Registration Services (Scotland) Act 2006 (asp 14) ("LEARSSA"). Paragraph 3 was also amended by paragraphs 20 and 137(4) of Schedule 1 to EAA 2006, section 34(5) of LEARSSA, section 9(3) of the Scottish Elections (Franchise and Representation) Act 2020 (asp 6), and paragraph 2 of Schedule 3 to the Elections Act 2022 (c. 37) ("EA 2022"). Paragraph 4 was also amended by paragraph 21 of Schedule 1 to EAA 2006. Paragraph 6 was also amended by section 3 of the Electoral Registration and Administration Act 2013 (c. 6), section 16 of the Scottish Elections (Reduction of Voting Age) Act 2015 (asp 7), section 9(4) of the Scottish Elections (Franchise and Representation) Act 2020, paragraph 8(3) of Schedule 2 to the Local Government and Elections (Wales) Act 2021 (asc 1) and paragraph 7 of Schedule 4 to EA 2022. Paragraph 7 was amended by section 38(6) of, and paragraphs 23 and 137 of Schedule 1 to, EAA 2006, section 27(2)(b) of LEARSSA and paragraph 3 of Schedule 3 to EA 2022.

(**b**) See section 4(6) of the Absent Voting (Elections in Scotland and Wales) Act 2025 (c. 27) for the meaning of "parliamentary election postal voting entitlement" and "devolved election postal voting entitlement".

to reflect any change resulting from paragraph (2) in the period for which P's parliamentary election postal vote entitlement lasts.

(4) Before the date on which P's parliamentary election postal vote entitlement is to end in accordance with paragraph (2), the registration officer must send to P, at P's qualifying address—

(a) a notice informing P of the date on which P's parliamentary election postal vote entitlement is to end, and

(b) information about how to make a fresh application to vote by post (as elector or as proxy, as the case may be) at parliamentary elections.

(5) In this regulation—

(a) in paragraph (1)(b), "transitional expiry date" has the same meaning as in regulation 25(9) of the 2026 Scottish Regulations or, as the case may be, regulation 32(9) of the 2026 Welsh Regulations;

(b) in paragraph (4), "qualifying address" means the address in respect of which the person is registered as an elector in the register of parliamentary electors maintained under section 9(1)(a) of the Representation of the People Act 1983(**a**).

Signed by authority of the Secretary of State for Housing, Communities and Local Government

Florence Eshalomi
Minister of State
15th September 2026 Ministry of Housing, Communities and Local Government

(**a**) Section 9 was substituted by paragraph 3 of Schedule 1 to the Representation of the People Act 2000 (c. 2).

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations bring into force section 1(4) to (6) of the Absent Voting (Elections in Scotland and Wales) Act 2025 (c. 27) ("the 2025 Act"), which makes amendments to Schedule 4 to the Representation of the People Act 2000 (c. 2) ("the 2000 Act"). Section 1(5) of the 2025 Act amends paragraph 3 of Schedule 4 to the 2000 Act, the effect of which is to limit the maximum length of an entitlement under paragraph 3(1) to vote by post at local government elections in Scotland or Wales. Section 1(6) of the 2025 Act makes equivalent amendments to paragraph 7 of Schedule 4 to the 2000 Act in respect of entitlements to vote by post as proxy at local government elections in Scotland or Wales. The remainder of the 2025 Act came into force on Royal Assent, so these Regulations bring the Act fully into force.

Regulation 3 specifies 3rd November 2026 as the "specified date" for the purpose of definitions in section 4(6) of the 2025 Act.

Regulation 4 makes transitional provision to treat certain outstanding absent voting applications relating to voting at parliamentary elections as having not been made, where an applicant makes the application together with an application relating to voting at local government elections in Scotland or Wales which is to be treated as having not been made in accordance with the 2026 Scottish Regulations or the 2026 Welsh Regulations (see regulation 1(2)).

Regulation 5 makes transitional provision in connection with the expiry of certain devolved election postal voting entitlements, providing that where a person holds both a parliamentary election postal voting entitlement and a devolved election postal voting entitlement the expiry of both entitlements is aligned.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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