
Changes to legislation: There are currently no known outstanding effects for the Scottish Independence Referendum Act 2013, Cross Heading: Applications for absent vote. (See end of Document for details)

SCHEDULE 2 FURTHER PROVISION ABOUT VOTING IN THE REFERENDUM

PART 1

MANNER OF VOTING

Applications for absent vote

- 3 (1) Where a person applies to the registration officer to vote by post in the referendum, the registration officer must grant the application if—
- (a) the registration officer is satisfied that the applicant is registered in the register of electors maintained by the officer or will be registered in that register on the date of the referendum, and
 - (b) the application meets the requirements set out in paragraph 7.
- (2) Where a person applies to the registration officer to vote by proxy at the referendum, the registration officer must grant the application if—
- (a) the registration officer is satisfied that the applicant's circumstances on the date of the referendum will be or are likely to be such that the applicant cannot reasonably be expected to vote in person at the polling station allotted, or likely to be allotted, to the applicant under rule 9(1)(b) of the conduct rules,
 - (b) the registration officer is satisfied that the applicant is registered in the register of electors maintained by the officer or will be registered in that register on the date of the referendum, and
 - (c) the application meets the requirements set out in paragraph 7.
- (3) Where a person who has an anonymous entry in the register of electors maintained by a registration officer applies to the registration officer to vote by proxy in the referendum, the registration officer must grant the application if it meets the requirements set out in paragraph 7.
- (4) Sub-paragraphs (1) and (2) do not apply to a person who is an existing postal voter or an existing proxy voter.
- (5) If an existing postal voter applies to the appropriate registration officer for the person's ballot paper to be sent to a different address from that shown in the record referred to in paragraph 2(1) in relation to that existing postal voter, the registration officer must grant the application if it meets the requirements set out in paragraph 7.
- (6) If an existing postal voter applies to the appropriate registration officer to vote by proxy in the referendum, the registration officer must grant the application if—
- (a) the registration officer is satisfied that the applicant's circumstances on the date of the referendum will be or are likely to be such that the person cannot reasonably be expected to vote in person at the polling station allotted or likely to be allotted to the person under rule 9(1)(b) of the conduct rules, and
 - (b) the application meets the requirements set out in paragraph 7.
- (7) If an existing proxy voter applies to the appropriate registration officer to vote by post in the referendum, the registration officer must grant the application if it meets the requirements set out in paragraph 7.

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- (8) In sub-paragraphs (5) to (7), “appropriate registration officer” means, in relation to an existing postal voter or an existing proxy voter, the registration officer responsible for keeping the record mentioned in paragraph 2(1) or (3) by virtue of which the person is such a voter.

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