

## RIGHTS OF EU CITIZENS IN SCOTLAND

# EU Citizens and Your Right to Vote

This factsheet provides a brief summary of your right to vote as an **EU citizen** in Scotland. In this factsheet, 'EU citizens' includes citizens of the EU member states, as well as citizens of the EEA states (Norway, Iceland and Liechtenstein), and citizens of Switzerland.

This factsheet also covers the rights of your **family members**. A 'family member' is someone who is a member of your family and not an EU citizen, and whose right to live in the UK is derived in EU law from their relationship with you and your EU citizenship.<sup>1</sup>

This factsheet covers your rights now (during the **Brexit transition period**) and also after the transition period ends. The transition period is due to end on 31 December 2020, but this date may change if the transition period is extended.

EU citizens have the right to live in Scotland under EU law during the Brexit transition period. After the end of the transition period, EU law will no longer apply. EU citizens and their family members who wish to stay in Scotland after the end of the transition period must apply under the EU Settlement Scheme for either **Settled Status** (indefinite leave to remain) or **Pre-Settled Status** (limited leave to remain for 5 years), before 30 June 2021.

## Do I have the right to vote in Scotland?

### All EU citizens

You have the right to vote in local elections and in Scottish Parliamentary elections if you are:

- ▶ An EU citizen or the family member of an EU citizen who has been granted leave to remain (whether in the form of Settled Status, Pre-Settled Status or another form of status),
- ▶ age 16 or over, and
- ▶ resident in Scotland

You cannot vote in UK Parliament elections, unless you are:

- ▶ Also a citizen of the UK, Republic of Ireland, or a Commonwealth country (like Cyprus or Malta) who has been granted leave to remain,
- ▶ age 18 or over, and
- ▶ resident in the UK

## How do I register to vote?

You can register to vote at the age of 14 (for Scottish elections) and 16 (for UK Parliament elections).

You can register online at <https://www.gov.uk/register-to-vote> and will be asked to give your national insurance number (if you have one), to confirm your nationality and to give your current address in Scotland. Your application will be forwarded to your local Electoral Registration Officer who will confirm your registration or may contact you with additional questions.

<sup>1</sup> 'Family members' can include: your spouse or civil partner, your children, grandchildren and great-grandchildren under age 21, your dependent children over age 21, your dependent parents, grandparents and great-grandparents, and some unmarried partners and other dependent relatives. (where the Home Office has issued an 'extended family member' registration certificate).

## EU Citizens and Your Right to Vote continued

## Do I have the right to stand for election in Scotland?

You have the right to stand in a council election in Scotland if you are:

- ▶ an EU citizen with Settled Status or Pre-Settled Status (or a UK or Commonwealth citizen or the non-EU family member of an EU citizen who holds Indefinite Leave to Remain, Settled Status or Pre-Settled Status), and
- ▶ age 18 or over

And you are either:

- ▶ registered to vote in the local authority area you wish to stand in,
- ▶ an owner, tenant, resident or worker in the local authority area you wish to stand in,
- ▶ working in the local authority area as your main or only place of work, or
- ▶ living in the local authority area

You have the right to stand in a Scottish Parliament election if you are:

- ▶ an EU citizen with Settled Status or Pre-Settled Status (or a UK or Commonwealth citizen or the non-EU family member of an EU citizen who holds Indefinite Leave to Remain, Settled Status or Pre-Settled Status), and
- ▶ age 18 or over

EU citizens and their family members cannot stand in UK Parliament elections, unless they are:

- ▶ a citizen of the UK, Republic of Ireland, or a citizen of a Commonwealth country (like Cyprus or Malta) who has Indefinite Leave to Remain or Settled Status,
- ▶ age 18 or over, and
- ▶ living in the UK

## Do my rights change after the Brexit transition period?

### Scottish Council and Parliament Elections

The Scottish Parliament expanded the rules on voting and standing in elections on 1 April 2020. Therefore, your right to vote or stand as a candidate in council and Scottish Parliament elections is not expected to change.

### UK Parliament Elections

The UK Government has not published any plans to change the right to vote or stand for election in UK Parliament elections following the end of the Brexit transition period.

## EU Citizens and Your Right to Vote continued

## Where can I get more help or advice?

For more information about exercising your right to vote in Scotland:

- ▶ Read the **Scottish Government's** guidance:  
<https://www.mygov.scot/register-to-vote-scotland/>
- ▶ Contact the **Electoral Commission in Scotland** by telephone 0333 103 1928, through their website:  
<https://www.electoralcommission.org.uk/>  
or by email at  
[infoscotland@electoralcommission.org.uk](mailto:infoscotland@electoralcommission.org.uk)

For more information about standing as a candidate in Scottish elections:

- ▶ Visit the **Electoral Commission's** guidance for candidates:  
<https://www.electoralcommission.org.uk/i-am-a/candidate-or-agent>

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