
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2011 No.

The Crofting Commission (Elections)
(Scotland) Regulations 2011

PART II

ELECTIONS

Electors – disqualification

5. A person is disqualified from voting in an election if on the day on which the election notice is published—

- (a) the Commission has determined under section 22 of the 1993 Act⁽¹⁾ that, being a crofter, the person is not ordinarily resident on, or within 16 kilometres of, the croft or decided under section 26C(5) of the 1993 Act⁽²⁾ that the residency duty is not being complied with by the person; and
- (b) either—
 - (i) the Commission has not granted consent under section 21B of the 1993 Act⁽³⁾ for that person to be absent from the croft or the owner-occupied croft; or
 - (ii) that person has not complied with an undertaking in relation to the residency duty.

(1) Section 22 was repealed by paragraph 3(13) of Schedule 4 to the 2010 Act but was saved by article 6 of the Crofting Reform (Scotland) Act 2010 (Commencement No. 2, Transitory, Transitional and Saving Provisions) Order 2011 (S.S.I. 2011/334).
(2) Section 26C was inserted by section 37 of the 2010 Act.
(3) Section 21B was inserted by section 35 of the 2010 Act.