

*These notes relate to the Scottish Independence Referendum (Franchise)  
Act 2013 (asp 13) which received Royal Assent on 7 August 2013*

# **SCOTTISH INDEPENDENCE REFERENDUM (FRANCHISE) ACT 2013**

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## **EXPLANATORY NOTES**

### **BACKGROUND TO THE ACT**

#### ***Franchise at independence referendum***

#### ***Offenders in prison etc. not to be entitled to vote***

10. [Section 3](#) provides that convicted prisoners who are detained in a penal institution are debarred from voting in an independence referendum. Prisoners held on remand who have not been convicted will be able to vote, although they will need to do so using a postal or proxy vote. This is identical to provision made, in relation to parliamentary and local government elections, by section 3 of the 1983 Act. It has been included in this Act because the UK Parliament is considering proposals to alter section 3 of the 1983 Act and the Scottish Government would not wish any alteration to apply for the purposes of an independence referendum.