
STATUTORY INSTRUMENTS

1991 No. 1226 (S.121)

REPRESENTATION OF THE PEOPLE

**The Representation of the People
(Scotland) Amendment Regulations 1991**

Made - - - - 16th May 1991

Coming into force in accordance with regulation 1(3)

Whereas a draft of these Regulations has been approved by resolution of each House of Parliament; Now, therefore, the Secretary of State, in exercise of the powers conferred upon him by section 6(1) of the Representation of the People Act 1985(1), having regard to section 27(2) of that Act and the definition of “prescribed” in section 202(1) of the Representation of the People Act 1983(2), hereby makes the following Regulations:

1.—(1) These Regulations may be cited as the Representation of the People (Scotland) Amendment Regulations 1991.

(2) These Regulations shall extend to Scotland only.

(3) These Regulations shall come into force when the Representation of the People Act 1990(3) comes into force in Scotland.

2. After regulation 61 “*General requirements for applications*” of the Representation of the People (Scotland) Regulations 1986(4), there shall be inserted the following regulation:—

“Additional requirement for applicant no longer resident at qualifying address

61A. An application under paragraph (aa) of section 6(2) of the Act of 1985(5) shall specify the address, if any, at which the applicant is resident at the date of the application.”.

(1) 1985 c. 50.

(2) 1983 c. 2.

(3) 1990 c. 32.

(4) S.I. 1986/1111, to which there are amendments not relevant to these Regulations.

(5) Paragraph (aa) was inserted by section 1(a) of the Representation of the People Act 1990.

Status: This is the original version (as it was originally made).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

St. Andrew's House,
Edinburgh
16th May 1991

Ian Lang
One of Her Majesty's Principal Secretaries of
State

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Representation of the People (Scotland) Regulations 1986. They extend to Scotland only. They make provision to give full effect to the amendments made by section 1 of the Representation of the People Act 1990 (“the 1990 Act”). Under section 2 of that Act, it is to be brought into force by a commencement order made by the Secretary of State.

Section 6 of the Representation of the People Act 1985 (“the 1985 Act”) provides for the right to an absent vote at parliamentary elections, at local government elections or at both for an indefinite period and subsection (2) of that section sets out the grounds on which a person is eligible for such a vote. Section 1(a) of the 1990 Act amends section 6(2) of the 1985 Act to make a person eligible for an absent vote for an indefinite period if he is no longer resident at his qualifying address or any other address in the same area; in spite of the reference to “an indefinite period”, the entitlement expires with the register of electors in relation to which the application was made. Section 1(b) of the 1990 Act inserts an additional subsection into section 6 of the 1985 Act to define what is the same area for these purposes. The amendment made by these Regulations requires an applicant to give the address, if any, at which he is currently resident and thereby enables the electoral registration officer to determine whether or not the new address is in the same area as the qualifying address.