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# SPICe Briefing

## Scottish Independence Referendum (Franchise) Bill

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The Scottish Independence Referendum (Franchise) Bill was introduced in the Scottish Parliament on 11 March 2013. The purpose of the Bill is to establish the franchise for the referendum on independence which is to take place on 18 September 2014. This briefing describes the background to the Franchise Bill and the issues surrounding electoral registration.



The Scottish Parliament  
Pàrlamaid na h-Alba

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## **EXECUTIVE SUMMARY**

The Scottish Independence Referendum (Franchise) Bill is the first piece of legislation introduced by the Scottish Government in relation to the referendum on Scottish independence.

The Bill, described by the Scottish Government as a 'paving bill', provides that the franchise for the referendum will include anyone who fulfils the residency requirement for the eligibility for inclusion in the electoral register for Scottish local elections and who will be at least 16 years old on the date of the referendum.

An Order in Council made under Section 30 of the Scotland Act 1998 put beyond doubt that the Scottish Parliament has the power to legislate for this referendum. The Order was approved by both the UK and Scottish Parliaments and made by the Privy Council on 12 February 2013.

As set out in the documents accompanying the Edinburgh Agreement, the franchise for such a referendum should ensure that anyone entitled to vote in the Scottish Parliament and local government elections is entitled to vote in the referendum, with the Scottish Government's Referendum Bill creating that franchise.

An extension of the franchise for the referendum to include those young people aged 16 and 17 years old, who were already eligible to appear on the electoral register as attainers, had been proposed and consulted on by the Scottish Government in both 2010 and 2012.

The main provisions in the Bill relate to the creation of a Register of Young Voters, allowing registration of those young people, who would be at least 16 on the date of the referendum, who are not presently eligible to be entered in the usual annual household canvass used to create the local government electoral register. The Bill also seeks to ensure that the data on the young people, not usually on the Register, is protected.

## BACKGROUND

The provisions of the Scottish Independence Referendum (Franchise) Bill are discussed later in this briefing. The following information is provided as background to the Franchise Bill.

## EDINBURGH AGREEMENT

On 15 October 2012, the *Agreement between the United Kingdom Government and the Scottish Government on a referendum on independence for Scotland* was signed in Edinburgh by the First Minister, the Prime Minister, the Deputy First Minister and the Secretary of State for Scotland.

The Agreement, known as the 'Edinburgh Agreement', was the culmination of negotiations between the two Governments on the holding of a referendum on independence for Scotland. The Governments agreed to work together on a referendum that would:

- have a clear legal base
- be legislated for by the Scottish Parliament
- be conducted so as to command the confidence of parliaments, governments and the people
- deliver a fair test and a decisive expression of the views of people in Scotland and a result that everyone will respect.

The two Governments also agreed to lay an Order in Council under Section 30 of the Scotland Act 1998 in the United Kingdom and Scottish Parliaments to allow a single-question referendum on Scottish independence to be held before the end of 2014. In the Agreement the Governments asserted that the Order would put beyond doubt the issue of whether the Scottish Parliament could legislate for a referendum on independence for Scotland.

The franchise for the Scottish Parliament and local elections is a matter reserved to the UK Parliament under Schedule 5 Paragraph B3 of the Scotland Act 1998. However, the franchise for any ballot legislated for by the Scottish Parliament (for example, elections for Health Boards or the Crofting Commission, see below) is not reserved and can be decided by the Scottish Parliament.

The Agreement was accompanied by a draft Section 30 Order and a Memorandum of Agreement (MoA) (HM Government and Scottish Government 2012).

As set out in paragraph 9 of the MoA, both the UK and Scottish Governments agreed that anyone entitled to vote in the Scottish Parliament and local government elections would be able to vote in the proposed referendum.

In addition, paragraph 10 of the MoA acknowledged that the Scottish Government had already consulted on extending the franchise for the referendum to include 16 and 17 year olds and that it would be for the Scottish Government to decide what extension of the present franchise it might wish to pursue within the detail of its referendum bill. Paragraph 11 of the MoA also indicated that any franchise changes which the Scottish Government proposed would be informed by the analysis of responses to its consultations and by practical considerations.

The draft Section 30 Order was laid, for approval, before the UK and Scottish Parliaments on 22 October 2012. Secondary legislation, such as Orders in Council, can only be approved or not approved in the form that they are laid in Parliament, they cannot be amended.

Having been approved in both Parliaments, the Section 30 Order provides the statutory authority for a referendum on independence for Scotland to be legislated for by the Scottish Parliament, and held before the end of 2014.

The Section 30 Order did not include any details on the franchise for the 2014 referendum as it was expected that these would be contained in the referendum bill.

## **REFERENDUM (SCOTLAND) BILL COMMITTEE**

The Referendum (Scotland) Bill Committee was established by resolution of the Scottish Parliament on 23 October 2012 and will continue until the end of 2014. Its remit is to consider matters relating to the draft Order in Council and, subsequently, to consider the Referendum (Scotland) Bill, its implementation and any associated legislation.

The Committee scrutinised the Draft Section 30 Order and reported to the Parliament in November 2012 (Scottish Parliament Referendum (Scotland) Bill Committee 2012). The Scottish Parliament approved the draft Order on 5 December 2012; the House of Commons approved it on 15 January 2013 and the House of Lords gave its approval on 16 January 2013. The Order was then made by the Privy Council on 12 February 2013.

The Scottish Independence Referendum (Franchise) Bill is the first piece of legislation related to the referendum to be introduced by the Scottish Government in relation to the referendum. The Bill will make provision for the franchise for the referendum, including the registration of 16 and 17 year olds not already able to register.

### **Evidence taking**

Prior to the introduction of the Scottish Independence Referendum (Franchise) Bill, the Referendum (Scotland) Bill Committee agreed, at its meeting on 13 December 2012 (Scottish Parliament Referendum (Scotland) Bill Committee 2012b), to take evidence ahead of introduction of the Bill from those with experience of electoral administration, in particular from officials in the three Crown Dependencies (see below) where a lower minimum voting age has been applied.

## **CURRENT FRANCHISE AND ELECTORAL REGISTRATION**

### **Current franchise**

The franchise for Scottish Parliament elections is also the franchise used for local elections in Scotland and was also the franchise used for the 1997 devolution referendum.

That franchise, set out in Section 2 of The Representation of the People Act 1983, is anyone, aged 18 years or older, resident in Scotland who, not subject to any legal incapacity to vote (other than age) is a:

- British citizen

- Irish citizen
- Qualifying citizen of a Commonwealth country (including Cyprus and Malta). This means a Commonwealth citizen who has leave to enter or remain in the UK or does not require such leave
- Citizen of any other European Union (EU) country.

## Current system of registration

In order to vote in elections or referendums, an eligible person needs to be on the electoral register. Section 9 of the Representation of the People Act 1983, as amended by the Representation of the People Act 2000, states that:

“Each registration officer shall maintain—

(a) a register of parliamentary electors for each constituency or part of a constituency in the area for which he acts; and

(b) a register of local government electors for the local government areas or parts of local government areas included in the area for which he acts”.

An electoral register is a list of the names and addresses of everyone who is registered to vote. The Representation of the People Act 2000 (Schedule 1) introduced a system of 'rolling registration', whereby, upon application to the local Electoral Registration Officer (ERO) at any time of the year, a voter may be placed on the next statutory update to the register.

There are two versions of the electoral register:

- The Full register lists the name and address of everyone who is registered to vote and is updated every month. A copy is held at the local electoral registration office. Anyone can look at it and make notes, but copies can only be supplied to certain recipients for certain purposes. The main use of the full register is to show who can vote in elections and referendums.
- The Edited register is available for general sale. It can be bought by any person, company or organisation and can be used for commercial activities such as marketing. Voters can choose not to be on the edited register by ticking the appropriate box on the annual canvass or rolling registration form.

## Annual canvass

In England, Wales and Scotland, the registration of electors is carried out each year by means of an annual canvass. A person in each household completes the canvass form giving details of all those eligible to vote who are living at that address on 15 October. Following the annual household canvass, the revised Registers of Electors are usually published on 1 December and are available for inspection at electoral registration offices. They may also be inspected at some council offices and local libraries. Electors may check the registers to ensure that their names have been included.

The register is updated on a monthly basis and electors may register themselves during the year (rolling registration) if their details change by completing and returning a voter registration form to the ERO. Until Individual Electoral Registration (see section on this new system below) begins in summer 2014, the current system of registration will continue.

It is intended that the last household canvass under the old system will take place between October 2013 and February/March 2014 (Cabinet Office and Electoral Commission 2013). This is intended to ensure that the register is as up to date as possible for the 2014 European elections and for the transition to Individual Electoral Registration (IER). There is a draft Order currently before the UK Parliament (Electoral Registration (Postponement of 2013 Annual Canvass) Order 2013) which states that the publication of the revised electoral register will take place on 10 March 2014 in Scotland. However, there is a possibility that the transition to the new system in Scotland could be delayed by the UK Government if it was thought that the preparation for the implementation of IER could interfere with the preparations for the referendum.

## Rate of registration

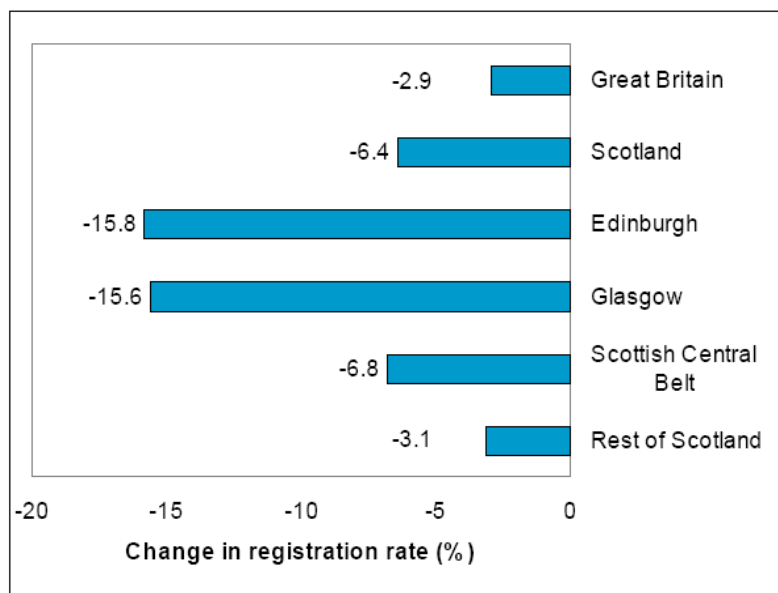
In 2010 the Electoral Commission published research into *The completeness and accuracy of electoral registers in Great Britain*. The research included analysis of a range of national data sources and case studies of electoral registers in eight local authority areas across Great Britain, including South Ayrshire Council.

The research found that:

“while there was an overall decline in Scotland’s registration rate of 6.4 percentage points from 1999–2008, this decline was heavily concentrated in the authorities making up the central belt, where the average registration rate fell by 6.8 percentage points, compared to 3.1 in the rest of Scotland. Moreover, the two biggest cities in the central belt, Edinburgh and Glasgow, which account for around one-fifth of Scotland’s population, experienced declines of close to 16 percentage points over this period. Strikingly, during this period, the cluster of these six authorities within the Glasgow city region highlighted above accounted for 13% of the growth of Scotland’s population aged 16 and above, but 90% of the country’s net decline of 97,000 register entries.”

The decline in registration rates is illustrated graphically below (Figure 8 is taken from the report).

**Figure 8: Change in estimated registration rate, Scotland and Great Britain, 1999–2008 (local government electoral register)**



Sources: ONS Electoral Statistics; General Register Office for Scotland (GROS).

The Commission has not carried out a follow-up exercise, but the General Records of Scotland (GROS), in Table 1 of its *Electoral Statistics – Scotland: 1 December 2012*, provides information on the number of Local Government and Scottish Parliament electors on the Electoral Register by Council area. The figures for Edinburgh and Glasgow show that the number of people on the electoral register in both cities has increased in the past four years.

**Table 1: excerpt from the Local Government and Scottish Parliament electors on the Electoral Register by Council area**

	2009	2010	2011	2012
	Total Electorate	Total Electorate	Total Electorate	Total Electorate
<b>Scotland</b>	<b>3,919,219</b>	<b>3,985,161</b>	<b>4,008,411</b>	<b>4,063,206</b>
<b>Edinburgh, City of</b>	328,071	332,217	333,004	344,852
<b>Glasgow City</b>	421,030	457,517	461,151	472,545

Table 2 below contains information taken from the table on the Total number of electoral registrations, by Electorate, 2000 to 2012 published by GROS in its *Electoral Statistics – Scotland: 1 December 2012*.

The figures show that, between December 2011 and December 2012, the number of registered Scottish Parliament electors in Scotland rose by 54,706 (1.4%) to 4,063,206.

**Table 2: excerpt from the Total number of electoral registrations, by Electorate**

	2007	2008	2009	2010	2011	2012
<b>Total electorate</b>	3,926,262	3,930,244	3,919,219	3,985,161	4,008,411	4,063,206
<b>Attainers</b>	47,484	44,204	46,186	44,415	44,341	46,726
<b>Service voters</b>	1,993	2,043	1,924	2,662	2,576	2,739
<b>Peers</b>	56	52	53	54	56	54
<b>Citizens of the European Union</b>	39,559	45,836	50,340	58,004	67,949	79,063

## Attainers

Under the present UK legislation (Section 4(5) of the Representation of the People Act 1983), 16 and 17 year olds who will attain the voting age for the Scottish Parliament and local government elections (i.e. become 18) during the 'life' of the electoral register can put their names forward to be included. The lifetime of the register runs from 1 December to 30 November.



In practice, this means that at present only those 16 year olds with birthdays in October or November can put themselves forward for inclusion during the annual canvass as they will be 17 years old by 1 December. The EROs will also only accept applications during the year (rolling registration) from young persons who will attain the voting age of 18 during the lifetime of the current register.

As it is the Scottish Government's intention to allow anyone who is 16 when the referendum is held to have a vote, changes have to be made to the present arrangements for registration. This is the main purpose of the Franchise Bill (see below).

According to the data in the *Total number of electoral registrations, by Electorate, 2000 to 2012*, which is produced by GROS (see Table 2 above), there were 46,726 attainers for the Local Government and Scottish Parliament elections in Scotland as at 1 December 2012. Table 2 also shows the figures for attainers for the Scottish Parliament and Local Government elections in the past six years.

As a guide to the number of young people who may apply to be registered ahead of the referendum, Table 3 below provides the figures for the number of 13, 14, 15, 16 and 17 year olds in Scotland, as at 30 June 2011. This information was taken from GROS's *Estimated population by age and sex, Scotland, mid-2011*, published in May 2012:

**Table 3: Estimated population of 13-17 year olds in Scotland mid 2011**

Age	Persons	Males	Females
13	58,032	29,591	28,441
14	59,755	30,830	28,925
15	59,426	30,498	28,928
16	60,437	31,005	29,432
17	62,655	32,058	30,597

## Armed Forces

The right to vote in Scottish Parliament elections, and the proposed Scottish referendum, is based on Scottish residency so members of the armed forces, their partners and their eligible children, would need to be registered at a Scottish address to be eligible to vote.

A member of the armed forces, or the husband, wife or registered civil partner of a member of the armed forces, who is a British, Irish, qualifying Commonwealth or EU citizen, can register either as a 'Service Voter' or as an ordinary voter. The way the person chooses to register to vote will depend on their personal circumstances.

Registering as a Service Voter requires a service declaration, as set out in Sections 15-17 of the Representation of the People Act 1983. The Service Voters' Registration Period Order 2010 extended the period during which the service declaration has effect from three to five years.

The Electoral Commission's views on a service declaration are that:

Within the UK:

- a serviceman who is 'residing' at an address in the UK must put that address on the service declaration. If the person is residing at more than one address within the UK (for example, if they are stationed - and 'residing' - in England but are still able to establish residency at an address in Scotland) then they would be able to choose which address to use

- if the Service Voter is resident in the UK but cannot establish residency at a second address the legislation does not allow them to choose that, or any other, address as being one where they would have been residing but for being in the forces.

Outwith the UK:

- if a person is not residing at an address in the UK they must enter on their service declaration an address where they would have been residing in the UK but for their service obligations
- if neither of these options is applicable the person must put down an address in the UK at which they previously resided. If this was a Scottish address then they would be eligible to vote in the referendum.

The partners of armed forces personnel have the same registration rights as their armed forces' partners. The children of armed forces personnel living abroad can register as British citizens living overseas, as long as their parent or guardian had been registered to vote before they left the UK. However, those voters registering as overseas citizens are not eligible to vote in local elections, although they may vote in UK referendums.

The Electoral Commission, in 2010, produced a booklet on *Voting information for members of Her Majesty's Armed Forces and their families* (Electoral Commission 2010b). In 2012 the Ministry of Defence (MOD) launched a publicity campaign aimed at encouraging all service personnel and their families to register to vote (Ministry of Defence 2012). A Service Voter Registration Day was held in the MOD, with similar events held on military establishments both in the United Kingdom and overseas. The MOD also worked with Cabinet Office and the Electoral Commission to promote Service Voter registration and also plans to make special arrangements to allow service personnel serving overseas to vote in general elections (House of Commons 2012a).

## **Registering at two different addresses**

Voters can be registered to vote at two different addresses if they are resident at both addresses and spend an equal amount of time at each. It is an offence to vote twice in the same election, for example, a parliamentary general election; however, such registered voters can vote in elections for two separate local councils.

## **INDIVIDUAL ELECTORAL REGISTRATION**

On 31 January 2013, the Electoral Registration and Administration Act 2013 received Royal Assent. This UK legislation will lead to the introduction of Individual Electoral Registration (IER) in Great Britain.

After the provisions in the Act are implemented electors will register separately, each providing their own unique identifiers, such as National Insurance number and date of birth, so their information can be verified.

It is expected that around two-thirds of the public will not have to take any action to stay on the electoral register because those already on the register in 2014 will be transferred to the new system automatically.

Where someone's details cannot be confirmed, which is expected to be the case for around a third of the electorate, and where people are unregistered or move house after the final household canvass, invitations and reminders to register under the new system will be sent out. Even if someone on the register is not captured by the automatic data matching process and fails to register individually, their details will be carried forward from the current register for at least a year after the introduction of the new system in summer 2014 and they will be able to vote in the 2015 UK General Election.

The UK Government, in consultation with electoral officers, the Electoral Commission and the devolved administrations, is planning the implementation of the new IER system and, as previously stated, the implementation in Scotland may be delayed so that it does not interfere with the preparations for the referendum.

## **PROPOSED FRANCHISE FOR THE REFERENDUM**

### **EXTENDED FRANCHISE**

#### **Scottish Government consultations on reducing the referendum voting age**

Since 2010, the Scottish Government has consulted twice on extending the franchise for the independence referendum to include 16 and 17 year olds:

- February 2010 – the Scottish Government published its *Scotland's Future: Draft Referendum (Scotland) Bill Consultation Paper*. The draft Bill included Section 2(2) "A person is of voting age for the purposes of this Act if the person is aged 16 or over".
- June 2010 – the consultation received 222 responses, 189 of which the Scottish Government published on its website but the Scottish Government did not publish any analysis of the consultation responses received
- January 2012 – *Your Scotland, your Referendum* consultation was launched. The consultation paper proposed that eligibility to vote in the referendum would follow the precedent of the 1997 referendum on establishing the Scottish Parliament and be based on the franchise for Scottish local government elections, which is also the franchise for the Scottish Parliament elections. This franchise closely reflects residency in Scotland. The only change to the 1997 referendum franchise the Scottish Government proposed was to reduce the voting age to 16.

The consultation included the question "What are your views on extending the franchise to those aged 16 and 17 years who are eligible to be registered on the electoral register?"

Both of these consultations were based on the existing registration rules for attainers, i.e. not all 16 year olds would be included in the franchise.

#### **Consultation responses on reducing the voting age**

- The 2012 consultation closed on 11 May 2012 with 26,219 valid responses

- The Scottish Government has made the consultation responses available on its trial Consultation Hub website, dividing them into responses from individuals and organisations
- The Scottish Government published, *Your Scotland, your referendum: an analysis of consultation responses* in October 2012 (Griesbach 2012).

Analysis of the consultation (Griesbach 2012 p.66) shows that while 53% of respondents “definitely agreed” with extending the franchise for the referendum to 16 and 17 year olds, 40% “definitely disagreed” with that proposal. It should be noted that the response “definitely disagreed” was supported by more individuals (9,917) than those who responded “definitely agreed” (9,226). It is also worth noting that the respondents who “definitely agreed” with this statement included 3,300 standard campaign responses. Standard campaign responses were run by the SNP and Scottish Labour Party allowing respondents to enter their name and email address to prepared responses.

The report provided some of the reasons given by supporters and detractors of the proposed franchise extension. However the report does not give the numbers of respondents who made such comments.

“Those who favoured extending the franchise frequently pointed out that if 16 and 17 year olds are able, for example, to get married and join the army, they should also be allowed to vote at elections. The other reason repeatedly given for supporting the extension of the franchise was that it is younger people who will live with the outcome of the referendum vote and they should be entitled to have their say on what a future Scotland will look like.”

(Griesbach 2012 p. 41)

The supporters included those in favour of the principle of extending the franchise to all elections, including some who felt the franchise should only be extended for the referendum if such an extension was introduced for all elections.

The report also stated that some respondents objected to 16 and 17 year olds being given the vote under any circumstances:

“It was felt that 16 and 17 year olds are simply not mature enough and have insufficient life experience to make such an important decision. This position was often associated with concerns that young people in this age group would be too easily influenced by their peers, parents or teachers.

It was also argued that society does not consider 16 and 17 year olds responsible enough to buy alcohol, and the Scottish Government has recently decided they should not be able to buy cigarettes. Given these restrictions, these respondents sometimes questioned why society would consider them mature enough to vote. A few respondents also suggested that, far from citing being able to get married or join the army as a reason for allowing 16 and 17 year olds the vote, the more appropriate policy response would be to increase the minimum age for such important life decisions to 18 years.”

(Griesbach 2012 p. 42-43)

## **FRANCHISES WHICH INCLUDE 16 AND 17 YEAR OLDS**

There are several examples of franchises within the British Isles which include 16 and 17 year olds.

### **Crown Dependencies**

The Bailiwick of Guernsey, the Bailiwick of Jersey and the Isle of Man are not part of the UK but are self-governing dependencies of the Crown. They have their own directly elected legislative assemblies, administrative, fiscal and legal systems and their own courts of law. The Crown Dependencies are not represented in the UK Parliament.

In February 2006, the Isle of Man became the first part of the British Isles to lower its voting age from 18 to 16, the first election under the increased franchise was held in November 2006. Jersey and Guernsey both made legislative changes to reduce their voting ages to 16 in 2007, the first elections affected were in 2008.

In its information gathering exercise before the introduction of the Bill the Referendum (Scotland) Bill Committee took oral evidence from officials responsible for elections and electoral registration in the three Crown Dependencies (7 and 21 February 2013). The Committee was particularly interested in the rates of registration and turnout in the 16 to 18 year olds.

The Committee heard evidence on the current awareness campaigns for registration and voting ahead of the most recent elections held in the three Crown Dependencies.

### **Pilot Health Board Elections**

Health board elections were piloted in Fife and Dumfries & Galloway in 2010 and, for the first time in Scotland, a franchise was extended to 16 and 17 year olds, but only if they were included in the register of local government electors as attainers. The reservation in the Scotland Act 1998 with regards to franchise refers only to local government and parliamentary elections (Schedule 5, Paragraph B3). Therefore, the Scottish Government was able to specify a different franchise for health board elections in the Health Boards (Membership and Elections)(Scotland) Act 2009 and its competence to do so was never challenged during the passage of the Health Boards (Membership and Elections) (Scotland) Bill.

However, the registration of 16 and 17 year olds for health board elections did raise some issues during the passage of the Bill. At Stage 1 the Health Committee raised child protection concerns about routinely seeking the details of 14 and 15 year old 'attainers' and publishing them in the electoral register. In response, the Scottish Government proposed creating a private register of 15 year olds, but again the Committee expressed concerns that this was not a 'recognisable part of the democratic process' (Scottish Parliament Health and Sport Committee 2009, paragraph 89).

In the Stage 1 Debate (Scottish Parliament Official Report 15 January 2009 col 14046), the Cabinet Secretary said that she was hopeful that discussions with the electoral registration officers had identified a way forward that would allow them to record details of 16 and 17 year olds and attainers using solutions that were right for them locally. She also noted that the majority of relevant data for 16 and 17 year olds was already on local government registers in the form of attainer material.

In practice, what seems to have happened in the pilot areas is that the normal local authority electoral register (with its list of attainers) was used and the returning officers in the pilot areas ran campaigns to try to encourage other 16 and 17 year olds to register.

In Dumfries & Galloway, the local authority’s Youth Strategy Group advised on communications efforts, with advertising concentrating on buses and local radio, and information sent to schools for their pupil intranets. In Fife, work with local youth groups (including the Big Shout and Members of the Scottish Youth Parliament) produced a DVD encouraging young electors to vote in the elections. Copies of the DVD were distributed to schools around Fife and played in cafeterias.

Residents who were under 18 on election day but whose 16th birthday “fell on or before the 30 of November 2009” were eligible to vote in the election, which closed on 10 June 2010, provided that their names appeared on the electoral register.

The pilot elections were evaluated by researchers from St Andrews University and the LSE. The Scottish Government published the final report (Greer 2012) on the health board election pilots in December 2012.

The researchers who carried out the evaluation of the pilot elections sent out survey forms to:

“a random sample of 6000 names from the electoral register, 3000 from Fife and 3000 from Dumfries and Galloway. These samples represented roughly 1% and 2% of registered electors, respectively.”

The researchers found that, despite the efforts made by the Returning Officers and their staff to encourage 16-17 year olds to register, it was possible that 16-17 year olds were less likely to appear on the electoral register than older residents. In Fife, 4,484 16-17 year olds were registered while 2,421 were registered in Dumfries & Galloway.

Returning Officers’ records showed that 12.9% of the 16-17 year olds registered in Dumfries and Galloway voted, with 312 ballots returned. Turnout among registered 16-17 year olds in Fife was 7%, or 311 ballots. The researchers concluded that this meant that those 16-17 year olds registered to vote were significantly less likely to vote than registered electors aged over 18.

The researchers’ interim report on the health board election pilots (Greer 2011) had looked at the information on voters and non-voters in more depth. For example, for Fife they found that there was a very strong and statistically significant relationship between age and voting. Older respondents were significantly more likely to report having voted than young respondents, see Table 4 below.

**Table 4: Age and voting in Fife** [reproduced from the interim report Greer 2011, Table 5.1]

Age	Did not vote in Health Board election; unsure if voted (%)	Voted in Health Board election (%)
16-17	5 (1.1)	3 (1)
18-40	71 (15.9)	28 (9.5)
41-60	170 (38.1)	86 (29.2)
61-80	178 (39.9)	150 (50.8)
80+	22 (4.9)	28 (9.5)

The interim report included similar analysis for the survey responses from the sample of Dumfries and Galloway registered voters.

## **Crofting Commission Elections**

In 2011 the Scottish Government consulted on reducing the age of those eligible to vote in the Crofting Commission elections (Scottish Government 2011a) from 18 to 16 years old. The analysis of the responses to the consultation (Scottish Government 2011b) showed that 73% of respondents (30 responses) supported the Government's policy on the eligibility of electors, including the reduction of the voting age to 16.

The 2011 regulations (SSI 2011/456) reflected this change, although it should be noted that such 16 and 17 year olds now enfranchised for the March 2012 election also needed to have their name entered in the Register of Crofts. As a result only five 16 and 17 year olds were eligible to vote.

## **CAMPAIGNS TO REDUCE VOTING AGE**

### **Council of Europe**

On 23 June 2011, the Parliamentary Assembly of the Council of Europe adopted Resolution 1826 (2011) "Expansion of democracy by lowering the voting age to 16". In this, the Assembly calls upon national governments to:

- create the necessary preconditions for the participation of young people in civic life through education and the promotion of community involvement;
- investigate the possibility of lowering the voting age to 16 years in all countries and for all kinds of elections;
- examine the possibility of lowering the minimum age of eligibility to stand for different kinds of elections (local and regional bodies, parliament, senate, presidency) wherever this would seem appropriate.

The European Youth Forum encourages national government and the European Union to hear the call of the Council of Europe and work towards lowering the electoral age to the age of 16.

### **UK Parliament election manifestos and voting age**

As already stated, the franchise for elections is a reserved matter, therefore any permanent changes to the voting age would require legislation in the UK Parliament. The Party manifestos for the 2010 UK general election set out voting age proposals as follows:

- The Conservative Party manifesto for Scotland for the 2010 general election (Conservative Party 2010) did not address the issue of votes at 16
- The Scottish Labour Party manifesto for the 2010 general election (Scottish Labour Party 2010) promised a free vote in Parliament to widen the franchise to 16 and 17 year olds. The Labour Party, as part of its policy review (Your Britain) ahead of the production of its manifesto for the 2015 election, is looking at the issue of reducing the voting age
- The Scottish Liberal Democrat Party manifesto for the 2010 general election (Scottish Liberal Democrats) contained a commitment to votes at 16

- The Scottish National Party manifesto for the 2010 general election (Scottish National Party (2010) did not address the issue of votes at 16, although the SNP's 2007 annual conference had unanimously agreed proposals to lower the voting age to 16
- The Scottish Green Party manifesto for the 2010 general election (Scottish Green Party 2010) contained a commitment to extend voting rights to 16 and 17 year olds.

## **UK Parliament debates**

In the past 6 months, the UK Parliament has held two debates on the issue of reducing the voting age to 16: a Westminster Hall debate (with no vote) held on 18 December 2012 and a Backbench Business debate held on 24 January 2013. The debate in January concluded with a vote on the motion:

“That this House believes that the age of eligibility for voting in all elections and referendums in the United Kingdom should be reduced to 16.”

The result of the division was 119 in favour of the motion and 46 against.

## **DRAFT REFERENDUM FRANCHISE (SCOTLAND) BILL**

In December 2012, the Scottish Government consulted with key stakeholders, including electoral administrators, the Electoral Commission and child protection groups, on its Draft Referendum Franchise (Scotland) Bill (Sturgeon 2012a, 2012b and 2012c). This draft Bill contained the proposal that any eligible young person who would be at least 16 on the day of the referendum could register and take part in the referendum.

The responses it received from stakeholders helped the Government inform its final version of its Franchise Bill (Policy Memorandum paragraphs 35 and 36).

## **SCOTTISH INDEPENDENCE REFERENDUM (FRANCHISE) BILL**

The Scottish Independence Referendum (Franchise) Bill was introduced in the Scottish Parliament by the Deputy First Minister, Nicola Sturgeon, on 11 March 2013. The Bill's main purpose is to set out the franchise for the Scottish Independence Referendum and to make provisions for the registration of young voters, who will be at least 16 years old on the date of the poll, in time for them to take part in the independence referendum in 2014.

The Bill was first proposed by the First Minister in October 2012. In her statement to the Scottish Parliament on the Edinburgh Agreement, on 23 October 2012, the Deputy First Minister, Nicola Sturgeon, told the Parliament that

“As the First Minister announced on Saturday, the Scottish Government will also introduce a paving bill to ensure that all 16 and 17-year-olds can register for and vote in the referendum, should that be the franchise agreed by this Parliament.”

(Official Report 23 October 2012 col 12406)



## **PARLIAMENTARY TIMETABLE**

At its first meeting in 2013 the Referendum (Scotland) Bill Committee agreed its timetable for scrutiny of the proposed Franchise Bill. In order to allow Electoral Registration Officers sufficient time to prepare for the canvass, the Government's intention is for the Franchise Bill to complete its parliamentary passage by the end of June 2013, coming into force later in the summer.

To meet this aim, Stage 3 proceedings for the Franchise Bill require to be held no later than Thursday 27 June 2013. This timetable is shorter than is usual for a Bill.

## **WHAT THE BILL AIMS TO DO**

The Bill aims to:

- Set out who is entitled to vote in the referendum
- Give EROs a duty to collect the information necessary to register eligible young people who will be 16 or over by the date of the referendum, but who will not appear on the register of local government electors. EROs will be asked to collect this information, using a separate canvass form (Schedule 2 of the Bill) at the same time as they conduct the next annual household canvass
- Require each ERO to collate this additional information into a Register of Young Voters (RYV) for their area, which will contain the details of young people who will be at least 16 at the time of the referendum. The RYV will not include any attainers whose details have been included on the normal registers of local government electors
- Give EROs a duty to maintain the RYV under rolling registration (that is, by allowing any eligible young people to register to vote in the referendum after the conclusion of the canvass and to take account of any change of address)
- Prohibit EROs from publishing the RYV, and direct that they provide the material it contains only to a prescribed group of people, as set out in the Franchise Bill and other legislation relating to the referendum.

## **PROPOSED FRANCHISE**

The Bill confirms the referendum franchise as the Scottish local elections franchise, with the addition of those young people who will be 16 on the date of the referendum (Section 2).

### **Prisoners**

Section 3 of the Bill confirms the present restriction on convicted prisoners not being entitled to vote. The Policy Memorandum to the Bill (paragraph 13) explains that the Scottish Government believes that the European Court of Human Rights' ruling that the UK's current blanket ban on prisoners voting in parliamentary elections breaches the European Convention on Human Rights, does not extend to participation in referendums, so that any possible change to UK legislation on parliamentary franchises would not affect the restriction set out in Section 3 of this Bill.

Concerns have been raised about the Scottish Government assertion on prisoners' right to participate in the referendum (Reid 2013). However, it would appear that these concerns may be unfounded as the European Court ruling relates specifically to rights of prisoners to take part in the ballot for the choice of the legislature. So it could be argued that the Scottish Government is correct in its view that it does not need to extend the franchise to include convicted prisoners (Tierney 2013).

Prisoners on remand who have not been convicted, are entitled to take part in elections and referendums, if they are on the electoral register, and will be able to do so by using a postal or proxy vote.

## **REGISTER OF YOUNG VOTERS**

Most of the Franchise Bill (7 of 15 Sections and 1 of 2 Schedules) relates to the Register of Young Voters (RYV). The RYV is necessary in order to enable the Scottish Government to implement its extension of the referendum franchise to include any eligible young person who will be 16 on the date of the referendum who is not presently allowed to be placed on the electoral register as an attainer. In effect, the Register is designed to capture those 15 year olds who will be 16 on the day of the referendum. It should be noted that Section 13 of the Bill does not allow EROs to accept applications for registration on the RYV until 1 December 2013.

The Government's aim, especially Schedule 1 of the Bill, is to replicate the procedures currently used to generate the electoral register for the purpose of the RYV as far as possible (i.e. as far as it can while balancing the need to treat data on young people sensitively). This is expected to be achieved by applying the existing legislation with modifications.

Schedule 1 lists the amendments to existing legislation required in order to allow EROs to create the RYV, including providing a method of rolling registration until 11 days before the referendum date (Sections 10A and 13A of the Representation of the People Act 1983).

Table 5 below, reproduced from the Explanatory Notes to the Bill, sets out the relationship between the provisions in the Bill and the relevant sections in the Representation of the People Act 1983 c. 2 and the Representation of the People (Scotland) Regulations 2001 (SI 2001/497):

**Table 5: Table of provisions**

<b>Subject Matter</b>	<b>Section of Bill</b>	<b>Section of 1983 Act (c.2)</b>	<b>Regulations from 2001 Regulations (SI 2001/497)</b>
<b>Franchise</b>		2, 3, 5, 12	
<b>Maintenance of RYV</b>	4, 12	9A, 10A, 13A, 13B	4, 23, 24, 31C, 31D, 31E, 31F, 32A, 40, 41
<b>Applications to RYV</b>	13		5, 6, 26, 29, 30, 31, 31A, 37
<b>Objections to applications</b>			6, 27, 29, 30, 31, 31A
<b>Declarations of local connection</b>	7, 12	7B, 7C	3, 40
<b>Conduct of canvass</b>	8, Schedule 2	10	
<b>Disclosure of RYV entries</b>	9		26, 27, 31E, 36
<b>ERO duties and expenses</b>	10	9A, 10, 52, 63	24, 30, 31, 31B, 35, 36A, 37, 45B, 45C, 45F
<b>Anonymous registration in RYV</b>	12	9B, 9C	3, 31G, 31H, 31I, 31J, 41A, 45A, 45B, 45C, 45F
<b>Residence</b>		5, 6, 7, 7A, 7B, 7C	31B
<b>Offences</b>		13D, 62, 63	11, 23, 115
<b>Service qualifications</b>		14, 15, 16, 17, 59	14, 15, 16, 17, 40
<b>Registration appeals</b>	Schedule 1 Part 3	13A, 56, 57	32

The amendments will also mean that standard electoral registration offences will also apply to the RYV.

The provisions in the Bill are also intended to address the concerns on child protection issues raised during the passage of the Health Board Elections bill. The Government believes that the provisions in the Franchise Bill, especially Section 9, will ensure that data on the 15 year olds listed in the RYV can be protected.

The Policy Memorandum (paragraph 17) states that only EROs and their staff will have access to the RYV. However, the Franchise Bill does not make this clear as Section 9(3) of the Bill states the register, or an entry in it, may be disclosed to a person for the purposes of an independence referendum:

“but only in accordance with provision made by or under the Act of the Scottish Parliament by virtue of which the referendum is to be held.”

The Policy Memorandum again details the groups who would need access to the names and addresses of all voters, including those on the RYV (paragraph 18). It also states (paragraph 19) that:

“In order to provide these groups with the information they need without compromising the security of the details of those on the RYV, before the details of young voters are provided they will be merged with the details of those drawn from the register of local government electors. Thus the groups listed at paragraph 18 will receive a single, merged polling list of all voters, which does not distinguish the details of young voters from the details of other voters. The arrangements for merging the registers and making them available to the groups above will be set out in the Referendum Bill.”

## **Vulnerable young people**

The Bill also seeks to deal with the registration of vulnerable young people who do not wish to disclose their present address, for example, if this information is subject to a non-disclosure order (Section 40 of the Children's Hearings (Scotland) Act 2011 asp 1 gives sheriffs powers to make orders to restrict access to information on the location of children who are subject to a child protection order). This will be possible by making a declaration of local connection (Section 7 of the Bill), which would allow the young person to register without providing their address.

## **Canvass form for the RYV**

Schedule 2 of the Bill provides the Canvass form which the Government intends EROs to use to populate the RYV. In the Financial Memorandum (FM) however, the Government intimates that the canvass form has not yet been tested. In its FM the Government notes that:

“In particular, the Electoral Commission has advised that the Young Voter Registration form should be independently tested, to ensure it is user-friendly and readily comprehensible. In order to have the form finalised in the appropriate timescales, the contract was put out to tender prior to the Bill being introduced into Parliament, and was awarded at the end of February for a total of £25,000”.

The canvass form in its present state does not indicate:

- if it could be used for registration outwith the household canvass, i.e. for rolling registration
- that a declaration of local connection could be made in place of completing the address details.

The Government has also not indicated when the testing of the canvass form will be completed or how quickly it would introduce any amendments to the canvass form.

## **Finance Committee**

In addition to the costs of testing the canvass form for the RYV, the Bill includes provisions (Section 10) to enable Scottish Ministers to reimburse EROs for the costs incurred by the duties and functions placed on them by the Bill. The Parliament's Finance Committee examined the Bill's Financial Memorandum (FM) at its meeting on 20 March 2013, Paper FI/S4/13/10/1 (Scottish Parliament Finance Committee 2013a). The Finance Committee then wrote to the Referendum (Scotland) Bill Committee (Scottish Parliament Referendum (Scotland) Bill Committee 2013e) to inform it that the Finance Committee would not be publishing a report on the FM. The Finance Committee also drew the Committee's attention to the oral evidence it had received (Scottish Parliament Finance Committee 2013b) and the further written evidence it expected to receive from the Scottish Government.

## **Subordinate Legislation Committee**

The Subordinate Legislation Committee at its meeting on 19 March 2013 considered the delegated powers provision in the Franchise Bill. The Committee published its report on the Bill (Scottish Parliament Subordinate Legislation Committee 2013) on 20 March. The Committee considered the powers in Section 11 to make secondary legislation were acceptable in principle.

## Repeal

The power to amend the franchise has only been given to the Scottish Government until the end of 2014 and the Bill includes a repeal Section, S.14, whereby the Act will cease on 1 January 2015.

## CALL FOR EVIDENCE

On 12 March 2013 the Referendum (Scotland) Bill Committee launched a call for evidence on the Bill (Scottish Parliament Referendum (Scotland) Bill Committee 2013). The Committee started taking further oral evidence on the Bill on 14 and 21 March and continued with the Deputy First Minister giving evidence on 28 March 2013.

## SOURCES

About My Vote: Register to vote: *Member of the Armed Forces (or husband, wife, civil partner)*  
[http://www.aboutmyvote.co.uk/register\\_to\\_vote/armed\\_forces.aspx](http://www.aboutmyvote.co.uk/register_to_vote/armed_forces.aspx)

About My Vote: Register to vote: *Electoral registration form for a British citizen living abroad*  
<https://www.aboutmyvote.co.uk/PDFDownload.aspx?mode=view&form=blank>

About My Vote: Register to vote: *Electoral registration form for a member of Her Majesty's Armed Forces, or their spouse or civil partner*  
<https://www.aboutmyvote.co.uk/PDFDownload.aspx?mode=view&form=blank>

About My Vote: Register to vote: *Electoral registration form*  
<https://www.aboutmyvote.co.uk/PDFDownload.aspx?mode=view&form=blank>

Cabinet Office: Reforming the constitution and political system: Moving to a new voting system - Individual Electoral Registration: *Latest* <https://www.gov.uk/government/policies/reforming-the-constitution-and-political-system/activity>

Cabinet Office and Electoral Commission (2013) *Preparing for and managing the transition to Individual Electoral Registration (IER) – the support you will receive from the Electoral Commission and the Cabinet Office*  
[http://www.electoralcommission.org.uk/\\_data/assets/pdf\\_file/0004/154093/ERO-letter-support-on-IER-from-CO-EC-final.pdf](http://www.electoralcommission.org.uk/_data/assets/pdf_file/0004/154093/ERO-letter-support-on-IER-from-CO-EC-final.pdf)

Children's Hearings (Scotland) Act 2011 asp 1 <http://www.legislation.gov.uk/asp/2011/1/data.pdf>

Conservative Party (2010) *Invitation to join the government of Britain: the Conservative manifesto for Scotland 2010* <http://www.scottishconservatives.com/wordpress/wp-content/uploads/2012/11/General-Election-2010.pdf>

The Crofting Commission (Elections) (Scotland) Regulations 2011 SSI 2011/456  
<http://www.legislation.gov.uk/ssi/2011/456/contents/made>

Defence Analytical Services and Advice: Historical Other Publications (Non-National Statistics)  
AFCAS: Armed Forces Continuous Attitude Survey Main Results  
<http://www.dasa.mod.uk/applications/newWeb/www/index.php?page=67&pubType=0&thiscontent=700&date=2012-08-23>

Electoral Registration and Administration Act 2013 c. 6

<http://www.legislation.gov.uk/ukpga/2013/6/contents>

The Electoral Registration (Postponement of 2013 Annual Canvass) Order 2013 Draft SI

<http://www.legislation.gov.uk/ukdsi/2013/9780111534977/contents>

Electoral Commission (2010a) *The completeness and accuracy of electoral registers in Great Britain* [http://www.electoralcommission.org.uk/\\_data/assets/pdf\\_file/0018/87111/The-completeness-and-accuracy-of-electoral-registers-in-Great-Britain.pdf](http://www.electoralcommission.org.uk/_data/assets/pdf_file/0018/87111/The-completeness-and-accuracy-of-electoral-registers-in-Great-Britain.pdf)

Electoral Commission (2010b) Voting information for members of Her Majesty's Armed Forces and their families <http://www.aboutmyvote.co.uk/PDF/Booklet-Cropped.pdf>

Electoral Commission (2011) *Great Britain's electoral registers 2011*

[http://www.electoralcommission.org.uk/\\_data/assets/pdf\\_file/0007/145366/Great-Britains-electoral-registers-2011.pdf](http://www.electoralcommission.org.uk/_data/assets/pdf_file/0007/145366/Great-Britains-electoral-registers-2011.pdf)

Electoral Commission (2012) *Evaluation of data-matching pilots: confirmation: Interim findings* [http://www.electoralcommission.org.uk/\\_data/assets/pdf\\_file/0008/152747/Data-matching-confirmation-pilots-interim-findings.pdf](http://www.electoralcommission.org.uk/_data/assets/pdf_file/0008/152747/Data-matching-confirmation-pilots-interim-findings.pdf)

General Register for Scotland: Statistics: Statistics by Theme: *Electoral Statistics – Scotland: 1 December 2012* <http://www.gro-scotland.gov.uk/statistics/theme/electoral-stats/1-december-2012/index.html>

General Register for Scotland: Statistics: Statistics by Theme: Electoral Statistics – Scotland: 1 December 2012: Table 1 Total number of electoral registrations, by Electorate, 2000 to 2012 <http://www.gro-scotland.gov.uk/files2/stats/electoral-stats/1-dec-2012/13electoral-stats-table1.xls>

General Register for Scotland: Statistics: Statistics by Theme: Electoral Statistics – Scotland: 1 December 2012: *Table 3 Local Government and Scottish Parliament electors on the Electoral Register by Council area, Scotland, 2003 to 2012* <http://www.gro-scotland.gov.uk/files2/stats/electoral-stats/1-dec-2012/13electoral-stats-table3.xls>

General Register for Scotland: Statistics: Statistics by Theme: Population: Population Estimates: Mid-Year Population Estimates: Time Series Data: Population Estimates Time Series Data: Mid-year Population Estimates; Scotland, all ages by sex: 1855 to 2011: *Table 1 Estimated population by age and sex, Scotland, mid-2011* <http://www.gro-scotland.gov.uk/files2/stats/population-estimates/mid-2011/11mype-cahb-table1.xls>

Greer, S.L. [... et al] (2011) Health board elections and alternative pilots in NHS Scotland: interim evaluation report <http://www.scotland.gov.uk/Resource/Doc/343289/0114206.pdf>

Greer, S.L. [... et al] (2012) Health board elections and alternative pilots: final report of the statutory evaluation <http://www.scotland.gov.uk/Resource/0041/00411358.pdf>

Griesbach, D. [... et al] (2012) *Your Scotland, your referendum: an analysis of consultation responses* <http://www.scotland.gov.uk/Resource/0040/00405470.pdf>

Health Boards (Membership and Elections)(Scotland) Act 2009 asp 5 <http://www.legislation.gov.uk/asp/2009/5/contents>

HM Government and Scottish Government (2012) *Agreement between the United Kingdom Government and the Scottish Government on a referendum on independence for Scotland, Edinburgh, 15 October 2012* <http://www.scotland.gov.uk/Resource/0040/00404789.pdf>

House of Commons (2012a) House of Commons Hansard 26 April 2012 Col 987W-988W  
<http://www.publications.parliament.uk/pa/cm201212/cmhansrd/cm120426/text/120426w0001.htm#120426112000007>

House of Commons (2012b) House of Commons Hansard 18 December 2012 Col 222WH-229WH 'Votes for 16 and 17-year-olds'  
<http://www.publications.parliament.uk/pa/cm201213/cmhansrd/cm121218/halltext/121218h0002.htm#12121845000002>

House of Commons (2013) House of Commons Hansard 24 January 2013 Col 479-525 'Backbench Business: Voting Age'  
<http://www.publications.parliament.uk/pa/cm201213/cmhansrd/cm130124/debtext/130124-0002.htm#13012438000001>

Ministry of Defence (2012) *Services targeted in voter registration drive* News release 26 January 2012 <https://www.gov.uk/government/news/services-targeted-in-voter-registration-drive>

Privy Council (2013) *Orders approved at Privy Council meeting held by the Queen at Buckingham Palace on 12th February 2013* <http://privycouncil.independent.gov.uk/wp-content/uploads/2013/01/orders-council-12-feb-2013.pdf>

Reid, C. 2013) 'Independence, the referendum, the franchise and prisoners: stormy waters ahead?' , UK Constitutional Law Blog (13 March 2013) (available at <http://ukconstitutionallaw.org>)

Representation of the People Act 1983 c. 2 <http://www.legislation.gov.uk/ukpga/1983/2/contents>

Representation of the People Act 2000 c. 2 <http://www.legislation.gov.uk/ukpga/2000/2/contents>

Representation of the People (Scotland) Regulations 2001 SI 2001/497  
<http://www.legislation.gov.uk/uksi/2001/497/made>

Royal Airforce Community Support: Family: Voting  
<http://www.raf.mod.uk/community/family/voting.cfm>

Scotland Act 1998 c. 46 <http://www.legislation.gov.uk/ukpga/1998/46/contents>

The Scotland Act 1998 (Modification of Schedule 5) Order 2013 SI 2013/242  
<http://www.legislation.gov.uk/uksi/2013/242/contents/made>

Scottish Government: Publications: 2010: May: Scotland's Future: Draft Referendum (Scotland) Bill: content: *Scotland's Future: Draft Referendum (Scotland) Bill Consultation Paper - Consultation Responses* <http://www.scotland.gov.uk/Publications/2010/05/24131023/0>

Scottish Government: Consultation Hub: Find Consultations: Your Scotland, Your Referendum: *View published responses for Your Scotland, Your Referendum*  
[https://consult.scotland.gov.uk/elections-and-constitutional-development-division/scotreferendum/consultation/published\\_entry\\_screen](https://consult.scotland.gov.uk/elections-and-constitutional-development-division/scotreferendum/consultation/published_entry_screen)

Scottish Government (2010) *Scotland's Future: Draft Referendum (Scotland) Bill Consultation Paper* <http://www.scotland.gov.uk/Resource/Doc/303348/0095138.pdf>

Scottish Government (2011a) *Elections to the Crofting Commission: consultation paper on draft regulations* <http://www.scotland.gov.uk/Resource/Doc/353937/0119285.pdf>

Scottish Government (2011b) *Elections to the Crofting Commission draft regulations: analysis of consultation responses* <http://www.scotland.gov.uk/Resource/Doc/362509/0122678.pdf>

Scottish Government (2012a) *Your Scotland, your referendum*  
<http://www.scotland.gov.uk/Resource/0038/00386122.pdf>

Scottish Government (2012b) *Your Scotland, your referendum: an analysis of consultation responses* <http://www.scotland.gov.uk/Resource/0040/00405470.pdf>

Scottish Government (2013) *Extending the referendum franchise*. News release 12 March 2013  
<http://www.scotland.gov.uk/News/Releases/2013/03/referendum-franchise12032013>

Scottish Green Party (2010) 2010 manifesto  
<http://www.scottishgreens.org.uk/uploaded/Wesminster2010.pdf>

*Scottish Independence Referendum (Franchise) Bill [As introduced] Session 4 (2013) SP Bill 24*  
[http://www.scottish.parliament.uk/S4\\_Bills/Scottish%20Independence%20Referendum%20Franchise%20Bill/b24s4-introd.pdf](http://www.scottish.parliament.uk/S4_Bills/Scottish%20Independence%20Referendum%20Franchise%20Bill/b24s4-introd.pdf)

*Scottish Independence Referendum (Franchise) Bill: Explanatory Notes (and other accompanying documents) Session 4 (2013) SP Bill 24-EN*  
[http://www.scottish.parliament.uk/S4\\_Bills/Scottish%20Independence%20Referendum%20Franchise%20Bill/b24s4-introd-en.pdf](http://www.scottish.parliament.uk/S4_Bills/Scottish%20Independence%20Referendum%20Franchise%20Bill/b24s4-introd-en.pdf)

*Scottish Independence Referendum (Franchise) Bill: Policy Memorandum Session 4 (2013) SP Bill 24-PM*  
[http://www.scottish.parliament.uk/S4\\_Bills/Scottish%20Independence%20Referendum%20Franchise%20Bill/b24s4-introd-pm.pdf](http://www.scottish.parliament.uk/S4_Bills/Scottish%20Independence%20Referendum%20Franchise%20Bill/b24s4-introd-pm.pdf)

*Scottish Independence Referendum (Franchise) Bill: Delegated Powers Memorandum Session 4 (2013) SP Bill 24-DPM*  
[http://www.scottish.parliament.uk/S4\\_Bills/Scottish\\_Independence\\_Referendum\\_Franchise\\_Bill\\_-\\_DPM.pdf](http://www.scottish.parliament.uk/S4_Bills/Scottish_Independence_Referendum_Franchise_Bill_-_DPM.pdf)

Scottish Labour Party (2010) *A fair future for all*  
<http://www.scottishlabour.org.uk/uploads/26905060-7f2b-9fb4-210c-d5d048e053f1.pdf>

Scottish Liberal Democrats (2010) *Manifesto 2010*  
<http://www.scotlibdems.org.uk/files/Manifesto.pdf>

Scottish National Party (2010) *Elect a local champion: manifesto 2010* <http://www.general-election-2010.co.uk/2010-general-election-manifestos/Scottish-National-Party-Manifesto-2010.pdf>

Scottish Parliament: Parliamentary Business: Committees: *Referendum (Scotland) Bill Committee*  
<http://www.scottish.parliament.uk/parliamentarybusiness/CurrentCommittees/55798.aspx>

Scottish Parliament (2009) *Scottish Parliament Official Report 15 January 2009 col 13999-14049* <http://www.scottish.parliament.uk/parliamentarybusiness/28862.aspx?r=4840&mode=pdf>

Scottish Parliament (2012) *Referendum Bill Committee unanimously recommends Section 30 Order to Parliament* News release 23 November 2012  
<http://www.scottish.parliament.uk/newsandmediacentre/56974.aspx>



Scottish Parliament Finance Committee (2013a) *Scottish Independence Referendum (Franchise) Bill Financial Memorandum* Finance Committee Agenda Paper 10th Meeting, 2013 (Session 4) Wednesday 20 March 2013. FI/S4/13/10/1  
[http://www.scottish.parliament.uk/S4\\_FinanceCommittee/papers\\_web\\_20.pdf](http://www.scottish.parliament.uk/S4_FinanceCommittee/papers_web_20.pdf)

Scottish Parliament Finance Committee (2013b) Official Report 10th Meeting 2013, Session 4 Wednesday 20 March 2013  
<http://www.scottish.parliament.uk/parliamentarybusiness/28862.aspx?r=7844&mode=pdf>

Scottish Parliament Health and Sport Committee (2009) *Scottish Parliament Health and Sport Committee 7th Report, 2008 (Session 3) Stage 1 Report on the Health Boards (Membership and Elections) (Scotland) Bill* Volume 1: Report  
[http://www.scottish.parliament.uk/S3\\_HealthandSportCommittee/Reports/her08-07-vol1.pdf](http://www.scottish.parliament.uk/S3_HealthandSportCommittee/Reports/her08-07-vol1.pdf)

Scottish Parliament Referendum (Scotland) Bill Committee (2012a) *1st Report, 2012 (Session 4): The Scotland Act 1998 (Modification of Schedule 5) Order 2013 [draft]*  
[http://www.scottish.parliament.uk/S4\\_ReferendumScotlandBillCommittee/rbr-12-01w-rev.pdf](http://www.scottish.parliament.uk/S4_ReferendumScotlandBillCommittee/rbr-12-01w-rev.pdf)

Scottish Parliament Referendum (Scotland) Bill Committee (2012b) *Referendum (Scotland) Bill Committee Minutes 7th Meeting, 2012 (Session 4) Thursday 13 December 2012*  
[http://www.scottish.parliament.uk/S4\\_ReferendumScotlandBillCommittee/Minutes\\_20121213.pdf](http://www.scottish.parliament.uk/S4_ReferendumScotlandBillCommittee/Minutes_20121213.pdf)

Scottish Parliament Referendum (Scotland) Bill Committee (2013a) *Referendum (Scotland) Bill Committee Minutes 1st Meeting, 2013 (Session 4) Thursday 17 January 2013*  
[http://www.scottish.parliament.uk/S4\\_ReferendumScotlandBillCommittee/Minute\\_17\\_January\\_2013.pdf](http://www.scottish.parliament.uk/S4_ReferendumScotlandBillCommittee/Minute_17_January_2013.pdf)

Scottish Parliament Referendum (Scotland) Bill Committee (2013b) Official Report 3rd Meeting 2013, Session 4 Thursday 7 February 2013  
<http://www.scottish.parliament.uk/parliamentarybusiness/28862.aspx?r=7889&mode=pdf>

Scottish Parliament Referendum (Scotland) Bill Committee (2013d) Official Report 4th Meeting 2013, Session 4 Thursday 21 February 2013  
<http://www.scottish.parliament.uk/parliamentarybusiness/28862.aspx?r=7763&mode=pdf>

Scottish Parliament Referendum (Scotland) Bill Committee (2013d) Call for evidence on the Scottish Independence Referendum (Franchise) Bill  
[http://www.scottish.parliament.uk/S4\\_ReferendumScotlandBillCommittee/Franchise\\_Call\\_for\\_Evidence\\_12\\_March\\_2013.pdf](http://www.scottish.parliament.uk/S4_ReferendumScotlandBillCommittee/Franchise_Call_for_Evidence_12_March_2013.pdf)

Scottish Parliament Referendum (Scotland) Bill Committee (2013e) *Scottish Independence Referendum (Franchise) Bill – Financial Memorandum* Referendum (Scotland) Bill Committee Agenda Paper 8th Meeting, 2013 (Session 4) Thursday 28 March 2013. REF/S4/13/8/1  
[http://www.scottish.parliament.uk/S4\\_ReferendumScotlandBillCommittee/Agenda\\_and\\_papers\\_28\\_March.pdf](http://www.scottish.parliament.uk/S4_ReferendumScotlandBillCommittee/Agenda_and_papers_28_March.pdf)

Scottish Parliament Subordinate Legislation Committee (2013) *Subordinate Legislation Committee 19th Report, 2013 (Session 4) Scottish Independence Referendum (Franchise) Bill*  
[http://www.scottish.parliament.uk/S4\\_SubordinateLegislationCommittee/Reports/sur-13-19w.pdf](http://www.scottish.parliament.uk/S4_SubordinateLegislationCommittee/Reports/sur-13-19w.pdf)

The Service Voters' Registration Period Order 2010 SI 2010/882  
<http://www.legislation.gov.uk/ukxi/2010/882/contents/made>

Sturgeon, N. (2012a) Proposed Government Bills. Letter from Nicola Sturgeon, Deputy First Minister and Cabinet Secretary for Infrastructure, Investment and Cities to Bruce Crawford,

Convener, Referendum (Scotland) Bill Committee 14 December 2012

[http://www.scottish.parliament.uk/S4\\_ReferendumScotlandBillCommittee/20121214\\_Reply\\_from\\_DFM\\_Bill\\_Timetable.pdf](http://www.scottish.parliament.uk/S4_ReferendumScotlandBillCommittee/20121214_Reply_from_DFM_Bill_Timetable.pdf)

Sturgeon, N. (2012b) Proposed Government Bills. Letter from Nicola Sturgeon, Deputy First Minister and Cabinet Secretary for Infrastructure, Investment and Cities to Bruce Crawford, Convener, Referendum (Scotland) Bill Committee 14 December 2012 Annex A Background

[http://www.scottish.parliament.uk/S4\\_ReferendumScotlandBillCommittee/20121214\\_Reply\\_from\\_DFM\\_Annex\\_A\\_background.pdf](http://www.scottish.parliament.uk/S4_ReferendumScotlandBillCommittee/20121214_Reply_from_DFM_Annex_A_background.pdf)

Sturgeon, N. (2012c) Proposed Government Bills. Letter from Nicola Sturgeon, Deputy First Minister and Cabinet Secretary for Infrastructure, Investment and Cities to Bruce Crawford, Convener, Referendum (Scotland) Bill Committee 14 December 2012 Annex B Draft referendum franchise bill

[http://www.scottish.parliament.uk/S4\\_ReferendumScotlandBillCommittee/20121214\\_Reply\\_from\\_DFM\\_Bill\\_Annex\\_B\\_Draft\\_Franchise\\_Bill.pdf](http://www.scottish.parliament.uk/S4_ReferendumScotlandBillCommittee/20121214_Reply_from_DFM_Bill_Annex_B_Draft_Franchise_Bill.pdf)

Tierney, S. (2013) *Possible vires issue in relation to section 3 of the Scottish Independence Referendum (Franchise) Bill* Referendum (Scotland) Bill Committee Agenda Paper 7th Meeting, 2013 (Session 4) Thursday 21 March 2013 REF/S4/13/7/3

Votes at 16 <http://www.votesat16.org/>

Votes at 16: *The European Reality* <http://www.voteat16.eu/get-informed/european-reality>

White, I. (2011) *Armed Forces voting*. House of Commons Standard Note SN/PC/4276 [www.parliament.uk/briefing-papers/SN04276.pdf](http://www.parliament.uk/briefing-papers/SN04276.pdf)

Your Britain: Agenda 2015: Policy commissions: Better Politics Policy Commission: Young people and politics: *Making a fresh start* <http://www.yourbritain.org.uk/agenda-2015/policy-commissions/better-politics-policy-commission/young-people-and-politics-making-fresh-start>

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