

Status: Point in time view as at 08/08/2013.

Changes to legislation: There are currently no known outstanding effects for the Scottish Independence Referendum (Franchise) Act 2013 (repealed), SCHEDULE 1. (See end of Document for details)

SCHEDULE 1

(introduced by section 6(1))

APPLICATION OF ENACTMENTS

PART 1

GENERAL MODIFICATIONS

In any enactment as applied by virtue of section 6(1) and this schedule, unless the context requires otherwise—

- (a) references to the register of local government electors (however expressed) are to be read as references to the register of young voters,
- (b) references to residency for the purposes of section 4 of the 1983 Act are to be read as references to residency for the purposes of that section as it has effect for the purposes of section 5(1)(b) of this Act,
- (c) references to any other enactment which is applied by virtue of section 6(1) are to be read as references to the enactment as so applied,
- (d) “prescribed” means prescribed in an enactment specified in column 1 of the table in Part 3 of this schedule as that enactment is applied by virtue of section 6(1),
- (e) “regulations” means any such enactment as is referred to in paragraph (d).

PART 2

THE 1983 ACT

The provisions referred to in column 1 of the table are provisions in the 1983 Act.

<i>Provision of the 1983 Act</i>	<i>Modifications</i>
Section 5 (residence: general)	
Section 6 (residence: merchant seamen)	
Section 7 (residence: patients in mental hospitals who are not detained offenders or on remand)	
Section 7A (residence: persons remanded in custody etc.)	
Section 7B (notional residence: declarations of local connection)	In subsection (3)(a)(i), the reference to the returning officer is to be read as a reference to a counting officer appointed for the purposes of an independence referendum. In subsection (3)(e), the words “(if the declaration is made for the purposes only of local government elections)” are omitted. In subsection (3)(f), the reference to the age of 18 years is to be read as a reference to the age of 17 years. Subsections (5) to (7) are omitted.

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Section 7C (effect of declaration of local connection)	Subsection (1)(b) is omitted.
Section 9A (registration officers: duty to take necessary steps)	In subsection (1), the reference to the duty to maintain the registers under section 9 of the 1983 Act is to be read as a reference to the duty to maintain the register of young voters under section 4(1) of this Act. Subsections (2) and (3) are omitted.
Section 9B (anonymous registration)	In subsection (3)(a), the reference to section 9(2) of the 1983 Act is to be read as a reference to section 4(2) of this Act. In subsection (3)(b), the reference to a person's electoral number is to be read as a reference to the person's voter number. In subsection (8), the words “or the returning officer for any election” are omitted.
Section 9C (removal of anonymous entry)	
Section 10 (maintenance of registers: duty to conduct canvass)	Subsection (1) has effect as if— (a) for “an annual canvass” there were substituted “ a canvass between 1 October 2013 and 10 March 2014 ”, and (b) the words “, or to remain,” were omitted. Subsections (1A) and (2) are omitted. In subsection (3)(a), the reference to section 3 of the 1983 Act is to be read as a reference to section 3 of this Act. Subsection (3)(b)(iii) is omitted. Subsection (4) is omitted. In subsection (5), the references to a form are to be read as references to the form referred to in section 8 of this Act. Subsection (6) has effect as if for “alterations” there were substituted “ entries ”.
Section 10A (maintenance of registers: registration of electors)	In subsection (2A), the words “(subject to section 13BB(2))” are omitted. In each of subsections (2A) and (5)(a), the reference to the 15th October in the year in question is to be read as a reference to the date on which the canvass form was received by the registration officer. In subsection (3), the reference to the register in question is to be read as a reference to the register of young voters or the register of local government electors. In subsection (4)(a), the reference to voting age is to be read as a reference to the age of 16 years.

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	<p>In subsection (5)(a)(i), the reference to the form mentioned in section 10(4) is to be read as a reference to the form referred to in section 8 of this Act.</p> <p>In subsection (5)(b), the reference to section 4 of the 1983 Act is to be read as a reference to section 5 of this Act.</p>
Section 13A (alteration of registers)	<p>In subsection (1), the reference to the publication of a revised version of a register under section 13 of the 1983 Act is to be read as a reference to the preparation of the register of young voters under section 4(1) of this Act.</p> <p>In subsection (1)(c), the words “or 58” are omitted.</p> <p>Subsection (3) is omitted.</p> <p>In subsection (5)—</p> <ul style="list-style-type: none">(a) the reference to a published version of a register of electors is to be read as a reference to the register of young voters, and(b) the words “or section 13BB below” are omitted.
Section 13B (alteration of registers: pending elections)	<p>References to an election to which section 13B applies are to be read as references to an independence referendum.</p> <p>References to the appropriate publication date are to be read as references to the fifth day before the date of the poll at an independence referendum.</p> <p>References to the relevant election area are to be read as references to the area for which the registration officer acts.</p> <p>In subsection (1), the reference to a published version of a register is to be read as a reference to the register of young voters.</p>
Section 13D (provision of false information)	<p>In subsection (1), the reference to the registration of electors is to be read as a reference to registration in the register of young voters.</p> <p>Subsections (1A), (2) and (8) are omitted.</p>
Section 14 (service qualification)	<p>In subsection (1), the reference to the 1983 Act is to be read as including a reference to this Act.</p> <p>Subsection (2) is omitted.</p>
Section 15 (service declaration)	<p>Subsections (5) and (9) to (12) are omitted.</p>
Section 16 (contents of service declaration)	<p>In paragraph (f), the reference to the age of 18 years is to be read as a reference to the age of 17 years.</p>

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Section 17 (effect of service declaration)	Subsection (1)(b) is omitted.
Section 52 (discharge of registration duties)	References to the 1983 Act are to be read as including references to this Act. Subsections (1), (1A), (3) and (5) are omitted. In subsection (4), paragraphs (a) and (aa) are omitted.
Section 56 (registration appeals)	In subsection (1)(aa), the reference to section 4 of the 1983 Act is to be read as a reference to section 5 of this Act. Subsection (1)(b) is omitted. Subsections (3) and (4A) are omitted.
Section 57 (registration appeals: Scotland)	
Section 59 (supplemental provisions as to members of forces and service voters)	Subsections (3) to (4) are omitted.
Section 62 (offences as to declarations)	References to being subject to a legal incapacity to vote are to be read as references to being subject to a legal incapacity to vote within the meaning of section 2(2) of this Act. Subsection (2) is omitted.
Section 63 (breach of official duty)	References to “official duty” are to be read as including a duty imposed by virtue of this Act. In subsection (3), paragraphs (a), (c) and (d) are omitted. In subsection (3)(b), the words “returning officer or presiding officer” are omitted. Subsections (4) and (5) are omitted.

PART 3

REPRESENTATION OF THE PEOPLE (SCOTLAND) REGULATIONS 2001

The provisions referred to in column 1 of the table are provisions in the Representation of the People (Scotland) Regulations 2001 (SI 2001/497).

<i>Provisions of the 2001 Regulations</i>	<i>Modifications</i>
Regulation 3 (interpretation)	Paragraphs (2) to (4) are omitted.
Regulation 4 (forms)	In paragraph (1)— (a) sub-paragraph (b) is omitted, and (b) the reference to an election is to be read as a reference to an independence referendum. Paragraph (2) is omitted.
Regulation 5 (communication of applications, notices etc.)	

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Regulation 6 (electronic signatures and related certificates)	
Regulation 8 (time)	In paragraph (2), the words “Subject to regulation 56(6) below,” are omitted.
Regulation 11 (interference with notices etc.)	The reference to a registration officer's registration duties is to be read as a reference to the officer's duties by virtue of this Act.
Regulation 14 (service declarations: qualification for Crown servants)	
Regulation 15 (contents of service declaration)	
Regulation 16 (transmission of service declaration)	In paragraph (1), the words “made by a member of the forces or his spouse or civil partner” are omitted. Paragraphs (2) and (3) are omitted.
Regulation 17 (notification by registration officer in respect of service declarations)	
Regulation 23 (power to require information)	
Regulation 24 (evidence as to age and nationality)	Paragraph (2)(c) is omitted. In paragraph (2)(d), the word “other” is omitted. In paragraph (3), the reference to section 54(1) of the 1983 Act is to be read as a reference to section 10(1) of this Act. Paragraphs (4) and (4A) are omitted.
Regulation 26 (applications for registration)	In paragraphs (1) to (3), the references to registration as a parliamentary or local government elector (or both) are to be read as references to registration in the register of young voters. In paragraph (1)(c), the reference to being registered as an elector is to be read as a reference to being registered in the register of young voters. Paragraph (1)(e) is omitted. In paragraph (1)(f), the words “except in the case of a person applying to be registered in pursuance of an overseas elector's declaration,” are omitted. In each of paragraphs (2) and (5), the words “or an overseas elector's declaration” are omitted. Paragraphs (6) to (10) are omitted.
Regulation 27 (objections to registration)	In paragraph (1)— (a) in paragraph (a), the reference to the name of a person is to be read as a reference to the name and address of the person,

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	(b) sub-paragraphs (b) and (ba) are omitted. In paragraph (1)(d), the reference to the register is to be read as a reference to the register of young voters or the register of local government electors. In paragraph (1)(e), the reference to the electoral number is to be read as including a reference to the voter number.
Regulation 29 (procedure for determining applications for registration and objections without a hearing)	Paragraph (8) is omitted.
Regulation 30 (notice of hearing)	
Regulation 31 (hearing of applications and objections)	
Regulation 31A (objections relating to applications that have been allowed, but before alterations to register have taken effect)	In paragraph (1)(c), the word “13(5),” is omitted.
Regulation 31B (other determinations by registration officer of entitlement to registration)	Paragraph (2)(a)(ii) is omitted. In paragraph (2)(b)(ii), the reference to section 4 of the 1983 Act is to be read as a reference to section 5 of this Act.
Regulation 31C (summary procedure for determining in specified circumstances person has ceased to satisfy conditions for registration)	In paragraph (2)(c), the reference to section 4 of the 1983 Act is to be read as a reference to section 5 of this Act.
Regulation 31D (procedure for reviewing entitlement to registration)	In each of paragraphs (5) and (8), the reference to section 4 of the 1983 Act is to be read as a reference to section 5 of this Act.
Regulation 31E (list of reviews)	In paragraph (2)(b), the reference to a person's electoral number is to be read as a reference to the person's voter number. Paragraph (3) is omitted.
Regulation 31F (hearings of reviews)	In paragraph (6), the reference to section 4 of the 1983 Act is to be read as a reference to section 5 of this Act.
Regulation 31G (anonymous registration: applications and declarations)	
Regulation 31H (anonymous registration: determination of applications by registration officer)	
Regulation 31I (anonymous registration: evidence consisting of relevant court orders or injunctions)	
Regulation 31J (anonymous registration: evidence by attestation)	

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Regulation 32 (registration appeals)	In paragraph (1)(b), the reference to section 4 of the 1983 Act is to be read as a reference to section 5 of this Act.
Regulation 32A (representations regarding clerical errors)	
Regulation 35 (registration officer's right to inspect certain records)	In paragraph (1), the reference to a registration officer's registration duties is to be read as a reference to the officer's duties by virtue of this Act.
Regulation 36 (notices in connection with registration)	Paragraph (1) is omitted. In paragraph (2), sub-paragraphs (a) and (aa) are omitted.
Regulation 36A (communication of notices made on polling day)	
Regulation 37 (notice by registration officer of a change of address)	
Regulation 40 (qualifying addresses which are not included in the register)	In paragraph (1), the reference to section 9(2)(b) of the 1983 Act is to be read as a reference to section 4(2)(b)(ii) of this Act. Paragraph (1)(b) is omitted.
Regulation 41 (order of names)	In paragraph (3)(b), the reference to electors is to be read as a reference to voters.
Regulation 41A (anonymous entries)	In paragraph (1), the reference to a person's electoral number is to be read as a reference to the person's voter number. In paragraph (2)(b), the reference to electors is to be read as a reference to voters.
Regulation 45A (record of anonymous entries)	In paragraph (1), the reference to a record of anonymous entries is to be read as a reference to a separate such record in relation to the register of young voters. In paragraph (3)(b), the reference to a person's electoral number is to be read as a reference to the person's voter number. In paragraph (4), the words “(in accordance with regulation 51(2)(d))” are omitted.
Regulation 45B (duties of registration officer and staff in relation to record of anonymous entries)	References to a referendum are to be read as references to an independence referendum. References to the counting officer at a referendum are to be read as references to a counting officer at an independence referendum. References to the record of anonymous entries are to be read as references to the separate such record in relation to the register of young voters kept under regulation 45A as applied by this Act.

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Regulation 45C (supply of record of anonymous entries to returning and counting officers)	<p>In paragraph (2), the words “returning officer at any election or” are omitted.</p> <p>In each of paragraphs (2)(b) and (4), the words “election or” are omitted.</p> <p>In paragraph (6), the definition of “counting officer” is omitted.</p> <p>References to a counting officer are to be read as references to a counting officer at an independence referendum.</p> <p>References to the record of anonymous entries are to be read as references to the separate such record in relation to the register of young voters kept under regulation 45A as applied by this Act.</p> <p>In each of paragraphs (1) and (3), the words “returning officer or” are omitted.</p> <p>In paragraph (4), for the words “an election or referendum (as the case may be)” there are substituted “ an independence referendum ”.</p>
Regulation 45F (certificate of anonymous registration)	<p>References to the record of anonymous entries are to be read as references to the separate such record in relation to the register of young voters kept under regulation 45A as applied by this Act.</p> <p>In paragraph (3)(b), the reference to a person's electoral number is to be read as a reference to the person's voter number.</p> <p>Paragraph (3)(d) is omitted.</p>
Regulation 115 (offences)	<p>References to the provisions specified in paragraph (2) are to be read as references to regulation 45C(4).</p> <p>Paragraph (2) is omitted.</p>

PART 4

OTHER ENACTMENTS

Enactments

Modifications

Any act of sederunt under section 57(2) or (3) of the 1983 Act (registration appeals: Scotland)

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