
SCOTTISH STATUTORY INSTRUMENTS

2011 No. 456

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

PART V

OFFENCES

Personation

55.—(1) A person commits an offence if he or she commits, or aids, abets, counsels or procures the commission of, the offence of personation.

(2) A person commits the offence of personation if he or she—

- (a) votes by post as some other person, whether as an elector or as proxy and whether that other person is living or dead or is a fictitious person; or
- (b) votes by post as proxy—
 - (i) for a person whom he or she knows or has reasonable grounds for supposing to be dead or to be a fictitious person; or
 - (ii) when he or she knows or has reasonable grounds for supposing that his or her appointment as proxy is no longer in force.

(3) For the purposes of this regulation, a person who has marked, whether validly or not, and returned a ballot paper issued for the purpose of voting by post, is deemed to have voted.