

electoral administration bulletin

The
Electoral
Commission



Issue 333 (Scotland) – 30 October 2023

Elections Act: online absent vote applications and postal and proxy voting changes

The [Representation of the People \(Postal and Proxy Voting etc.\) \(Amendment\) Regulations 2023](#) will come into force on 31 October 2023. This statutory instrument brings into effect changes to postal and proxy voting rules for UK Parliamentary elections in Scotland, and introduces the ability to apply online for some types of absent votes.

Forms

We have now published updated voter-facing postal and proxy application forms to reflect the new regulations and absent vote requirements.

The updated application forms can be accessed at [Apply to vote by proxy | Electoral Commission](#) and [Apply to vote by post | Electoral Commission](#) from 31 October. The current set of forms will be removed from the website by the same date.

Please note that any absent vote applications in the old format that are returned to you after 30 October 2023 for UK Parliamentary elections will not meet the requirements of the new legislation. These applications will either require further information to enable verification of the elector's identity to take place, or the applicant would need to be directed to make a new application online or on a new form.

Guidance

Our updated [absent voting guidance for EROs](#) was published in early September. Today we are publishing some additional guidance to support EROs with [managing requests for postal vote applications](#) reflecting the new arrangements in place for devolved and reserved elections.

Our guidance on [key considerations for the implementation of Tranche 2 of the Elections Act 2022](#) also remains available to support ROs and EROs in embedding the new processes into their elections and registration functions.

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Information on and a link to the Commission's report.

EA Bulletins are issued on a regular basis. They are one of our key channels for communicating with Returning Officers, Electoral Registration Officers and their staff. Past issues of Bulletins for England, Scotland and Wales are available [here](#). You can also [subscribe to the EA Bulletins](#).

Please [keep us informed](#) of any staff changes within your team. This will help us to keep our mailing lists up to date.

We are sending you this newsletter as it contains important information about the Electoral Commission's work which is relevant to you. The newsletter forms part of the Electoral Commission's public task which has its basis in the

Political Parties, Elections and Referendums Act 2000. We will manage your personal information and contact details in line with the General Data Protection Regulation and UK data protection legislation as outlined in our privacy notice (<https://www.electoralcommission.org.uk/privacy-notice>)

If you no longer wish to receive this newsletter, you may [unsubscribe](#) at any time.

The [previous version of the absent voting guidance for EROs](#) covering the management of absent vote applications prior to the commencement of the new rules will remain available on our website until 30 November. This is to support the processing of applications that may have been received up to 31 October.

If you have any questions or concerns, please contact infoscotland@electoralcommission.org.uk.

UK Parliamentary boundary changes

As set out in DLUHC's Electoral Integrity Programme business change bulletin of 24 October, DLUHC is in the process of making the legislation which will enact the new UK Parliamentary constituency boundaries. The date the legislation is made is dependent on the sitting dates of the Privy Council. Currently, it is expected that the Order will be made in November and will come into force 2 weeks following this. This is likely to be towards the end of November.

Once the Order has been made, the new boundaries will then take effect at the next UK Parliamentary general election.

We have updated our [guidance](#) to reflect this update on the expected timing of the legislation.

Recall petitions: Report on the 2023 recall petition in Rutherglen & Hamilton West

We have published [our statutory report](#) on the petition to recall the MP for the UK Parliamentary constituency of Rutherglen and Hamilton West.

This was the first recall petition to take place in Scotland and also the first in the UK, where there was a requirement for people to show photo ID when signing the petition in person.

We found the petition to be well run, and the Petition Officer delivered their duties as set out in the Recall of MPs Act 2015. There were no significant problems which affected people eligible to sign or wishing to campaign.

However, in line with our reports into the 2019 recall petitions in Peterborough and Brecon and Radnorshire, and the 2018 recall petition in North Antrim, we have again identified challenges arising from the application of election rules to a recall petition process. These include the difficulties in securing accessible signing venues for a six-week recall period and the lack of clarity in legislation over the deadline for receipt of postal votes and the secrecy requirements during the recall process.

We continue to recommend that the UK Government review the policy and legislation to improve the process for any future recall petitions.

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