SCOTTISH STATUTORY INSTRUMENTS

2026 No. 251

REPRESENTATION OF THE PEOPLE

The Representation of the People (Absent Voting at Local Government Elections) (Scotland) Amendment Regulations 2026

Made - - - -	*2nd September 2026*
Laid before the Scottish Parliament	*4th September 2026*
Coming into force - -	*13th November 2026*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 22(3), 33 and 61(2) of the Local Electoral Administration and Registration Services (Scotland) Act 2006(**a**) and all other powers enabling them to do so.

Citation, commencement and transitional provision

1.—(1) These Regulations may be cited as the Representation of the People (Absent Voting at Local Government Elections) (Scotland) Amendment Regulations 2026 and come into force on 13 November 2026.

(2) Regulation 3 of these Regulations has no effect for the purposes of any election for which the date of the poll is on or before 5 May 2027.

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

2. The Representation of the People (Absent Voting at Local Government Elections) (Scotland) Regulations 2007(**b**) are amended in accordance with regulations 3 and 4.

Emergency applications to vote by proxy on grounds that applicant is acting as a medical companion

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

> "(5G) Paragraph (5H) applies where an application is made under paragraph 4(2) of Schedule 4 after 5 p.m. on the sixth day before the date of the poll at the election for which it is made, on the grounds that the applicant cannot reasonably be expected to vote in person at the applicant's allotted polling station because—

(**a**) 2006 asp 14.
(**b**) S.S.I. 2007/170; relevantly amended by S.S.I. 2009/35, S.S.I. 2016/264, S.S.I. 2021/317 and S.S.I. 2026/122.
(**c**) Regulation 10(5F) was inserted by S.S.I. 2026/122.

(a) the applicant is acting as a companion to another person, whilst that person is receiving medical care or treatment, and

(b) the medical care or treatment will take place, or is likely to take place, on the date of the poll for the election for which the application was made.

(5H) An application to which paragraph (5G) applies must—

(a) state the reason why the applicant was unable to make the application before 5 p.m. on the sixth day before the date of the poll at the election for which it is made, and

(b) be attested and signed by a person who—

(i) is aged 16 years or over,

(ii) knows the applicant, and

(iii) is not related to the applicant.

(5I) The person ("P") attesting an application under paragraph (5H) must—

(a) certify that the statement required by paragraph (5H)(a) and the information required by paragraph (1) are true to the best of P's knowledge and belief,

(b) state—

(i) P's name and address,

(ii) that P is aged 16 years or over,

(iii) that P knows, but is not related, to the applicant,

(5J) For the purpose of this regulation, one person is related to another if the person is the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild of the other.".

Requirement to provide fresh signatures

4. In regulation 15A(1)(**a**) (requirement to provide fresh signatures) for "may" substitute "must every year by 31 January".

JAMIE HEPBURN
Authorised to sign by the Scottish Ministers

St Andrew's House
Edinburgh
2nd September 2026

(**a**) Regulation 15A was inserted by S.S.I. 2009/35 and amended by S.S.I. 2026/122.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Representation of the People (Absent Voting at Local Government Elections) (Scotland) Regulation 2007 ("the 2007 Regulations").

Regulation 3 amends regulation 10 of the 2007 Regulations to allow a late application for an emergency proxy to be made where the applicant cannot vote in person on the date of the election as they will be accompanying another person to attend medical care or treatment.

Regulation 4 amends regulation 15A of the 2007 Regulations to require registration officers to notify a proxy voter whose signature is more than 5 years old that they must provide a fresh signature by 31 January. This standardises the requirements for refreshing proxy voters' signatures at Scottish Parliament and local government elections.

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