
Changes to legislation: There are currently no known outstanding effects for the Scottish Independence Referendum Act 2013, Paragraph 23. (See end of Document for details)

SCHEDULE 3 CONDUCT RULES

Voting by persons with disabilities

- 23 (1) If a voter applies to the presiding officer to be allowed to vote with the assistance of another person by whom the voter is accompanied (the “companion”), on the ground of—
- (a) blindness or other physical disability, or
 - (b) inability to read,
- the presiding officer must require the voter to declare (orally or in writing) whether the voter is so disabled by blindness or other disability, or by inability to read, as to be unable to vote without assistance.
- (2) The presiding officer must grant the application if the presiding officer—
- (a) is satisfied that the voter is so disabled by blindness or other disability, or by inability to read, as to be unable to vote without assistance, and
 - (b) is also satisfied, by a declaration made by the companion (a “companion declaration”) which complies with paragraph (3), that the companion—
 - (i) meets the requirements set out in paragraph (3)(c)(i) or (ii), and
 - (ii) has not previously assisted more than one voter with disabilities to vote at the referendum.
- (3) A companion declaration must—
- (a) be in the form prescribed,
 - (b) be made before the presiding officer at the time when the voter applies to vote with the assistance of the companion, and
 - (c) state that the companion—
 - (i) is a person who is entitled to vote as a voter at the referendum, or
 - (ii) is the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild of the voter with disabilities, and has attained the age of 16.
- (4) The presiding officer must sign the companion declaration and keep it.
- (5) No fee or other payment may be charged in respect of the declaration.
- (6) A person is a “voter with disabilities” for the purposes of paragraph (2)(b)(ii) if the person has made a declaration mentioned in paragraph (1).
- (7) Where an application is granted under paragraph (2), anything which is required by these rules to be done to or by the voter in connection with the giving of that voter’s vote may be done to, or by, or with the assistance of, the companion.
- (8) The name and number in the Polling List of every voter whose vote is given in accordance with this rule and the name and address of the companion is to be entered on a list (the “assisted voters list”) and, in the case of a person voting as proxy for a voter, the number to be entered is the voter’s number.
- (9) Where the voter being assisted by a companion has an anonymous entry, only the voter’s number in the Polling List is to be entered on the assisted voters list.
- (10) In the case of a person in respect of whom a notice has been issued under section 13B(3B) or (3D) or 13BB(4) of the 1983 Act, paragraph (8) applies as if for

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“in the Polling List of every voter” there were substituted “relating to every voter in respect of whom a notice has been issued under section 13B(3B) or (3D) or 13BB(4) of the 1983 Act”.

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