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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2011 No.**

The Crofting Commission (Elections)  
(Scotland) Regulations 2011

PART V

OFFENCES

**Tampering with nomination papers, ballot papers etc.**

- 59.**—(1) A person commits an offence, if, at an election, he or she—
- (a) intentionally defaces or destroys any nomination paper;
  - (b) intentionally defaces or destroys any ballot paper or official envelope used in connection with voting by post;
  - (c) without due authority supplies any ballot paper to any person;
  - (d) without due authority destroys, takes, opens or otherwise interferes with any ballot box or packet of ballot papers then in use for the purposes of the election; or
  - (e) intentionally or without due authority, as the case may be, attempts to do any of the acts mentioned in sub-paragraphs (a) to (d).
- (2) If a returning officer or a member of his or her staff attending at the counting of the votes commits an offence under this regulation, he or she is liable—
- (a) on conviction on indictment to a fine, or to imprisonment for a term not exceeding 2 years, or to both;
  - (b) on summary conviction, to a fine not exceeding the statutory maximum, or to imprisonment for a term not exceeding 12 months, or to both.
- (3) If any other person commits an offence under this regulation, he or she is liable on summary conviction to a fine not exceeding level 5 on the standard scale, or to imprisonment for a term not exceeding 6 months, or to both.