

Scottish Elections (Reduction of Voting Age) Bill

Stage 2 Debate Briefing

11 June 2015

The Electoral Commission is an independent body established in 2000. We regulate party and election finance and set standards for well-run elections and referendums. We work to support a healthy democracy, where elections and referendums are based on our principles of trust, participation and no undue influence.

For council elections in Scotland we undertake a number of roles relating to the administration of the elections for which we report directly to the Scottish Parliament. We also undertook and continue to undertake a number of roles relating to the Scottish Independence Referendum for which we report directly to the Scottish Parliament.

The Bill

This briefing provides our views on amendments to the Scottish Elections (Reduction of Voting Age) Bill, which are due to be debated at Stage 2 on Thursday 11 June. We have not commented on all amendments tabled in relation to this Bill, and the absence of comment does not imply that we support them.

The Electoral Commission has provided guidance and technical advice to Scottish Government officials during the drafting of the legislation drawing on our experience of electoral matters, specifically electoral registration and party and election finance regulation. We also provided the Devolution (Further Powers) Committee with oral and written evidence on the bill at Stage 1.

Amendment 12 – Duty on Electoral Registration Officers to supply a young person with their registration information on request, for the purpose of proving they are a permissible donor

The Commission has previously highlighted, in our evidence to the Devolution (Further Powers) Committee and our Stage 1 briefing on the Bill, the importance

of understanding the implications of how the wider Political Parties, Elections and Referendums Act 2000 (PPERA) regulatory framework for donations and loans to political parties and other regulated campaigners would apply to 14-17 year olds when the franchise for Scottish Parliament and local government elections is extended. In particular, we identified the need for a mechanism to enable regulated organisations and individuals to check the permissibility of donations or loans received from attainers aged under 16.

Among the options identified by both the Commission and the Devolution (Further Powers) Committee to provide such a mechanism was a proposal that a young person could seek written confirmation from the relevant electoral registration officer that they were registered. The Scottish Government indicated during the Stage 1 debate on the Bill that it would consider detailed amendments to the Bill to provide for that mechanism.

Amendment 12 would place a duty on Electoral Registration Officers to supply a young person with their registration information on request, for the purpose of proving they are a permissible donor. We are content that the amendment would allow a young person under 16 (who is registered as an attainer, but whose personal data does not yet appear on the full register due to their age) to donate to political parties, other registered third party campaigners and candidates.

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