
SCOTTISH STATUTORY INSTRUMENTS

2015 No. 425

The Scottish Parliament (Elections etc.) Order 2015

PART 2

THE FRANCHISE AND ITS EXERCISE

Effect of registers

21.—(1) A person entered in the list of proxies must not be excluded from voting at a Scottish parliamentary election on any of the grounds set out in paragraph (2); but this shall not prevent the rejection of the vote on a scrutiny, or affect that person's liability to any penalty for voting.

(2) The grounds referred to in paragraph (1) are that the person—

- (a) is not of voting age;
- (b) is not, or, on the relevant date or the date of the person's appointment (as the case may be), was not—
 - (i) a Commonwealth citizen;
 - (ii) a citizen of the Republic of Ireland;
 - (iii) a relevant citizen of the Union;
- (c) is, or, on the relevant date or the date of the person's appointment (as the case may be), was, otherwise subject to any other legal incapacity to vote.

(3) In paragraph (2), the "relevant date" means—

- (a) in relation to a person registered in the register of electors as published in accordance with section 13(1) of the 1983 Act⁽¹⁾ (requirement to publish the revised register following annual canvass by 1st December), the 15th October immediately preceding the date of publication of the register;
- (b) in relation to any other person registered in the register, the relevant date for the purposes of section 4 of the 1983 Act⁽²⁾ (entitlement to be registered as parliamentary or local government elector).

⁽¹⁾ Section 13 was substituted by the 2000 Act, Schedule 1, paragraph 6.

⁽²⁾ Section 4 was substituted by the 2000 Act, section 1(2) and amended by the 2006 Act, Schedule 1, paragraph 3.