



# Scottish Elections (Franchise and Representation) Act 2020

2020 asp 6

## PART 3

### PRISONERS ETC.

#### *Method of voting*

#### **9 Method of voting by convicted persons at local government elections**

- (1) Schedule 4 of the Representation of the People Act 2000 (absent voting) is amended as follows.
- (2) In paragraph 2 (manner of voting), after sub-paragraph (6) insert—

“(6ZA) In relation to a local government election in Scotland, nothing in the preceding provisions of this paragraph applies to a person to whom section 3(1A) of the 1983 Act (exception to disenfranchisement for offenders sentenced to term not exceeding 12 months) applies; and such a person may only vote by post or by proxy (where the person is entitled as an elector to vote by post or, as the case may be, by proxy at the election).”.
- (3) In paragraph 3(3) (absent vote at elections for definite or indefinite period)—
  - (a) the word “or” at the end of paragraph (c) is repealed, and
  - (b) at the end of paragraph (d) insert “, or
  - (c) in the case of local government elections in Scotland, if the person is a person to whom section 3(1A) of the 1983 Act (exception to disenfranchisement for offenders sentenced to term not exceeding 12 months) applies,”.
- (4) In paragraph 6 (proxies at elections), after sub-paragraph (5A) insert—

“(5B) A person is not capable of voting as proxy at a local government election in Scotland if on the date of the election the person is a person to whom section 3(1A) of the 1983 Act (exception to disenfranchisement for offenders in prison sentenced to term not exceeding 12 months) applies.”.

**Changes to legislation:**

There are currently no known outstanding effects for the Scottish Elections (Franchise and Representation) Act 2020, Section 9.