

SCHEDULE 8
(introduced by section 35)

INTERPRETATION

In this Act—

- “the 1983 Act” means the Representation of the People Act 1983,
- “the 2000 Act” means the Political Parties, Elections and Referendums Act 2000,
- “absent vote” is to be construed in accordance with paragraph 1(8)(a) of schedule 2,
- “anonymous entry” in relation to a register of electors, 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),
- “assisted voters list” has the meaning given in rule 23(8) of the conduct rules,
- “ballot paper account” has the meaning given in rule 28(4) of the conduct rules,
- “campaign offence” means an offence under section 14 or any of schedules 4 to 6,
- “campaign organiser”, in relation to referendum expenses, means the individual or body by whom or on whose behalf the expenses are incurred,
- “Chief Counting Officer” means the person appointed under section 5(1) or (6),
- “companion” has the meaning given in rule 23(1) of the conduct rules,
- “companion declaration” has the meaning given in rule 23(2) of the conduct rules,
- “completed corresponding number list” has the meaning given in rule 28(2)(e) of the conduct rules,
- “conduct rules” means the rules set out in schedule 3,
- “corresponding number list” means the list prepared in accordance with rule 5 of the conduct rules,
- “council” means a council constituted by section 2 of the Local Government etc. (Scotland) Act 1994,
- “counting agent” has the meaning given by rule 14(8) of the conduct rules,
- “counting officer” means a person appointed under section 6(1) or (5),
- “cut-off date” has the meaning given in paragraph 19(1) of schedule 2,
- “data form” means information which is in a form which is capable of being processed by means of equipment operating automatically in response to instructions given for that purpose,
- “date of the referendum” means the date on which the poll at the referendum is to be held in accordance with section 1(4) or (6),
- “designated organisation” means a permitted participant that has been designated under paragraph 6 of schedule 4,
- “education authority” has the same meaning as in the Education (Scotland) Act 1980,
- “list of proxies” means the list kept under paragraph 4(3) of schedule 2,
- “local government area” is to be construed in accordance with section 1 of the Local Government etc. (Scotland) Act 1994,
- “marked copy” has the meaning given in paragraph 56(10) of schedule 2,
- “marked votes list” has the meaning given in rule 22(2) of the conduct rules,
- “members of the Chief Counting Officer’s staff” means staff appointed or provided under section 7(8),
- “members of the counting officer’s staff” means staff provided under section 7(9),
- “minor party” has the same meaning as in the 2000 Act,

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

“money” and “pecuniary reward” (except in schedule 4 and paragraph 12 of schedule 7) include—

- (a) any office, place or employment,
- (b) any valuable security or other equivalent of money, and
- (c) any valuable consideration,

and expressions referring to money are to be construed accordingly,

“organisation” includes any body corporate and any combination of persons or other unincorporated association,

“outcome” means a particular outcome in relation to the referendum question,

“payment” includes any pecuniary or other reward,

“permissible donor” is to be construed in accordance with paragraph 1(2) of schedule 4,

“permitted participant” has the meaning given in paragraph 2 of schedule 4,

“personal identifiers record” means the record kept by a registration officer under paragraph 11 of schedule 2,

“polling agent” has the meaning given by rule 14(8) of the conduct rules,

“polling day alterations list” has the meaning given in rule 26(2) of the conduct rules,

“Polling List” has the meaning given in paragraph 18(2) of schedule 2,

“postal ballot agent” has the meaning given by paragraph 20(8) of schedule 2,

“postal ballot paper” has the meaning given in paragraph 47 of schedule 2,

“postal voters list” means the list kept under paragraph 4(2) of schedule 2,

“postal voting statement” means the statement referred to in rule 8(1)(b) of the conduct rules,

“presiding officer” means an officer appointed under rule 10(1)(a) of the conduct rules,

“proper officer” has the meaning given in section 235(3) of the Local Government (Scotland) Act 1973,

“proxy postal voters list” means the list kept under paragraph 6(7) of schedule 2,

“qualifying address” in relation to a person registered in the register of electors, is the address in respect of which that person is entitled to be so registered,

“referendum agent” has the meaning given in section 17,

“referendum campaign” means a campaign conducted with a view to promoting or procuring a particular outcome in the referendum,

“referendum campaign broadcast” means a broadcast the purpose (or main purpose) of which is or may reasonably be assumed to be—

- (a) to further any referendum campaign, or
- (b) otherwise to promote or procure any particular outcome in the referendum,

“referendum expenses” is to be construed in accordance with paragraph 10 of schedule 4,

“referendum period” means the period of 16 weeks ending with the date of the referendum,

“referendum question” means the question to be voted on in the referendum (as set out in section 1(2)),

“register of electors” means (as the case may be)—

- (a) the register of local government electors for any area, or
- (b) the register of young voters for any area,

“register of local government electors” means the register of local government electors maintained under section 9(1)(b) of the 1983 Act for any area in Scotland,

“register of young voters” means the register of young voters maintained under section 4 of the Scottish Independence Referendum (Franchise) Act 2013 for any area,

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“registered party” means a party registered under Part 2 of the 2000 Act other than a Gibraltar party (within the meaning of that Act),

“registration officer” means a registration officer appointed under section 8(3) of the 1983 Act,

“regulated transaction” is to be construed in accordance with paragraph 46 of schedule 4,

“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,

“relevant counting officer”, in relation to a registration officer, means the counting officer for the local government area for which the registration officer is appointed,

“relevant donation” has the meaning given in paragraph 29 of schedule 4,

“responsible person” means, in relation to a permitted participant—

- (a) if the permitted participant is a registered party—
 - (i) the treasurer of the party, or
 - (ii) in the case of a minor party, the person for the time being notified to the Electoral Commission by the party in accordance with paragraph 3(1)(b) of schedule 4,
- (b) if the permitted participant is an individual, that individual, and
- (c) otherwise, the person or officer for the time being notified to the Electoral Commission by the permitted participant in accordance with paragraph 3(3)(a)(ii) of schedule 4,

“SPCB” means the Scottish Parliamentary Corporate Body,

“spoilt ballot paper” has the meaning given in rule 25(1) of the conduct rules,

“tendered ballot paper” means a ballot paper referred to in rule 24(6) of the conduct rules,

“tendered votes list” has the meaning given in rule 24(8) of the conduct rules,

“treasurer”, in relation to a registered party, has the same meaning as in the 2000 Act,

“unique identifying number” means the number on the back of a ballot paper which is unique to that ballot paper and which identifies that ballot paper as a ballot paper to be issued by the counting officer,

“verification statement” has the meaning given in rule 30(2) of the conduct rules,

“voter” (except in the conduct rules) means a person entitled to vote in the referendum in the person’s own right (as opposed to a person entitled to vote as proxy for another),

“voter” (in the conduct rules) means a person voting at the referendum and includes (except where the context requires otherwise) a person voting as proxy and “vote” (whether as noun or verb) is to be construed accordingly except that any reference to a voter voting or a voter’s vote includes a reference to a voter voting by proxy or a voter’s vote given by proxy,

“voter number” means, in relation to a person registered in the register of local government electors, the person’s electoral number,

“voting age” means age 16 or over.