
SCOTTISH STATUTORY INSTRUMENTS

2015 No. 425

The Scottish Parliament (Elections etc.) Order 2015

PART 2

THE FRANCHISE AND ITS EXERCISE

Offences relating to applications for postal and proxy votes

- 27.—**(1) A person (“P”) commits an offence if P—
- (a) engages in an act specified in paragraph (2), and
 - (b) intends, by doing so, to deprive another of an opportunity to vote or to make for P or another a gain of a vote to which P or the other is not otherwise entitled or a gain of money or property.
- (2) These are the acts—
- (a) applying for a postal or proxy vote as some other person (whether that other person is living or dead or is a fictitious person);
 - (b) otherwise making a false statement in, or in connection with, an application for a postal or proxy vote or providing false information in connection with such an application;
 - (c) inducing the ERO or CRO to send a postal ballot paper or any communication relating to a postal or proxy vote to an address which has not been agreed to by the person entitled to the vote;
 - (d) causing a communication relating to a postal or proxy vote or containing a postal ballot paper not to be delivered to the intended recipient.
- (3) In paragraph (1)(b), property includes any description of property.
- (4) In paragraph (2), a reference to a postal vote or a postal ballot paper includes a reference to a proxy postal vote or proxy postal ballot paper (as the case may be).
- (5) A person who commits an offence under paragraph (1) or who aids, abets, counsels or procures the commission of such an offence is guilty of a corrupt practice.