



Scottish Independence Referendum Act 2013

2013 asp 14

Franchise

2 Those who are entitled to vote

Provision about who is entitled to vote in the referendum is made by the Scottish Independence Referendum (Franchise) Act 2013.

3 Declarations of local connection and service declarations: further provision

(1) The Scottish Independence Referendum (Franchise) Act 2013 is amended as follows.

(2) In section 7 (declaration of local connection: additional ground for young people), after subsection (5) insert—

“(6) For the purposes of section 5(1)(b), a declaration of local connection made by virtue of this section is to be treated as having effect also for the purpose of meeting any residence requirement for registration in a register of local government electors.”.

(3) After section 7 insert—

“7A Children etc. of people with a service qualification

(1) This section applies for the purposes of sections 14 to 17 of the 1983 Act (service declarations), as applied by this Act in relation to registration in the register of young voters.

(2) An eligible child has a service qualification for those purposes.

(3) Accordingly, any reference in an applied enactment to a person having a service qualification is to be read as including an eligible child.

(4) An “eligible child” is a person—

(a) who will be aged 16 or 17 on the date on which the poll at an independence referendum is to be held,

Status: This is the original version (as it was originally enacted).

- (b) a parent or guardian of whom has a service qualification under any of paragraphs (a) to (e) of section 14(1) of the 1983 Act, and
 - (c) who is residing at a particular place in order to be with that parent or guardian.
- (5) Section 16 of the 1983 Act (contents of service declaration), as applied by this Act, has effect for the purposes of a service declaration by an eligible child subject to the following modifications—
- (a) the references in paragraphs (b) and (d) to the United Kingdom are to be read as references to Scotland,
 - (b) the words from “and (except where” to the end of the section are omitted.
- (6) Regulation 15 of the Representation of the People (Scotland) Regulations 2001 (contents of service declaration), as applied by this Act, has effect for the purposes of a service declaration by an eligible child as if the references in paragraphs (2), (3) and (4) to the spouse or civil partner of a person included references to—
- (a) a child of the person,
 - (b) a child for whom the person acts as guardian,
 - (c) a child of the spouse or civil partner of the person,
 - (d) a child for whom the spouse or civil partner of the person acts as guardian.
- (7) For the purposes of section 5(1)(b), a service declaration made by virtue of this section is to be treated as having effect also for the purpose of meeting any residence requirement for registration in a register of local government electors.”.
- (4) In Part 2 of schedule 1 (application of provisions of the 1983 Act), for the entry relating to section 16 of the 1983 Act, substitute—

“Section 16 (contents of service declaration)	For paragraph (f) substitute—
	“(f) the declarant’s date of birth.””
