
STATUTORY INSTRUMENTS

2002 No. 1872

**Representation of the People (Scotland)
(Amendment) Regulations 2002**

Declarations of identity

13. For paragraphs (5) to (7) of regulation 85 of the 2001 Regulations (procedure in relation to declarations of identity) substitute—

“(5) Where—

- (a) the number (or numbers) on a valid declaration of identity is (or are) not the same as the number (or numbers) on the ballot paper envelope, or
- (b) that envelope has no number on it (or only one number when the declaration of identity has more than one),

the returning officer shall open the envelope.

(6) Paragraph (7) below applies where—

- (a) there is a valid declaration of identity but no ballot paper envelope, or
- (b) the ballot paper envelope has been opened under regulation 84(3) or paragraph (5) above.

(7) In the circumstances described in paragraph (6) above, the returning officer shall place—

- (a) in the postal ballot paper box, any ballot paper the number on which is the same as the number (or one of the numbers) on the valid declaration of identity;
- (b) in the receptacle for rejected votes, any other ballot paper, with the valid declaration of identity attached and marked “provisionally rejected”;
- (c) in the receptacle for rejected votes, any valid declaration of identity marked “provisionally rejected” where—
 - (i) there is no ballot paper, or
 - (ii) in the case of a declaration on which the number of more than one ballot paper appears, there is not a sufficient number of ballot papers and, in such a case, shall mark the declaration to indicate which ballot paper is missing;
- (d) in the receptacle for declarations of identity, any valid declaration not disposed of under sub-paragraph (b) or (c) above.”.