



The Scottish Parliament  
Pàrlamaid na h-Alba

Published 17 February 2026  
SP Paper 1010  
5th Report, 2026 (Session 6)

## **Standards, Procedures and Public Appointments Committee**

# **Subordinate legislation on the Absent Voting (Miscellaneous Amendment) (Scotland) Order [draft] and Regulations [draft] 2026**

**Published in Scotland by the Scottish Parliamentary Corporate Body.**

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# Standards, Procedures and Public Appointments Committee

To consider and report on the following (and any additional matter added under Rule 6.1.5A)—

- (a) the practice and procedures of the Parliament in relation to its business;
- (b) whether a member's conduct is in accordance with these Rules and any Code of Conduct for members, matters relating to members interests, and any other matters relating to the conduct of members in carrying out their Parliamentary duties;
- (c) the adoption, amendment and application of any Code of Conduct for members;
- (d) matters relating to public appointments in Scotland;
- (e) matters relating to the regulation of lobbying; and
- (f) matters falling within the responsibility of the Minister for Parliamentary Business.

2. Where the Committee considers it appropriate, it may by motion recommend that a member's rights and privileges be withdrawn to such extent and for such period as are specified in the motion."



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# Committee Membership



**Convener**  
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Scottish Labour



**Deputy Convener**  
**Ruth Maguire**  
Scottish National Party



**Emma Roddick**  
Scottish National Party



**Sue Webber**  
Scottish Conservative  
and Unionist Party



**Annie Wells**  
Scottish Conservative  
and Unionist Party

# **Absent Voting (Miscellaneous Amendment) (Scotland) Order 2026 [draft] and the Absent Voting (Miscellaneous Amendment) (Scotland) Regulations 2026 [draft]**

1. At its meeting on 12 February 2026 the Standards, Procedures and Public Appointments Committee considered the Absent Voting (Miscellaneous Amendment) (Scotland) Order and the Absent Voting (Miscellaneous Amendment) (Scotland) Regulations 2026. The two statutory instruments were laid under the Scottish Parliament (Elections etc.) Order 2015 on 23 January 2026. Both instruments are subject to the affirmative procedure.
2. The Policy Note accompanying the instruments sets out that the Order (and the closely related Absent Voting (Miscellaneous Amendment) (Scotland) Regulations 2026 (“the 2026 Regulations”)) seek to ensure access to the Online Absent Voting Application (OAVA) for voters in Scottish parliamentary and council elections.
3. The overall effect of both instruments will be to allow voters to apply online to vote by post and by proxy (together called ‘absent voting’).
4. The Regulations and Order together set 3 November 2026 as the ‘go live’ date for the system and make provision in respect of absent vote arrangements which exist prior to 3 November. The duration of existing indefinite or long-term postal votes is limited and where a voter has an absent vote entitlement for UK Parliament elections as well as Scottish Parliament and local government elections, provisions are made to enable one combined record for a voter’s absent votes after 3 November. This is necessary for access to OAVA.
5. In future, voters wishing a postal vote on a continuing basis will have to reapply every 3 years and all absent vote applications will require a National Insurance Number or other form of verification as an identity check.
6. In general, the Regulations set out the majority of the arrangements, while the Order makes specific (and consistent) provision for absent voting entitlements for Scottish Parliament elections where this is not set out in the Regulations or in the Absent Voting (Elections in Scotland and Wales) Act 2025.
7. The Policy Notes states that modification of the OAVA system to permit applications by voters in Scottish and Welsh Parliament and local government elections will create a cost share between the Scottish and Welsh Governments. The Policy Note adds that this cost is still to be fully established but is expected to be a one-off cost in the region of £1 million for each Government.

# Consideration by the Delegated Powers and Law Reform Committee

8. The DPLR Committee considered the instruments on 3 February 2026 and reported on them in its [16th Report 2026](#) .
9. The DPLR Committee made no recommendations in relation to the instruments.

# **Consideration by the Standards, Procedures and Public Appointments Committee**

10. At its meeting on 12 February 2026 the SPPA Committee took evidence from Graeme Dey, Minister for Parliamentary Business and Veterans and Scottish Government officials.
11. The Committee explored in evidence taking with the Minister a range of issue relating to the access, operation and cost of the OAVA for voters in Scottish parliamentary and council elections.
12. Following questions the Minister moved motion S6M-20589 – That the Standards, Procedures and Public Appointments Committee recommends that the Absent Voting (Miscellaneous Amendment) (Scotland) Order 2026 [draft] be approved. The motion was agreed to.
13. The Minister then moved motion S6M-20590- The that Standards, Procedures and Public Appointments Committee recommends that the Absent Voting (Miscellaneous Amendment) (Scotland) Regulations [draft] by approved. The motion was agreed to.

## Conclusion

14. The Committee recommends to the Parliament that the Absent Voting (Miscellaneous Amendment) (Scotland) Order 2025 [draft] and the Absent Voting (Miscellaneous Amendment) (Scotland) Order Regulations 2026 [draft] be approved.

