

## SCHEDULE 7 OFFENCES

### *Undue influence*

- 11 (1) A person (“A”) commits the offence of undue influence in connection with the referendum if—
- (a) A makes use of or threatens to make use of any force, violence or restraint, or inflicts or threatens to inflict, personally or by any other person, any temporal or spiritual injury, damage, harm or loss upon or against any person in order to induce or compel that person to vote or refrain from voting in the referendum, or on account of that person having voted or refrained from voting, in the referendum, or
  - (b) by abduction, duress or any fraudulent device or contrivance, A impedes or prevents, or intends to impede or prevent, the free exercise of the franchise of a voter or proxy for a voter in the referendum, or so compels, induces or prevails upon, or intends so to compel, induce or prevail upon, a voter or proxy for a voter either to vote or to refrain from voting in the referendum.
- (2) Sub-paragraph (1)(a) applies regardless of whether an act is done—
- (a) directly or indirectly,
  - (b) by the person or by another person on the person's behalf.
- (3) A person commits a corrupt practice if the person commits the offence of undue influence in connection with the referendum.

**Changes to legislation:**

There are currently no known outstanding effects for the Scottish Independence Referendum Act 2013, Cross Heading: Undue influence.