



# Scottish Independence Referendum Act 2013

2013 asp 14

## *Observers*

### **22 Code of practice on attendance of observers**

- (1) The Electoral Commission must prepare a code of practice on the attendance of—
  - (a) representatives of the Commission,
  - (b) accredited observers, and
  - (c) nominated members of accredited organisations,at proceedings relating to the referendum.
- (2) The code must in particular—
  - (a) specify the manner in which applications under section 19(1) or 20(1) are to be made to the Commission,
  - (b) specify the criteria that the Commission will take into account in determining such applications,
  - (c) give guidance to relevant officers as to the exercise of the powers conferred by section 21(1) and (2),
  - (d) give guidance to such officers as to the exercise, in relation to a person entitled to attend any proceedings by virtue of section 19 or 20, of any other power under this Act to control the number of persons present at any proceedings relating to the referendum,
  - (e) give guidance to representatives of the Commission, accredited observers and nominated members of accredited organisations as to the exercise of the rights conferred by sections 18, 19 and 20.
- (3) The code may make different provision for different purposes.
- (4) Before preparing the code, the Commission must consult the Scottish Ministers.
- (5) The Commission must lay the code before the Scottish Parliament.
- (6) The Commission must publish the code in such manner as they may determine.

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*Status: This is the original version (as it was originally enacted).*

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- (7) The following persons must have regard to the code in exercising any function or right conferred by section 18, 19, 20 or 21—
- (a) the Commission,
  - (b) representatives of the Commission,
  - (c) relevant officers.
- (8) The Commission may at any time revise the code.
- (9) Subsections (4) to (7) apply to a revision of the code as they apply to the code.
- (10) In this section—
- “accredited observer” is to be construed in accordance with section 19,
  - “accredited organisation” is to be construed in accordance with section 20, and
  - “nominated member” is to be construed accordingly,
  - “relevant officer” has the meaning given in section 21(4),
  - “representative of the Commission” means a representative of the Electoral Commission within the meaning of section 18(4).