

Application to vote by emergency proxy based on detention in a mental health hospital in relation to criminal proceedings in Scotland

The
Electoral
Commission

Voting by proxy

Proxy voting means that if you aren't able to cast your vote in person, you can have someone you trust cast your vote for you.

This form is designed for use if **you cannot vote in person at your polling station because of your detention in a mental health institution** and you are applying to vote by proxy (someone else voting on your behalf) in a particular election **after 5pm on the sixth day before the poll** for that election.

You must have been living in Scotland before your detention in hospital and be:

- (i) detained there under a temporary compulsion order while your criminal case is ongoing; or
- (ii) detained there under an order or direction made in or following criminal proceedings, and have been:
 - sentenced to a prison term of 12 months or less; or
 - not given a prison sentence but prosecuted for one or more offences, and the maximum possible sentence(s) for the offence(s) added together totals 12 months or less; or
- (iii) under the guardianship of a local authority following criminal proceedings.

You will be eligible to vote in local council elections and Scottish Parliament elections. You cannot vote in elections to the UK Parliament. Both you and your proxy must be registered and eligible to vote.

A person can only be a proxy for close relatives and up to two other people at an election.

Close relatives are the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild of the applicant.

How do I apply to vote by proxy?

- You must ask someone who is willing and capable to be your proxy and vote on your behalf.
- Fill in the emergency proxy vote application form.
- Make sure all sections of the form are complete. You need to give your date of birth and signature on this application form. This information is needed to prevent fraud. If you are unable to sign this form, please contact your elections team at your local electoral registration office.
- This form can only be used after 5pm, on the sixth working day before the poll.
- Your form must arrive at your local electoral registration office **before 5pm, on the day of the poll**.
- Return your form to your local electoral registration office for the address that you are registered to vote at. You can find their details and more information at electoralcommission.org.uk/voter.

Please do not return your form to the Electoral Commission.

You must already be registered to vote before applying for a proxy vote or emergency proxy vote. The deadline to register to vote is **midnight, 12 working days before the poll**. Register to vote online at gov.uk/register-to-vote.

This form and these deadlines only apply in Scotland.

What happens after I've returned this form?

- Your local electoral registration office will confirm if your application has been accepted or rejected.
- Your local electoral registration office will tell your proxy when and where to vote on your behalf.
- You must tell your proxy how you want them to vote on your behalf, for example, which candidate, party, or outcome.
- Your proxy must go to your polling station to vote on your behalf.

Privacy statement

We collect information under the legal basis of a task carried out in the public interest, as set out in the Representation of the People Act 1983 and related regulations. We will look after personal information securely and follow data protection legislation.

If you opted-out of the open register we will only use the information you give us for electoral purposes, including matching it against other sources of data to support the electoral register. We will not give personal information to anyone else, unless we have to by law. The law requires us to share your information with candidates, political parties and campaigners for democratic engagement purposes and credit reference agencies to check your identity when you apply for credit.

If you have not opted-out of the open register your name and address can be bought by anyone and used for lots of purposes, including direct marketing.

The Electoral Registration Officer is the Controller. For further information relating to the processing of personal data you should refer to their privacy notice on their website. Their website address and contact details can be found at electoralcommission.org.uk/voter.

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Only one person can apply to vote by emergency proxy using this form

Please write in black ink and use CAPITAL LETTERS. When all sections are complete and you have signed the form yourself, send it to your local electoral registration office for the address that you are registered to vote at. Their contact details can be found at **electoralcommission.org.uk/voter**.

1 About you

Surname

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First name(s) (in full)

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Middle name(s) (in full)

Your address (where you are registered to vote)

Postcode

2 About your proxy (the person you have chosen to vote on your behalf)

Full name

Family relationship (if any)

Full address

Postcode

Phone number (optional)

Email (optional)

3 At which election(s) do you want a proxy?

I want to vote by proxy at the election(s) held on:

4 Hospital details

Name of the hospital you are detained at

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5 Your date of birth and declaration

Declaration: I have asked the person I have named as my proxy and confirm that they are willing and capable to be appointed to vote on my behalf.

I am a patient in a mental health hospital and I am:

- (i) detained there under a temporary compulsion order while my criminal case is ongoing; or
- (ii) detained there under an order or direction made in or following criminal proceedings, and I have been:
 - sentenced to a prison term of 12 months or less; or
 - not given a prison sentence but prosecuted for one or more offences, and the maximum possible sentence(s) for the offence(s) added together totals 12 months or less; or
- (iii) under the guardianship of a local authority following criminal proceedings.

As far as I know, the details on this form are true and accurate. I understand that to provide false information on this form is an offence, punishable on conviction by imprisonment of up to two years and/or a fine.

Date of birth: Please write your date of birth in the boxes below using black ink.

D	D	M	M	Y	Y	Y	Y

Signature: Sign below using black ink, keeping within the grey border.

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6 Date of application

Today's date

D	D	M	M	Y	Y	Y	Y

If you are unable to sign this form, please contact your local electoral registration office. More information can be found at electoralcommission.org.uk/voter.