
Changes to legislation: There are currently no known outstanding effects for the Referendums (Scotland) Act 2020, Cross Heading: Manner of voting. (See end of Document for details)

SCHEDULE 1 FURTHER PROVISION ABOUT VOTING IN THE REFERENDUM

PART 1

MANNER OF VOTING

Manner of voting

- 1 (1) This paragraph applies to determine the manner of voting of a voter.
- (2) A voter may vote in person at the polling station allotted to the voter under rule 9(1)(b) of the conduct rules unless the voter is entitled to an absent vote in the referendum.
- (3) A voter may vote by post if the voter is entitled to vote by post in the referendum.
- (4) If a voter is entitled to vote by proxy in the referendum, the voter may so vote unless, before a ballot paper is issued for the voter to vote by proxy, the voter applies at the polling station allotted to the voter under rule 9(1)(b) of the conduct rules for a ballot paper for the purpose of voting in person, in which case the voter may vote in person there.
- (5) If a voter—
 - (a) is not entitled to an absent vote in the referendum, and
 - (b) cannot reasonably be expected to go in person to the polling station allotted to the voter under rule 9(1)(b) of the conduct rules because of the particular circumstances of the voter's employment, either as a constable or by the counting officer, on the date of the referendum for a purpose connected with the referendum,the voter may vote in person at any polling station in the local government area in which the polling station allotted to the voter is situated.
- (6) Nothing in sub-paragraphs (1) to (5) applies to—
 - (a) a voter to whom section 7 of the 1983 Act (mental patients who are not detained offenders) applies and who is liable, by virtue of any enactment, to be detained in the mental hospital in question, whether the voter is registered by virtue of that provision or not, and such a voter may vote—
 - (i) in person at the polling station allotted to the voter under rule 9(1)(b) of the conduct rules (if granted permission to be absent from the hospital and voting in person does not breach any condition attached to the permission), or
 - (ii) by post or by proxy (if entitled so to vote in the referendum), or
 - (b) a voter to whom section 7A of that Act (person remanded in custody) applies, whether the voter is registered by virtue of that provision or not, and such a voter may only vote by post or by proxy (if entitled so to vote in the referendum).
- (7) Sub-paragraph (2) does not prevent a voter, at the polling station allotted to the voter under rule 9(1)(b) of the conduct rules, marking a tendered ballot paper in pursuance of rule 24 of those rules.
- (8) For the purposes of this Act—

Changes to legislation: *There are currently no known outstanding effects for the Referendums (Scotland) Act 2020, Cross Heading: Manner of voting. (See end of Document for details)*

- (a) references to a voter being entitled to an absent vote in the referendum are references to the voter being entitled to vote by post or by proxy in the referendum, and
- (b) a voter is entitled to vote—
 - (i) by post in the referendum if the voter is shown in the postal voters list (see paragraph 4(2)) for the referendum as so entitled,
 - (ii) by proxy in the referendum if the voter is shown in the list of proxies (see paragraph 4(3)) for the referendum as so entitled.

Changes to legislation:

There are currently no known outstanding effects for the Referendums (Scotland) Act 2020,
Cross Heading: Manner of voting.