

# Scottish Independence Referendum (Franchise) Act 2013

Guidance for Electoral Registration Officers

July 2013

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# 1 About this guidance

1.1 The Commission has provided this guidance for Electoral Registration Officers (EROs) in Scotland to support them in delivering their responsibilities under the Scottish Independence Referendum (Franchise) Act 2013.

1.2 This is supplementary guidance and only highlights where requirements or processes for the register of young voters differ from those for the register of local government electors. This guidance should be read in conjunction with [Managing electoral registration in Great Britain](#) and [Part 1 – Preparing for Individual Electoral Registration](#).

1.3 This guidance sets out the franchise for the independence referendum and the steps EROs will need to take to implement the changes introduced by the Franchise Act. It has been endorsed by Mary Pitcaithly, Chief Counting Officer (designate) for the referendum. We have also consulted with the Electoral Management Board for Scotland, Scottish Assessors Association and the Scottish Government in developing this guidance.

1.4 This guidance does not cover matters that are provided for in the Scottish Independence Referendum Bill (hereafter referred to as the Referendum Bill) which are set out in paragraph 1.8 below.<sup>1</sup>

## Background

1.5 The Scotland Act 1998 (Modification of Schedule 5) Order 2013<sup>2</sup> allows the Scottish Parliament to legislate for a referendum on independence for Scotland that must be held by 31 December 2014. The Scottish Government has announced that the date of the referendum will be 18 September 2014, as provided for in the Referendum Bill. The Scottish and UK Governments agreed that all those entitled to vote in Scottish Parliament and local government elections would be entitled to vote in the referendum and that the Scottish Government would be able to propose an extension to the franchise to the Scottish Parliament for its approval.<sup>3</sup>

1.6 The Scottish Independence Referendum (Franchise) Act (hereafter referred to as the Franchise Act) provides that the franchise will be extended so that those who are either 16 or 17 years of age on the day of the referendum will be entitled to vote in the referendum if they would otherwise

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<sup>1</sup> This Bill is expected to become an Act by the end of 2013.

<sup>2</sup> Made under Section 30 of the Scotland Act 1998.

<sup>3</sup> Paragraphs 9 and 10 of the Agreement between the United Kingdom Government and the Scottish Government on a referendum on independence for Scotland, 15 October 2012.

be entitled to be included in the register of local government electors. The Bill was approved by the Scottish Parliament on 27 June 2013.<sup>4</sup>

1.7 The Franchise Act requires EROs to prepare and maintain a register of young voters for their area. This register must contain the details of those who are eligible to register to vote in the referendum but not old enough to be included, either as an elector or an attainer, on the register of local government electors that will be in effect on 18 September 2014.

1.8 A second piece of primary legislation, the Referendum Bill, is currently being considered by the Scottish Parliament.<sup>5</sup> Schedule 2 of the Referendum Bill confers responsibilities on EROs in relation to a number of electoral registration activities, including:

- Applications for an absent vote, including provisions to give effect to existing absent vote applications
- Preparation of the polling list and edited polling list
- Access to, and supply of, the polling list, edited polling list, register of local government electors and absent voter lists

1.9 Any directions relating to EROs' duties in the Referendum Bill will be issued by the Chief Counting Officer for the referendum.

## Definition of terms

1.10 Throughout the guidance, the following definitions are used:

'Young person' means any person aged between 15 and 17

'Young voter' means a person who is registered in the register of young voters, or who would be entitled to be included in the register

'Young voter registration form' means the form set out in Schedule 2 to the Franchise Act that is to be sent to households during the postponed 2013 canvass to establish who should be registered as a young voter

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<sup>4</sup> The Bill is likely to receive Royal Assent and be enacted in late July or early August 2013.

<sup>5</sup> The provisions contained in the Scottish Independence Referendum Bill could be amended by the Scottish Parliament and will not be finalised until the end of 2013.

## 2 Entitlement to register to vote



This chapter should be read with [Part B of \*Managing electoral registration in Great Britain\*](#).

2.1 The Franchise Act sets out who will be entitled to vote in the referendum. A person must, on the date of the referendum,<sup>6</sup> be:

- 16 years of age or over
- Registered in either a register of local government electors in Scotland or a register of young voters
- Not subject to any legal incapacity to vote, and
- A Commonwealth citizen, a citizen of the Republic of Ireland or a citizen of a member state of the European Union.

2.2 You will need to determine which register a person is added to as outlined in '*Entitlement to be included in a particular register*' at paragraph 2.14 below: if a person meets the criteria for inclusion on the register of local government electors, whether as a person entitled to vote at a local government election or as an attainer, they must be added to it; anyone who is too young to be added to the local government register, but will be 16 or 17 on 18 September 2014, must be added to the register of young voters.

### Legal incapacity to vote

2.3 A person who is legally incapable of voting in a local government election in Scotland is also legally incapable of voting in the referendum, unless the incapacity is only due to them being 16 or 17 years of age.

### Young voters

2.4 For the purposes of this referendum only, the franchise is being extended to all those who will be 16 or 17 on 18 September 2014 and would be eligible to register to vote in a local government election held on the same day if they were 18 years of age.

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<sup>6</sup> The Scottish Government has announced that the referendum will be held on 18 September 2014, as provided for in the Referendum Bill currently before the Scottish Parliament. The Referendum Bill also provides that this date could subsequently be changed by Order to another date before 31 December 2014 if it is impossible or impracticable to hold the poll on 18 September, or if the poll cannot be conducted properly on that date.

2.5 A young person will be entitled to be registered in the register of young voters if, on the relevant date, they:

- Are not registered in the register of local government electors
- Apart from their age, would meet the requirements to be included in the register of local government electors
- Are 16 years old, or will become 16 years of age on or before 18 September 2014

2.6 Applications by rolling registration are made on the date they are signed by the applicant. Applications made by adding names to annual canvass forms or young voter registration forms are deemed to have been made on the date they are received by the ERO.

2.7 Young people who meet these criteria must be added to the register of young voters. Further guidance on this can be found in Chapter 3.

## Residence

2.8 The same residence requirements for a local government elector apply to those registering to vote as a young voter. Some young voters may be eligible to be registered at two different addresses in Scotland, most likely due to being a student with different term-time and home addresses. Further information about residence can be found in Chapter 4 of [Part B of \*Managing electoral registration in Great Britain\*](#).

## Creating the register of young voters

2.9 Before you start the canvass in October 2013, you will need to prepare your electoral registration system so that it can record the details of applications from young voters. Your system must be capable of identifying who is registered as a young voter so that it is clear to staff which electors are on which register and that the register of young voters can be isolated so it is not supplied to people who are not entitled to its contents.

2.10 For each eligible young voter, the register is to contain their:

- name
- date of birth
- qualifying address (unless they are to be included in 'Other Electors' – see paragraph 2.12 below)
- voter number.

2.11 The register is to be organised in the same way as the registers of local government and parliamentary electors, which are arranged in street order (or alphabetical order where street order is not practicable) and then organised by names within households.

2.12 Any young voters registering to vote by a declaration at a qualifying address where they are not resident should be included in 'Other electors'. Anonymous voters should also be included in 'Other electors' but the letter 'N' should appear in place of their name.

2.13 The voter's number is a unique identifier that is to be allocated by the ERO. When deciding on the format of a young voter's number you should bear in mind that the Referendum Bill (as introduced) requires the register of local government electors and the register of young voters to be merged into a single 'polling list' and arranged in such a way that it is not possible to distinguish which register an elector/voter came from.

## Entitlement to be included in a particular register

2.14 After determining that a person meets the criteria for being registered, you will need to identify which register an applicant should be added to: the register of local government electors or the register of young voters.

2.15 Anyone who is already 18 years of age can be added to the register of local government electors.

2.16 A young person can be added as an attainer to the register of local government electors if they will be 18 years of age by the end of the 12 month period beginning with the 1 December next following the date on which their application is made or deemed to be made (see paragraph 2.6). As the postponed canvass will begin before but end after 1 December 2013, a young person could go on to a different register depending on when you receive their application.

- If the application is made, or deemed to be made, before 1 December 2013, the applicant will have to become 18 on or before 30 November 2014 in order to be added to the register of local government electors as an attainer. If they will not be 18 by then but will be 16 on or before 18 September 2014, they should be added to the register of young voters.
- If the application is made, or deemed to be made, on or after 1 December 2013, the applicant should be added to the local government register as an attainer if they will become 18 on or before 30 November 2015. If they will not be 18 by then but will be 16 on or before 18 September 2014, they should be added to the register of young voters.

2.17 Eligible young voters will only be able to apply to register from 1 October 2013. Any application received before this date should be rejected and a letter sent to the applicant explaining why it was refused. The letter should also say that they can reapply on or after 1 October 2013 and that you will be sending out a form to each household on or after that date to register eligible young voters which they should complete and return to you. You will need to consider whether to prepopulate the young voter registration form or rolling

registration form using the information contained in the unsuccessful application.

## Offences

2.18 It is an offence to knowingly give false information to an ERO for the purposes of registration, including in relation to the register of young voters. The maximum penalty is six months' imprisonment and/or a fine of up to £5,000.

2.19 The existing offences relating to declarations of local connection, service declarations and declarations concerning anonymous registration also apply to declarations made in respect of the register of young voters. The maximum penalty is also a fine of up to £5,000.



You can find further information on dealing with suspicious applications to register to vote in Chapter 4 of [Part E of \*Managing electoral registration in Great Britain\*](#).

# 3 The 2013 canvass



This chapter should be read with [Part 1 – Preparing for Individual Electoral Registration](#) and [Part C of Managing electoral registration in Great Britain](#)

3.1 The 2013 canvass will provide the basis for the registers to be used at the referendum. Each residential property is to be sent two forms: an annual canvass form and a young voter registration form. The young voter registration form is prescribed by the Franchise Act.

3.2 The canvass of young voters is to take place at the same time as the postponed 2013 annual canvass, between 1 October 2013 and 10 March 2014.

3.3 You will need to ensure your canvass plan is updated to take account of the additional work that will be involved. This will include checking the capacity of printers to undertake the work, identifying the costs of printing the additional forms, budgeting for any associated postage costs, and considering what staffing arrangements will be needed to deal with the larger volume of forms that may be returned. EROs are already required to have a canvass plan in order to meet performance standard 9 – Planning for rolling registration and the annual canvass.

3.4 You will need to ensure that the relevant staff are properly trained to deal with returned forms appropriately, to respond to public enquiries with the correct information and to understand what needs to be collected during house to house enquiries.

## Public engagement

3.5 As with any annual canvass, you should consider how to proactively communicate with all electors with a view to increasing response rates during the canvass. This will include developing a public engagement strategy. EROs are already required to have a public awareness strategy in place to meet performance standard 6 – Public awareness strategy. [Part 1 – Preparing for Individual Electoral Registration](#) provides detailed guidance and information which can be applied to public engagement for the canvass and referendum as well as communications around the transition to Individual Electoral Registration.

3.6 The 2013 canvass will be the last canvass before the referendum and effective public engagement activity to maximise the response rate will reduce the pressures on your office created by a large number of people registering in the weeks ahead of the referendum.

3.7 Members of the public are more likely to respond to ‘calls to action’ which can clearly demonstrate the benefits to the individual and any potential consequences of inaction. They are also more likely to respond to calls to register when they are aware of an impending election or referendum that they wish to participate in. Given the high levels of awareness about the referendum amongst the public you should consider making clear reference to it in any messaging to the public during the canvass. For example, at the outset of the canvass you may wish to communicate that responding during the canvass is the easiest way for individuals to ensure that their registration details are up to date for the referendum. Equally, towards the end of the canvass you may wish to communicate that failure to respond may mean that individuals will lose their registration and will have to re-register if they want to vote at the referendum. The Commission will produce template press releases for your use during the canvass which will include key messages for the public.

## Engaging young people

3.8 As part of your wider public engagement strategy you will need to develop specific plans to target information at those 15–17 year olds who will be eligible to vote at the referendum. The communication challenge for reaching this audience will be greater; levels of awareness of the referendum may not be as high as exist elsewhere and even where awareness does exist, this is the first time that 16 and 17 year olds have been able to vote in a major poll. As such they will not have any previous experience of either registering to vote or the voting process itself.

3.9 The canvass forms, including the young voter registration form, will be the main tool in providing information to young people about their eligibility to vote at the referendum and ensuring that they have registered. However, in some households the forms may be dealt with before any eligible young person has the opportunity to see the form. Consequently, it will be important that young people are aware that the forms are being delivered and know what to do if they think that the form has been returned without their details being included.

## Building a profile of young people in your local authority area

3.10 You should begin by building a profile of young people in your area. This will help you to target your resources and activity effectively. In developing the profile of young people in your area you should utilise sources of data that the local authority holds for young people including the number of young people in school education by year of age and the number of young people in further education by year of age. You could also use other sources of data to identify any groups of young people who may face additional barriers to registration including the number of young people looked after by the local authority and the number of young disabled people in the area. Some local authorities also have access to demographic data which can be broken down to postcode

level. Census data on the number of people by year of age in each local authority area is currently due to be published in July 2013 at <http://www.scotlandscensus.gov.uk/en/>. You should also review your own data on the number of attainers registered at the last canvass to identify areas where return rates for attainers may be low.

3.11 The Commission, along with the Electoral Management Board for Scotland, has also been working with educational bodies including the Association of Directors in Education Scotland (ADES), Education Scotland and School Leaders Scotland to co-ordinate activity in schools. We jointly issued a briefing for teachers and other youth and education professionals on the guidance and resources available to support them to carry out learning activity on the referendum which can be found on our website at [www.electoralcommission.org.uk/\\_data/assets/pdf\\_file/0020/155720/Scottish-referendum-education-briefing-June-2013.pdf](http://www.electoralcommission.org.uk/_data/assets/pdf_file/0020/155720/Scottish-referendum-education-briefing-June-2013.pdf).

### **Developing your strategy to reach young people**

3.12 You should consider both direct and indirect routes for reaching young people with information. Direct routes are those activities for which the young people are the primary audience. Direct routes could include working face to face with young people by visiting schools or outreach work at other venues where young people congregate. It may also include using social media to target young people and providing articles for any local newsletters or magazines which are produced specifically for young people.

3.13 Indirect routes are those which target information at individuals and organisations who are already in a position to communicate information directly to young people. This may include parents, teachers and youth workers.

3.14 The benefit of using direct routes is that you are not reliant on others to carry out the communication activity so have more control over the number of young people reached and the information they receive. However, direct activity relies on having staff members who are confident in communicating directly with young people and responding to their questions. Any written communications will also need to be written in an engaging and direct style.

3.15 Indirect routes may offer the potential to reach more young people by providing factual information about registration to key individuals who are able to cascade it to larger numbers of young people. As these individuals have regular contact with young people they may be able to present the information to young people in an engaging style and make it directly relevant to their audience. However, you will have less control over the messages that are delivered and will be reliant on others actually using the information you have supplied.

### **Direct routes of communication with young people**

3.16 Your local authority may have printed or electronic publications which are targeted at young people in which you can include an article on registration. Local charities and youth groups may also have relevant youth focused communication materials. Before including an article in any

publication you should establish the publication date and the length of time it is intended to be in circulation to ensure that any information goes out at a time when young people can act on it. If the publication is intended to be in circulation for some time you should ensure that the information remains relevant by clearly specifying what action young people should take at any given time. For example, in a newsletter which is published every six months which is going out in November 2013 you should be clear about what to do during the canvass period and what action they should take after the canvass to ensure they are registered.

3.17 Young people are more likely to consume and engage with social media than other age groups. You should consider what opportunities there are to engage with young people in this way. Most local authorities will have a Twitter feed or Facebook page. While young people may only make up a small proportion of the local authority's audience on these channels, any messages may be forwarded on or 'retweeted' by recipients and have the potential to reach more young people in that way. The more you can make the messages you post interesting, amusing, engaging or urgent, the more likely they are to be noticed and passed between users.

#### **Indirect routes for communicating with young people**

3.18 To reach young people effectively you should identify a range of partners you can work with who have day to day contact with young people. This may include the education department, youth services departments and also the communications team at your local authority. You should also discuss with the Social Work Department targeting information to potentially vulnerable young people who may benefit from using a declaration of local connection or anonymous registration.

3.19 You should also consider developing partnerships with local organisations working with young people including youth clubs and charities. Developing and maintaining effective partnership working can be resource intensive so you may wish to consider prioritising those organisations with the widest reach. However, you should also consider targeting those organisations working with young people who may not be reached by other youth focused activity or where the young people they work with may face particular barriers to registration. Partnering with organisations who work with disabled young people or those not in education, employment or training may allow you to provide tailored information which addresses the specific barriers these young people may face.

3.20 While relatively small numbers of young people may read local newspapers, many parents, teachers or youth workers may do so. You should consider including information on registering young people in any press releases you issue to the local newspaper.

#### **The Commission's public awareness plans**

3.21 The main public awareness campaign targeting all eligible voters will take place from August 2014 to polling day (18 September) and is likely to include TV, radio, press, online, VOD (Video on Demand) and Out of Home

(e.g. poster) advertising. It will also include an information booklet sent to all households in Scotland.

3.22 As the communication challenge for reaching and engaging 15-17 year olds is greater, we will run public awareness specifically targeting this audience over an extended period.

3.23 We are currently developing plans to reach 15 – 17 year olds during the annual canvass, with activity anticipated to commence in October 2013. This is likely to include the use of social media and online advertising. We are also considering radio advertising on stations appropriate to the 15-17 year old audience. For advertising to be effective it would need to be focused on the period in which most EROs are commencing their canvass. We will continue to liaise with EROs to establish the anticipated start dates for canvass activity across Scotland.

### **Support from the Commission**

3.24 The Commission will provide template press releases and make resources from the campaign available for EROs to adapt and use locally. We will also update [aboutmyvote](#) to reflect the changes brought into place by the Franchise Act. We are currently talking to a number of national youth organisations about utilising their networks to target information at young people and we will update EROs on our planned activity by August 2013 at the latest.

## **Young voter registration form**

3.25 The young voter registration form that is to be used during the canvass period is a prescribed form set out in Schedule 2 to the Franchise Act. You must use this form as it is set out, without making any changes that materially affect the effect of the form or are misleading. However, you may add text to add your own details and to personalise it to each household.

3.26 You will need to consider whether to pre-populate the young voter registration form with any details you already hold to assist in eliciting an early response, but must not pre-print any dates of birth due to the nature of this information.

### **Applying on the wrong form**

3.27 The Scottish Government's user testing of the young voter registration form identified that some households may add people to the incorrect form. For example, some 17 year olds may be included on the young voter registration form or a 15 year old may be added to the annual canvass form.

3.28 If a young person has been included on the annual canvass form, you can accept the form as an application to register as a young voter so long as that person's date of birth has been given along with all the other required information. You will be able to require evidence of a person's date of birth if you have doubts over the date of birth provided.

3.29 If someone who is old enough to be registered on the local government register, whether as an elector or an attainer, is included on the young voter registration form, you will need to attempt to ascertain whether the applicant wishes to opt-out of the edited register before adding them to the full register of local government electors as this choice is not relevant to, and so not included on, the young voter registration form. In this case, you must send the form of words about the two versions of the electoral register to the person concerned and invite them to choose whether or not to opt-out. The invitation should include a section for the person to indicate their response, a statement that the information they have provided is true and a place for their signature and the date of signing. The applicant will then have 21 calendar days from the date of the letter in which to respond. If they respond, you should process the application in accordance with their wishes. If they do not, then you are to assume that they do not wish to opt out of the edited register and can be included in both the full and edited registers.

## Undertaking the canvass

### Information from other sources

3.30 The Franchise Act will enable EROs to use their existing powers to require information from any person for the purpose of maintaining the register and to inspect records of a council by which they were appointed, or any register of births, deaths and marriages for the purpose of maintaining the register of young voters. These could be used to identify who could be entitled to register to vote at a particular address and send them a pre-printed form, or identify who is responsible for a property and require information from them.

3.31 You will only be entitled to use these powers in relation to the register of young voters from the day after the Franchise Act has been given Royal Assent as that is the day on which it becomes law.

3.32 Your canvass plan should include details of what records will be checked and when or how often this will be done. This will build on the work you will already be doing to meet performance standard 1 – Using information sources.

### Canvassing dedicated facilities

3.33 There may be some residences within your area which are exclusively for young people and may be home to some eligible attainers or young voters. These could include residential care homes for young people. You should not include young offenders' institutions as part of the canvass as they are penal institutions. Paragraph 5.6 below gives guidance on undertaking rolling registration activity with young people such as those on remand in these institutions.

3.34 You should canvass residential care homes catering for young people but should be sensitive when doing so. You should liaise with the manager or

officer in charge at an early stage to explain why you need information and assistance from them, what it is you require and the legal authority you have to request it. You should also work with them to identify the most appropriate way for each resident to be registered. This could be as an ordinary young voter, by a declaration of local connection or by anonymous registration depending on individual circumstances. This will be similar to the approach already taken by EROs with other residential care establishments or similar types of property.

## Non-returns

3.35 There is no obligation for the owner or occupier of an address to return the young voter registration form if there are no eligible young people to register at that address. You do not have to take any further action to obtain a young voter registration form for a particular address if you have no reason to believe there are any eligible young voters living there.

3.36 If you have reason to believe that a young voter may be living at an address, you should take steps to obtain a completed young voter registration form. Different approaches will be required for different households and for different stages of the canvass. Your canvass plan should include the criteria for each type of follow-up work, when it will be undertaken, and progress made to solicit responses.

3.37 If neither the annual canvass form nor the young voter registration form has been returned, you must take all steps that are necessary to obtain the completed annual canvass form. You should seek to get the young voter registration form from the household at the same time. This could be by sending a reminder pack with both the annual canvass and young voter registration form, or asking the canvasser to collect both forms when undertaking house to house enquiries.

3.38 If the annual canvass form has been returned but the young voter registration form has not, and you have reason to believe that there is an eligible young voter to be registered, you should consider what steps to take to obtain a completed form. These should include:

- Sending a form more than once to the young person's address
- Making house to house enquiries
- Making contact through any other means such as telephone calls, or
- Any other method that is likely to lead to a completed form being returned

## Conclusion of the canvass

3.39 At the conclusion of the canvass, which must be by 10 March 2014, you must prepare the register of young voters based on successfully determined applications.

3.40 The register of young voters is to be prepared and held by the ERO. It is **not** to be made available for public inspection or supplied to anyone other than in accordance with the Franchise Act or the Referendum Bill as enacted.

# 4 The register of young voters

## Updating the register

4.1 You are required to take all steps that are necessary to maintain the register of young voters. This is a continuing duty and so you should take steps throughout the year to identify any eligible young voter in your area who is not registered and any registered young voter who is no longer entitled to their registration (for example, due to moving address). You will need to ensure your rolling registration plan is updated to take account of the additional work that will be involved. EROs are already required to have a rolling registration plan to meet performance standard 9 – Planning for rolling registration and the annual canvass.

4.2 Your powers to require any person to provide information and to inspect records of the council for the purpose of registration also apply to the register of young voters. You should discuss with the council(s) that appointed you what records you wish to access and when. These could include lists of school pupils or details of young people in the care of the local authority. If the council can supply details of any changes to these lists through the year, then this will enable you to send out rolling registration forms to a young voter at their new address, or begin a review of their entitlement to be registered at their old address.

4.3 You should also consider which other organisations or individuals may be able to supply information that would help to keep the registers accurate and complete. You should open a dialogue with such organisations and individuals before requiring information from them. The personal data of young people must be treated carefully, particularly where they are under 16. In making direct contact with an organisation or individual you should explain why you need information from them, what it is you need and the legal authority you have to request it.

4.4 Your rolling registration plan should cover what records will be checked in relation to young voters, the frequency of doing so and when and how action will be taken subsequent to this to send an application form, review an entry in the register, or remove an entry from the register.

## Rolling registration

4.5 Any young person who did not get registered through the canvass or who needs to update their registration details can do so using a rolling registration form.

4.6 Young voters may move address during 2014 and can apply to change their registration details in the same way as other electors. The ERO for their previous address should be notified that they are no longer entitled to be registered in the register of young voters there as they will be registered in respect of their new address.

### **Application forms**

4.7 As the register of young voters is not published, there is no edited register for applicants to choose whether or not to opt out of. You should therefore not include that option in your form for young voters. The rest of the information required for ordinary electors requires to be collected for young voters. If a young voter applies to register on a rolling registration form for older applicants, you can still accept it and determine it appropriately.

4.8 The guidance notes on the reverse of the young voter registration form should be adapted so that they can be provided with a rolling registration form for young voters. References to the annual canvass, however, should be removed and references to 15 year olds should be changed to 15 and 16 year olds.

## **Preparing notices of alteration**

4.9 The deadlines for applications and making determinations are the same as for applications to be entered on the ERO's other registers. The register of young voters should be updated each month following the conclusion of the canvass with the applications received by the monthly deadline. However, no notices of alteration of the register are to be published by the ERO.

4.10 Applications received by midnight on Tuesday 2 September 2014 are to be added to the final update to the register of young voters on Thursday 11 September 2014.

4.11 You can make an amendment to the register of young voters after Thursday 11 September 2014 if you have determined that a clerical error has been made or to give effect to a decision of a registration appeal court. These determinations must be made by 9pm on the date of the referendum.

4.12 You must send a letter to those who successfully applied to register by rolling registration confirming that they have been added to the register of young voters by a notice of alteration and the date on which that occurred. This could be done at the same time as you send out confirmation letters to electors who have been added to the local government register.

## **Reviews of registration**

4.13 EROs are entitled to conduct reviews of a person's right to be entered in the register of young voters on the same basis as for entries in the register of local government electors.

4.14 You should use the information available to you to decide to begin a review of a person's entry where it appears they no longer live at the address where they are registered, or if they are otherwise not eligible to be registered.

4.15 You can find guidance on conducting reviews in Chapter 6 of [Part D of \*Managing electoral registration in Great Britain\*](#).

## Access and supply

4.16 You or your staff may disclose the whole of the register of young voters or an entry contained in it only to certain people and for specified purposes. These are:

- To another ERO or their staff where disclosure is necessary for registration purposes, or
- To a person for the purposes of a criminal investigation or criminal proceedings relating to an offence (or alleged or suspected offence) under the Representation of the People Act 1983 and the Representation of the People (Scotland) Regulations 2001 as applied by the Franchise Act, or under the Referendum Bill as enacted.

4.17 You may disclose a person's own entry in the register to them. It may not be disclosed to anyone else who might normally act in the young person's interest, such as a parent or guardian.

4.18 As the information contained in the register of young voters is strictly controlled as set out above, it must be held securely by the ERO. These arrangements have been made in order to ensure that the data of young voters is treated sensitively and responsibly. Staff should be trained on what is and is not an acceptable use of the register of young voters as this is different from other registers.

4.19 Further provisions about who will be entitled to the information contained in the merged polling lists will be made in the Referendum Bill.

## Destruction of the register

4.20 The Franchise Act will cease to have effect on 1 January 2015. At that point, there will no longer be a register of young voters and you should ensure that all electronic data contained in the register has been deleted from your systems and any paper records have been destroyed as confidential waste.

# 5 Special category young voters



This chapter should be read with [Part F of \*Managing electoral registration in Great Britain\*](#)

## Anonymous voters

5.1 The Franchise Act enables those who will be young voters to apply to register anonymously in the same way as other electors. Their details are to be kept in a separate record of anonymous entries of young voters.

### Application forms

5.2 The same information is required for an application for anonymous registration from a young voter as for any other applicant.

5.3 The guidance notes on the reverse of the young voter registration form should be adapted so that they can be provided with an anonymous registration form for young voters. References to the annual canvass, however, should be removed and references to 15 year olds should be changed to 15 and 16 year olds.

## Declarations of local connection

5.4 In addition to the normal criteria, young voters are entitled to register by a declaration of local connection if they:

- Are, or have been, looked after by a local authority in Scotland as defined by Section 17(6) of the Children (Scotland) Act 1995, or
- Are currently being kept in secure accommodation in Scotland

5.5 Any young person registering by a declaration of local connection under any of the criteria can specify any other address in Scotland at which they have been resident as their qualifying address.

5.6 You should consider targeting any young people in your area who fall into the categories set out in paragraph 5.4 to register them by means of a declaration of local connection. You should contact the officer in charge of the facility to explain what you want to do and discuss how it would best be done before undertaking any registration activity.

5.7 Their polling station will be the one that serves their qualifying address which may be some distance from where the young person is residing. Anyone enquiring about registering in this way should be advised of the consequences and have their absent voting options explained to them.

## Application forms

5.8 The same information, with some changes, is required for a declaration of local connection from a young voter as for an ordinary elector.

5.9 You will need to adapt your existing declaration of local connection form so that the applicant states whether they are already 17 years old (instead of 18 years old) and, if not, their date of birth. You will also need to include the additional grounds for application as above.

5.10 Any reference on the form to a correspondence address for use by a Returning Officer should be changed to a correspondence address for use by a Counting Officer for the referendum.

5.11 The guidance notes on the reverse of the young voter registration form should be adapted so that they can be provided with a rolling registration form for young voters. References to the annual canvass, however, should be removed and references to 15 year olds should be changed to 15 and 16 year olds.

## Service declarations

5.12 Young voters who are serving in the armed forces or as a Crown servant, or their spouses or civil partners, will also be able to register by service declaration for the referendum.

5.13 The service declaration made by a young voter will only have effect for the purpose of the referendum.

5.14 Where you accept a service declaration, you must write to the applicant to let them know their application has been successful, or that it has been rejected and the grounds for doing so.

## Application forms

5.15 The same information, with some changes, is required for an application to register as a service voter from young voters as for an ordinary elector.

5.16 You will need to adapt your existing service voter declaration form so that the applicant states whether they are already 17 years old (instead of 18 years old) and, if not, their date of birth.

5.17 The guidance notes on the reverse of the young voter registration form should be adapted so that they can be provided with a rolling registration form for young voters. References to the annual canvass, however, should be

removed and references to 15 year olds should be changed to 15 and 16 year olds.

5.18 Young voters who are Crown servants or British Council employees and working abroad are not required to send their application to the ERO through their employer: it can be sent directly.

## Overseas electors

5.19 Overseas electors are not entitled to register to vote in local government elections and so are not included in the referendum franchise. Therefore, there are no provisions to enable young people to register as overseas electors in the register of young voters.