

Scottish Independence Referendum (Franchise) Act 2013

2013 asp 13

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Scottish Independence Referendum (Franchise) Act 2013

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CONTENTS

Section

Application of Act

1 Application to independence referendum

Franchise at independence referendum

2 Those entitled to vote in an independence referendum

3 Offenders in prison etc. not to be entitled to vote

Register of young voters

4 Register of young voters

5 Those entitled to be registered in the register of young voters

6 Application of enactments relating to registration

7 Declaration of local connection: additional ground for young people

8 Register of young voters: canvass form

9 Register of young voters not to be published

Registration officers' expenses

10 Registration officers' expenses

General

11 Power to make supplementary etc. provision and modifications

12 Interpretation

13 Commencement

14 Repeal

15 Short title

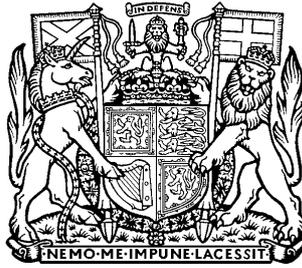
Schedule 1—Application of enactments

Part 1—General modifications

Part 2—The 1983 Act

Part 3—Representation of the People (Scotland) Regulations 2001

Part 4—Other enactments
Schedule 2—Canvass form



Scottish Independence Referendum (Franchise) Act 2013

2013 asp 13

The Bill for this Act of the Scottish Parliament was passed by the Parliament on 27th June 2013 and received Royal Assent on 7th August 2013

An Act of the Scottish Parliament to make provision about those who are entitled to vote in a referendum on the independence of Scotland, including provision for the establishment of a register of young voters for the purposes of such a referendum.

Application of Act

1 Application to independence referendum

- (1) This Act applies for the purposes of an independence referendum.
- (2) In this Act, an “independence referendum” means a referendum on the independence of Scotland held—
 - (a) in accordance with paragraph 5A of Part 1 of Schedule 5 to the Scotland Act 1998, and
 - (b) in pursuance of provision made by or under an Act of the Scottish Parliament.

Franchise at independence referendum

2 Those entitled to vote in an independence referendum

- (1) A person is entitled to vote in an independence referendum if, on the date on which the poll at the referendum is held, the person is—
 - (a) aged 16 or over,
 - (b) registered in either—
 - (i) the register of local government electors maintained under section 9(1)(b) of the 1983 Act for any area in Scotland, or
 - (ii) the register of young voters maintained under section 4 of this Act for any such area,
 - (c) not subject to any legal incapacity to vote (age apart), and
 - (d) a Commonwealth citizen, a citizen of the Republic of Ireland or a relevant citizen of the European Union.

- (2) For the purposes of this Act, a person is, on any date, subject to a legal incapacity to vote if the person—
 - (a) would be legally incapable (whether by virtue of any enactment or any rule of law) of voting at a local government election in Scotland held on that date, or
 - (b) is legally incapable, by virtue of section 3, of voting in an independence referendum held on that date.

3 Offenders in prison etc. not to be entitled to vote

- (1) A convicted person is legally incapable of voting in an independence referendum for the period during which the person is detained in a penal institution in pursuance of the sentence imposed on the person.
- (2) A convicted person who is unlawfully at large at a time when the person would otherwise be detained as mentioned in subsection (1) is to be treated for the purposes of that subsection as being so detained at that time.
- (3) For the purposes of subsection (1)—
 - (a) a person detained for default in complying with a sentence is not to be treated as being detained in pursuance of the sentence, whether or not the sentence provided for detention in the event of default, and
 - (b) a person detained by virtue of a conditional pardon in respect of an offence is to be treated as detained in pursuance of the sentence for the offence.
- (4) It does not matter for the purposes of subsection (1) whether a person was convicted, or a sentence imposed, before or after the commencement of this Act.
- (5) In this section—

“convicted person” means a person found guilty of an offence (whether under the law of any part of the United Kingdom or anywhere else) and—

 - (a) includes a person found guilty by a court of a service offence within the meaning of the Armed Forces Act 2006, but
 - (b) does not include a person dealt with by committal or other summary process for contempt of court,

“penal institution” means an institution to which the Prison Act 1952, the Prison Act (Northern Ireland) 1953 or the Prisons (Scotland) Act 1989 applies.

Register of young voters

4 Register of young voters

- (1) For the purposes of this Act, each registration officer must prepare and maintain, for the officer’s area, a register to be known as the register of young voters.
- (2) The register must contain—
 - (a) the names of the persons appearing to the registration officer to be entitled to be registered in the register, and
 - (b) in relation to each person registered in it, the person’s—
 - (i) date of birth,

- (ii) (except where otherwise provided by an applied enactment) qualifying address, and
 - (iii) voter number.
- (3) Subsection (2) is subject to section 9B of the 1983 Act (anonymous registration).
 - (4) A person's qualifying address is the address in respect of which the person is entitled to be registered in the register.
 - (5) A person's voter number is such number (with or without any letters) as is for the time being allocated by the registration officer to the person for the purposes of the register.

5 Those entitled to be registered in the register of young voters

- (1) A person is entitled to be registered in the register of young voters for any area if, on the relevant date, the person—
 - (a) is not registered in the register of local government electors for the area,
 - (b) meets the requirements (apart from any requirement as to age) for registration in the register of local government electors for the area, and
 - (c) has attained the age of 16, or will attain that age on or before the date on which the poll at an independence referendum is to be held.
- (2) In the case of a person who has not yet attained the age of 16—
 - (a) the person's entry in the register must state the date on which the person will attain the age of 16, and
 - (b) until that date, the person is not, by virtue of the entry, to be taken to be a voter for the purposes of any independence referendum other than one the date of the poll at which is on or after that date.
- (3) Where a person to whom subsection (2) applies has an anonymous entry in the register, the references in that subsection to the person's entry in the register are to be read as references to the person's entry in the record of anonymous entries.
- (4) In this section, "the relevant date" means—
 - (a) the date on which an application for registration in the register of young voters is made (or the date on which such an application is treated as made by virtue of section 10A(2) of the 1983 Act), or
 - (b) in the case of a person applying for registration in the register of young voters in pursuance of a declaration of local connection or a service declaration, the date on which the declaration was made.

6 Application of enactments relating to registration

- (1) The enactments specified in column 1 of the tables in Parts 2, 3 and 4 of schedule 1 apply in relation to registration in the register of young voters (and to that register) for any area in Scotland as they apply in relation to registration in the register of local government electors (and to that register) for that area, but subject to—
 - (a) the modifications in Part 1 of schedule 1,
 - (b) the modifications (if any) in the corresponding entries in column 2 of the tables, and
 - (c) any other necessary modifications.

- (2) References in this Act to any enactment applied by virtue of this section and schedule 1 are to the enactment as it had effect on the day on which the Bill for this Act was passed by the Parliament.
- (3) Subsection (2) does not apply to an enactment specified in Part 4 of schedule 1.

7 Declaration of local connection: additional ground for young people

- (1) This section applies for the purposes of the application of section 7B of the 1983 Act (notional residence: declaration of local connection) in relation to registration in the register of young voters.
- (2) Section 7B of the 1983 Act also applies to a person who, on the date on which the person makes a declaration under subsection (1) of that section—
 - (a) has not attained the age of 17,
 - (b) does not fall within any of paragraphs (a) to (c) of subsection (2) of that section, and
 - (c) meets either of the requirements specified in subsection (3).
- (3) The requirements are that—
 - (a) the person is, or has been, a child looked after by a local authority, or
 - (b) the person is being kept in secure accommodation.
- (4) In relation to such a person, “the required address” for the purposes of section 7B of the 1983 Act is any address in Scotland at which the person has previously been resident.
- (5) In subsection (3)—
 - (a) the reference to a child looked after by a local authority is to be construed in accordance with section 17(6) of the Children (Scotland) Act 1995 (duty of local authorities in relation to looked after children), and
 - (b) “secure accommodation” means accommodation provided, for the purpose of restricting the liberty of children, in an establishment in Scotland (whether managed by a local authority, a voluntary organisation or any other person) that—
 - (i) provides residential accommodation for children for the purposes of the Children’s Hearings (Scotland) Act 2011, the Children (Scotland) Act 1995 or the Social Work (Scotland) Act 1968, and
 - (ii) is approved in accordance with regulations made under section 78(2) of the Public Services Reform (Scotland) Act 2010 (regulations in relation to care services).

8 Register of young voters: canvass form

The form to be used for the purposes of the canvass under section 10(1) of the 1983 Act in relation to registration in the register of young voters is set out in schedule 2.

9 Register of young voters not to be published

- (1) A registration officer must not publish, or otherwise disclose to any person, the register of young voters or any entry in the register, except as provided by—
 - (a) this section, or

- (b) an applied enactment.
- (2) The register, or an entry in it, may be disclosed to a person so far as necessary for the purpose of the carrying out by that person of any function in connection with registration in the register.
- (3) The register, or an entry in it, may be disclosed to a person for the purposes of an independence referendum, but only in accordance with provision made by or under the Act of the Scottish Parliament by virtue of which the referendum is to be held.
- (4) The register, or an entry in it, may be disclosed to a person so far as necessary for the purposes of a criminal investigation or criminal proceedings relating to an offence (or alleged or suspected offence) under—
 - (a) an applied enactment, or
 - (b) the Act of the Scottish Parliament by virtue of which an independence referendum is held.
- (5) An entry in the register may be disclosed to the person to whom the entry relates.
- (6) In subsection (1), “registration officer” includes—
 - (a) any deputy of a registration officer,
 - (b) any person appointed to assist a registration officer in the carrying out of the registration officer’s functions, and
 - (c) any person, in the course of the person’s employment, assisting a registration officer in the carrying out of those functions.

Registration officers’ expenses

10 Registration officers’ expenses

- (1) Any expenses properly incurred by a registration officer that are attributable to the exercise of the registration officer’s functions under this Act are to be paid by the Scottish Ministers.
- (2) Sums payable by the Scottish Ministers under subsection (1) are payable on the submission of an account for the sums to them by the registration officer.
- (3) If a registration officer requests from the Scottish Ministers an advance on account of any expenses referred to in subsection (1), the Scottish Ministers may make such advance on such terms as they think fit.

General

11 Power to make supplementary etc. provision and modifications

- (1) The Scottish Ministers may by order make such supplementary, incidental or consequential provision as they consider appropriate for the purposes of, in consequence of, or for giving full effect to, any provision of this Act.
- (2) The power in subsection (1) includes power to make provision in consequence of, or in connection with—
 - (a) any provision made, or proposed to be made, in an Act of the Scottish Parliament for the holding of an independence referendum,

- (b) any modification, or proposed modification, of any enactment relating to the registration of electors for the purposes of local government elections in Scotland.
- (3) An order under subsection (1) may—
 - (a) modify any enactment (including this Act),
 - (b) apply any provision of any enactment (either with or without modifications),
 - (c) include supplementary, incidental, consequential, transitory or transitional provision or savings.
- (4) An order under subsection (1) is subject to the affirmative procedure.

12 Interpretation

- (1) In this Act—
 - “the 1983 Act” means the Representation of the People Act 1983,
 - “anonymous entry” in relation to the register of young voters is to be construed in accordance with section 9B of the 1983 Act, and “record of anonymous entries” means the record prepared under regulation 45A of the Representation of the People (Scotland) Regulations 2001 (SI 2001/497),
 - “applied enactment” means an enactment as applied for the purposes of this Act by virtue of section 6(1),
 - “area”, in relation to a registration officer, means the area for which the officer acts in relation to the registration of local government electors,
 - “declaration of local connection” means a declaration under section 7B of the 1983 Act,
 - “local government election” has the meaning given in section 204(1) of the 1983 Act,
 - “registration officer” means a registration officer appointed under section 8(3) of the 1983 Act,
 - “relevant citizen of the European Union” means a citizen of the Union who is not a Commonwealth citizen or a citizen of the Republic of Ireland,
 - “service declaration” means a declaration under section 15 of the 1983 Act.
- (2) In this Act, a reference to a provision of the 1983 Act that is applied for the purposes of this Act by virtue of section 6(1) is a reference to that provision as so applied.

13 Commencement

- (1) This Act comes into force on the day after Royal Assent.
- (2) Despite subsection (1), no application for registration in the register of young voters may be made before 1 October 2013.

14 Repeal

This Act ceases to have effect on 1 January 2015.

15 Short title

The short title of this Act is the Scottish Independence Referendum (Franchise) Act 2013.

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.

<i>Provision of the 1983 Act</i>	<i>Modifications</i>
	<p>In subsection (3)(e), the words “(if the declaration is made for the purposes only of local government elections)” are omitted.</p> <p>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.</p> <p>Subsections (5) to (7) are omitted.</p>
Section 7C (effect of declaration of local connection)	Subsection (1)(b) is omitted.
Section 9A (registration officers: duty to take necessary steps)	<p>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.</p> <p>Subsections (2) and (3) are omitted.</p>
Section 9B (anonymous registration)	<p>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.</p> <p>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.</p> <p>In subsection (8), the words “or the returning officer for any election” are omitted.</p>
Section 9C (removal of anonymous entry)	
Section 10 (maintenance of registers: duty to conduct canvass)	<p>Subsection (1) has effect as if—</p> <p>(a) for “an annual canvass” there were substituted “a canvass between 1 October 2013 and 10 March 2014”, and</p> <p>(b) the words “, or to remain,” were omitted.</p> <p>Subsections (1A) and (2) are omitted.</p> <p>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.</p>

<i>Provision of the 1983 Act</i>	<i>Modifications</i>
	<p>Subsection (3)(b)(iii) is omitted.</p> <p>Subsection (4) is omitted.</p> <p>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.</p> <p>Subsection (6) has effect as if for “alterations” there were substituted “entries”.</p>
Section 10A (maintenance of registers: registration of electors)	<p>In subsection (2A), the words “(subject to section 13BB(2))” are omitted.</p> <p>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.</p> <p>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.</p> <p>In subsection (4)(a), the reference to voting age is to be read as a reference to the age of 16 years.</p> <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>

<i>Provision of the 1983 Act</i>	<i>Modifications</i>
	<p>In subsection (5)—</p> <p>(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</p> <p>(b) the words “or section 13BB below” are omitted.</p>
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>
Section 17 (effect of service declaration)	<p>Subsection (1)(b) is omitted.</p>
Section 52 (discharge of registration duties)	<p>References to the 1983 Act are to be read as including references to this Act.</p> <p>Subsections (1), (1A), (3) and (5) are omitted.</p>

<i>Provision of the 1983 Act</i>	<i>Modifications</i>
Section 56 (registration appeals)	<p>In subsection (4), paragraphs (a) and (aa) are omitted.</p> <p>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.</p> <p>Subsection (1)(b) is omitted.</p> <p>Subsections (3) and (4A) are omitted.</p>
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)	<p>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.</p> <p>Subsection (2) is omitted.</p>
Section 63 (breach of official duty)	<p>References to “official duty” are to be read as including a duty imposed by virtue of this Act.</p> <p>In subsection (3), paragraphs (a), (c) and (d) are omitted.</p> <p>In subsection (3)(b), the words “returning officer or presiding officer” are omitted.</p> <p>Subsections (4) and (5) are omitted.</p>

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.)	
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)	

<i>Provisions of the 2001 Regulations</i>	<i>Modifications</i>
Regulation 23 (power to require information)	
Regulation 24 (evidence as to age and nationality)	<p>Paragraph (2)(c) is omitted.</p> <p>In paragraph (2)(d), the word “other” is omitted.</p> <p>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.</p> <p>Paragraphs (4) and (4A) are omitted.</p>
Regulation 26 (applications for registration)	<p>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.</p> <p>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.</p> <p>Paragraph (1)(e) is omitted.</p> <p>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.</p> <p>In each of paragraphs (2) and (5), the words “or an overseas elector’s declaration” are omitted.</p> <p>Paragraphs (6) to (10) are omitted.</p>
Regulation 27 (objections to registration)	<p>In paragraph (1)—</p> <p>(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,</p> <p>(b) sub-paragraphs (b) and (ba) are omitted.</p> <p>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.</p> <p>In paragraph (1)(e), the reference to the electoral number is to be read as including a reference to the voter number.</p>

<i>Provisions of the 2001 Regulations</i>	<i>Modifications</i>
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)	

<i>Provisions of the 2001 Regulations</i>	<i>Modifications</i>
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)	
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.

<i>Provisions of the 2001 Regulations</i>	<i>Modifications</i>
<p>Regulation 45A (record of anonymous entries)</p>	<p>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.</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>In paragraph (4), the words “(in accordance with regulation 51(2)(d))” are omitted.</p>
<p>Regulation 45B (duties of registration officer and staff in relation to record of anonymous entries)</p>	<p>References to a referendum are to be read as references to an independence referendum.</p> <p>References to the counting officer at a referendum 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 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>Regulation 45C (supply of record of anonymous entries to returning and counting officers)</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>

<i>Provisions of the 2001 Regulations</i>	<i>Modifications</i>
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

<i>Enactments</i>	<i>Modifications</i>
Any act of sederunt under section 57(2) or (3) of the 1983 Act (registration appeals: Scotland)	

SCHEDULE 2
 (introduced by section 8)

CANVASS FORM

**Young Voter Registration form for
 the Referendum on Scottish
 Independence**

Space left blank for local authority or Electoral
 Registration Office information

To the occupier
 [Address line 1]
 [Address line 2]
 [Address line 3]
 [Address line 4]

The voting age for the referendum on Scottish independence is 16. British citizens, European Union citizens and qualifying Commonwealth citizens are entitled to vote.

If there are 15 year olds living at this address who will be 16 by the referendum on 18 September 2014, they should be registered using this form to make sure they can vote in the referendum. Please enter their details in Part 1 below, sign Part 2 and return the form. This is required by law. **Please see over the page for more details.**

If there are no 15 year olds living at this address who will be 16 by 18 September 2014, you do not need to complete or return this form.

People who are already 16 or older should not be registered using this form – their details should instead be entered on the annual canvass form (enclosed in the same envelope as this form).

Part 1 15 year olds living at this address who will be 16 by 18 September 2014

Please enter the names of 15 year olds living here who will be 16 by 18 September 2014 and are entitled to vote in the referendum, and whose names are not already printed below. Please cross out any names printed below that should not be on this form. Please also cross out and replace any incorrect information shown below.

Please write in BLOCK LETTERS			Date of birth	Postal vote
Surname	First name and middle initials	Nationality	DD/MM/YY	Tick here if the person wants a postal vote application

Part 2 Please sign here before returning this form

It is an offence to give false information on this form.

I declare that, as far as I know, the details on this form are accurate and complete.

Signature

Date

Print name

Daytime phone number

E-mail address

You do not need to provide your phone number or email address, but it could prove helpful if we need to contact you. It will not be used or supplied for any other purposes.

About this form

To vote in the referendum on Scottish independence, each person needs to be registered. People who are already 16 or older should be registered using the annual canvass form (which also registers them to vote in other elections once they turn 18). This form collects the information we need to register young people who are 15 at the moment, but will be 16 by the referendum on 18 September 2014. If you do not respond to this form, they may not be able to vote in the referendum.

This form will only register these young people to vote in the independence referendum: it will not register them to vote in any other election or referendum. To vote in most elections and referendums voters need to be 18.

Who can register to vote in the referendum?

Age: To vote in the referendum, voters must be 16 or older on 18 September 2014. This means that a person will be able to vote if their date of birth is 18 September 1998 or earlier.

Residence: People normally register at the address where they reside. You should include people who are temporarily away (for example, on holiday, at boarding school or in hospital). If in doubt, please get in touch with your Electoral Registration Officer using the contact details below.

Nationality: People are entitled to register to vote in the referendum if they are:

- A British citizen
- A citizen of another EU country
- A qualifying Commonwealth citizen. This means a Commonwealth citizen who has leave to enter or remain in the UK, or who does not require such leave.

Details of people at this address

For each 15 year old being registered, you need to include:

- Their surname, first name and any middle initials.
- Their nationality. This will usually be shown on the person's passport.

- Their date of birth, in the format DD/MM/YY, so that we can confirm they will be 16 by the referendum. For example, 5 December 1997 should be entered as 05/12/97.
- Whether the person wants a postal vote application form.

What happens to the information I provide on this form?

The details of the people registered on this form will be placed on a “Register of Young Voters”, which will be used only for the referendum. Electoral Registration Officers and their staff will be the only people who are legally entitled to see the Register of Young Voters.

Some organisations will need the names and addresses of everyone who is registered to vote in the referendum, including those who are on the Register of Young Voters. These include people who administer the referendum (such as the staff at polling stations) and the official campaign groups, who may send information to everyone registered to vote. These organisations will be given a list of the names and addresses (but not the dates of birth) of everyone registered to vote in the referendum. They will not be told how old anyone on the list is, and it will be against the law for them to share or publish the list.

If there are any concerns that inclusion in the Register of Young Voters may affect the personal safety of the young voter, or they do not wish to register using their current address, other registration options may be available. They may be able to use a previous address or to register anonymously. Please contact us to discuss.

How to get in touch with us if you need assistance or more information

[For completion by EROs]

Note: the form above is to be printed in a sans serif font.



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