Draft Regulations laid before the Scottish Parliament under section 201(2) of the Representation of the People Act 1983 and paragraphs 1 and 2 of schedule 7 of the Scotland Act 1998, for approval by resolution of the Scottish Parliament.

DRAFT SCOTTISH STATUTORY INSTRUMENTS

2026 No.

CONSTITUTIONAL LAW

REPRESENTATION OF THE PEOPLE

The Absent Voting (Miscellaneous Amendment) (Scotland) Regulations 2026

Made - - - - 2026

Coming into force in accordance with regulation 1(2) and (3)

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 53(1), (3), (9) and 201(3) and paragraphs 1(2) and (5A), 3, 5ZB(1), (2) and (5), 5A(1), (3) and (4) and 13(2) of schedule 2 of the Representation of the People Act 1983 ("the 1983 Act")(**a**), sections 12B(1) and (2) and 113(2), (3), (4) and (5) and 114 of the Scotland Act 1998 ("the 1998 Act")(**b**), sections 22(3), 33 and 61(2) of the Local Electoral Administration and Registration Services (Scotland) Act 2006(**c**), and all other powers enabling them to do so.

In accordance with section 7(1) and (2)(e) of the Political Parties, Elections and Referendums Act 2000(**d**) the Scottish Ministers have consulted with the Electoral Commission.

(**a**) 1983 c. 2 ("the 1983 Act"). Section 53(1) was relevantly amended by paragraph 13(b) of schedule 1 and schedule 7 of the Representation of the People Act 2000 (c. 2) ("the 2000 Act") and paragraph 1(a) and (b) of schedule 2 of the Elections Act 2022 (c. 37) ("the 2022 Act"). Section 53(3) was amended by paragraph 13(b) of schedule 4 of the Representation of the People Act 1985 (c. 50) ("the 1985 Act"). Section 53(9) was inserted by section 6(4) of the Scotland Act 2016 (c. 11) ("the 2016 Act") and amended by section 7(10) of the Wales Act 2017 (c. 4). Section 201(3) was inserted by paragraph 21 of schedule 1 of the 2000 Act and amended by paragraph 6(7) of schedule 21 of the Political Parties, Elections and Referendums Act 2000 (c. 41). Paragraph 1(2) of schedule 2 of the 1983 Act was amended by paragraph 24(2) of schedule 1 of the 2000 Act and by paragraph 20(2) of schedule 4 of the Electoral Registration and Administration Act 2013 (c. 6). Paragraph 1(5A) of schedule 2 was inserted by paragraph 3(3) of schedule 2 of the 2022 Act and amended by section 1(2) of the Absent Voting (Elections in Scotland and Wales) Act 2025 (c. 27) ("the 2025 Act"). Paragraph 5ZB of schedule 2 was inserted by section 1(3) of the 2025 Act. Paragraph 5A was inserted by paragraph 8 of schedule 2 of the 1985 Act and amended by paragraph 11(2) of schedule 6 of the 2000 Act. The functions of the Secretary of State are, insofar as within devolved competence, transferred to the Scottish Ministers by section 53 of the Scotland Act 1998 (c. 46) and section 9 of the 2016 Act.

(**b**) 1998 c. 46 ("the 1998 Act"). Section 12B was inserted by section 2(2) of the 2025 Act. The powers in section 113(2), (4) and (5) of the 1998 Act are extended to the Scottish Ministers by section 113(1A) of that Act, which was inserted by section 3(1) of the Scotland Act 2012 (c. 11) and amended by section 2(3) of the 2025 Act. Section 114 of the 1998 Act was amended by section 2(4) of the 2025 Act to enable the powers in section 12B of the 1998 Act, including as extended by section 113 of that Act, to be exercised by modifying any enactment comprised in or made under the 1998 Act.

(**c**) 2006 asp 14.

(**d**) 2000 c. 41.

In accordance with section 53(10)(a) of the 1983 Act and section 12B(5) of the 1998 Act, a Minister of the Crown has agreed to the making of these Regulations.

In accordance with section 201(2) of the 1983 Act(**a**) and paragraphs 1 and 2 of schedule 7 of the 1998 Act(**b**), a draft of this instrument has been laid before and approved by resolution of the Scottish Parliament(**c**).

PART 1

Introductory

Citation and commencement

1.—(1) These Regulations may be cited as the Absent Voting (Miscellaneous Amendment) (Scotland) Regulations 2026.

(2) Subject to paragraph (3), these Regulations come into force on the day after the day on which they are made.

(3) Regulations 2 to 22 come into force on 3 November 2026.

PART 2

Absent voting at local government elections

Amendment of the Representation of the People (Scotland) Regulations 2001

2. The Representation of the People (Scotland) Regulations 2001(**d**) are amended in accordance with regulations 3 to 5.

Amendment of Part 1 (general, interpretation and miscellaneous)

3.—(1) In regulation 3(1) (interpretation)(**e**)—

(a) in the definition of "digital service", in paragraph (a), for "and online relevant absent voting applications" substitute ", online relevant absent voting applications and online relevant devolved absent voting applications",

(b) after the definition of "relevant contact details" insert—

> ""relevant devolved absent voting application" means an application (including a partially completed application) under paragraph 3, 4 or 6 of Schedule 4 to the 2000

(**a**) Section 201(2) was substituted by paragraph 69 of schedule 4 of the Representation of the People Act 1985 (c. 50) and relevantly amended by paragraph 6(7) of schedule 21 of the Political Parties, Elections and Referendums Act 2000 (c. 41), section 13(2) of the Northern Ireland (Miscellaneous Provisions) Act 2014 (c. 13) and S.I. 1991/1728.

(**b**) Schedule 7 was relevantly amended by section 2(5) of the Absent Voting (Elections in Scotland and Wales) Act 2025 (c. 27).

(**c**) The powers to make these Regulations are exercised together by virtue of section 33(2) of the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10). These Regulations are subject to the affirmative procedure by virtue of section 33(3) of that Act.

(**d**) S.S.I. 2001/497; relevantly amended by S.I. 2013/3206, S.I. 2014/3124, S.I. 2019/1451, S.I. 2022/1382, S.I. 2023/1147, S.I. 2023/1406, S.I. 2024/43 and S.I. 2024/991.

(**e**) Regulation 3(1) was relevantly amended by S.I. 2019/1451, S.I. 2023/1147, S.I. 2023/1406 and S.I. 2024/991.

Act in relation to a local government election, or local government elections, in Scotland;".

(2) In regulation 6(4) (electronic signatures and related certificates)(**a**), after "relevant absent voting application" insert "or a relevant devolved absent voting application".

Amendment of Part 3 (registration)

4.—(1) In regulation 29ZB (processing of information provided in connection with an application under section 10ZC or 10ZD)(**b**)—

(a) in paragraph (5)(aa)(i)—

(i) after "relevant absent voting application", the first times it occurs, insert "or a relevant devolved absent voting application",

(ii) after "relevant absent voting application" the second time it occurs, insert "or the relevant devolved absent voting application (as the case may be)".

(b) after paragraph 5(aa)(i) insert—

"(ia) an application for an absent vote made under article 8, 9, 10 or 11 of the Scottish Parliament (Elections etc.) Order 2015(**c**) by the same applicant where that information is used by the Secretary of State to complete in part that application by virtue of paragraph 1(9) of Schedule 3 to that Order,

(ib) an application for an absent vote made under Schedule 4 to the 2000 Act by the same applicant where that information is used by the Secretary of State to complete in part that application by virtue of regulation 3(7) of the Representation of the People (Absent Voting at Local Government Elections) (Scotland) Regulations 2007(**d**),".

(2) In regulation 35(4) (registration officer's right to inspect certain records)(**e**), after "relevant absent voting application" insert "or a relevant devolved absent voting application".

(3) In regulation 35A(1) (disclosure of certain local authorities' records)(**f**), after "relevant absent voting application" insert "or a relevant devolved absent voting application".

Amendment of Part 4 (absent voters)

5.—(1) In regulation 51 (general requirements for applications for an absent vote)(**g**)—

(a) in paragraph (2)(aa), after "relevant absent voting application" insert "or a relevant devolved absent voting application",

(b) in the opening words of paragraph (7), after "relevant absent voting application" insert "or a relevant devolved absent voting application",

(c) in paragraph (10)(a), after "relevant absent voting application" insert "or any relevant devolved absent voting application",

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(**a**) Regulation 6(4) was inserted by S.I. 2023/1147.
(**b**) Regulation 29ZB was inserted by S.I. 2013/3206 and relevantly amended by S.I. 2023/1147 and S.I. 2023/1406.
(**c**) S.S.I. 2015/425; relevantly amended by S.S.I. 2026/XXX.
(**d**) S.S.I. 2007/170; relevantly amended by S.S.I. 2026/XXX.
(**e**) Regulation 35(4) was inserted by S.I. 2023/1406.
(**f**) Regulation 35A(1) was inserted by S.I. 2014/3124 and amended by S.I. 2023/1406.
(**g**) Regulation 51 was relevantly amended by S.I. 2023/1147.

(d) in the opening words of paragraph (11), after "relevant absent voting application" insert "or a relevant devolved absent voting application".

(2) In regulation 56(3D) (closing date for applications)(**a**), after "paragraph (3F)" insert "in relation to a parliamentary election or a local government election in Scotland".

(3) In regulation 56B (verification of information provided in a relevant absent voting application)(**b**)—

(a) in paragraph (1), after "relevant absent voting application" insert "or a relevant devolved absent voting application",

(b) in paragraph (8)(a), after "relevant absent voting application" insert "or the relevant devolved absent voting application",

(c) in the heading, after "relevant absent voting application" insert "or a relevant devolved absent voting application".

(4) In regulation 56C (power to request additional evidence in relation to relevant absent voting applications where registration officer considers it necessary)(**c**)—

(a) in paragraph (1), after "relevant absent voting application" insert "or a relevant devolved absent voting application",

(b) in paragraph (5), after "Where" insert ", in relation to a relevant absent voting application,",

(c) in paragraph (8), after sub-paragraph (f) insert—

"(g) paragraph 9B(5) of schedule 3 to the Scottish Parliament (Elections etc.) Order 2015(**d**), in relation to an application for local government elections in Scotland.",

(d) in the opening words of paragraph (9), omit "in a register of parliamentary electors or a register of local government electors in England",

(e) in the heading, after "relevant absent voting applications" insert "and relevant devolved absent voting applications".

(5) In regulation 56D (processing of information provided in connection with a relevant absent voting application)(**e**)—

(a) in the opening words of paragraph (2), after "relevant absent voting application" insert "or any relevant devolved absent voting application",

(b) in paragraph (3), after "relevant absent voting application" insert "or the relevant devolved absent voting application",

(c) in paragraph (5)(a), after "relevant absent voting application" insert "or the relevant devolved absent voting application",

(d) in paragraph (6), after "paragraph (5)" insert "in connection with a relevant absent voting application",

(e) in the heading, after "relevant absent voting application" insert "or a relevant devolved absent voting application".

(6) In regulation 57 (grant or refusal of applications)(**f**)—

(**a**) Regulation 56(3D) was inserted by S.I. 2022/1382 and relevantly amended by S.I. 2023/1147.
(**b**) Regulation 56B was inserted by S.I. 2023/1147 and amended by S.I. 2024/991.
(**c**) Regulation 56C was inserted by S.I. 2023/1147.
(**d**) S.S.I. 2015/425; relevantly amended by S.S.I. 2026/XXX.
(**e**) Regulation 56D was inserted by S.I. 2023/1147. There are amendments not relevant to these Regulations.
(**f**) Regulation 57 was relevantly amended by S.I. 2023/1147.

(a) in paragraph (1A)(**a**) for "Where a registration officer grants an application to vote by post at a parliamentary election, the" substitute "The",

(b) in paragraph (6A)(a)(**b**) for the words "under Schedule 4 relates to voting at a parliamentary election" substitute "has been made under Schedule 4".

(7) In regulation 60ZA(1) (requirement to notify certain electors and proxies that postal vote entitlement is to end)(**c**) omit "at a parliamentary election".

Amendment of the Representation of the People (Absent Voting at Local Government Elections) (Scotland) Regulations 2007

6. The Representation of the People (Absent Voting at Local Government Elections) (Scotland) Regulations 2007(**d**) are amended in accordance with regulations 7 to 15.

Interpretation

7. In regulation 2(1) (interpretation)(**e**)—

(a) after the definition of "anonymous entry" insert—

""maximum period" means the period specified in paragraph 3(1A)(a) or 7(5A)(a) of Schedule 4(**f**);",

(b) after the definition of "registration officer" insert—

""relevant absent voting application" means an application (including a partially completed application) under paragraph 3, 4 or 6 of Schedule 4(**g**) in relation to a local government election, or local government elections, in Scotland;",

(c) after the definition of "Schedule 4" insert—

""UK digital service" has the same meaning as in section 12B(6) of the Scotland Act 1998(**h**);".

General requirements for applications for an absent vote

8. In regulation 3 (general requirements for applications for an absent vote at a local government election in Scotland)(**i**)—

(**a**) Paragraph (1A) was inserted by S.I. 2023/1147.
(**b**) Paragraphs (6A) to (6E) were inserted by S.I. 2023/1147.
(**c**) Regulation 60ZA was inserted by S.I. 2023/1147.
(**d**) S.S.I. 2007/170; relevantly amended by S.S.I. 2009/35, S.S.I. 2017/64, S.S.I. 2020/240, S.S.I. 2021/317 and S.S.I. 2025/263.
(**e**) There are amendments to regulation 2(1) that are not relevant to these Regulations.
(**f**) Paragraph 3(1A) of schedule 4 of the Representation of the People Act 2000 (c. 2) was inserted by paragraph 2(3) of schedule 3 of the Elections Act 2022 (c. 37) ("the 2022 Act") and amended by section 1(5)(b) of the Absent Voting (Elections in Scotland and Wales) Act 2025 ("the 2025 Act"). Paragraph 7(5A) of that schedule was inserted by paragraph 3(4) of schedule 3 of the 2022 Act and amended by section 1(6)(b) of the 2025 Act.
(**g**) Paragraph 3 of schedule 4 of the Representation of the People Act 2000 (c. 2) ("the 2000 Act") was amended by paragraph 164(2) of schedule 27 of the Civil Partnership Act 2004 (c. 33) ("the 2004 Act"), section 14 and paragraphs 20 and 137 of schedule 1 of the Electoral Administration Act 2006 (c. 22) ("the EAA"), sections 20 and 34(5) of the Local Electoral Administration and Registration Services (Scotland) Act 2006 (asp 14) ("the 2006 Act"), section 9(3) of the Scottish Elections (Franchise and Representation) Act 2020 (asp 6) ("the 2020 Act") and paragraph 2 of schedule 3 of the Elections Act 2022 (c. 37) ("the 2022 Act"). Paragraph 4 of schedule 4 of the 2000 Act was amended by section 14 and paragraph 3 of schedule 1 of the EAA and section 20 of the 2006 Act. Paragraph 6 of schedule 4 of the 2000 Act was amended by paragraph 164(3) of schedule 27 of the 2004 Act, section 3 of the Electoral Registration and Administration Act 2013 (c. 6), section 16 (2) and (3) of the Scottish Elections (Reduction of Voting Age) Act 2015 (asp 7), section 9 of the 2020 Act, paragraph 8(3)(b)(ii) of schedule 2 of the Local Government and Elections (Wales) Act 2021 (asc 1) and paragraphs 7(2) and 7(3)(a) and (b) of schedule 4 of the 2022 Act.
(**h**) 1998 c. 46. Section 12B was inserted by section 2(2) of the Absent Voting (Elections in Scotland and Wales) Act 2025 (c. 27).
(**i**) Regulation 3 was relevantly amended by S.S.I. 2009/35.

(a) in paragraph (2), after sub-paragraph (a) insert—

"(aa) for a relevant absent voting application, the applicant's national insurance number or, if the applicant is unable to provide that information, the reason why they are unable to do so;",

(b) after paragraph (3) insert—

"(3ZA) Any requirement that any application, notice, representation or relevant identity attestation given under regulation 11B(5) should be in writing is satisfied where (apart from the usual meaning of that expression) the text of it—

(a) is transmitted by electronic means,

(b) is received in legible form, and

(c) is capable of being used for subsequent reference.",

(c) in paragraph (4), after "indefinite period," insert "the maximum period,",

(d) after paragraph (6), insert—

"(7) Where by virtue of arrangements made by a Minister of the Crown, a relevant absent voting application is made through the UK digital service—

(a) the Minister of the Crown may complete the application in part using information provided by the applicant as part of an application, or a partially completed application, under section 10ZC or 10ZD of the 1983 Act(**a**) for registration in, or alteration of, a register of electors made through or completed using the UK digital service;

(b) where the application is required to contain a signature, the application must contain a compliant photograph or electronic scan of the applicant's signature;

(c) the Minister of the Crown must—

(i) request that the applicant provide their most recent previous name (if they have one), and

(ii) provide an explanation of the purpose for which the information will be used.

(8) In paragraph (7)(b), "compliant photograph or electronic scan of the applicant's signature" means—

(a) the signature contained in the photograph or electronic scan complies with the requirements of sub-paragraph (a) of paragraph (3A), and

(b) the photograph or electronic scan of the signature is sufficiently clear and unambiguous so as to comply with the requirements of paragraph (3A).

(9) Where an applicant is unable to provide a national insurance number in accordance with paragraph (2)(aa), the applicant may provide as part of the application a copy of any of the documents listed in regulation 11B(2) to (4).

(10) The Minister of the Crown must send to the registration officer—

(a) subject to paragraph (11), any relevant absent voting application the Minister of the Crown receives,

(b) the applicant's previous name (if any provided),

(**a**) Section 10ZC was inserted by section 1(1) of the Electoral Registration and Administration Act 2013 (c. 6) ("the 2013 Act") and amended by section 6(2) of the Scotland Act 2016 (c. 11) ("the 2016 Act") and section 7(2) to (4) of the Wales Act 2017 (c. 4) ("the 2017 Act"). Section 10ZD was inserted by paragraph 1 of schedule 1 of the 2013 Act and amended by section 6(3) of the 2016 Act and section 7(6) to (8) of the 2017 Act.

(c) any copy documentation provided by the applicant in accordance with paragraph (9), and

(d) a reference number unique to that application.

(11) Where a relevant absent voting application made through the UK digital service in accordance with paragraph (7) includes the applicant's national insurance number the Minister of the Crown—

(a) may send the registration officer that application without the national insurance number, and

(b) where the Minister of the Crown does so, must indicate to the registration officer that a national insurance number was included when the application was made by the applicant.

(12) A document provided in accordance with paragraph (9) or regulation 11B may be transmitted by an applicant by electronic means.".

Additional requirements for applications for the appointment of a proxy

9. In regulation 7 (additional requirements for the appointment of a proxy)(**a**)—

(a) at the end of paragraph (c) omit "and",

(b) in paragraph (d) for "elector" substitute "elector, and",

(c) after paragraph (d) insert—

"(e) in the case of an application to which regulation 11(4C) applies, state that it is being made because the circumstances in regulation 11(4D) apply.".

Additional requirements for applications for a proxy vote in respect of a particular election

10. In regulation 10 (additional requirements for applications for a proxy vote in respect of a particular election)(**b**), after paragraph (5E) insert—

"(5F) Where an application under paragraph 4(2) of Schedule 4 is made after 5 p.m. on the sixth day before the date of the poll at the election for which it is made because the circumstances set out in regulation 11(4D) apply, the application must (in addition to providing any other information required under these Regulations) state that it is being made because of those circumstances.".

Closing date for applications

11. In regulation 11 (closing date for applications)(**c**)—

(a) in paragraph (3) for "and (4B)" substitute ", (4B), (4C) and (4D)",

(b) after paragraph (4B) insert—

"(4C) Where an application is made under paragraph 4(2) or 6(8) of Schedule 4 in the circumstances set out in paragraph (4D) of this regulation, the application must be refused if it is received after 5 p.m. on the day of the poll at the election for which it is made.

(4D) The circumstances are that—

(a) the applicant submitted the application because an earlier application submitted by that applicant under paragraph 3(2) or 6(7) of Schedule 4 is to be disregarded

(**a**) Regulation 7 was substituted by S.S.I. 2021/317.
(**b**) Regulation 10 was relevantly amended by S.S.I. 2021/317.
(**c**) Regulation 11 was relevantly amended by S.S.I. 2021/317.

for the purposes of the election referred in paragraph (4C) of this regulation because that earlier application—

(i) was submitted prior to the deadline of 5 p.m. on the sixth day before the date of the poll at the election referred to in paragraph (4C),

(ii) was submitted via the UK digital service, and

(iii) was not received by the registration officer until after the deadline of 5 p.m. on the sixth day before the date of the poll at the election referred to in paragraph (4C) due to a technical defect in the UK digital service, or

(b) the application referred to in paragraph (4C) meets the conditions specified in heads (i), (ii) and (iii) of sub-paragraph (a).".

Verification of information provided in a relevant absent voting application

12. After regulation 11 (closing date for applications) insert—

"Verification of information provided in a relevant absent voting application

11A.—(1) On receipt of a relevant absent voting application made otherwise than through the UK digital service, a registration officer must disclose the applicant's name or names, address, date of birth and national insurance number ("the first stage information") to the Secretary of State for Housing, Communities and Local Government in such format and through such an infrastructure system as the Secretary of State for Housing, Communities and Local Government may have notified to the registration officer in writing.

(2) Following receipt of the first stage information from the registration officer or, in the case of an application made through or partially completed using the UK digital service, from an applicant, the Secretary of State for Housing, Communities and Local Government may disclose the first stage information to the Secretary of State for Work and Pensions.

(3) Where the first stage information has been disclosed to the Secretary of State for Work and Pensions under paragraph (2), the Secretary of State for Work and Pensions may compare it against—

(a) the name, address, date of birth and national insurance number of individuals appearing in the following types of data kept by the Secretary of State—

(i) data kept for the purposes of functions relating to social security (including such information kept on behalf of the Department for Social Development), and

(ii) data relating to working tax credit, child tax credit and child benefit (being information kept on behalf of His Majesty's Revenue and Customs), and

(b) any other information contained in such types of data which relates to the information disclosed under paragraph (2).

(4) The Secretary of State for Work and Pensions may disclose the results of the comparison of the first stage information ("the second stage information") to the Secretary of State for Housing, Communities and Local Government.

(5) On receipt of the second stage information, the Secretary of State for Housing, Communities and Local Government may disclose that information—

(a) to the Secretary of State for Work and Pensions, or

(b) to the registration officer to whom the application has been made or, in the case of an application made through the UK digital service, the registration officer appointed for the register to which the application relates.

(6) Paragraph (3) applies to the second stage information where it has been disclosed to the Secretary of State for Work and Pensions under paragraph (5)(a) as it applies to the first stage information disclosed under paragraph (2).

(7) The Secretary of State for Work and Pensions may disclose the results of the comparison of the second stage information ("the third stage information") to the Secretary of State for Housing, Communities and Local Government.

(8) On receipt of the third stage information, the Secretary of State for Housing, Communities and Local Government may—

(a) compare the third stage information against the information provided in the relevant absent voting application, and

(b) notify the registration officer to whom the application has been made or, in the case of an application made through the UK digital service, the registration officer appointed for the register to which the application relates, as to whether the comparison in sub-paragraph (a) resulted in a match.

(9) The registration officer must take into account any information disclosed by, or notification received from, the Secretary of State for Housing, Communities and Local Government in accordance with this regulation when determining the application.

(10) This regulation does not apply in relation to an application under paragraph 4(2) of Schedule 4—

(a) which is received by the registration officer after 5 p.m. on the sixth day before the date of the poll at the election for which it is made, and

(b) where regulation 11(4) applies.

(11) In paragraph (1)—

(a) "infrastructure system" has the meaning given in schedule 3A of the Communications Act 2003(**a**),

(b) the reference to the applicant's address is a reference to the address in the application in accordance with regulation 3(2)(b).

Power to request additional evidence in relation to relevant absent voting applications

11B.—(1) This regulation applies where, upon receipt of a relevant absent voting application, a registration officer considers additional evidence is necessary to verify the identity of the applicant.

(2) The registration officer may require that the applicant provide the registration officer with a copy, or where the registration officer considers it appropriate, the original, of one of the following documents—

(a) the applicant's passport,

(b) the applicant's identity card issued in the European Economic Area,

(c) the applicant's biometric immigration document issued in the United Kingdom in accordance with regulations made under section 5 of the UK Borders Act 2007(**b**),

(d) the applicant's electoral identity card issued in Northern Ireland,

(**a**) 2003 c. 21. Schedule 3A was added by schedule 1 of the Digital Economy Act 2017 (c. 30). It has subsequently been amended by paragraph 4 of the schedule of the Telecommunications Infrastructure (Leasehold Property) Act 2021 (c. 7) and sections 57, 59, 60, 66, 68 and 69 of the Product Security and Telecommunications Infrastructure Act 2022 (c. 46).

(**b**) 2007 c. 30. Section 5 was amended by paragraph 19 of the schedule of the Identity Documents Act 2010 (c. 40).

(e) the applicant's photocard driving licence granted in the United Kingdom or driving licence granted by a Crown Dependency, which bears a photograph of the applicant.

(3) Where an applicant is not able to give one of the documents in paragraph (2), the registration officer may require that the applicant provide the registration officer with a copy, or where the registration officer considers it appropriate, the original, of—

(a) one of the following documents, which, except in relation to paragraph (vii) must have been issued in the United Kingdom or Crown Dependencies—

(i) the applicant's birth certificate,

(ii) the applicant's marriage or civil partnership certificate,

(iii) the applicant's adoption certificate,

(iv) the applicant's firearms certificate granted under the Firearms Act 1968(**a**),

(v) the record of a decision on bail made in respect of the applicant in accordance with section 5(1) of the Bail Act 1976(**b**) or Part 3 of the Criminal Procedure (Scotland) Act 1995(**c**),

(vi) the applicant's driving licence, which is not in the form of a photocard,

(vii) the applicant's driving licence granted other than in the United Kingdom or Crown Dependencies, which bears a photograph of the applicant and which must be valid for at least 12 months from the date the applicant entered the United Kingdom, and

(b) two other documents, each of which may be either from sub-paragraph (a) or from those mentioned in paragraph (4)(a) to (e).

(4) Where the applicant is not able to give documents in accordance with paragraph (3), the registration officer may require that the applicant provides the registration officer with a copy, or where the registration officer considers it appropriate, the original, of four documents, each of which may be any of the following kinds of evidence and which must bear the applicant's full name—

(a) a financial statement, including but not limited to—

(i) a mortgage statement,

(ii) a bank or building society statement or a letter from a bank or building society confirming that the applicant has opened an account with that bank or building society,

(iii) a credit card statement,

(iv) a pension statement,

(b) a council tax demand letter or statement,

(c) a utility bill,

(d) a Form P45 or Form P60 issued to the applicant by their employer or former employer,

(e) a statement of benefits or entitlement to benefits, such as a statement of child benefit, within the meaning of section 141 of the Social Security Contributions

(**a**) 1968 c. 27.
(**b**) 1976 c. 63. Section 5(1) was amended by paragraph 1(a) of schedule 3 of the Criminal Justice and Public Order Act 1994 (c. 33) and paragraph 1 of Part 12 of schedule 37 of the Criminal Justice Act 2003 (c. 44).
(**c**) 1995 c. 46.

and Benefits Act 1992(**a**), or a letter confirming that the applicant is entitled to housing benefit, within the meaning of section 130 of that Act(**b**).

(5) If the applicant is unable to give the documentary evidence required under paragraphs (2) to (4), the registration officer may require that the applicant give an attestation which must—

(a) confirm that the applicant is the person named in the application,

(b) be in writing and signed by a qualifying attestor,

(c) state the qualifying attestor's full name, date of birth, occupation, residential address, and (if different) the address in respect of which the qualifying attestor is registered as an elector,

(d) state the qualifying attestor's electoral number,

(e) include an explanation as to the qualifying attestor's ability to confirm that the applicant is the person named in the application, including (but not limited to) the qualifying attestor's connection to the applicant and the length of time that connection has existed,

(f) include—

(i) an indication that the qualifying attestor is aware of section 13CA(1) of the 1983 Act (Scottish local government elections: false information in connection with the applications for absent voting)(**c**), and

(ii) a declaration by the qualifying attestor that all information provided in the attestation is true, and

(g) state the date on which it is made.

(6) In paragraph (5), a "qualifying attestor" is a person—

(a) who is not the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild of the applicant,

(b) who is registered as an elector in a local authority area in Scotland,

(c) whom the registration officer is satisfied is of good standing in the community, and

(d) who has not already signed a relevant identity attestation for two other applicants since whichever is the later—

(i) the date on which the revised register in which the qualifying attestor's name appears was last published under section 13(1) of the 1983 Act(**d**),

(ii) the date on which a notice specifying the qualifying attestor's entry in the register was issued under section 13A(2), 13AB(2), 13B or 13BC of that Act(**e**) (and if there has been more than one such notice, the date on which the last one was issued).

(**a**) 1992 c. 4. Section 141 was amended by section 1(1) of the Child Benefit Act 2005 (c. 6).

(**b**) Section 130 was amended by paragraph 3 of schedule 9 of the Local Government Finance Act 1992 (c. 14), schedule 19 of the Housing Act 1996 (c. 52), paragraph 1(3) of schedule 5 and paragraph 1 of schedule 8 of the Welfare Reform Act 2007 (c. 5) and paragraph 1 of schedule 14 of the Welfare Reform Act 2012 (c. 5).

(**c**) Section 13CA(1) was inserted by section 12 of the Local Electoral Administration and Registration Services (Scotland) Act 2006 (asp 14).

(**d**) Section 13(1) was relevantly amended by section 5(1) of the Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33).

(**e**) Sections 13A and 13B were inserted by paragraph 6 of schedule 1 of the Representation of the People Act 2000 (c. 2). Section 13A(2) was amended by paragraph 4(3) of schedule 4 of the Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33) ("the 2006 Act"). Section 13AB was inserted by section 16(3) of the Electoral Registration and Administration Act 2013 (c. 6) ("the 2013 Act"). Section 13B was amended by section 11 of the Electoral Administration Act 2006 (c. 22), section 6 of the 2006 Act, paragraph 3 of schedule 10 of the Police Reform and Social Responsibility Act 2011 (c.

(7) In paragraph (6)(d), a "relevant identity attestation" is an attestation provided in accordance with—

(a) paragraph (5),

(b) regulation 26B(6) or (6ZA) or 56C(5A) or (6) of the Representation of the People (England and Wales) Regulations 2001(**a**),

(c) regulation 26B(6) or (6ZA) or 56C(5A) or (6) of the Representation of the People (Scotland) Regulations 2001(**b**),

(d) regulation 25A(3) of the Representation of the People (Northern Ireland) Regulations 2008(**c**),

(e) paragraph 16C(5) of schedule 2 of the Police and Crime Commissioner Elections Order 2012(**d**),

(f) paragraph 9B(5) of schedule 3 of the Scottish Parliament (Elections etc.) Order 2015(**e**),

(g) regulation 72B(5A) or (6) of the Recall of MPs Act 2015 (Recall Petition) Regulations 2016(**f**),

(h) regulation 7(6) of the Voter Identification Regulations 2022(**g**),

(i) paragraph 11B(5) of schedule 1 of the Senedd Cymru (Representation of the People) Order 2025(**h**).

(8) Paragraphs (2) to (5) do not apply where the applicant is registered, or has applied to be registered, in the register of local government electors in Scotland in pursuance of any of the following declarations—

(a) a service declaration on the grounds that the applicant is a Crown servant or the spouse or civil partner of a Crown Servant,

(b) a service declaration on the grounds that the applicant is a member of the forces,

(c) a service declaration on the grounds that the applicant is the spouse or civil partner of a member of the forces.

(9) In the case of an application to which paragraph (8)(a) or (c) applies, the registration officer may require that the applicant give them a copy, or where the registration officer considers it appropriate, the original, of one of the following documents, which has been certified by a Crown servant or British Council employee or an officer of the forces, who is not the applicant's spouse or civil partner—

(a) the applicant's passport;

(b) the applicant's identity card issued in the European Economic Area.

(10) In the case of an application to which paragraph (8)(b) applies, the registration officer may require that the applicant give an attestation which must—

(a) confirm that the applicant is the person named in the application,

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13), paragraph 13 of schedule 4 of the 2013 Act, paragraph 5 of schedule 2 of the Recall of MPs Act 2015 (c. 25) ("the 2015 Act") and S.I. 2018/1310. Section 13BC was inserted by paragraph 7 of schedule 2 of the 2015 Act.

(**a**) S.I. 2001/341; relevantly amended by S.I. 2013/3198, S.I. 2016/694, S.I. 2018/312, S.I. 2023/1147 and S.I. 2023/1406.

(**b**) S.I. 2001/497; relevantly amended by S.I. 2013/3206, S.I. 2017/604, S.I. 2023/1046, S.I. 2023/1147 and S.I. 2023/1406.

(**c**) S.I. 2008/1741; relevantly amended by S.I. 2024/43.

(**d**) S.I. 2012/1917; relevantly amended by S.I. 2023/1147 and S.I. 2023/1406.

(**e**) S.S.I. 2015/425; relevantly amended by S.S.I. 2026/XXX.

(**f**) S.I. 2016/295; relevantly amended by S.I. 2023/1147 and S.I. 2023/1406.

(**g**) S.I. 2022/1382; to which there are amendments not relevant to these Regulations.

(**h**) S.I. 2025/864 (W. 150); relevantly amended by S.I. 2026/XXX.

(b) be in writing and signed by an officer of the forces who is not the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild of the applicant,

(c) state the full name, address and rank of the person signing the attestation and the service (whether naval, military or air forces) in which they serve, and

(d) state the date on which it is made.

(11) A document or attestation provided in accordance with this regulation may be transmitted by an applicant by electronic means.

(12) In this regulation—

"Crown Dependency" means the Bailiwick of Jersey, the Bailiwick of Guernsey or the Isle of Man,

"member of the forces" has the same meaning as in section 59(1) of the 1983 Act(**a**),

"officer of the forces" means a member of the forces who is an officer.

(13) This regulation does not apply in relation to an application under paragraph 4(2) of Schedule 4—

(a) which is received by the registration officer after 5 p.m. on the sixth day before the date of the poll at the election for which it is made, and

(b) where regulation 11(4) or (4C) applies.

Processing of information provided in connection with a relevant absent voting application

11C.—(1) If a person provides an original document under regulation 11B, the registration officer must make a copy of that document and return the original document to the person who provided it.

(2) In respect of any relevant absent voting application, until the application has been determined the registration officer must retain—

(a) the application form, or, in the case of an application made through the UK digital service, the information contained in the application transmitted to the registration officer by the Secretary of State,

(b) any other information or documents provided to the registration officer in connection with the application or, in the case of original documents returned under paragraph (1), a copy of those documents.

(3) Subject to paragraph (4), the registration officer may retain the application form, information and documents in paragraph (2) after the application has been determined but, if they do so, must delete the applicant's national insurance number from the application form, information and documents in paragraph (2) by no later than the date which is 13 months from the date on which the registration officers determined the relevant absent voting application.

(4) The requirement to delete the national insurance number in paragraph (3) does not apply where the application, information and documents in paragraph (2) are required for the purpose of any civil or criminal proceedings.

(5) Information disclosed under regulation 11A must not be disclosed to any other person, except for the purposes of—

(a) determining the relevant absent voting application in connection with which the information was disclosed,

(**a**) Section 59(1) was relevantly amended by section 1 of the Representation of the People Act 1993 (c. 29).

(b) any civil or criminal proceedings.

(6) Any information disclosed under regulation 11A must be processed in accordance with any requirements as to the processing of information that may have been imposed by the Secretary of State for Housing, Communities and Local Government in writing in advance of that processing, including requirements as to the transfer, storage, destruction and security of that information.

(7) In this regulation, "copy" includes an electronic copy.".

Grant or refusal of applications

13. In regulation 12 (grant or refusal of applications)—

(a) after paragraph (1) insert—

"(1A) The notification under paragraph (1) must include—

(a) where the postal vote entitlement is for a particular election, the date of the poll for which the elector's entitlement to vote by post has been granted,

(b) otherwise, the date on which the elector's entitlement to vote by post ends.",

(b) after paragraph (8) insert—

"(8A) Paragraphs (8B) to (8D) apply where—

(a) an application has been made under Schedule 4, and

(b) either—

(i) regulation 5(2) applies to that application, or would have applied if paragraph (3) of that regulation were ignored, or

(ii) regulation 6(1) applies to that application, or would have applied if paragraph (2) of that regulation were ignored.

(8B) A notification under paragraph (1) or (5) to one of the following types of applicants must also include a statement that ballot papers will be sent to the postal ballot delivery address—

(a) an applicant registered in pursuance of a service declaration,

(b) an applicant registered in pursuance of a declaration of local connection (within the meaning of section 7B of the 1983 Act(**a**)),

(c) an applicant who is a merchant seaman (within the meaning of section 6 of the 1983 Act(**b**)),

(d) an applicant who has an anonymous entry.

(8C) Where sub-paragraphs (a) to (d) of paragraph (8B) do not apply to the applicant, the registration officer must, in addition to notifying the applicant in accordance with paragraphs (1), (4), (5) or (8), notify the applicant in writing that—

(a) the application has been granted, refused or disregarded, and

(b) where the application has been granted, ballot papers will be sent to the postal ballot delivery address.

(8D) A notification under paragraph (8C) must be delivered to—

(**a**) Section 7B was inserted by section 6 of the Representation of the People Act 2000 (c. 2) and relevantly amended by section 8(2), (3) and (4) of the Scottish Elections (Reduction of Age) Act 2015 (asp 7), sections 1(4)(a) and (b) and 8(2) of the Scottish Elections (Franchise and Representation) Act 2020 (asp 6), S.I. 2007/1388 and S.S.I. 2025/313.

(**b**) Section 6 was amended by paragraph 2 of schedule 1 of the Representation of the People Act 2000 (c. 2).

(a) where paragraph (8A)(b)(ii) applies and the notification is to be delivered to a person shown as voting by post in the record kept under paragraph 7(6) of Schedule 4, the address shown in that record;

(b) otherwise—

(i) the address stated in the application in accordance with regulation 3(2)(b), or

(ii) the proxy's address stated in the application in accordance with regulation 3(2)(c).

(8E) In paragraph (8B) "service declaration" has the same meaning as in section 202(1) of the 1983 Act(**a**).

(8F) In paragraphs (8B) and (8C), the "postal ballot delivery address" means—

(a) where paragraph (8A)(b)(i) applies, the address stated in the application in accordance with regulation 3(2)(d),

(b) where paragraph (8A)(b)(ii) applies, the different address described in regulation 6(1).".

Requirement to provide fresh signatures and supplementary provision

14. In regulation 15A (requirement to provide fresh signatures)(**b**), before sub-paragraph (1) insert—

"(A1) This regulation does not apply to an elector or proxy so far as that elector or proxy remains entitled to vote by post at a local government election in Scotland.".

Notification that postal vote entitlement is to end

15. After regulation 15D (disapplication of fresh signatures requirement for signatures due before May 2026)(**c**) insert—

"Requirement to notify certain electors and proxies that postal vote entitlement is to end

15E.—(1) This regulation applies in respect of an elector or proxy who remains entitled to vote by post at a local government election by virtue of an entitlement which was granted for the maximum period ("the relevant person").

(2) The registration officer must, before the end of the maximum period, send to the relevant person—

(a) a notice informing them of the date on which the relevant person's entitlement to vote by post is to end,

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

(**a**) Section 202(1) was relevantly amended by paragraph 3 of schedule 4 of the Elections Act 2022.
(**b**) Regulation 15A was inserted by S.S.I. 2009/35.
(**c**) Regulation 15D was inserted by S.S.I. 2025/263.

PART 3

Absent voting at Scottish parliamentary elections - use of UK digital service

Amendment of the Scottish Parliament (Elections etc.) Order 2015

16. The Scottish Parliament (Elections etc.) Order 2015(**a**) is amended in accordance with regulations 17 to 22.

Interpretation

17. In article 2(1) (interpretation) after the definition of "service voter" insert—

> ""UK digital service" has the same meaning as in section 12B(6) of the Scotland Act 1998(**b**),".

General requirements for an absent vote

18. In paragraph 1 (general requirements for applications) of schedule 3 (absent voting)(**c**), after sub-paragraph (8) insert—

"(9) Where by virtue of arrangements made by the Minister of the Crown, an absent voting application is made through the UK digital service—

(a) the Minister of the Crown may complete the application in part using information provided by the applicant as part of an application, or partially completed application, under section 10ZC or 10ZD of the 1983 Act(**d**) for registration in, or alteration of, a register of electors made through or completed using the UK digital service,

(b) where the application is required to contain a signature, the application must contain a compliant photograph or electronic scan of the applicant's signature,

(c) the Minister of the Crown must—

(i) request that the applicant provide their most recent previous name (if they have one), and

(ii) provide an explanation of the purpose for which the information will be used.

(10) In sub-paragraph (9)(b), "compliant photograph or electronic scan of the applicant's signature" means—

(a) the signature contained in the photograph or electronic scan complies with the requirements of sub-paragraph (2)(a), and

(b) the photograph or electronic scan of the signature is sufficiently clear and unambiguous so as to comply with the requirements of sub-paragraph (2).

(11) Where an applicant is unable to provide a national insurance number in accordance with sub-paragraph (1)(aa), the applicant may provide as part of the application a copy of any of the documents listed in paragraph 9B(2) to (4).

(**a**) S.S.I. 2015/425; relevantly amended by S.S.I. 2020/426, S.S.I. 2021/164, S.S.I. 2025/313 and S.S.I. 2026/XXX.
(**b**) Section 12B(8) was inserted by section 2(2) of the Absent Voting (Elections in Scotland and Wales) Act 2025 (c. 27).
(**c**) Paragraph 1 of schedule 3 was amended by S.S.I. 2020/426 and S.S.I. 2021/164.
(**d**) Section 10ZC was inserted by section 1(1) of the Electoral Registration and Administration Act 2013 (c. 6) ("the 2013 Act") and amended by section 6(2) of the Scotland Act 2016 (c. 11) ("the 2016 Act") and section 7(2) to (4) of the Wales Act 2017 (c. 4) ("the 2017 Act"). Section 10ZD was inserted by paragraph 1 of schedule 1 of the 2013 Act and amended by section 6(3) of the 2016 Act and section 7(6) to (8) of the 2017 Act.

(12) The Minister of the Crown must send to the ERO—

(a) subject to sub-paragraph (13), any absent voting application the Minister of the Crown receives,

(b) the applicant's previous name (if any provided),

(c) any copy documentation provided by the applicant in accordance with sub-paragraph (11), and

(d) a reference number unique to that application.

(13) Where an absent voting application made through the UK digital service in accordance with sub-paragraph (9) includes the applicant's national insurance number, the Minister of the Crown—

(a) may send the ERO that application without the national insurance number, and

(b) where the Minister of the Crown does so, must indicate to the ERO that a national insurance number was included when the application was made by the applicant.

(14) A document provided in accordance with sub-paragraph (11) or paragraph 9B may be transmitted by an applicant by electronic means.".

Additional requirements for applications for a proxy vote in respect of a particular election

19. After paragraph 7(7E) (additional requirements for applications for a proxy vote in respect of a particular election) of schedule 3(**a**) insert—

"(7F) Sub-paragraph (7G) applies where an application under article 9(2) to vote by proxy at a particular election is made—

(a) on grounds that the circumstances set out in paragraph 9(4F) apply, and

(b) after 5 pm on the sixth day before the date of a poll at the election for which it is made.

(7G) The application must, in addition to providing the information required by sub-paragraph (1), state that it is being provided because of those circumstances.".

Additional requirements for applications for the appointment of a proxy

20. After paragraph 8 of schedule 3 insert—

"Additional requirement for applications for appointment of a proxy: due to a technical defect

8A. An application for the appointment of a proxy under article 10(7) to which paragraph 9(4E) applies must (in addition to the requirements of paragraph 8) state that it is being made because the circumstances in paragraph 9(4F) apply.".

Closing date for applications

21. In paragraph 9 (closing dates for applications) of schedule 3(**b**), after sub-paragraph (4D) insert—

(**a**) Paragraph 7(7E) of schedule 3 was inserted by S.S.I. 2025/313.
(**b**) Paragraph 9 was relevantly amended by S.S.I. 2020/426.

"(4E) Where an application is made under article 9(2) or 10(7) in the circumstances set out in sub-paragraph (4F), the application must be refused if it is received after 5 pm on the day of the poll at the election for which it is made.

(4F) The circumstances are that—

(a) the applicant submitted the application because an earlier application submitted by the applicant under article 8(2) or 10(6) is to be disregarded for the purposes of the particular Scottish parliamentary election for which it was made because that earlier application—

(i) was submitted prior to the deadline of 5 pm on the sixth day before the date of the poll at the election for which the application is made,

(ii) was submitted via the UK digital service, and

(iii) was not received by the ERO until after the deadline of 5 pm on the sixth day before the date of the poll at the election for which it is made due to a technical defect in the UK digital service, or

(b) the application referred to in sub-paragraph (4E) meets the conditions specified in sub-heads (i), (ii) and (iii) of head (a).".

Information provided in an absent voting application

22.—(1) After paragraph 9 (closing dates for applications) of schedule 3 insert—

"Verification of information provided in absent voting application

9A.—(1) On receipt of an absent voting application made otherwise than through the UK digital service, an ERO must disclose the applicant's name or names, address, date of birth and national insurance number ("the first stage information") to the Secretary of State for Housing, Communities and Local Government in such format and through such an infrastructure system as the Secretary of State for Housing, Communities and Local Government may have notified to the ERO in writing.

(2) Following receipt of the first stage information from the ERO or, in the case of an application made through or partially completed using the UK digital service, from the applicant, the Secretary of State for Housing, Communities and Local Government may disclose the first stage information to the Secretary of State for Work and Pensions.

(3) Where the first stage information has been disclosed to the Secretary of State for Work and Pensions under sub-paragraph (2), the Secretary of State for Work and Pensions may compare it against—

(a) the name, address, date of birth and national insurance number of individuals appearing in the following types of data kept by the Secretary of State—

(i) data kept for the purposes of functions relating to social security (including such information kept on behalf of the Department for Social Development), and

(ii) data relating to working tax credit, child tax credit and child benefit (being information kept on behalf of His Majesty's Revenue and Customs), and

(b) any other information contained in such types of data which relates to the information disclosed under sub-paragraph (2).

(4) The Secretary of State for Work and Pensions may disclose the results of the comparison of the first stage information ("the second stage information") to the Secretary of State for Housing, Communities and Local Government.

(5) On receipt of the second stage information, the Secretary of State for Housing, Communities and Local Government may disclose that information—

(a) to the Secretary of State for Work and Pensions, or

(b) to the ERO to whom the application has been made or, in the case of an application made through the UK digital service, the ERO appointed for the register to which the application relates.

(6) Sub-paragraph (3) applies to the second stage information where it has been disclosed to the Secretary of State for Work and Pensions under sub-paragraph (5)(a) as it applies to the first stage information disclosed under sub-paragraph (2).

(7) The Secretary of State for Work and Pensions may disclose the results of the comparison of the second stage information ("the third stage information") to the Secretary of State for Housing, Communities and Local Government.

(8) On receipt of the third stage information, the Secretary of State for Housing, Communities and Local Government may—

(a) compare the third stage information against the information provided in the absent voting application, and

(b) notify the ERO to whom the application has been made or, in the case of an application made through the UK digital service, the ERO appointed for the register to which the application relates, as to whether the comparison in head (a) resulted in a match.

(9) The ERO must take into account any information disclosed by, or notification received from, the Secretary of State for Housing, Communities and Local Government in accordance with this paragraph when determining the application.

(10) This paragraph does not apply in relation to an application under article 9(2)—

(a) which is received by the ERO after 5 pm on the sixth day before the date of the poll at the election for which it is made, and

(b) where paragraph 9(4) applies.

(11) In sub-paragraph (1)—

(a) "infrastructure system" has the meaning given in schedule 3A of the Communications Act 2003(**a**),

(b) the reference to the applicant's address is a reference to the address in the application in accordance with paragraph 1(1)(b).".

(2) At the end of paragraph 9C(2)(a) (processing of information provided in connection with an absent voting application) of schedule 3(**b**) insert ", or, in the case of an application made through the UK digital service, the information contained in the application transmitted to the ERO by the Secretary of State".

(**a**) 2003 c. 21. Schedule 3A was added by schedule 1 of the Digital Economy Act 2017 (c. 30). It has subsequently been amended by paragraph 4 of the schedule of the Telecommunications Infrastructure (Leasehold Property) Act 2021 (c. 7) and sections 57, 59, 60, 66, 68 and 69 of the Product Security and Telecommunications Infrastructure Act 2022 (c. 46).

(**b**) Paragraph 9C was inserted by S.S.I. 2026/XXX.

PART 4

Transitional arrangements

Definitions

23. In this Part—

"the 1983 Act" means the Representation of the People Act 1983(**a**),

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

"the 2001 Regulations" mean the Representation of the People (Scotland) Regulations 2001(**c**),

"the 2006 Act" means the Local Electoral Administration and Registration Services (Scotland) Act 2006(**d**),

"the 2007 Regulations" mean the Representation of the People (Absent Voting at Local Government Elections) (Scotland) Regulations 2007(**e**),

"the 2015 Order means" the Scottish Parliament (Elections etc.) Order 2015(**f**),

"devolved absent vote entitlement" means an entitlement to vote by proxy or to vote by post, where the entitlement was granted before the relevant day, at—

(a) a Scottish parliamentary election, Scottish parliamentary elections, or local government and Scottish parliamentary elections, on an application under article 8, 9 or 10 of the 2015 Order (absent votes)(**g**), or

(b) a local government election, or a local government elections, in Scotland, on an application under paragraphs 3, 4 or 6 of schedule 4 of the 2000 Act(**h**),

"devolved absent voting application" means an application (including a partially completed application) made under—

(a) article 8, 9 or 10 of the 2015 Order, or

(b) paragraph 3, 4 or 6 of schedule 4 of the 2000 Act in relation to local government elections in Scotland,

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(**a**) 1983 c. 2.
(**b**) 2000 c. 2.
(**c**) S.S.I. 2001/497.
(**d**) 2006 asp 14.
(**e**) S.S.I. 2007/170.
(**f**) S.S.I. 2015/425.
(**g**) Article 8 of the Scottish Parliament (Elections etc.) Order 2015 ("the 2015 Order") was amended by paragraph 2(3) of the schedule of the Scottish Elections (Franchise and Representation) Act 2020 (asp 6) ("the 2020 Act") and article 10 of the 2015 Order was amended by paragraph 2(4) of the schedule of the 2020 Act.
(**h**) Paragraph 3 of schedule 4 of the Representation of the People Act 2000 (c. 2) ("the 2000 Act") was amended by paragraph 164(2) of schedule 27 of the Civil Partnership Act 2004 (c. 33) ("the 2004 Act"), section 14 and paragraphs 20 and 137 of schedule 1 of the Electoral Administration Act 2006 (c. 22) ("the EAA"), sections 20 and 34(5) of the Local Electoral Administration and Registration Services (Scotland) Act 2006 (asp 14) ("the 2006 Act"), section 9(3) of the Scottish Elections (Franchise and Representation) Act 2020 (asp 6) ("the 2020 Act") and paragraph 2 of schedule 3 of the Elections Act 2022 (c. 37) ("the 2022 Act"). Paragraph 4 of schedule 4 of the 2000 Act was amended by section 14 and paragraph 3 of schedule 1 of the EAA and section 20 of the 2006 Act. Paragraph 6 of schedule 4 of the 2000 Act was amended by paragraph 164(3) of schedule 27 of the 2004 Act, section 3 of the Electoral Registration and Administration Act 2013 (c. 6), section 16 (2) and (3) of the Scottish Elections (Reduction of Voting Age) Act 2015 (asp 7), section 9 of the 2020 Act, paragraph 8(3)(b)(ii) of schedule 2 of the Local Government and Elections (Wales) Act 2021 (asc 1) and paragraphs 7(2) and 7(3)(a) and (b) of schedule 4 of the 2022 Act. Paragraph 7 was amended by sections 20(c) and 27(2) of the 2006 Act, section 14(3) and paragraphs 23 and 137(7) of schedule 1 of the EAA and paragraph 3(2) to (6) of schedule 3 of the 2022 Act.

"devolved postal vote entitlement" means an entitlement to vote by post, where the entitlement was granted before the relevant day, at—

(a) a Scottish parliamentary election, Scottish parliamentary elections, or local government and Scottish parliamentary elections, where the entitlement was granted on an application under article 8(1) or 9(1) of the 2015 Order, or

(b) a local government election, or local government elections, in Scotland, where the entitlement was granted on an application under paragraph 3(1), 3(7) or 4(1) of schedule 4 of the 2000 Act(**a**),

"devolved proxy appointment" means the appointment of a person as a proxy to vote for another person, where the appointment was made before the relevant day, at—

(a) a Scottish parliamentary election, or Scottish parliamentary elections, where the appointment was granted on an application under article 10(6) or (7) of the 2015 Order, or

(b) a local government election, or local government elections, in Scotland, where the appointment was granted on an application under paragraph 6(7) or (8) of schedule 4 of the 2000 Act,

"devolved proxy vote entitlement" means an entitlement to vote by proxy, where the entitlement was granted before the relevant day, at—

(a) a Scottish parliamentary election, Scottish parliamentary elections, or at local government and Scottish parliamentary elections on an application under article 8(2) or 9(2) of the 2015 Order, or

(b) a local government election, or local government elections, in Scotland, on an application under paragraph 3(2), 3(6), 4(2), 4(2A) or 4(3) of schedule 4 of the 2000 Act.

"parliamentary election" has the same meaning as in schedule 1 (words and expressions defined) of the Interpretation Act 1978(**b**),

"qualifying address" means the address at which the elector is registered in the register of local government electors, maintained under section 9(1)(b) of the 1983 Act(**c**),

"registration officer" has the meaning given by section 8(1) of the 1983 Act,

"regulation 15A notice" means a notice under regulation 15A (requirement to provide fresh signatures) of the 2007 Regulations(**d**),

"regulation 60A notice" means a notice under regulation 60A (requirement to provide fresh signatures) of the 2001 Regulations(**e**),

"relevant day" means 3 November 2026,

"reserved absent vote entitlement" means an entitlement to vote by proxy or to vote by post at a parliamentary elections, or parliamentary elections, in Scotland, where the entitlement was granted before the relevant day on an application under paragraph 3, 4 or 6 of schedule 4 of the 2000 Act,

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(**a**) Paragraph 3(1) was amended by section 14(1) of the Electoral Administration Act 2006 (c. 22) ("the EAA") and paragraph 2(2) of schedule 3 of the Elections Act 2022 (c. 37) ("the 2022 Act"). Paragraph 3(7) was amended by paragraph 2(6) of schedule 3 of the 2022 Act. Paragraph 4(1) was amended by section 14(2)(a) of the EAA.

(**b**) 1978 c. 30.

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

(**d**) Paragraph 15A was inserted by S.S.I. 2009/35.

(**e**) Regulation 60A was inserted by S.I. 2008/305 and amended by S.I. 2023/1406 and S.I. 2023/1147.

"reserved postal vote entitlement" means an entitlement to vote by post at a parliamentary election, or parliamentary elections, in Scotland, where the entitlement was granted before the relevant day on an application under paragraphs 3(1), 3(7) or 4(1) of schedule 4 of the 2000 Act,

"reserved proxy appointment" means the appointment of a person as a proxy to vote for another person at a parliamentary elections, parliamentary elections, in Scotland, where the appointment was made before the relevant day on an application under paragraph 6(7) or (8) of schedule 4 of the 2000 Act,

"reserved proxy postal vote entitlement" means an entitlement to vote by post, as proxy, at parliamentary elections, or a parliamentary election, in Scotland, where the entitlement was granted before the relevant day on an application under paragraph 7(4) of schedule 4 of the 2000 Act,

"reserved proxy vote entitlement" means an entitlement to vote by proxy at a parliamentary election, or parliamentary elections, in Scotland where the entitlement was granted before the relevant day on an application granted under paragraph 3(2), 3(6), 4(2), 4(2A) or 4(3) of schedule 4 of the 2000 Act.

"Scottish parliamentary election" means an election for membership of the Scottish Parliament.

Absent voting applications for local government elections in Scotland not determined by the relevant day

24.—(1) An absent voting application for local government elections in Scotland that is made before, but not determined by, the relevant day is to be treated as not having been made.

(2) Where, in accordance with paragraph (1), a person's application is treated as not having been made, the registration officer must, as soon as practicable after the relevant day, send that person information about how to make a fresh absent voting application for local government elections in Scotland.

(3) In this regulation "absent voting application for local government elections in Scotland" means an application (including a partially completed application) made under paragraph 3, 4, 6 or 7 of schedule 4 (absent voting in Great Britain) of the 2000 Act(**a**) in relation to a local government election, or local government elections, in Scotland.

Expiry of certain postal vote entitlements and proxy postal vote entitlements for local government elections in Scotland

25.—(1) This regulation applies where either paragraph (2) or (3) applies.

(2) Immediately before the relevant day a person ("P") has—

(a) a postal vote entitlement for local government elections in Scotland, and

(b) P's postal vote entitlement for local government elections in Scotland lasts for—

(i) an indefinite period, or

(ii) a period that would expire after the third 31 January following the relevant day.

(3) Immediately before the relevant day a person ("P") has—

(a) a proxy postal vote entitlement for local government elections in Scotland and does not have a reserved proxy postal vote entitlement, and

(**a**) Paragraph 7 of schedule 4 was amended by sections 20(c) and 27(2) of the 2006 Act, section 14(3) and paragraphs 23 and 137(7) of schedule 1 of the EAA and paragraph 3(2) to (6) of schedule 3 of the 2022 Act.

(b) P's proxy postal vote entitlement for local government elections in Scotland lasts for—

(i) an indefinite period, or

(ii) a period that would expire after the third 31 January following the relevant day.

(4) Unless it ends sooner, P's postal vote entitlement for local government elections in Scotland or proxy postal vote entitlement for local government elections in Scotland ends on—

(a) the transitional expiry date, or

(b) if applicable and later the reserved expiry date.

(5) As soon as practicable after the relevant day, the registration officer must update—

(a) the records, as applicable to P, kept under paragraph 3(4), 3(9) or 7(6) of schedule 4 of the 2000 Act(**a**),

(b) the postal voters list or proxy postal voters list, as applicable to P, kept under paragraph 5(2) or 7(8) of schedule 4 of the 2000 Act(**b**),

to reflect any change in the period for which P's postal vote entitlement for local government elections in Scotland or proxy postal vote entitlement for local government elections in Scotland lasts due to the operation of paragraph (4).

(6) Before the date on which P's postal vote entitlement for local government elections in Scotland or proxy postal vote entitlement for local government elections in Scotland is to end due to the operation of paragraph (4), the registration officer must send to P, at P's qualifying address—

(a) a notice informing P of the date on which P's postal vote entitlement for local government elections or proxy postal vote entitlement for local government elections in Scotland is to end,

(b) information about how to make a fresh application to vote by post (as elector or as proxy).

(7) Paragraph (8) applies where, due to the operation of paragraph (4), P's postal vote entitlement for local government elections in Scotland or proxy postal vote entitlement for local government elections in Scotland is to end on the signature refresh date.

(8) Any requirement to send P a regulation 60A notice by the signature refresh date does not apply, unless—

(a) P has a reserved proxy entitlement that continues beyond that date, and

(b) regulation 60A of the 2001 Regulations(**c**) apply in relation to that entitlement.

(9) In this regulation—

"postal vote entitlement for local government elections in Scotland" means an entitlement to vote by post at local government elections in Scotland, where the entitlement was granted before the relevant day on an application under paragraph 3(1), 3(7) or 7(4) of schedule 4 of the 2000 Act(**d**),

"proxy postal vote entitlement for local government elections in Scotland" means an entitlement to vote by post, as proxy at local government elections in Scotland, where the

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(**a**) Paragraph 3(4) was amended by paragraph 2(4) of schedule 3 of the Elections Act 2022 (c. 37) ("the 2022 Act). Paragraph 7(6) was amended by paragraph 3(5) of schedule 3 of the 2022 Act.

(**b**) Paragraph 5(2) was amended by paragraph 137(6) of schedule 1 of the Electoral Administration Act 2006 ("the EAA"). Paragraph 7(8) was amended by paragraph 137(7) of schedule 1 of the EAA.

(**c**) Regulation 60A was inserted by S.I. 2008/305 and amended by S.I. 2023/1147 and S.I. 2023/1406.

(**d**) Paragraph 3(1) was amended by section 14(1) of the Electoral Administration Act 2006 (c. 22) and paragraph 2(2) of schedule 3 of the Elections Act 2022 (c. 37) ("the 2022 Act"). Paragraph 3(7) was amended by paragraph 2(6) of schedule 3 of the 2022 Act.

entitlement was granted before the relevant day on an application under paragraph 7(4) of schedule 4 of the 2000 Act,

"reserved expiry date" means the date on which a P's reserved postal vote entitlement, if they have one, ends, in accordance with paragraph 3(1A) of schedule 4 of the 2000 Act(**a**),

"signature refresh date" means the 31 January, as applicable to P, by which the registration officer would or may be required to send to P—

(a) a regulation 15A notice due to P's signature held on the personal identifiers record kept by the registration officer under section 21(6) (absent vote applications: provision of personal identifiers) of the 2006 Act being more than 5 years old(**b**), or

(b) a regulation 60A notice(**c**),

assuming there has been no change in the P's entitlement or entitlements to vote by post or by proxy after the relevant day, and disregarding the effect of paragraph 8 of this regulation and the amendments made by regulation 14 of these Regulations and the amendments made by article 2 of the Absent Voting (Miscellaneous Amendment) (Scotland) Order 2026(**d**),

"the transitional expiry date" means—

(a) the third 31 January following the relevant day, or

(b) if sooner, the signature refresh date for the postal vote entitlement for local government elections in Scotland.

Termination of certain devolved proxy postal vote entitlements

26.—(1) This regulation applies where immediately before the relevant day a person ("P") has—

(a) a devolved proxy postal vote entitlement, and

(b) a reserved proxy postal vote entitlement.

(2) P's devolved proxy postal vote entitlement ceases to have effect on the relevant day.

(3) As soon as practicable after the relevant day, the registration officer must send to P, at P's qualifying address—

(a) a notice informing P that P's devolved proxy postal vote entitlement has ceased to have effect and the reason why it has ceased to have effect, and explaining the effect of that entitlement ceasing to have effect,

(b) information about how to make a fresh application.

(4) As soon as practicable after the relevant day, the registration officer must—

(a) update—

(i) the records, as applicable to P, kept under—

(**a**) Paragraph 3(1A) was inserted by paragraph 2(3) of schedule 3 of the Elections Act 2022 (c. 37).

(**b**) S.S.I. 2025/263 temporarily disapplied any requirement under regulation 15A(1) and (2) of the Representation of the People (Absent Voting at Local Government Elections) (Scotland) Regulations 2007 for registration officers to send a notice requesting a fresh signature from any person entitled to vote by post or proxy and whose signature on record is more than 5 years old where the notice under regulation 15A(1) and (2) would otherwise be sent by 7 May 2026. In these circumstances the registration officer is required to send the notice by 31 January 2027.

(**c**) S.S.I. 2025/354 temporarily disapplied any requirement to send notice under regulation 60A(1) of the Representation of the People (Scotland) Regulations 2001 by 31 January 2026 to a person who remains entitled to vote by post or by proxy at local government elections in Scotland. In these circumstances the registration officer is required to send the notice by 31 January 2027.

(**d**) S.S.I. 2026/XX.

(aa) article 11(5) and (12) of the 2015 Order,

(bb) paragraph 7(6) and (12) of schedule 4 of the 2000 Act(**a**),

(ii) the proxy postal voters list, as applicable to P, kept under—

(aa) article 11(7) of the 2015 Order,

(bb) paragraph 7(8) of schedule 4 of the 2000 Act(**b**),

(b) notify the elector who appointed the proxy, by a notice sent to the elector's qualifying address, that the devolved proxy postal vote entitlement has ceased to have effect.

(5) In this regulation "devolved proxy postal vote entitlement" means an entitlement to vote by post, as proxy, at—

(a) a Scottish parliamentary election, or Scottish parliamentary elections, where the entitlement was granted before the relevant day on an application under article 11(4) of the 2015 Order, or

(b) a local government election, or local government elections, in Scotland, where the entitlement was granted before the relevant day on an application under paragraph 7(4) of schedule 4 of the 2000 Act(**c**).

Alignment of certain signature refresh dates

27.—(1) This regulation applies where immediately before the relevant day—

(a) a person ("P") has—

(i) a devolved proxy vote entitlement, and

(ii) a reserved proxy vote entitlement, and

(b) the signature refresh date for P's devolved proxy vote entitlement and P's reserved proxy vote entitlement are different.

(2) The signature refresh date for P's devolved proxy vote entitlement and P's reserved proxy vote entitlement will be aligned.

(3) The aligned signature refresh date will end on the signature refresh date for P's reserved proxy vote entitlement.

(4) As soon as practicable after the relevant day, the registration officer must apply the signature provided by P in respect of P's reserved proxy vote entitlement, as necessary, to all records, as applicable to P, kept under—

(a) article 8(9) or 9(8) and paragraph 22 of schedule 3 of the 2015 Order, or

(b) paragraph 3(9) or 4(6) of schedule 4 of the 2000 Act(**d**), and

(c) where records listed in sub-paragraph (b) are being updated—

(i) section 21(6) of the 2006 Act, or

(ii) regulation 61B of the 2001 Regulations(**e**).

(5) The reserved signature applied under paragraph (4)—

(a) is deemed to be a signature provided under paragraph 3(1) of schedule 3 of the 2015 Order, paragraph 7A(1) of schedule 4 of the 2000 Act(**f**), or section 22(2) of the 2006 Act, and

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(**a**) Paragraph 7(6) was amended by paragraph 3(5) of schedule 3 of the Elections Act 2022 (c. 37).
(**b**) Paragraph 7(8) was amended by paragraph 137(7) of schedule 1 of the Electoral Administration Act 2006 (c. 22).
(**c**) Paragraph 7(4) was amended by paragraph 3(2) of schedule 3 of the Elections Act 2022 (c. 37).
(**d**) Paragraphs 3(9) and 4(6) were inserted by section 14(1) and (2) of the Electoral Administration Act 2006 (c. 22).
(**e**) Regulation 61B was inserted by S.I. 2008/305 and amended by S.I. 2015/1966.
(**f**) Paragraph 7A was inserted by section 14(4) of the Electoral Administration Act 2006 (c. 22).

(b) paragraph 3(2) of schedule 3 of the 2015 Order, paragraph 7A(2) of schedule 4 of the 2000 Act or section 22(4) of the 2006 Act apply to that replacement signature.

(6) Any requirement to send P a regulation 15A notice, a paragraph 14 notice or a regulation 60A notice will apply to the signature refresh date as amended due to the operation of this regulation.

(7) When a regulation 15A notice, a paragraph 14 notice or a regulation 60A notice is issued, the relevant notice must inform P of the amended signature refresh date and the reason why it has changed.

(8) In this regulation—

"paragraph 14 notice" means a notice under paragraph 14 of schedule 3 of the 2015 Order,

"signature refresh date" means the 31 January, as applicable to P, by which the registration officer would be, or may be, required to send P—

(a) a regulation 15A notice due to P's signature held on the personal identifiers record kept by the registration officer under section 21(6) of the 2006 Act being more than 5 years old(**a**),

(b) a paragraph 14 notice, or

(c) a regulation 60A notice,

assuming there has been no change in P's entitlement or entitlements to vote by proxy after the relevant day.

Postal vote address discrepancies and termination of certain devolved postal vote entitlements

28.—(1) This regulation applies where immediately before the relevant day—

(a) a person ("P") has—

(i) a devolved postal vote entitlement, and

(ii) a reserved postal vote entitlement,

(b) there is a discrepancy in the postal vote addresses held on the records kept by the registration officer for those entitlements.

(2) P's devolved postal vote entitlement ceases to have effect on the relevant day.

(3) Before the relevant day, a registration officer must, where reasonably practicable, send to P at P's qualifying address a notice informing P that—

(a) the postal vote address kept in the registration officer's record in respect of P's devolved postal vote entitlement differs from the postal vote address kept in the registration officer's record in respect of P's reserved postal vote entitlement,

(b) the postal vote address details for P's devolved postal vote entitlement and P's reserved postal vote entitlement must be the same if both are to be in place from the relevant day, and

(c) if a fresh application to vote by post is not made before and determined by the relevant day, P's devolved postal vote entitlement will cease to have effect on the relevant day.

(4) As soon as practicable after the relevant day, the registration officer must send to P, at P's qualifying address—

(**a**) S.S.I. 2025/263 temporarily disapplied any requirement under regulation 15A(1) and (2) of the Representation of the People (Absent Voting at Local Government Elections) (Scotland) Regulations 2007 for registration officers to send a notice requesting a fresh signature from any person entitled to vote by post or proxy and whose signature on record is more than 5 years old where the notice under regulation 15A(1) and (2) would otherwise be sent by 7 May 2026. In these circumstances the registration officer is required to send the notice by 31 January 2027.

(a) a notice informing P that P's devolved postal vote entitlement has ceased to have effect and the reason why it has ceased to have effect, and explaining the effect of that entitlement ceasing to have effect, and

(b) information about how to make a fresh application to vote by post.

(5) As soon as practicable after the relevant day, the registration officer must update—

(a) the records, as applicable to P, kept under—

(i) article 8(4), 8(9), or 9(8) of the 2015 Order, or

(ii) paragraph 3(4), 3(9) or 4(6) of schedule 4 of the 2000 Act(**a**), and

(b) the postal voters list, as applicable to P, kept under—

(i) article 9(5) of the 2015 Order, or

(ii) paragraph 5(2) of schedule 4 of the 2000 Act(**b**),

to reflect that P's devolved postal vote entitlement has ceased to have effect due to the operation of paragraph (2).

(6) In this regulation "postal vote address" means—

(a) for a Scottish parliamentary election, Scottish parliamentary elections, or local government and Scottish parliamentary elections, where the application was made under article 8 or 9 of the 2015 Order, the address stated in accordance with paragraph 1(1)(e) of schedule 3 of the 2015 Order, being the address to which the ballot paper is to be sent if different from the qualifying address,

(b) for a local government election, or local government elections, in Scotland, where an application has been made under paragraph 3 or 4 of schedule 4 of the 2000 Act, the address stated in accordance with regulation 51(2)(d) of the 2001 Regulations(**c**) or regulation 3(2)(d) of the 2007 Regulations, being the address to which the ballot paper is to be sent if different from the qualifying address,

(c) for a parliamentary election, or parliamentary elections, in Scotland, the address stated in accordance with regulation 51(2)(d) of the 2001 Regulations.

Postal vote signature discrepancies

29.—(1) This regulation applies where immediately before the relevant day—

(a) a person ("P") has—

(i) a devolved postal vote entitlement, and

(ii) a reserved postal vote entitlement, and

(b) the signature kept in the registration officer's record in respect of P's devolved postal vote entitlement differs from the signature kept in the registration officer's record in respect of P's reserved postal vote entitlement.

(2) The registration officer must apply the signature kept in the registration officer's record in respect of P's reserved postal vote entitlement as the sole signature kept in the registration officer's record as the signature for both P's devolved postal vote entitlement and P's reserved postal vote entitlement with effect from the relevant day.

(3) As soon as practicable after the relevant day, the registration officer must apply the signature referred to in paragraph (2) to all records, as applicable to P, kept under—

(**a**) Paragraph 3(4) was amended by paragraph 2(4) of schedule 3 of the Elections Act 2022 (c. 37). Paragraphs 3(9) and 4(6) were inserted by section 14(1) and (2) of the Electoral Administration Act 2006 (c. 22).
(**b**) Paragraph 5(2) was amended by paragraph 137(6) of schedule 1 of the Electoral Administration Act 2006 (c. 22).
(**c**) Regulation 51(2)(d) was amended by S.I. 2008/305.

(a) article 8(9) or 9(8) and paragraph 22 of schedule 3 of the 2015 Order, or

(b) paragraph 3(9) or 4(6) of schedule 4 of the 2000 Act(**a**), and

(c) where records listed in sub-paragraph (b) are being updated—

(i) section 21(6) of the 2006 Act, or

(ii) regulation 61B of the 2001 Regulations(**b**).

(4) The replacement signature applied under paragraph (3) is—

(a) deemed to be a signature provided under paragraph 3(1) of schedule 3 of the 2015 Order, paragraph 7A(1) of schedule 4 of the 2000 Act(**c**) or section 22(2) of the 2006 Act, and

(b) paragraph 3(2) of schedule 3 of the 2015 Order, paragraph 7A(2) of schedule 4 of the 2000 Act or section 22(4) of the 2006 Act (as the case may be) applies to that signature.

Signature waiver discrepancies and termination of certain devolved absent vote entitlements

30.—(1) This regulation applies where immediately before the relevant day—

(a) a person ("P") has—

(i) a devolved absent vote entitlement, and

(ii) a reserved absent vote entitlement ("P's absent vote entitlements"), and

(b) a signature waiver has been granted in respect of one of P's absent vote entitlements only and the requirement to provide a signature in respect of P's other absent vote entitlement remains.

(2) P's devolved absent vote entitlement ceases to have effect on the relevant day.

(3) Before the relevant day, a registration officer must, where reasonably practicable, send to P at P's qualifying address a notice informing P that—

(a) P has both a devolved absent entitlement and a reserved absent vote entitlement and signature waiver has been granted in respect of one of P's absent vote entitlements only and the requirement to provide a signature in respect of P's other absent vote entitlement remains,

(b) P must have in place a signature waiver for both P's devolved absent vote entitlement and P's reserved absent vote entitlement or a signature waiver in place for neither, if P is to have both a devolved absent vote entitlement and a reserved absent vote entitlement in place from the relevant day, and

(c) if a fresh application to vote by post or proxy is not made before and determined by the relevant day, P's devolved absent vote entitlement ceases to have effect on the relevant day.

(4) As soon as practicable after the relevant day, the registration officer must send to P, at P's qualifying address—

(a) a notice informing P that P's devolved absent vote entitlement has ceased to have effect and the reason why it has ceased to have effect, and explaining the effect of that entitlement ceasing to have effect, and

(b) information about how to make a fresh devolved absent voting application.

(5) As soon as practicable after the relevant day, the registration officer must update—

(**a**) Paragraphs 3(9) and 4(6) were inserted by section 14(1) and (2) of the Electoral Administration Act 2006 (c. 22).
(**b**) Regulation 61B was inserted by S.I. 2008/305 and amended by S.I. 2015/1966.
(**c**) Paragraph 7A was inserted by section 14(4) of the Electoral Administration Act 2006 (c. 22).

(a) the records, as applicable to P, kept under—

(i) article 8(4), 8(9) or 9(8) and paragraph 22(2) of schedule 3 of the 2015 Order, or

(ii) paragraph 3(4), 3(9) or 4(6) of schedule 4 of the 2000 Act,

(b) where records listed in sub-paragraph (a)(ii) are being updated—

(i) section 21(6) of the 2006 Act, or

(ii) regulation 61B of the 2001 Regulations, and

(c) the postal voters list, the list of proxies or the proxy postal voters list, as applicable to P, kept under—

(i) article 9(5) of the 2015 Order, or

(ii) paragraph 5(2) and (3) of schedule 4 of the 2000 Act,

to reflect that the devolved absent vote entitlement has ceased to have effect due to the operation of paragraph (2).

(6) In this regulation "signature waiver" means where a registration officer has agreed an application by a person to dispense with any of the requirements under articles 8, 9 or 10 of the 2015 Order or paragraph 3 or 4 of schedule 4 of the 2000 Act to provide a signature.

Proxy name and address discrepancies and termination of certain devolved proxy vote entitlements

31.—(1) This regulation applies where immediately before the relevant day—

(a) a person ("P") has—

(i) a devolved proxy appointment, and

(ii) a reserved proxy appointment,

(b) in the records kept by the registration officer for the relevant appointments, there is a discrepancy in—

(i) the proxy names recorded,

(ii) the proxy addresses held on the records, or

(iii) both.

(2) P's devolved proxy vote entitlement ceases to have effect on the relevant day.

(3) Before the relevant day, a registration officer must, where reasonably practicable, send to P at P's qualifying address a notice informing P that—

(a) the proxy name or proxy address or both kept in the registration officer's record in respect of P's devolved proxy appointment differs from the proxy name or proxy address or both kept in the registration officer's record in respect of P's reserved proxy appointment,

(b) the proxy name and address for P's devolved proxy appointment and P's reserved proxy appointment must be the same if both are to be in place from the relevant day,

(c) if a fresh application to vote by proxy is not made before and determined by the relevant day, P's devolved proxy vote entitlement will cease to have effect on the relevant day.

(4) As soon as practicable after the relevant day, the registration officer must send to P, at P's qualifying address—

(a) a notice informing P that P's devolved proxy vote entitlement has ceased to have effect and the reason it has ceased to have effect, and explaining the effect of that entitlement ceasing to have effect, and

(b) information about how to make a fresh application to vote by proxy.

(5) As soon as practicable after the relevant day, the registration officer must update—

(a) the records, as applicable to P, kept under—

(i) article 8(4), 8(9) or 9(8) of the 2015 Order, or

(ii) paragraph 3(4), 3(9) or 4(6) of schedule 4 of the 2000 Act, and

(b) the list of proxies, as applicable to P, kept under—

(i) article 9(5) of the 2015 Order, or

(ii) paragraph 5(3) of schedule 4 of the 2000 Act,

to reflect that P's devolved proxy vote entitlement has ceased to have effect due to the operation of paragraph (2).

Postal vote and proxy vote discrepancy and termination of certain devolved postal vote entitlements

32.—(1) This regulation applies where immediately before the relevant day a person ("P") has—

(a) a devolved postal vote entitlement, and

(b) a reserved proxy vote entitlement.

(2) P's devolved postal vote entitlement ceases to have effect on the relevant day.

(3) Before the relevant day, a registration officer must where reasonably practicable send to P at P's qualifying address a notice informing P that—

(a) P has a devolved postal vote entitlement and a reserved proxy vote entitlement,

(b) P's devolved absent vote entitlement must be the same as P's reserved absent vote entitlement if both are to be in place from the relevant day, and

(c) if a fresh application to vote by post or proxy is not made before and determined by the relevant day, P's devolved postal vote entitlement will cease to have effect on the relevant day.

(4) Where P's devolved postal vote entitlement has ceased to have effect due to the operation of paragraph (2), as soon as practicable after the relevant day, the registration officer must send to P, at P's qualifying address—

(a) a notice informing P that P's devolved postal vote entitlement has ceased to have effect, the reason it has ceased to have effect and explaining the effect of that entitlement ceasing to have effect, and

(b) information about how to make a fresh application.

(5) Where paragraph (2) applies, as soon as practicable after the relevant day, the registration officer must update—

(a) the records, as applicable to P, kept under—

(i) article 8(4), 8(9) or 9(8) of the 2015 Order, or

(ii) paragraph 3(4), 3(9) or 4(6) of schedule 4 of the 2000 Act, and

(b) the postal voters list, as applicable to P, kept under—

(i) article 9(5) of the 2015 Order, or

(ii) paragraph 5(2) of schedule 4 of the 2000 Act,

to reflect that P's devolved postal vote entitlement has ceased to have effect due to the operation of paragraph (2).

Postal vote and proxy vote discrepancy and termination of certain devolved proxy vote entitlements

33.—(1) This regulation applies where immediately before the relevant day a person ("P") has—

(a) a devolved proxy vote entitlement, and

(b) a reserved postal vote entitlement.

(2) P's devolved proxy vote entitlement ceases to have effect on the relevant day.

(3) Before the relevant day, a registration officer must where reasonably practicable, send to P at P's qualifying address a notice informing P that—

(a) P has a devolved proxy vote entitlement and a reserved postal vote entitlement,

(b) P's devolved absent vote entitlement must be the same as P's reserved absent vote entitlement if both are to be in place on the relevant day, and

(c) if a fresh application to vote by post or proxy is not made before and determined by the relevant day, P's devolved proxy vote entitlement will cease to have effect on the relevant day.

(4) As soon as practicable after the relevant day, the registration officer must send to P, at P's qualifying address—

(a) a notice informing P that P's devolved proxy vote entitlement has ceased to have effect and the reason it has ceased to have effect, and explaining the effect of that appointment ceasing to have effect, and

(b) information about how to make a fresh application.

(5) As soon as practicable after the relevant day, the registration officer must update—

(a) the records, as applicable to P, kept under—

(i) articles article 8(4), 8(9) or 9(8) of the 2015 Order, or

(ii) paragraph 3(4), 3(9) or 4(6) of schedule 4 of the 2000 Act(**a**),

(b) the list of proxies, as applicable to P, kept under—

(i) article 9(5) of the 2015 Order, or

(ii) paragraph 5(3) of schedule 4 of the 2000 Act,

to reflect that P's devolved proxy vote entitlement has ceased to have effect due to the operation of paragraph (2).

Name
Authorised to sign by the Scottish Ministers

St Andrew's House
Edinburgh
Date

(**a**) Paragraph 3(4) was amended by paragraph 2(4) of schedule 3 of the Elections Act 2022 (c. 37). Paragraph 4(6) was inserted by section 14(2) of the Electoral Administration Act 2006 (c. 22).

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision to enable online absent voting applications to be made for local government elections in Scotland, as well as the verification of information provided in absent voting applications for those elections (whether or not submitted online), the use of the UK digital service in relation to absent voting applications for Scottish Parliament elections and so consistent information is held for absent voting entitlements for local government elections in Scotland, Scottish parliamentary elections and UK parliamentary elections.

Part 2 of these Regulations make the changes necessary to enable online absent voting applications to be made for local government elections in Scotland, including provision which also relates to paper-based absent voting applications, by amending the Representation of the People (Absent Voting at Local Government Elections) (Scotland) Regulations 2007 ("2007 Regulations") and the Representation of the People (Scotland) Regulations 2001 ("the 2001 Regulations").

The maximum period for which a person could apply for a postal vote at local government elections was changed by the Absent Voting (Elections in Scotland and Wales) Act 2025 so that a grant of an application to vote by post may not exceed 3 years.

Regulations 2 to 5 make amendments to the 2001 Regulations. The 2001 Regulations apply where an absent vote is being sought or has been sought in respect of UK parliamentary elections alongside local government elections in Scotland. Regulations 3 to 5 make provision to implement the new 3 year maximum period for which applications to vote by post at local government elections in Scotland can be granted. These amendments require relevant absent voting applications to include the applicant's national insurance number or explain why they are unable to do so. These amendments also enable relevant absent voting applications for local government elections in Scotland to be made online.

Regulations 6 to 15 make amendments to the 2007 Regulations. The 2007 Regulations apply where an absent vote is being or has been sought in respect solely of local government elections in Scotland or of a particular local government election in Scotland.

Regulation 7 provides for the new maximum period for new postal vote applications and adds definitions to the 2007 Regulations.

Regulation 8 amends regulation 3 of the 2007 Regulations, which makes provision about the general requirements for absent voting applications for an absent vote at local government elections in Scotland. The amendments require the applicant to state their national insurance number in a relevant absent voting application or explain why they are unable to do so. Provision is also made to enable applications to be submitted electronically and processed.

Regulations 9 and 11 enable late applications for a proxy vote at a specific election where an earlier application for a proxy vote had been online prior to the usual deadline but the application was not received until after the usual deadline due to technical difficulties with the online application process.

Regulation 12 provides for the verification of information provided in relevant absent voting applications (whether or not submitted online), the power for registration officers to request further evidence from applicants in order to verify the applicant's identity and how registration officers should process information provided by the applicant.

Regulation 13 provides for additional notifications to be sent by registration officers where an application for postal ballot papers to be sent to a different address is granted, refused or disregarded for the purposes of a particular election.

Regulation 14 excludes postal voters from the application of regulation 15A of the 2007 Regulations under which a fresh signature is ordinarily requested from a postal voter every 5 years.

Regulation 15 provides for the registration officer to notify an elector or proxy, who is entitled to vote by post at a local government election for the maximum period of 3 years, of the date on which their postal vote is to come to an end and how to make a fresh application. This must be done before the end of the 3 year period.

Part 3 of these Regulations amends the Scottish Parliament (Elections etc.) Order 2015 to enable absent voting applications for Scottish parliamentary elections, made under that Order, to be submitted online via the UK digital service. It also permits proxy applications for a specific election to be made up to 5 pm on polling day if an earlier online application, submitted before the usual deadline of 5 pm on the sixth day before the poll, was delayed past that deadline due to a technical issue with the online application process.

Part 4 of these Regulations contains transitional provision to enable the use of the UK digital service in relation to absent voting applications for Scottish Parliament elections and local government elections in Scotland.

Regulation 24 provides that an absent voting application for local government elections in Scotland made before, but not determined by 3 November 2026 ("the relevant day") is treated as not having been made, with information on how to make a fresh voting application provided.

Regulation 25 provides transitional arrangements for existing postal votes or postal by proxy votes for local government elections in Scotland when the new maximum application period comes into force. Voters who, immediately before the relevant date, have an indefinite postal vote (whether as elector or proxy) or one ending after the third 31 January following the relevant day may continue voting by post until (a) the third 31 January after the relevant day or the signature refresh date (if sooner), or (b) if later the date on which the voter's reserved postal vote entitlement, if they have one, ends. The signature refresh date is the 31 January by which a new signature would ordinarily be requested if the signature on record is over 5 years old, but this will not be required unless the voter continues to have a proxy vote entitlement for UK parliamentary elections. Before the voter's postal vote entitlement ends, registration officers must notify voters of the expiry date and explain how to reapply. Regulation 25 only applies to indefinite or long-standing postal by proxy votes where the proxy does not have a reserved proxy postal vote entitlement.

Regulation 26 terminates postal proxy vote entitlements for Scottish parliamentary elections in Scotland if the proxy also has a reserved proxy postal vote entitlement.

Regulation 27 aligns signature refresh dates where a person holds both a devolved and a reserved proxy vote entitlement with the later of the two original signature refresh dates, unless the third 31 January after the relevant day occurs sooner, in which case it will end on that date.

Regulation 28 addresses postal vote discrepancies and the termination of certain devolved postal vote entitlements. If a person holds both a devolved and a reserved postal vote entitlement and the postal vote addresses on record do not match, the devolved postal vote entitlement will end on the relevant day.

Regulation 29 concerns postal vote signature discrepancies. If a person holds both a devolved and a reserved postal vote entitlement and the signatures on record differ, from the relevant day the registration officer must apply the signature held for the person's reserved postal vote entitlement to their devolved postal vote entitlement.

Regulation 30 addresses signature waiver discrepancies and the termination of certain devolved absent vote entitlements. If a person holds both a devolved and a reserved absent vote entitlement and a signature waiver applies to only one, the devolved entitlement will end on the relevant day.

Regulation 31 addresses proxy name and address discrepancies and the termination of certain devolved proxy vote entitlements. If a person holds both a devolved and a reserved proxy appointment and the proxy names or addresses on record do not match, the devolved proxy vote entitlement will end on the relevant day.

Regulation 32 addresses postal and proxy vote discrepancies and the termination of certain devolved postal vote entitlements. If a person has a devolved postal vote entitlement and a reserved proxy vote entitlement, the devolved entitlement will end on the relevant day.

Regulation 33 addresses postal and proxy vote discrepancies and the termination of certain devolved proxy appointments. If a person has a devolved proxy appointment and a reserved postal vote entitlement, the devolved proxy appointment will end on the relevant day.

Generally where a person's devolved absent voting entitlement will cease to have effect on the relevant day the registration officer must inform the person of this before the relevant day and that a new application may be required.

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http://www.legislation.gov.uk/id/sdsi/2026/9780111065211