
STATUTORY INSTRUMENTS

2007 No. 925

**The Representation of the People
(Scotland) (Amendment) Regulations 2007**

PART 5

Absent Voting: Proxy Applications

Additional requirements for certain proxy applications for a particular election

31.—(1) Regulation 55(1) shall be amended as follows.

(2) In paragraph (2)(a) for “physical incapacity” substitute “disability”.

(3) In paragraph (3)—

(a) for “regulation 53(4)” substitute “regulation 53”; and

(b) for “physically incapacitated” substitute “disabled”.

(4) After paragraph (3) insert—

“(3A) Where an application under paragraph 4(2) of Schedule 4 is made by a person to whom paragraph 2(5A)(2) of that Schedule applies after 5 p.m. on the sixth day before the date of the poll at the election for which it is made, the requirements of paragraph (3B) as to the matters to be specified and as to attestation shall apply.

(3B) Where an application mentioned in paragraph (3A) is made—

(a) the application shall additionally state the name and address of the hospital at which the applicant is liable to be detained; and

(b) the application shall be attested by a manager (or a person on behalf of a manager) within the meaning of section 329 of the Mental Health (Care and Treatment) (Scotland) Act 2003 responsible for the administration of the hospital at which the applicant is liable to be detained, and the attestation shall state—

(i) the name of the manager attesting the application;

(ii) that the manager is authorised to attest the application;

(iii) the position of the manager in the hospital at which the applicant is liable to be detained; and

(iv) the statutory provision under which the applicant is liable to be detained at the hospital.”.

(1) Regulation 55 was substituted by [S.I. 2006/834](#) and is also amended by regulation 20 of these Regulations.

(2) Paragraph 2(5A) was inserted by section 35 of the Electoral Administration Act 2006 (c. 22).