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SCOTTISH STATUTORY INSTRUMENTS

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**2011 No. 456**

**The Crofting Commission (Elections)  
(Scotland) Regulations 2011**

**PART II**

**ELECTIONS**

**Electors – eligibility**

4.—(1) Subject to the following paragraphs of this regulation, a person is entitled to vote in an election in respect of a constituency, if—

- (a) on the day on which the election notice is published, the person—
  - (i) is not disqualified under regulation 5;
  - (ii) is aged 16 years or over; and
  - (iii) has his or her name entered in the Register of Crofts or registered in the Crofting Register as a crofter of a croft situated in the constituency or the owner-occupier crofter of an owner-occupied croft situated in the constituency; and
- (b) the person's name is entered in the crofting electoral register not later than 8 weeks before the day of the count in the election.

(2) Where there are in relation to the same owner-occupied croft 2 or more persons who would be entitled to vote by virtue of paragraph (1)—

- (a) if both or all of those persons ordinarily reside at the same address, those persons are treated as a single elector;
- (b) if both or all of those persons do not ordinarily reside at the same address, those persons are to nominate, in writing to the registration officer, one such person as entitled to vote in an election.

(3) Any function which may or must be carried out under these Regulations by an elector must, in the case of an elector by virtue of paragraph (2)(a), be carried out by one of the persons concerned as agreed by both, or all, of them.

(4) If a person—

- (a) is the crofter or owner-occupier crofter of more than one croft or owner-occupied croft and those crofts or owner-occupied crofts are situated in different constituencies; and
- (b) resides in one of those constituencies,

that person is entitled to a vote only in an election in respect of the constituency in which the person resides.

(5) If a person—

- (a) is the crofter or owner-occupier crofter of more than one croft or owner-occupied croft and those crofts or owner-occupied crofts are situated in different constituencies; and
- (b) does not reside in any of those constituencies,

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that person is entitled to a vote only in an election in respect of whichever of those constituencies is determined by the registration officer, before the crofting electoral register is supplied to the returning officer in accordance with regulation 11, to be closest to the person's residence.

(6) For the purpose of this regulation, the situation of a croft or owner-occupied croft is determined by reference to the parish to which the croft or owner-occupied croft is assigned in its entry in the Register of Crofts.