

SCHEDULE 1

Paragraph 2(12)(a)

Form 69.2

Rule 69.2(1)

Form of election petition

IN THE ELECTION COURT

PETITION

under the Representation of the People Act 1983 [or the European Parliamentary Elections Regulations 2004]

[A.B.] [and [C.D.]] (*designation and address*)

Petitioner[s]

against

[E.F.] (*designation and address*), as the member whose election or return is complained of

First Respondent

[E.F.] (*designation and address*), the returning officer

Second Respondent

in respect of

The election for (place) held on day of

HUMBLY SHEWETH:—

1. That the [first named] petitioner voted [or had a right to vote, *as the case may be*] as an elector at the above election [or claims to have had a right to be elected or returned at the above election, or was a candidate at the above election, *as the case may be*]. The second named petitioner (*here state in like manner the right of each petitioner*).
2. That the election was held on the day of , when [A.B.] and [C.D.] (*name them*) were candidates, and the returning officer has returned [A.B.] (*name*) as being duly elected.
3. That (*state the facts on which the petitioners rely on in this and following numbered paragraphs*).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- [4.] That the petition is presented under the Representation of the People Act 1983 [or the European Parliamentary Elections Regulations 2004] and rule 69.2 of the Rules of the Court of Session 1994.

MAY IT THEREFORE please the court to determine that [E.F.] was not duly elected or returned, and that the election was void [or that [A.B.] [or C.D.] was duly elected, and ought to have been returned, *or as the case may be*].

According to Justice etc.

(Signed)

SCHEDULE 2

Paragraph 2(12)(d)

Form 69.5

Rule 69.5(2)

Form of notice of the presentation of an election petition and of the nature of the proposed security

Representation of the People Act 1983 [or the European Parliamentary Elections Regulations 2004]

Date: *(insert date of posting or other method of intimation)*

To: *(name and address)*

TAKE NOTICE

1. That, under the Representation of the People Act 1983 [or the European Parliamentary Elections Regulations 2004] and rule 69.3 of the Rules of the Court of Session 1994, a petition has been presented to the Court of Session, Edinburgh touching the election of a Member of Parliament [or representative to the European Parliament or Member of the Scottish Parliament] for the *(place)*, of which petition the foregoing is a full copy, and that you are named therein as a respondent.
2. That the security which has been given in terms of section 136 of the above Act [or regulation 94 of the above Regulations] is in the form of a bond of caution to the amount of £ granted by [A.B.] and [C.D.] *(names, designations and addresses)* or by consignment of £ in the Bank of . If you wish to object to the above bond of caution in terms of section 136(4) of the above Act [or regulation 94(4) of the above Regulations], you may do so within [14] days of the date of this notice by lodging the objection in writing in the Petition Department, Court of Session, 2 Parliament Square, Edinburgh EH1 1RQ and sending or delivering a full copy of it to me at the following address *(address)*.

(Signed)

Petitioner

[or Solicitor [or Agent] for petitioner]

(Address)