

The Electoral Commission

Media Handbook

Scottish Independence Referendum

Thursday 18 September 2014

March 2014

Media contacts and resources

Electoral Commission press office

Edinburgh:
Sarah Mackie – Senior Officer
0131 225 0204
smackie@electoralcommission.org.uk

London:
Karim Aziz / Rosie Davenport – Senior Media Relations Officers
020 7271 0704
press@electoralcommission.org.uk

Out of office hours: 07789 920 414
Follow us on Twitter at www.twitter.com/ElectoralCommUK

Chief Counting Officer Press Office

A dedicated website with press releases, information about the accreditation process at the referendum and details of how the count will work can be found here:

<http://scotlandreferendum.info/media-centre/>

Media queries for the Chief Counting Officer should be directed to:

Angela Hughes
Tel: 0141 548 8028 / 0131 220 8787
E-mail: AHughes@golleyslater.co.uk

Websites

www.electoralcommission.org.uk

The Commission's website has a dedicated section for journalists featuring the Electoral Commission's news and views – including our press releases and statements. Our website has a dedicated section for the referendum and also has a 'Guidance' area containing information for campaigners at the referendum.

www.aboutmyvote.co.uk

This website provides information for the public on how to register and vote and forms they can print off to register and apply to vote by post or proxy. It includes a postcode search facility allowing people to find contact details for their local electoral registration office and an interactive 'polling station walkthrough'

Contents

1	Who's who at the referendum and their responsibilities	Page 3
2	Referendum timetable	Page 5

SECTION A – Campaigning at the referendum

3	Who can be a campaigner at the referendum?	Page 6
4	Campaign spending limits	Page 9
5	Donations during the referendum	Page 12
6	The referendum campaign	Page 14
7	Voting fraud	Page 16

SECTION B – The voter

8	Registering to vote	Page 19
9	The voting process	Page 24
10	The count	Page 26

1 Who's who at the referendum and their responsibilities?

The [Scottish Independence Referendum Act 2013](#), which received Royal Assent on 17 December 2013, provides for a referendum on independence for Scotland to take place on Thursday 18 September 2014.

The referendum question is “Should Scotland be an independent country?”

To see the Electoral Commission's briefings on key aspects of the Scottish Independence Referendum Bill as it made its way through the Scottish Parliament click [here](#)

The Act sets out roles and responsibilities at the referendum:

1.1 Chief Counting Officer

The Convener of the Electoral Management Board, Mary Pitcaithly, will be the Chief Counting Officer for the referendum.

At the referendum, the Chief Counting Officer is responsible for:

- The conduct of the poll;
- Appointing a Counting Officer (CO) for each local government area;
- Providing guidance and direction to COs and Electoral Registration Officers; and
- The overall counting of the votes and declaration of the result.

1.2 Counting Officers

Counting Officers are responsible for the voting process in their area. Their duties include issuing ballot papers, appointing presiding officers to run polling stations and verifying and counting the votes cast. There will be 32 COs for the referendum, one for each local government area in Scotland.

1.3 Electoral Registration Officers

Electoral Registration Officers are responsible for the preparation and maintenance of the electoral registers and list of absent voters within their area. They must ensure that the electoral registers are as complete and accurate as possible.

1.4 The Electoral Commission

The Electoral Commission is an independent body set up by the UK Parliament. For matters relating to the Scottish Independence Referendum, we report directly to the Scottish Parliament.

At the referendum, we are responsible for:

- Advising on the referendum question and the campaign spending limits.

- Registering campaigners who want to spend more than £10,000 campaigning at the referendum.
- Designating lead campaign organisations.
- Regulating campaign spending and donations.
- Guidance for campaigners on the spending and donation rules.
- Accrediting observers.
- Promoting public awareness of the referendum and how to take part in it; and
- Reporting on the referendum.

2 Referendum timetable

Event	Date
Campaigners can now register as a permitted participant with the Electoral Commission	From Tuesday 17 December 2013
Applications to the Electoral Commission to be a designated lead campaigner opens	Thursday 20 March 2014
Deadline for applications to the Electoral Commission to be a designated lead campaigner	Wednesday 16 April 2014
Deadline for Electoral Commission to announce its decision on designating lead campaigners	No later than Friday 2 May 2014
Referendum period for campaigners begins	Friday 30 May 2014
Deadline for first pre-poll donation and loan report to the Electoral Commission	Thursday 3 July. Electoral Commission to publish information on Tuesday 8 July
Deadline for second pre-poll donation and loan report to the Electoral Commission	Thursday 31 July. Electoral Commission to publish information on Tuesday 5 August
Deadline for third pre-poll donation and loan report to the Electoral Commission	Thursday 28 August. Electoral Commission to publish information on Tuesday 2 September
Deadline for fourth pre-poll donation and loan report to the Electoral Commission	Friday 12 September. Electoral Commission to publish information on Monday 15 September
Deadline to register to vote	Midnight, Tuesday 2 September
Deadline for applying for a postal vote	5pm, Wednesday 3 September
Deadline for applying for a proxy vote (except for emergency proxies)	5pm, Wednesday 3 September
Polling day	7am to 10pm, Thursday 18 September
Deadline for issuing replacement postal ballot papers	5pm, Thursday 18 September
Deadline for applying for an emergency proxy vote	5pm, Thursday 18 September
Referendum count	Overnight after close of poll. Result expected to be announced on Friday 19 September
Deadline for registered campaigners that have spent £250,000 or under to submit campaign spending returns	Thursday 18 December 2014
Deadline for registered campaigners that have spent over £250,000 to submit campaign spending returns	Wednesday 18 March 2015

SECTION A – Campaigning at the referendum

3 Who can be a campaigner at the referendum?

Anyone can spend up to £10,000 on campaigning during the referendum period. The referendum period is when the rules on donations and spending apply and runs from Friday 30 May up to and including polling day, Thursday 18 September 2014.

Anyone intending on spending more than £10,000 must register with the Electoral Commission to become a 'registered campaigner'.

3.1 Who can register as a campaigner at the referendum?

The following individuals or organisations can register as a campaigner at the referendum:

- An individual who is resident in the UK or registered on a UK electoral register or the register of young voters.
- A UK-registered political party.
- A UK-registered company which is incorporated in the EU and carries on business in the UK.
- A UK-registered trade union.
- A UK-registered building society.
- A UK-registered limited liability partnership which carries out business in the UK.
- A UK-registered friendly, industrial provident or building society.
- A UK-based unincorporated association that carries on the majority of its business or other activities in the UK.

Registered campaigners must tell the Commission which outcome they are campaigning for. Organisations must also appoint a 'responsible person' who is legally responsible for ensuring that the campaign complies with the rules for spending, donations and loans. Where parties (other than minor parties) register as campaigners at the referendum, their registered treasurer will be their 'responsible person'.

The Commission's registers can be searched online at:

<https://pefonline.electoralcommission.org.uk/search/searchintro.aspx>

3.2 What benefits does an individual or group receive if they register with the Electoral Commission?

Registering as a campaigner with the Electoral Commission means the campaigner will have:

- A spending limit above £10,000.

- Access to the local government electoral register in Scotland for the purposes of campaigning.
- The right for representatives to attend postal vote opening sessions, polling stations and the counting of the votes.

3.3 What are designated lead campaigners?

Registered campaigners can apply to the Electoral Commission to become the lead campaigner representing either side of the debate. They then act as the lead campaign group on behalf of those campaigning for that outcome.

The Scottish Independence Referendum Act 2013 allows the Electoral Commission to designate lead campaign groups on both sides of the debate or for one side only.

3.4 What are the benefits of being designated a lead campaigner?

The benefits of being a lead campaigner are:

- A higher spending limit of £1.5 million.
- One free mailshot to electors.
- Referendum campaign broadcasts.
- Free use of certain public rooms.

3.5 What does a group need to do in order to become a designated lead campaigner?

In order to become a designated lead campaigner, registered campaigners need to submit an application to the Electoral Commission that explains:

- Details of organisations that support their application.
- How they will ensure their campaign reaches voters across Scotland.
- Their financial strategy.
- How they plan to represent other campaigners seeking the same outcome.

3.6 Does the Commission have to designate lead campaigners?

No. The Electoral Commission cannot designate lead campaign groups if:

- There are no applicants for an outcome.
- The Commission considers that no applicants adequately represent those campaigning for an outcome.

If the Commission is satisfied that at least one applicant can adequately represent one side of the outcome then they must designate for that outcome.

3.7 What criteria will the Commission use to assess applications to become a designated lead campaigner?

To appoint a lead campaigner the Commission must be satisfied that they adequately represent those campaigning for that outcome. To inform this assessment the Commission will consider:

- How the applicant's objectives fit with the referendum outcome it supports.
- The level and type of support for the application.
- How the applicant intends to engage with other campaigners.
- The applicant's capacity to deliver their campaign to voters.
- The applicant's organisational capacity to represent those campaigning for the outcome.

3.8 When will the Electoral Commission announce who the lead campaigners are?

The application process opens on 20 March 2014 and the deadline for applications to the Electoral Commission to be a designated lead campaigner is 16 April 2014. The Commission will make its decision by 2 May 2014.

The Electoral Commission will publish all applications and the reasons for its decision in the interests of transparency. An operational note will be sent to all journalists to say when the Electoral Commission will be announcing its decision.

For more information on how the Electoral Commission designates lead campaigners click here

4 Campaign spending limits

4.1 How much can campaigners spend at the referendum?

The campaign spending limits for the Scottish Independence Referendum were based on Electoral Commission recommendations. They were accepted by the Scottish Government, incorporated into the Scottish Independence Referendum Act and passed by the Scottish Parliament.

The Electoral Commission's advice was based on its established principles for well-run referendums, taking into account the specific circumstances of this referendum, including the Edinburgh Agreement. The Commission also invited views from campaigners and political parties on what the limits should be. To see the full report that was presented to the Scottish Government, click [here](#)

Spending limits:

Designated lead campaigners: £1,500,000

Political parties represented in the Scottish Parliament:

Scottish National Party: £1,344,000

Scottish Labour Party £831,000

Scottish Conservative & Unionist Party £399,000

Scottish Liberal Democrats £204,000

Scottish Green Party £150,000

Other registered campaigners £150,000

Threshold for registration with the Electoral Commission £10,000

The limits apply to any reportable spending during the referendum period which runs from Friday 30 May until the close of poll on Thursday 18 September 2014.

The limits also apply to spending that took place before the regulated period on campaign materials (such as leaflets) which are then used during the period.

4.2 What activities count towards the spending limit?

Referendum campaign spending is defined as items, facilities and services that are used to promote a particular outcome in the referendum.

These activities include:

- Campaign broadcast production costs (for designated lead campaigners only)
- Advertising of any kind. For example, posters, newspaper adverts, websites or YouTube videos.
- Unsolicited material sent to voters. For example, letters or leaflets.
- Market research or other methods of finding out how people intend to vote.
- Press conferences.
- Rallies and events including the costs of any goods, services or facilities provided.
- Transport costs.

4.3 Are there any activities that don't count towards the spending limit?

Yes. Activities that do not count include:

- Volunteer time.
- Permanent, fixed term or temporary staff costs where the staff member has a direct employment contract with the campaigner.
- Expenses met out of public funds. For example, security costs for VIP visits.

4.4 Who do campaigners report their regulated spending to and when?

Registered campaigners that spend more than £10,000 in the referendum period must report their campaign spending to the Electoral Commission as well as donations and loans over £7,500.

The deadline for registered campaigners that have spent £250,000 or under to submit campaign spending returns is **18 December 2014**.

The deadline for registered campaigners that have spent over £250,000 to submit campaign spending returns is **18 March 2015**.

Registered campaigners that spend £10,000 or less during the referendum period have to submit a declaration to the Electoral Commission to confirm that their total spending was £10,000 or less. They do not need to complete a return.

4.5 What happens if a campaigner exceeds their spending limit?

Exceeding a spending limit is a criminal offence. The Electoral Commission has been given powers by the Scottish Parliament to investigate and impose civil sanctions for this and other referendum offences.

The Crown Office in Scotland also retains the right to investigate and prosecute offences through the criminal courts.

The Commission and the Crown Office have a Memorandum of Understanding and will liaise closely where potential offences come to light.

4.6 What action can the Electoral Commission take if a campaigner's activities could exceed the spending limit?

Where the Electoral Commission has reasonable grounds to believe that a campaigner is about to exceed a spending limit, it has the power to order that campaigner to stop activity until it can satisfy the Commission that it is not going to exceed the limit.

This power can only be used where exceeding the spending limit would have a significant impact on public confidence in the regulation of the referendum.

The Electoral Commission has provided a range of guidance to help ensure campaigners follow the rules and will proactively work with them to ensure they understand the rules.

For more information on the Electoral Commission's enforcement powers, including its procedures for handling allegations which need to be made in writing, visit <http://www.electoralcommission.org.uk/our-work/roles-and-responsibilities/our-role-as-regulator-of-political-party-finances/making-an-allegation>

5 Donations during the referendum

5.1 Is there a limit on donations that a campaigner can accept in the Scottish Independence Referendum?

No. However, registered campaigners can only accept donations worth more than £500 towards their campaign spending from a permissible source (see 5.2).

5.2 Who can make donations to campaigners?

A Permissible donor is:

- An individual on a UK electoral register.
- A GB registered political party.
- A UK registered company which is incorporated within the EU and carries on business in the UK.
- A UK registered trade union.
- A UK registered building society.
- A UK registered limited liability partnership.
- A UK registered friendly/building society.
- A UK based unincorporated association.

Donations that are not from a permissible source must be returned within 30 days. After that, the donation may be forfeited.

Anyone can make a donation worth less than £500 to campaigners.

Parties campaigning at the referendum continue to report donations to the Electoral Commission on a quarterly basis (see 5.5).

For an overview of the rules and more detail on what counts as a donation and accepting donations, see Electoral Commission guidance for campaigners [here](#)

5.3 Do campaigners need to report their donations and loans?

During the referendum period registered campaigners must report all donations and loans over £7,500 to the Electoral Commission.

This 'pre-poll reporting' requirement was based on an Electoral Commission recommendation and the Scottish independence referendum is the first referendum in the UK at which voters will have transparency about how campaign groups are financed before they go to vote.

Registered campaigners must also report all donations or loans above £7,500 that they have accepted in their campaign spending return after the referendum.

5.4 What are the pre-poll reporting dates?

Registered campaigners must complete four pre-poll donation and loan reports setting out what donations and loans they have received over £7,500 between Royal Assent (17 December 2013) and 5 September 2014.

Reporting period	Deadline for pre-poll reports	Date Electoral Commission will publish donations
17 December 2013 – 26 June 2014	Thursday 3 July	Tuesday 8 July
27 June – 24 July	Thursday 31 July	Tuesday 5 August
25 July – 21 August	Thursday 28 August	Tuesday 2 September
22 August – 5 September	Friday 12 September	Monday 15 September

After the referendum has taken place, registered campaigners will have to report all donations and loans over £7,500 that they accepted, as well as their campaign spending during the referendum period (30 May 2014 up to and including polling day, 18 September 2014).

5.5 What are the reporting requirements for political parties?

Campaigners that are also registered political parties do not report donations or loans during the referendum regulated period. This is because they already submit quarterly donations and loans returns to the Electoral Commission one month after the end of a quarter.

The Electoral Commission will publish the January – March 2014 quarterly donations in May; April – June quarterly donations in August; and July – September quarterly donations in November.

Donations to political parties can be viewed on the Electoral Commission's website at https://pefonline.electoralcommission.org.uk/search/searchintro.aspx

6 The referendum campaign

6.1 What can campaigners say about one another during the referendum?

Campaign material is subject to general restrictions of criminal and civil liability law. For example, such material should not contain statements or comments that are defamatory; rules on copyright should be taken into account; and, under the Public Order Act 1986, it is an offence to publish or distribute threatening, abusive or insulting material which is intended to stir up racial hatred.

The Electoral Commission produces guidance for campaigners that reminds them of their wider legal duties when conducting their campaign:

http://www.electoralcommission.org.uk/_data/assets/pdf_file/0020/164432/to-ris-ref-dos-and-donts.pdf

6.2 Does the Electoral Commission have a role in regulating campaign material?

No. The Commission does not have any regulatory role in relation to the content of campaign material, as is the case at other elections and referendums. The police have responsibility for investigating allegations of specific referendum offences, whilst defamation issues are a matter for the civil courts.

6.3 Are there any rules regarding campaign materials?

Yes. By law, campaigners must use “imprints” on all their campaign material.

6.4 What is an “imprint”?

All printed material (i.e. posters, placards and leaflets) must include the name and address of the printer and promoter. This is so that electors can be clear about the source of campaign material.

Campaigners must include an imprint on electronic material, such as websites and emails, unless it is impracticable to do so.

For more information about what should or should not be on campaign materials, see Electoral Commission guidance for campaigners here

6.5 How many referendum broadcasts are the designated lead campaigners entitled to in the run up to the referendum vote?

The decision on how many broadcasts to allocate to the designated lead campaigners is for the broadcasters to decide.

The lead campaigners pay for and produce the content of the referendum broadcasts, which must observe the law – for example on copyright, defamation, contempt, obscenity and incitement to racial hatred or violence. They must comply

with the Ofcom Broadcasting Code or the BBC Editorial Guidelines that relate to harm and offence and fairness and privacy.

More information about how referendum broadcasts are allocated will be available from the Broadcasters' Liaison Group, the group of broadcasters that discusses the allocation of PEBs, visit www.broadcastersliaisongroup.org.uk.

6.6 Are there rules on impartiality for the media during the referendum?

News reports, features and editorials in print or online media are not subject to electoral law, and the law does not require them to be impartial.

Political impartiality in broadcast media is covered by the editorial guidelines relevant to that particular broadcaster:

- The BBC's editorial guidelines on broadcasting during the Scottish independence referendum can be found at <http://downloads.bbc.co.uk/rmhttp/guidelines/editorialguidelines/pdfs/2014ReferendumGuidelinesFinal130314.pdf>
- Commercial broadcasters are subject to the Ofcom Broadcasting Code, which can be found at <http://stakeholders.ofcom.org.uk/broadcasting/broadcast-codes/broadcast-code>

7 Voting fraud

The Scottish Independence Referendum Act 2013 and the Representation of the People Act 1983 both specify a number of criminal offences relating to voting fraud. The police are responsible for investigating any allegations that an offence may have taken place.

Police Scotland has designated a Single Point of Contact (known as a SPOC) to lead on voting-related crime who will give advice to local police officers. Anyone making an allegation should be prepared to give the police a statement and substantiate their concerns.

Anyone, including campaigners, politicians and members of the public, who has evidence of voting fraud taking place should go straight to the police.

7.1 What are the different types of voting offences?

Offences include:

Personation

This is where an individual votes as someone else (whether that person is living or dead or is a fictitious person), either by post or at a polling station, in person or as a proxy.

Undue influence / Intimidation

A person is guilty of undue influence if they directly or indirectly make use of or threaten to make use of force, violence or restraint, or inflict or threaten to inflict injury, damage, loss or harm, in order to induce or compel any voter to vote or refrain from voting or to impede or prevent the free exercise of a person's vote in the referendum.

Bribery

A person is guilty of bribery if they directly or indirectly give any money or procure any office to or for any voter, in order to induce that voter to vote or not vote.

A person is also guilty of bribery if they directly or indirectly give any money (or procure any office), or take any action in consequence of such gift (or procurement of office), in order to procure any particular outcome in the referendum.

Multiple voting and proxy voting offences

There are various offences regarding multiple voting and proxy voting, including voting (whether in person, by post or by proxy) when subject to a legal incapacity to vote and voting more than once in the referendum.

False registration information

It is an offence to supply false registration information to an Electoral Registration Officer. It is also an offence to supply false information in connection with an application for a postal or proxy vote.

7.2 Who is responsible for putting in place plans to deal with voting fraud?

The primary responsibility for ensuring that robust plans to prevent and detect fraud are in place lies with the Chief Counting Officer, Counting Officers and Electoral Registration Officers. They must work closely with their local Police Scotland contacts.

7.3 How will Counting Officers make sure a postal vote has been cast by the correct person?

Postal voters have to provide their signature and date of birth when applying for a vote, and also when casting their postal vote. Both records are checked. If they don't match, the ballot paper is rejected. This system has been in place since 2008.

7.4 Are campaigners allowed to handle people's postal votes?

The Electoral Commission has developed a [Code of Conduct for campaigners](#) at elections and referendums which has been agreed by political parties represented on the Scottish Parliament Political Parties Panel. The code states that campaigners should not:

- Touch or handle anyone else's ballot paper.
- Observe someone completing their ballot paper.
- Solicit the collection of any ballot paper.

The Code advises that where practical, the voter should be encouraged to post or deliver completed ballot papers themselves. While campaigners may be approached for help by a voter who is unable to post their ballot paper or make arrangements for it to be returned in time, other options for delivering the postal ballot pack – including relatives or neighbours, for example – should be explored before a campaigner agrees to deliver a postal ballot pack which they should immediately post, take directly to the Counting Officer or their staff, or take to a polling station.

All campaigners that register with the Electoral Commission are sent a copy of the Code of Conduct for campaigners.

7.5 What happens if a campaigner breaches the code of conduct?

The Electoral Commission will ask political parties or campaigners to investigate any reported breaches and take action to ensure that any problems are not repeated. This includes potentially taking disciplinary action against party members or campaign staff.

7.6 Will the introduction of individual electoral registration affect Scottish electors in the run-up to the referendum?

No. The move to Individual Electoral Registration (IER), which the Electoral Commission has been calling for since 2003, is due to start after the referendum in Scotland (it will begin in England and Wales in June).

You can find out more about the introduction of IER on our website [here](#)

SECTION B – The voter

The rules on who can vote at the referendum are set out in the Scottish Independence Referendum (Franchise) Act 2013 which was passed by the Scottish Parliament. The Act provides for the franchise to mirror that in place for Scottish Parliament and local government elections in Scotland with the addition of 16 and 17 year olds.

Further information on the contents and passage of the Franchise Act is available on the Scottish Parliament's website at:

<http://www.scottish.parliament.uk/parliamentarybusiness/Bills/60464.aspx>

8 Registering to vote

8.1 Who can register to vote in the Scottish Independence Referendum?

A person can register to vote in the referendum if they are resident in Scotland and will be aged 16 or over on the date of the referendum poll. They must also be:

- A British citizen.
- A qualifying Commonwealth citizen*.
- A citizen of another European Union member state.

British citizens living outside of Scotland, including those living in other parts of the UK, cannot vote at this referendum.

*Qualifying Commonwealth citizens are those who have leave (permission) to enter or remain in the UK, do not need to have such leave or are treated as having such leave.

A full list of EU and Commonwealth countries can be found here
--

8.2 What is the deadline to register to vote?

Voters in Scotland must register by **midnight on Tuesday 2 September** in order to be able to vote on Thursday 18 September 2014.

8.3 What is the deadline for applying for postal and proxy voting?

The deadline for applying for a postal vote at the referendum is **5pm, Wednesday 3 September 2014**.

The deadline for applying for a proxy vote, except in the case of emergency, is **5pm, Wednesday 3 September 2014**.

The deadline for applying for an emergency proxy vote is **5pm, Thursday 18 September 2014**.

8.4 How does someone register to vote?

Anyone wishing to register to vote should contact their local electoral registration office, or go to www.aboutmyvote.co.uk

8.5 Can someone be registered at an address in Scotland even if they do not live there all time?

A person is resident at an address for the purposes of registration if that is their permanent home address. However, this does not mean that the person needs to be physically present at that address all the time - temporary absence does not necessarily mean that they are not resident.

For example, if a person is away from their permanent home as a result of the type of job they hold or because they are required to perform a duty away from their home address, they may still be deemed to be resident there – provided the property remains their permanent home.

The courts have held that for a person to establish residency at an address in Scotland the person must have their substantive home at that address. If, because of their particular circumstances, a person has any doubts about whether or not they are 'resident' and therefore entitled to register, they should contact their local Electoral Registration Officer for further advice.

It is an offence to supply false registration information to an Electoral Registration Officer.

8.6 Can someone be registered at two different addresses?

This depends on an individual's particular circumstances but it may be possible to be registered at more than one address, as long as the person is resident at each address. It is for the local Electoral Registration Officer to make that decision.

For example, a full-time student may be able to register at both their term-time address and their home address. **It would be an offence for any person to vote twice at the referendum.**

8.7 Can members of the armed services register to vote at the referendum?

Members of the Armed Forces, or their spouse or civil partner who are a British, Irish, qualifying Commonwealth or EU citizen can register to vote in Scotland either as an ordinary voter or a service voter. The way they choose to register to vote will depend on their personal circumstances. In order to register as an ordinary voter the service person would need to be resident at an address in Scotland.

Those who choose to make a service declaration and register as service voters are able to register for up to five years at a fixed address in Scotland even if they are based outside of Scotland or think that they may be posted outside of Scotland in the next year.

A person may only register in Scotland as a service voter if:

- They are resident at an address in Scotland.
- Would have been resident at an address in Scotland if they or their spouse or civil partner were not posted abroad.
- They are a young person who will be 16 or 17 on the day of the referendum and they are living with their parent or guardian who is (or is entitled to be) a service voter. This registration is only valid for the referendum.

In some cases, a service person may be able to establish residency at more than one address in the United Kingdom. This situation could arise, for example, if they are stationed and residing in barracks in England, Wales or Northern Ireland but have their permanent family home in Scotland. In these circumstances they could choose to give their address in Scotland on their declaration. However, this choice arises only if someone can establish residency at a second address.

8.8 What is being done to ensure that members of the armed services, based in the UK or overseas, who could take part in the Scottish Independence Referendum know how to register to vote?

Every year the Ministry of Defence, with the support of the Electoral Commission, run a campaign to encourage service personnel to register to vote or to update their registration details.

This year's campaign ran in February and March 2014 and included advertising in forces media and a Service Registration Day, run by Unit Registration Officers (UROs).

The Electoral Commission continues to support the MOD activity through the provision of information materials including Service Voter packs which contain registration and absent voting application forms along with information on how to register and vote. The Service Voter packs, which are available to download at www.aboutmyvote.co.uk, include specific guidance on how to register and vote in the Scottish referendum. In addition the MOD will utilise internal forces communications to reiterate the guidance on eligibility for the Scottish independence referendum.

The Electoral Commission will work with the MOD to deliver a second phase of activity in the summer of 2014 to reinforce awareness of the referendum and how to participate in it by utilising the forces media and internal forces communications channels to disseminate guidance for personnel on how to identify whether they are eligible and how to register and vote.

8.9 What is being done to make sure 16 and 17 year olds know how to register to vote at the referendum?

To ensure the electoral registers are as complete and accurate as possible, Electoral Registration Officers (EROs) must carry out an annual canvass of all households to obtain and record the details of any residents aged 16 years and over.

The current canvass commenced from 1 October 2013 and along with the usual household registration form, EROs were required to issue a 'young voter registration form' to every household to collect and confirm details of all 15 year olds who will reach their 16th birthday on or before 18 September 2014.

Effective public awareness activity to drive response to the canvass will help ensure that the registers are as complete and accurate as possible ahead of the referendum.

Registering young people is the responsibility of EROs. During the canvass EROs have been leading local public engagement activity to encourage people to take the necessary action to ensure they are registered. The Electoral Commission has issued EROs with guidance on how to do this, as well as providing public awareness resources to assist them in this role.

The Electoral Commission launched an advertising campaign targeted at 16 and 17 year olds to coincide with the commencement of the canvass by EROs. The campaign included both radio and Facebook advertising, which carried the message that 16 year olds would be able to vote at the referendum, but only if they registered first.

The Commission worked with the Association of Directors in Education Scotland (ADES), Education Scotland, the Electoral Management Board for Scotland and School Leaders Scotland to issue a [joint briefing](#) on sources of information and guidance for anyone interested in supporting young people to be able to register and vote in the referendum and provided resources - including posters, website banners and frequently asked questions on how to register and vote – for use by teachers and other individuals who want to support young people to participate in the referendum.

For more information on the Electoral Commission's campaign to raise awareness amongst young people that they can register to vote at this referendum, click here

8.10 Can prisoners vote?

Remand prisoners (those who have not been convicted and sentenced) can vote. Convicted prisoners detained because of their sentence cannot. This is the same case at other elections and referendums in the UK.

8.11 How many people are registered to vote in Scotland?

On 11 September 2014, the Chief Counting Officer (CCO) at the referendum announced that there were 4,285,323 people registered to vote in Scotland.

Separately, it was announced that 109,533 people were under the age of 18. [Press releases](#) were issued on behalf of the CCO for both announcements, which can be found at: <http://scotlandreferendum.info/media-centre/>.

The Electoral Commission's aim is to make sure everyone who is eligible and wants to vote is able to do so. The registration deadline is **Tuesday 2 September 2014**. Anyone who is not registered should visit www.aboutmyvote.co.uk to download a registration form.

9 The voting process

9.1 When will polling stations be open?

All polling stations open at 7am and close at 10pm.

9.2 What happens if someone is still queuing to vote at polling station at 10pm

Any voter who arrives to vote before 10pm and is still waiting to vote at 10pm will be able to vote.

Legislation was changed by the Scottish Government to allow this to happen following a recommendation by the Electoral Commission. The first elections to benefit from this change were the 2012 Scottish local council elections.

9.3 What different ways are there for someone to vote in this referendum?

People can choose to vote in one of three ways in the Scottish Independence Referendum on Thursday 18 September: in person, by post or by proxy.

9.4 In person

- Registered voters can visit their local **polling station** between 7am and 10pm on 18 September to cast their votes. Before polling day, voters will be sent a 'poll card' which includes details of where their polling station is.
- Voters can only vote at their allocated polling station as stated on this card.
- Polling station staff will be on hand to explain the ballot paper and how to vote.
- Voters do not need to take their poll card with them to the polling station but doing so will speed up the process.

9.5 By post

If voters do not wish to - or are unable to - go to a polling station, they may apply for a postal vote.

To vote by **post**, voters will need to apply before the postal application deadline of 5pm, Wednesday 3 September.

- Postal ballot papers will be sent directly to voters before polling day.
- Voters should complete their ballot paper and return them to the Counting Officer before 10pm on 18 September.
- Votes arriving after 10pm on 18 September will not be counted.

- If voters don't leave enough time to post their vote, they can take it by hand to any polling station in their local authority area from 7am to 10pm on polling day.
- Voters must also remember to complete the postal voting statement – with their signature and date of birth - and return this with their ballot paper.

9.6 By proxy

Voters can also register for a '**proxy vote**'. This means they ask someone they trust to vote on their behalf. To do this, voters need to complete and sign a form and return it to their local electoral registration office before 5pm, Wednesday 3 September.

9.7 How do voters complete their ballot paper?

Voters will be asked the question "Should Scotland be an independent country? Yes/No".

Voters will need to mark an X in either the 'yes' box or the 'no' box.

9.8 Will there be a national advertising campaign ahead of the referendum?

Yes. The Electoral Commission will launch a public awareness campaign with two clear aims:

- 1) To ensure eligible electors know that they need to be registered in order to vote, that they know how to register and the deadline for doing so.
- 2) To ensure that people have enough information to be able to cast their vote confidently on polling day.

9.9 What activities will be part of the Electoral Commission's campaign?

Electoral Commission activities will include:

- A booklet sent to all households across Scotland.
- A multi-media advertising campaign to raise awareness of the need to register to vote. It will also alert voters to the booklet that they will receive.

9.10 What will be included in the Electoral Commission's booklet?

Our booklet will contain information about how to register and vote in the referendum.

The Commission's assessment of the referendum question found that people wanted impartial information about the referendum before they voted, so the Commission asked both governments to agree a joint position on the process that will follow the referendum if most voters voted 'Yes' or if most voters voted 'No'. If this can be agreed then the Commission will include this information in its information booklet.

10 The count

10.1 Who is responsible for the count and the announcement of the result?

The Chief Counting Officer (CCO) for the referendum has overall responsibility for the counting of the votes. Counting Officers, working under the direction of the CCO, will be responsible for the management of the count in each local authority area and for reporting local totals to the CCO.

10.2 When will the counts start?

The count will begin immediately after the close of poll – 10pm on Thursday 18 September.

The Chief Counting Officer will announce the result of the referendum which is expected on Friday 19 September.

10.3 How are the votes counted?

Detailed guidance on the count process will be published by the CCO ahead of the referendum. However, the principal stages of the count process are:

- At the close of poll, sealed ballot boxes and any postal votes handed in to polling places are collected and transported to the count venue.
- Ballot papers are verified by counting the number of ballot papers (but not the actual votes at this stage) in each ballot box and the number of unused and spoiled ballot papers. This is reconciled with the ballot paper account from the polling station to ensure all ballot papers are accounted for. A local turnout figure can now be announced.
- Count staff can now begin to sort and count the ballot papers. Some 'doubtful' ballot papers will require to be adjudicated and may be rejected if the voter's intention cannot be determined.
- Once all the ballots have been counted and adjudicated the Counting Officer will relay the local total to the Chief Counting Officer who will confirm the figures before authorising the declaration of the local total.
- The Chief Counting Officer will collate the local totals from each local count. Once all the 32 local totals have been received, confirmed and collated the Chief Counting Officer will be able to declare the referendum result.

10.4 Will the local results be announced by the Chief Counting Officer or by the local Counting Officers?

Counting Officers will report local totals to the CCO who will confirm them and authorise local announcements. Local totals will also be announced by the CCO in Edinburgh. A final declaration of the national result will be made by the CCO following receipt and verification of all 32 local totals.

10.5 How will campaigners be able to satisfy themselves that the count has been conducted properly across Scotland?

Campaigners may appoint counting agents to attend each count. Counting agents may observe the counting process on behalf of campaigners, to make sure that the count is undertaken in the correct manner. For example, counting agents can draw the attention of count staff to doubtful ballot papers or object to the rejection of ballot papers that count staff have identified as doubtful.

The law does not allow counting agents to handle ballot papers. Anyone who attends the count (or any election procedure) must respect the secrecy of the ballot.

10.6 Who can attend the local counts?

The following people are entitled by law to attend the verification and the counts:

- MPs
- MSPs
- Councillors
- MEPs
- CCO and staff
- CO and staff
- Police on duty
- Electoral Commission representatives
- Observers accredited by the Commission
- Referendum agents
- Counting agents appointed to attend
- Any other person permitted to attend by Counting Officer

10.7 Where will the final referendum result be declared?

The Chief Counting Officer intends to operate the results collation centre and announce the referendum result from the Royal Highland Centre at Ingliston near Edinburgh.

10.8 Can the referendum result be challenged after it has been announced?

The result of the referendum can be challenged by judicial review provided that any such challenge is brought within six weeks of the announcement of the result.

Further information on the CCOs intended approach to the count and the declaration of the result is available at:
http://www.electionsscotland.info/info/5/electoral_management_board/21/count_timing_for_2014_scottish_independence_referendum