

REFERENDUMS (SCOTLAND) ACT 2020

EXPLANATORY NOTES

COMMENTARY

Information, guidance, advice and encouragement

Section 25 – Information for voters

319. [Section 25](#) requires that the Electoral Commission must take such steps as they consider appropriate to promote public awareness and understanding about the referendum, the referendum question and the manner of voting in the referendum. It also places a duty on Scottish public authorities to encourage people to register to vote in the referendum and to promote public awareness and understanding around registering to vote and the voting process.

Section 26 - Guidance

320. [Section 26](#) gives the Electoral Commission power to issue guidance to the CCO regarding the CCO's role under this Act, and with the CCO's consent to issue guidance to counting officers about their role under this Act. The Electoral Commission may also issue guidance to permitted participants or potential permitted participants on the campaign rules (schedule 3). Such guidance must include information on what may constitute a common plan or other arrangement for the purposes of paragraph 21 of schedule 3. This section also confers power on the CCO to issue guidance to counting officers and registration officers about the exercise of their functions under this Act.

Section 27 - Advice

321. [Section 27](#) gives the Electoral Commission power to provide advice to anyone who requests it regarding the application of this Act or any other matter relating to the referendum.

Section 28 – Encouraging participation

322. [Section 28](#) confers a power on the CCO to take whatever steps are considered by them to be appropriate to encourage participation in the referendum, and to facilitate co-operation among counting officers in doing the same. The provisions also require counting officers and registration officers to take such steps as they think appropriate to encourage participation in the referendum in the local area for which they are responsible.