# The Representation of the People (Adaptation of Enactments) (Scotland) Order, 1951

## 1951 No. 506 (S. 21)

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| *Made* - - - - | 20*th March*, 1951 |
| *Laid before Parliament* | 22*nd March*, 1951 |
| *Coming into Operation* | 23*rd March*, 1951 |

In exercise of the powers conferred upon me by section four of the Electoral Registers Act, 1949(a), and of all other powers enabling me in that behalf, I hereby order as follows:—

**1.**—(1) This Order shall, apart from Article 3 hereof, apply to Scotland only.

(2) This Order may be cited as the Representation of the People (Adaptation of Enactments) (Scotland) Order, 1951, and shall come into operation on the 23rd day of March, 1951.

(3) The Interpretation Act, 1889(b), shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

**2.** Any reference in the enactments specified in the Schedule to this Order to a person registered in any register of parliamentary or of local government electors (whether such person is described as an "elector", "registered parliamentary elector", "local government elector", "county elector", "district council elector", or otherwise), shall not, during the period beginning with the sixteenth day of March in any year and ending with the first day of October in that year, include a reference to a person who by virtue of subsection (1) of section two of the Electoral Registers Act, 1949, is registered in any register of parliamentary or of local government electors, except where the part of the register in which his name appears is a part continued in force by subsection (6) of section one of the said Act (which relates to registers not published within the required time).

**3.** The proviso to subsection (4) of section forty-six of the Representation of the People Act, 1949(c), shall have effect with the substitution, for the word "twenty-one," of the words "twenty years and five months".

**4.** In relation to a parliamentary or local government election at which the date fixed for the poll falls after the fifteenth day of March in any year and before the second day of October in that year, any reference to an entry in the register of parliamentary or of local government electors or in the electors lists in subsection (2) or (3) of section sixty-four of the Representation of the People Act, 1949 (which relates to the limitation of election expenses) or in subsection (6) of section eighty-eight of the said Act (which relates to the use of motor vehicles at parliamentary elections) shall not include a reference to the entry of a person who by virtue of subsection (1) of section two of the Electoral Registers Act, 1949, is registered in the register of parliamentary or of local government electors or in the electors lists except where the part of the register in which his name appears is a part continued in force by subsection (6) of section one of the last-named Act.

**5.** After note 4 in the form of nomination paper for a parliamentary election contained in the Appendix to the Parliamentary Elections Rules in the Second Schedule to the Representation of the People Act, 1949, and after the note

(a) 12, 13 & 14 Geo. 6. c. 86. (b) 52 & 53 Vict. c. 63. (c) 12, 13 & 14 Geo. 6. c. 68.

required to be printed on the back of a nomination paper for a local government election by each of the forms of such nomination paper contained in the Appendix to the Scottish Local Elections Rules in the Third Schedule to the said Act, there shall be added the following note:—

"At an election at which the date fixed for the poll falls after the 15th March and before the 2nd October, a person marked with a "Y" in the register to be used at that election may not subscribe a nomination paper."

Dated this 20th day of March, 1951.

*Hector McNeil,*
One of His Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh.

## SCHEDULE

ENACTMENTS REFERRED TO IN ORDER

Small Holdings Act, 1892(a).
Allotments (Scotland) Act, 1892(b).
Orkney and Zetland Small Piers and Harbours Act, 1896(c).
Temperance (Scotland) Act, 1913(d).
Water (Scotland) Act, 1946(e).
Education (Scotland) Act, 1946(f).
National Health Service (Scotland) Act, 1947(g).
Local Government (Scotland) Act, 1947(h).
Town and Country Planning (Scotland) Act, 1947(i).
Representation of the People Act, 1949.
Election Commissioners Act, 1949(j).

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## EXPLANATORY NOTE

*(This Note is not part of the Order, but is intended to indicate its general purport.)*

This Order makes provision as to the position of persons under the age of twenty-one years who by virtue of the Electoral Registers Act, 1949, are entitled to be registered as electors but are not entitled to vote until the 2nd October in the year when they are so registered.

Articles 2 and 4 exclude such persons from the definition of elector during the period when they are registered but are not entitled to vote.

Article 3 provides that the Services must make arrangements concerning the voting rights of members of the forces likely to be still in the forces at the age of twenty years and five months instead of at the age of twenty-one years.

Article 5 amends the form of nomination paper at parliamentary and local government elections so as to draw attention to the fact that such persons may not, during the period of the year when they are registered as electors but not entitled to vote, subscribe a nomination paper.

(a) 55 & 56 Vict. c. 31. (b) 55 & 56 Vict. c. 54. (c) 59 & 60 Vict. c. 32.
(d) 3 & 4 Geo. 5. c. 33. (e) 9 & 10 Geo. 6. c. 42. (f) 9 & 10 Geo. 6. c. 72.
(g) 10 & 11 Geo. 6. c. 27. (h) 10 & 11 Geo. 6. c. 43. (i) 10 & 11 Geo. 6. c. 53.
(j) 12, 13 & 14 Geo. 6. c. 90.