



Scottish Elections (Reduction of Voting Age) Bill

Bill Number: [SP Bill 66](#)
Introduced on: 2 April 2015
Introduced by: John Swinney
Passed: 18 June 2015
Royal Assent: 24 July 2015

[2015 asp 7](#)

Passage of the Bill

The [Scottish Elections \(Reduction of Voting Age\) Bill](#) (SP Bill 66) was introduced by, John Swinney, the Deputy First Minister and Cabinet Secretary for Finance, Constitution and Economy, on 2 April 2015.

The Devolution (Further Powers) Committee was designated as the lead committee for the Bill on 22 April 2014. The Committee had already issued a general call for written evidence on 3 April 2015. The Committee held oral evidence session on [30 April 2015](#) and discussed its draft Stage 1 report in private on 14 May 2015.

The Committee published its [Stage 1 report](#) on 20 May 2015.

The [Stage 1 debate](#) by the Parliament was held on 28 May 2015.

The Bill was considered at Stage 2 by the Committee on [11 June 2015](#) and the [Bill as amended at Stage 2](#) was published on 12 June 2015.

The Stage 3 debate took place, and the [Bill as amended was passed](#), on [18 June 2015](#).

Royal Assent was received on 24 July 2015.

Purpose and objectives of the Bill

The Bill's purpose was to introduce the changes to electoral procedures necessary to allow the voting age for Scottish Parliament and local elections to be reduced to 16 years old from 18 years old.

This proposed reduction followed on from the franchise used for the Scottish Independence Referendum (SIR) and the recommendation in the Smith Commission report that:

“The parties call on the UK Parliament to devolve the relevant powers in sufficient time to allow the Scottish Parliament to extend the franchise to 16 and 17 year olds for the 2016 Scottish Parliamentary elections, should the Scottish Parliament wish to do so.”

An Order, ([The Scotland Act 1998 \(Modification of Schedules 4 and 5 and Transfer of Functions to the Scottish Ministers etc. Order](#) SI 2015/692) was made under section 30 and section 63 of the 1998 Scotland Act on 19 March 2015. This enabled the Scottish Parliament to legislate to extend the franchise in time for the 2016 Scottish Parliament elections.

Provisions of the Bill

The Bill, a highly technical one, was drafted, by the Government in light of the practical experience of electoral registration officers (EROs) in Scotland when dealing with extension of the franchise for the SIR.

Provisions in the Bill dealt with registration of specific categories of young people, namely:

- those who satisfy the “safety” test to register anonymously (Section 7 of the Bill)
- looked after children (Sections 8 and 15 of the Bill)
- children in secure accommodation (Section 8 of the Bill)
- children of Service personnel, including civil servants and British Council staff (Sections 9, 10 and 11 of the Bill).

The provisions in the Bill would amend sections of the Representation of the People Acts 1983 and 2000, to account for the reduction in age of the franchise for Scottish elections.

Parliamentary consideration

The Bill had to be passed before the summer recess 2015. This timescale for the passage of the Bill would provide EROs with the necessary time to carry out the changes required to provide electoral registers, with the new age range of potential voters, in time for the 2016 Scottish Parliament election and any subsequent Scottish elections.

In order to meet this deadline Standing orders had to be suspended on two occasions.

On the [20 May 2015](#), the Parliament agreed, under Rule 9.6.3A of the Standing Orders, that the Parliament would consider the general principles of the Bill on the fourth sitting day after publication of the lead committee report.

On [3 June 2015](#), the Parliament agreed that, Rules 9.5.3A and 9.5.3B of Standing Orders would be suspended; and Rules 9.7.8B, 9.7.10 and 9.10.2A be amended to allow for the Stage 3 to take place on the first sitting day after Stage 2 had been completed.

The Bill was subject to Government amendments at Stage 2. These technical amendments, which arose from on-going discussions with election officials, aimed to improve the provisions on the protection of information relating to those aged under 16 and to amend the individual application for registration in order to deal with the new category of under 16 year olds.

The Bill was also amended at Stage 3, in response to an issue raised in the Devolution (Further Powers) Committee's Stage 1 report, the amendment sought in a proportionate and practical way, to clarify the duty on local authorities to advise and assist looked-after children in using their right to vote.