

SCHEDULE 5

COMBINATION OF POLLS

PART I

General provisions

1. For the purposes of combining the poll at one or more of—
 - (a) a Parliamentary general election,
 - (b) a European Parliamentary general election,
 - (c) an ordinary local government election, or
 - (d) a Greater London Authority election, with the poll at a referendum, the provisions specified in column (1) of the Table below shall be modified as specified in column (2).
2. In relation to the application of provisions of the European Parliamentary Elections Rules for the purposes referred to in paragraph 1, references to the returning officer at a European Parliamentary general election shall be taken to include references to the local returning officer.

TABLE

<i>(1)</i> <i>Provision</i>	<i>(2)</i> <i>Modification</i>
<i>The 1985 Act</i>	
Section 15 (combination of polls at parliamentary, European Parliamentary and local elections)	In subsection (1), at the end of paragraph (c), insert “or (d) a referendum under the Local Authorities (Conduct of Referendums) (England) Regulations 2001 and— (i) a parliamentary election, (ii) a European Parliamentary election, or (iii) an ordinary local government election,” ⁽¹⁾ . In subsection (2), after “related areas”, insert “or the polls at elections and a referendum under the Local Authorities (Conduct of Referendums) (England) Regulations 2001 for related areas”. In subsection (4)—

(1) For the definition of “parliamentary election” see the Interpretation Act 1978 (c. 30), Schedule 1. For the definition of “European Parliamentary election” see the Representation of the People Act 1985, section 27(1). For the definition of “local government election” see the Representation of the People Act 1983, section 203(1), amended by the Greater London Authority Act 1999 (c. 29). Schedule 3, paragraph 39(1) and (4). As to ordinary elections, see the Local Government Act 1972 (c. 70), section 7(1) and (2) and Schedule 2, paragraph 6 and, as to the Greater London Authority, section 2(7) of the Greater London Authority Act 1999.

<i>(1)</i> <i>Provision</i>	<i>(2)</i> <i>Modification</i>
	<p>(a) after “elections” (in the first place where that word appears) insert “or, as the case may be, elections and a referendum”;</p> <p>(b) after “one election” insert “or the referendum”; and</p> <p>(c) after “elections” (in the second place where that word appears) insert “or, as the case may be, the elections and the referendum”.</p> <p>In subsection (5), after “any elections” insert “or at elections and a referendum under the Local Authorities (Conduct of Referendums) (England) Regulations 2001”.</p>
<i>The RPAct 2000</i> (2)	
Section 12 (changes relating to absent voting at elections in Great Britain)	In subsection (1), at the end insert “; and as regards referendums under the Local Authorities (Conduct of Referendums) (England) Regulations 2001”.
Schedule 4 (absent voting in Great Britain)	<p>In paragraph 1, in sub-paragraph (1)—</p> <p>(a) in the definition of “the appropriate rules”, at the end of paragraph (b), insert “and (c) in the case of a referendum, the LGA Referendum Rules, within the meaning of the Local Authorities (Conduct of Referendums) (England) Regulations 2001”;</p> <p>(b) after the definition of “local government election”, insert the following definition—</p> <p style="padding-left: 40px;">““referendum” means a referendum under the Local Authorities (Conduct of Referendums) (England) Regulations 2001”.</p> <p>In paragraphs 2 to 7, except in paragraphs 3(4)(a)(i), 6(7), 7(4)(a) and 7(6)(a)(i), after “local government election”, “local government elections”, “elections” and “election”, insert, as the context requires, “or a referendum,” “or referendums”, or “or the referendum”.</p> <p>In paragraphs 3(4)(a)(i) and 7(6)(a)(i), after “or both,”, insert “or referendums”.</p> <p>In paragraphs 6(7) and 7(4)(a), after “or at both,”, insert “or at referendums”.</p>

(2) 2000 c. 2.

<i>(1)</i> <i>Provision</i>	<i>(2)</i> <i>Modification</i>
<i>The 1986 Regulations</i>	
Regulation 97(4)	For “elections for related areas” substitute “elections and a referendum under the Local Authorities (Conduct of Referendums) (England) Regulations 2001 for related areas”. After “the Act of 1985”, insert “, as applied by those Regulations”. In sub-paragraph (a)— (a) insert at the beginning “the returning officer for that election or, if there is more than one election,”; and (b) after “regulation 98 below”, insert “and the functions of the counting officer in relation to the referendum”(3).
Regulation 98	For “regulation 78” substitute “regulation 65 of the Representation of the People (England and Wales) Regulations 2001”.
<i>The Elections Regulations</i>	
Paragraph (2) of regulation 3	At the end of sub-paragraph (b), insert— “, or (c) in the case of a referendum, such of those rules made under section 36 of the 1983 Act as are applied (with or without modification) by the Local Authorities (Conduct of Referendums) (England) Regulations 2001”.
Regulation 51	In paragraph (4), in sub-paragraph (b)— (a) after “for” insert “all or any of”; (b) after “elections” insert “and referendums, identifying those in respect of which it is made”; and (c) for “both”, substitute “referendums, or any combination”. In paragraph (5)— (a) after “election”, in each place, insert “or referendum”; and (b) for “elections”, substitute “polls”.
Regulation 56	In paragraphs (1) to (5), after “election”, in each place, insert “or referendum”.

(3) The definitions of “counting officer” and “referendum” will be found in regulation 2(1).

<i>(1)</i> <i>Provision</i>	<i>(2)</i> <i>Modification</i>
Regulation 65	<p>In paragraph (7)(b), after “election” insert “or referendum”.</p> <p>After “polls at elections” insert “or polls at an election and a referendum”.</p>
Regulation 68	<p>After “each election” insert “or, as the case may be, the election and the referendum”.</p> <p>After “returning officers” insert “or, as the case may be, the returning officers and the counting officer at the referendum”.</p>
Regulation 72	<p>For sub-paragraph (a) substitute “(a) the counting officer and his clerks;”.</p> <p>In sub-paragraph (b), after “candidate”, insert “or those persons who, in accordance with regulation 13(5) of the Local Authorities (Conduct of Referendums) (England) Regulations 2001, are entitled to attend at the counting of the votes.”.</p> <p>Omit sub-paragraphs (c) and (d).</p>
Regulation 74	<p>In paragraph (5)—</p> <p>(a) after “one election”, insert “or referendum, or for an election combined with a referendum”;</p> <p>(b) in sub-paragraph (a)—</p> <p>(i) after “elections”, insert “or referendums”; and</p> <p>(ii) after “election”, insert “or referendum”; and</p> <p>(c) in sub-paragraph (b), for “election”, in each place, substitute “election or referendum”.</p> <p>In paragraph (6), for “the poll at one election is taken with the poll at another election”, substitute “polls are taken together”.</p>
Regulation 77	<p>In paragraph (4), after “65 above”, insert “or under regulation 14(1), (7) or (11) of the Local Authorities (Conduct of Referendums) (England) Regulations 2001”.</p>
Regulation 80	<p>In paragraph (2), for “more than one election have been issued together under regulation 65 above”, substitute “more than one poll have been issued together”.</p> <p>In paragraph (1), after “each candidate”, insert “or those persons who, in accordance with</p>

<i>(1)</i> <i>Provision</i>	<i>(2)</i> <i>Modification</i>
	regulation 13(5) of the Local Authorities (Conduct of Referendums) (England) Regulations 2001, are entitled to attend at the counting of the votes”.
Regulation 83	In paragraph (1), after “the agents”, insert “or the counting observers for the referendum”.
Regulation 85	In paragraph (3), after “the agents”, insert “or the counting observers for the referendum”.
Regulation 91	<p>In paragraph (1)—</p> <ul style="list-style-type: none"> (a) after “returning officer”, insert “or in the case of a referendum, the counting officer,”; (b) after “local government election”, insert “or referendum”; (c) after “the date of the election”, insert “or referendum”; (d) after “electoral area”, insert “or voting area”; and (e) for “election (or elections)”, substitute “ballot (or ballots)”. <p>In paragraph (2), after “election”, in the first two places where that word appears, insert “or referendum”.</p>
Schedule 3, Form E	<p>After “REPRESENTATION OF THE PEOPLE ACTS” insert “[<i>insert name of council</i>] REFERENDUM”.</p> <p>After “Parliamentary electoral area”, insert “and referendum voting area”.</p> <p>After “electoral region].]”, insert “and/or to vote for him/her at the referendum on (<i>insert date</i>)”.</p> <p>In paragraph 2 of the note, after “election”, in each place, insert “or referendum”.</p>