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SCOTTISH STATUTORY INSTRUMENTS

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**2009 No. 2 (C. 1)**

**REPRESENTATION OF THE PEOPLE**

**The Local Electoral Administration and Registration Services (Scotland) Act 2006 (Commencement No. 5 and Transitional Provision) Order 2009**

*Made - - - - 7th January 2009*

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 61(2)(b) and 63(2) of the Local Electoral Administration and Registration Services (Scotland) Act 2006(1) and all other powers enabling them to do so.

**Citation**

1. This Order may be cited as the Local Electoral Administration and Registration Services (Scotland) Act 2006 (Commencement No. 5 and Transitional Provision) Order 2009.

**Provisions coming into force on 22nd January 2009**

2. Sections 21, 22, 23 and 24 (personal identifiers) of the Local Electoral Administration and Registration Services (Scotland) Act 2006 come into force on 22nd January 2009.

**Transitional provision**

3.—(1) This article applies where—

- (a) a person has made an application under Schedule 4 to the Representation of the People Act 2000(2) to a registration officer to vote by post, by proxy, or by post as proxy in respect only of local government elections in Scotland or of a particular local government election in Scotland; and
- (b) the application has not been determined on or before 21st January 2009.

(2) The registration officer must not grant the application unless the applicant has supplied the registration officer with—

- (a) a specimen of the applicant's signature; and
- (b) the applicant's date of birth.

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(1) 2006 asp 14.  
(2) 2000 c. 2.

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**Status:** This is the original version (as it was originally made).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

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St Andrew's House,  
Edinburgh  
7th January 2009

*BRUCE CRAWFORD*  
A member of the Scottish Executive

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into force on 22nd January 2009 sections 21 to 24 of the Local Electoral Administration and Registration Services (Scotland) Act 2006 (“the Act”).

The Order also makes transitional provision for certain absent vote applications received but not determined before 22nd January 2009. It provides that such applications must not be granted unless the applicant has provided a specimen of their signature and their date of birth.

Sections 61 to 63 of the Act came into force on Royal Assent on 1st August 2006. The Table below shows the provisions of the Act which have been brought into force by earlier commencement orders.

### NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Sections 39 and 40 (partially), section 41(1) (partially), section 41(2)(a) and (3), section 42 (partially), section 43, section 44(1) (partially), section 44(3) and (4), section 44(5) (partially), section 44(6) (partially), section 45, section 46 (partially), section 47(1) (partially), section 47(3), section 48(1) (partially), section 48(7) and (9)(a), (b)(ii) and (c), section 49 (partially), section 50(1) (partially), section 50(2) to (9) (partially), section 50(10), section 52(1) (partially), section 52(2)(a) to (c) (partially), section 52(2) (d) and (3), section 52(4) (partially), section 52(5), section 52(6) (partially), section 52(7), section 53, sections 54 and 55 (partially), sections 56 to 58, section 59(1) (b), section 60	1st October 2006	<a href="#">2006/469</a>
Sections 37 and 38, section 39(1) (partially), section 39(2), (3)(c), (4), (5), (7) and (8), section 40,	1st January 2007	<a href="#">2006/469</a>

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
section 41, section 42(1) (partially), section 42(2), (3) (a)(iii) and (iv) and (c), (4), (5), (7) and (8), section 44(1) (partially), section 44(2), (7) and (8), section 44(5) (partially), section 44(6), sections 46 to 51, section 52(1) (partially), section 52(2)(a) to (c) and (4), section 52(6) (partially), section 59	29th January 2007	<a href="#">2007/26</a>
Sections 12 to 16, section 18, section 20, section 25, sections 28 and 29, section 30, section 33, section 34(2), (3) and (6). Section 35 (partially), section 36, paragraphs 6, 8 and 11 of schedule 2	17th February 2007	<a href="#">2007/26</a>
Sections 1 to 4, section 5 (partially as regards section 5(2)(a)), sections 6 and 7, sections 8 to 11, sections 26 and 27, sections 31 and 32, section 34(1), (4) and (5), paragraphs 1, 2, 5, 7, 10, 12, 13 and 14 of schedule 2	14th January 2008	<a href="#">2007/566</a>
Section 42(1) (partially), section 42(3)(b) (partially), section 42(6) (partially)	5th January 2009	<a href="#">2008/405</a>