1953 No. 1109 (S. 93)

The Representation of the People (Scotland) Regulations, 1953

Made - - - -	8*th May*, 1953
Coming into Operation	30*th July*, 1953

In exercise of the powers conferred on me by section 42 and subsection (5) of section 171 of the Representation of the People Act, 1949(a), I hereby make the following Regulations:—

1.—(1) These Regulations shall come into operation fourteen days after they have been approved by both Houses of Parliament.

(2) These Regulations may be cited as the Representation of the People (Scotland) Regulations, 1953.

2.—(1) For paragraph (2) of Regulation 24 of the Representation of the People (Scotland) Regulations, 1950(b) (which Regulation relates to applications to be treated as an absent voter) there shall be substituted the following paragraph:—

"(2) An application to be so treated shall be disregarded—

(*a*) for the purposes of a parliamentary election if it is received by the registration officer after the twelfth day before the day of the poll at that election;

(*b*) for the purposes of a local government election if it is received by the registration officer after the last day for the delivery of nomination papers at that election:

Provided that an application on the grounds of the applicant's employment on the day of the poll by a returning officer or as a constable may be allowed after the said twelfth or last day as the case may be."

(2) For paragraph (3) of the said Regulation 24 there shall be substituted the following paragraph:—

"(3) An application to be no longer so treated may be disregarded—

(*a*) for the purposes of a parliamentary election if it is received by the registration officer after the twelfth day before the day of the poll at that election;

(*b*) for the purposes of a local government election if it is received by the registration officer after the last day for the delivery of nomination papers at that election."

3. After paragraph (4) of Regulation 25 of the said Regulations there shall be added the following paragraph:—

"(5) As soon as practicable after the preparation of the absent voters list, the registration officer shall, on request and without fee, supply to each candidate or his election agent a copy of the absent voters list:

Provided that, if such a request is made before any issue of ballot papers to those entitled to vote by post, the registration officer shall supply a copy of the said list, or a copy of so much of the said list as relates to that issue, before that issue."

(a) 12, 13 & 14 Geo. 6. c. 68. (b) S.I. 1950/1250; Rev. XX, p. 56; 1950 II, p. 560.

4.—(1) For paragraph (3) of Regulation 29 of the said Regulations (which Regulation relates to the cancellation and disregard of proxy appointments) there shall be substituted the following paragraph :—

"(3) An application for the issue of a proxy paper shall be disregarded—

(*a*) for the purposes of a parliamentary election if it is received by the registration officer after the twelfth day before the day of the poll at that election ;

(*b*) for the purposes of a local government election if it is received by the registration officer after the last day for the delivery of nomination papers at that election."

(2) For paragraph (4) of the said Regulation 29 there shall be substituted the following paragraph :—

"(4) A notice cancelling the appointment of a proxy may be disregarded—

(*a*) for the purposes of a parliamentary election if it is received by the registration officer after the twelfth day before the day of the poll at that election ;

(*b*) for the purposes of a local government election if it is received by the registration officer after the last day for the delivery of nomination papers at that election."

5.—(1) For paragraph (2) of Regulation 31 of the said Regulations (which Regulation relates to applications by proxies to vote by post) there shall be substituted the following paragraph :—

"(2) Such an application shall be disregarded—

(*a*) for the purposes of a parliamentary election if it is received by the registration officer after the twelfth day before the day of the poll at that election ;

(*b*) for the purposes of a local government election if it is received by the registration officer after the last day for the delivery of nomination papers at that election :

Provided that if under the proviso to paragraph (2) of Regulation 24 of these Regulations the applicant becomes entitled to vote by post as an absent voter at a parliamentary or local government election after the said twelfth or last day as the case may be, such an application may be allowed after the said twelfth or last day as the case may be."

(2) In paragraph (4) of the said Regulation 31 for the words "may, if it is received by the registration officer after the last day for the delivery of nomination papers at an election, be disregarded for the purposes of that election" there shall be substituted the words "may be disregarded for the purposes of a parliamentary election if it is received by the registration officer after the twelfth day before the day of the poll at that election."

6. After paragraph (4) of Regulation 32 of the said Regulations (which Regulation relates to the record and list of postal proxies) there shall be added the following paragraph :—

"(5) As soon as practicable after the preparation of the postal proxies list, the registration officer shall, on request and without fee, supply to each candidate or his election agent a copy of the postal proxies list :

Provided that, if such a request is made before any issue of ballot papers to those entitled to vote by post, the registration officer shall supply a copy of the said list, or a copy of so much of the said list as relates to that issue, before that issue."

7.—(1) In paragraph (1) of Regulation 60 of the said Regulations (which Regulation relates to evidence as to service declarations) for the words "or from the central national registration officer" there shall be substituted the words "or from the Registrar General of Births, Deaths and Marriages in England".

(2) Paragraph (2) of the said Regulation 60 is hereby revoked.

8. For Regulation 68 of the said Regulations (which Regulation relates to the computation of time) there shall be substituted the following Regulation:—

"68.—(1) Subject to the provisions of the following paragraphs of this Regulation, where the last day of the time allowed by these Regulations for any matter falls on a Sunday, Christmas Day, Good Friday, bank holiday or day appointed for public thanksgiving or mourning, that time shall be extended until the end of the next following day which is not one of the days before mentioned.

(2) In computing for the purposes of Regulations 24, 29 and 31 of these Regulations the period of twelve days before the day of the poll at a parliamentary election a Sunday, Christmas Day, Good Friday, bank holiday or day appointed for public thanksgiving or mourning shall be disregarded.

(3) For the purposes of this Regulation the expression "bank holiday"—

(*a*) in paragraph (1) of this Regulation means a day which is a bank holiday under the Bank Holidays Act, 1871(a), in Scotland, and

(*b*) in paragraph (2) of this Regulation has the same meaning as in Rule 2 of the parliamentary elections rules in the Second Schedule to the Act."

Dated this 8th day of May, 1953.

James Stuart,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations amend the Representation of the People (Scotland) Regulations, 1950. Regulations 2, 4, 5 and 8 provide that at parliamentary elections the last day for applications to vote by post or to appoint a proxy or to cancel such applications shall be altered from the last day for the delivery of nomination papers (which except at bye-elections is the ninth day before the day of the poll) to the twelfth day before the day of the poll. At local government elections the last day for such applications or cancellations remains unaltered. Regulations 3 and 6 provide for the supply of copies of the absent voters list and the postal proxies list for the use of candidates at parliamentary and local government elections.

Regulation 7 substitutes a reference to the Registrar General in England for the reference to the central national registration officer in Regulation 60 of the 1950 Regulations.

(a) 34 & 35 Vict. c. 17.