

SCHEDULE 1

Regulation 79

APPLICATION OF PROVISIONS OF THE REPRESENTATION OF THE PEOPLE ACT 1983

PART 1

INTERPRETATION AND EXTENT

Interpretation of applied provisions: general

1.—(1) In any provision of the 1983 Act as applied by this Schedule—

- “Chief Counting Officer” has the meaning given by section 11(1) of the 2015 Act;
- “counting agent” is to be read in accordance with regulation 23(10);
- “counting officer” has the meaning given by paragraph 3 of Schedule 3 to the 2015 Act;
- “declaration of identity” is to be read in accordance with regulation 17(1)(c);
- “document” means a document in whatever form;
- “Gibraltar conduct law” has the meaning given by section 11(1) of the 2015 Act;
- “the Gibraltar registration officer” means the European electoral registration officer for Gibraltar (see section 14 of the European Parliament (Representation) Act 2003(1));
- “list of proxies” has the meaning given by regulation 5;
- “official mark” has the meaning given by regulation 12(1);
- “permitted participant” has the meaning given by section 11(1) of the 2015 Act;
- “polling agent” is to be read in accordance with regulation 23(10);
- “postal voting statement” is to be read in accordance with regulation 17(1)(b);
- “presiding officer” is to be read in accordance with regulation 19(1) and (2);
- “the referendum” has the meaning given by section 11(1) of the 2015 Act;
- “referendum agent” means a person appointed under paragraph 15 of Schedule 1 to the 2015 Act;
- “Regional Counting Officer” has the meaning given by section 11(1) of the 2015 Act;
- “tendered ballot paper” has the meaning given by regulation 37(1);
- “vote” and “voter” have the meaning given by paragraph 2;
- “voting area” has the meaning given by section 11(2) of the 2015 Act.

(2) Except where the context otherwise requires, in any provision of the 1983 Act as applied by this Schedule expressions defined for the purposes of that provision by any other provision of the 1983 Act have the meaning given by that other provision (see, in particular, the following provisions of the 1983 Act—

- section 118(2) (interpretation of Part 2),
- section 185(3) (interpretation of Part 3), and
- section 202(4) (general interpretation), as modified by paragraph 46 of this Schedule).

(1) 2003 c.7.

(2) There are amendments to section 118 that are not relevant to these Regulations.

(3) There are amendments to section 185 that are not relevant to these Regulations.

(4) Section 202 was amended by section 4(5) of, and Schedule 2 to, the Representation of the People Act 1985 (c.50); paragraphs 1 and 22(b) of Schedule 1 to the Representation of the People Act 2000 (c.2); section 73(1) and (2) of, and paragraphs 2,

(3) Nothing in this Schedule which provides for a particular reference to a provision to be read as, or as including, a reference to that provision as applied by another provision is to be taken to limit the effect of section 20(2) of the Interpretation Act 1978⁽⁵⁾.

Meaning of “vote” in applied provisions

2.—(1) In any provision of the 1983 Act as applied by this Schedule “vote” as a verb means vote in the referendum and includes (where the context allows)—

- (a) voting as proxy, and
- (b) voting by proxy,

but does not include voting in Gibraltar; and “vote” as a noun and “voter” are to be construed accordingly.

(2) For the purposes of sub-paragraph (1) a person votes “in Gibraltar” if—

- (a) that person votes (on his or her own behalf or as proxy) in person in Gibraltar or by post under the law of Gibraltar relating to postal voting, or
- (b) that person votes by proxy and the proxy votes in person in Gibraltar or by post under the law of Gibraltar relating to postal voting.

Extent of section 52 of the 1983 Act

3. For the purposes of the referendum, section 52(1), (1ZA), (1ZB) and (1A) of the 1983 Act⁽⁶⁾ (which extends to the whole of the United Kingdom) extends also to Gibraltar.

PART 2

APPLICATION OF PROVISIONS

Alteration of registers pending the referendum: England, Wales and Scotland

4.—(1) In relation to England, Wales and Scotland, section 13AB of the 1983 Act⁽⁷⁾ applies for the purposes of the referendum but as if—

- (a) in subsection (1)(b) for “the relevant election area” there were substituted “the area for which the registration officer acts”,
- (b) in subsection (4) for “an election to which this section applies” there were substituted “the referendum”,
- (c) in subsection (5) for “the last day on which nomination papers may be delivered to the returning officer for the purposes of the election” there were substituted “the nineteenth working day before the date of the poll for the referendum”,
- (d) subsection (8) were omitted,

13 (1) and (2), 69 and 76 of Schedule 1 and paragraphs 104 and 128(1) of Schedule 2 to the Electoral Administration Act 2006 (c.22); paragraphs 116 and 120 of Schedule 12 to the Postal Services Act 2011 (c.5); and paragraph 57(1) and (4) of Schedule 1 to S.I. 2009/1149. There are other amendments to section 202 that are not relevant to these Regulations.

(5) 1978 c.30.

(6) Subsection (1) was amended by paragraph 12 of Schedule 4 to the Representation of the People Act 1985 (c.50). Subsection (1A) was inserted by paragraphs 6(1) and (5) of Schedule 21 to the Political Parties, Elections and Referendums Act 2000 (c.41). For the purposes of the referendum, subsections (1) and (1A) are modified, and subsections (1ZA) and (1ZB) are inserted, by paragraph 9 of this Schedule.

(7) Section 13AB was inserted by section 16(1) and (3) of the Electoral Registration and Administration Act 2013 (c.6) and was amended by paragraphs 1 and 4 of Schedule 2 to the Recall of MPs Act 2015 (c.25).

(e) the reference in subsection (9) to subsection (5) of section 13B were to that subsection as applied by sub-paragraph (2) below, and

(f) after subsection (9) there were inserted—

“(10) In this section “working day” means a day that is not—

- (a) a Saturday or Sunday,
- (b) Christmas Eve, Christmas Day, Good Friday or any other day that is a bank holiday under the Banking and Financial Dealings Act 1971 in any part of the United Kingdom,
- (c) a bank holiday or public holiday in Gibraltar under the Gibraltar Acts titled the Banking and Financial Dealings Act and the Interpretation and General Clauses Act, or
- (d) a day appointed in any part of the United Kingdom or Gibraltar as a day of public thanksgiving or mourning.”

(2) In relation to England, Wales and Scotland, section 13B of the 1983 Act⁽⁸⁾ applies for the purposes of the referendum but as if—

(a) in subsection (1), for each of “an election to which this section applies” and “the election” there were substituted “the referendum”,

(b) in each of subsections (2), (3A) and (3C)—

- (i) for “an election to which this section applies” there were substituted “the referendum”, and
- (ii) for “the relevant election area” there were substituted “the area for which the registration officer acts”,

(c) subsection (4) were omitted, and

(d) in subsection (5)—

- (i) in the definition of “the appropriate publication date”, for “an election to which this section applies” there were substituted “the referendum”, and
- (ii) the definitions of “the final nomination day” and “the relevant election area” were omitted.

(3) A reference in any enactment to section 13AB or 13B of the 1983 Act includes (where the context allows) a reference to that section as applied by this paragraph.

(4) Sub-paragraph (3) has effect, in relation to any register, until the first publication after the referendum of a revised version of the register under section 13 of the 1983 Act.

Alteration of registers pending the referendum: Northern Ireland

5.—(1) In relation to Northern Ireland, section 13BA of the 1983 Act⁽⁹⁾ applies for the purposes of the referendum but as if—

(a) in subsection (1)—

- (i) for the words from “the final nomination day” to “this section applies” there were substituted “the eleventh day before the date of the poll for the referendum”, and

⁽⁸⁾ Section 13B was inserted by paragraphs 1 and 6 of Schedule 1 to the Representation of the People Act 2000 (c.2) was amended by section 11 of the Electoral Administration Act 2006 (c.22), section 6(1) of the Northern Ireland (Miscellaneous Provisions) Act 2006 (c.33), paragraph 3 of Schedule 10 to the Police Reform and Social Responsibility Act 2011 (c.13) and section 16 of, and paragraphs 1 and 13 of Schedule 4 to, the Electoral Registration and Administration Act 2013 (c.6).

⁽⁹⁾ Section 13BA was inserted by section 6(2) of the Northern Ireland (Miscellaneous Provisions) Act 2006 (c.33) and was amended by section 16(1) of the Northern Ireland (Miscellaneous Provisions) Act 2014 (c.13) and paragraphs 1 and 6 of Schedule 2 to the Recall of MPs Act 2015 (c.25).

- (ii) for “that election” there were substituted “the referendum”,
 - (b) in subsection (2)—
 - (i) for “an election to which this section applies” there were substituted “the referendum”, and
 - (ii) for “the final nomination day” there were substituted “the eleventh day before the date of the poll for the referendum”,
 - (c) in subsection (3A) for “the final nomination day” there were substituted “the eleventh day before the date of the poll for the referendum”,
 - (d) in subsection (5), for “an election to which this section applies” there were substituted “the referendum”,
 - (e) in each of subsections (7) and (8)—
 - (i) for “an election to which this section applies” there were substituted “the referendum”, and
 - (ii) for “the relevant election area” there were substituted “the area for which the registration officer acts”,
 - (f) subsection (12) were omitted, and
 - (g) the reference in subsection (13) to subsection (5) of section 13B were to that subsection as applied by paragraph 4(2) of this Schedule.
- (2) A reference in any enactment to section 13BA of the 1983 Act includes (where the context allows) a reference to that section as applied by this paragraph.
- (3) Sub-paragraph (2) has effect, in relation to any register, until the first publication after the referendum of a revised version of the register under section 13 of the 1983 Act.

Loan of equipment

6. Section 47 of the 1983 Act⁽¹⁰⁾ applies for the purposes of the referendum but as if—
- (a) in subsection (1) the reference to the returning officer at a local government election included a counting officer for the referendum for a voting area anywhere in the United Kingdom, and
 - (b) in subsection (2) the reference to the returning officer at an election mentioned there included a counting officer for the referendum for a voting area in England, Wales or Scotland.

Effect of registers

7.—(1) Section 49 of the 1983 Act⁽¹¹⁾ applies for the purposes of the referendum but with the following modifications.

- (2) Subsection (4) has effect for those purposes as if—
 - (a) for “any purpose of this Part relating to him as elector” there were substituted “any purpose of this Part, the European Union Referendum Act 2015 or the European Union Referendum (Conduct) Regulations 2016”, and

⁽¹⁰⁾ Section 47 was amended by article 4 of S.I. 1991/1728 and paragraph 6(1) and (4) of Schedule 21 to the Political Parties, Elections and Referendums Act 2000 (c.41). There are other amendments to section 47 that are not relevant to these Regulations.

⁽¹¹⁾ Section 49 was amended by Schedule 5 to the Representation of the People Act 1985 (c.50); paragraphs 2 and 7 of Schedule 1 to the Electoral Administration Act 2006 (c.22); paragraphs 1 and 12 of Schedule 1 to the Representation of the People Act 2000 (c.2); and paragraphs 1 and 16 of Schedule 4 to the Electoral Registration and Administration Act 2013 (c.6).

- (b) for “as an elector except” to the end there were substituted “as a person entitled to vote by virtue of that entry unless the day fixed for the poll for the referendum is that or a later date”.
- (3) Subsection (5) has effect for the purposes of the referendum as if the following were omitted—
 - (a) the words “prevent the rejection of the vote on a scrutiny, or”, and
 - (b) paragraph (b)(iv).
- (4) For the avoidance of doubt, in section 49 of the 1983 Act as applied by this paragraph—
 - (a) “voting age” has the same meaning as in section 49 as it has effect apart from this Schedule, but
 - (b) “vote” as a verb is to be read in accordance with paragraph 2 of this Schedule.

Effect of misdescription

- 8. Section 50 of the 1983 Act applies for the purposes of the referendum but as if—
 - (a) the words “nomination paper,” were omitted, and
 - (b) for the words “and the parliamentary election rules” there were substituted “or by the European Union Referendum Act 2015 or the European Union Referendum (Conduct) Regulations 2016”.

Discharge of registration duties

9.—(1) Section 52 of the 1983(12) Act applies for the purposes of the referendum but with the following modifications.

- (2) For those purposes, the following subsections are to be treated as substituted for subsection (1)

—
“(1) A registration officer shall comply with any general or special directions which may be given by the Secretary of State for the purposes of the referendum with respect to the arrangements to be made by that officer for carrying out—

- (a) any of that officer’s functions under Schedule 3 to the European Union Referendum Act 2015,
- (b) any of that officer’s functions under the European Union Referendum (Conduct) Regulations 2016, or
- (c) any of that officer’s functions under this Act.

(1ZA) In subsection (1) the reference to a registration officer includes the Gibraltar registration officer, and in relation to that officer—

- (a) the reference in subsection (1)(b) to “the European Union Referendum (Conduct) Regulations 2016” is to be read as a reference to any regulations under section 4 of the European Union Referendum Act 2015 that extend to Gibraltar and Gibraltar conduct law, and
- (b) the reference in subsection (1)(c) to “this Act” is to be read as a reference to the Gibraltar Act titled the European Parliamentary Elections Act 2004.

(1ZB) The Secretary of State may give a direction under subsection (1) only if it is in accordance with a recommendation made by the Electoral Commission.”

(12) Section 52 was amended by paragraph 12 of Schedule 4 to the Representation of the People Act 1985 (c.50). Subsection (1A) was inserted by paragraphs 1 and 5 of Schedule 21 to the Political Parties, Elections and Referendums Act 2000 (c.41). Subsection (4) was amended by paragraph 68(12) of Schedule 16 to the Local Government (Wales) Act 1994 (c.19). The functions of the Secretary of State under section 52 are exercisable concurrently with the Chancellor of the Duchy of Lancaster (see article 3 of and Schedule 1 to S.I. 2015/1376).

(3) Subsection (1A) has effect for the purposes of the referendum as if after “registration officer” there were inserted “or the Gibraltar registration officer”.

(4) Subsections (2) and (4) each have effect for the purposes of the referendum as if after “this Act” there were inserted “, the European Union Referendum Act 2015 and the European Union Referendum (Conduct) Regulations 2016”.

Payment of expenses of registration

10. Section 54 of the 1983 Act(**13**) applies for the purposes of the referendum but as if in subsection (1) after “2013” there were inserted “or the European Union Referendum Act 2015 or the European Union Referendum (Conduct) Regulations 2016”.

Registration appeals: England and Wales and Scotland

11.—(1) In subsection (3) of section 56 of the 1983 Act(**14**), the references to “an election” and “the election” include the referendum.

(2) For the purposes of the referendum the following subsection is to be treated as substituted for subsection (4A) of section 56 of the 1983 Act—

“(4A) Where, as a result of the decision on an appeal, an alteration in the register made in pursuance of subsection (4) takes effect under section 13(5), 13A(2), 13AB(3), 13B(3) or (3B) or 13BC(3) or (6) on or before the date of the poll for the referendum, subsection (3) does not apply to that appeal as respects the referendum.”

(3) References in this paragraph to section 56 of the 1983 Act include that section as applied by section 57 of that Act (registration appeals: Scotland).

Registration appeals: Northern Ireland

12.—(1) In subsection (3) of section 58 of the 1983 Act(**15**), the references to “an election” and “the election” include the referendum.

(2) For the purposes of the referendum, the following subsection is to be treated as substituted for subsection (5) of section 58 of the 1983 Act—

“(5) Where, as a result of the decision on an appeal, an alteration in the register made in pursuance of subsection (4) takes effect under section 13(5), 13A(2), 13BA(6) or (9) or 13BC(3) or (6) on or before the date of the poll for the referendum, subsection (3) does not apply to that appeal as respects the referendum.”

Offence of personation

13. Section 60 of the 1983 Act applies for the purposes of the referendum but as if in subsection (2)—

- (a) for “at a parliamentary or local government election” there were substituted “in the referendum”, and
- (b) for “whether as an elector or as proxy” there were substituted “whether or not as proxy”.

(13) Section 54 was amended by paragraph 14 of Schedule 4 to the Representation of the People Act 1985 (c.50) and paragraphs 1 and 17 of Schedule 4 to the Electoral Registration and Administration Act 2013 (c.6).

(14) Section 56 was amended by paragraph 1 of Schedule 2, paragraph 16 of Schedule 4 and Schedule 5 to the Representation of the People Act 1985 (c.50); paragraphs 1 and 14 of Schedule 1 to the Representation of the People Act 2000 (c.2); section 11(5) of and paragraph 2 and 8 of Schedule 1 to the Electoral Administration Act 2006 (c.22); and section 16(1) and (5) of, and paragraphs 1 and 18 of Schedule 4 to the Electoral Registration and Administration Act 2013 (c.6).

(15) Section 58 was substituted by paragraph 5 of Schedule 4 to the Northern Ireland (Miscellaneous Provisions) Act 2006 (c.33) and was amended by paragraphs 1 and 9 of Schedule 2 to the Recall of MPs Act 2015 (c.25) and article 3(1) and (4) of S.I. 2014/1116.

Other voting offences

14.—(1) Section 61 of the 1983 Act⁽¹⁶⁾ applies for the purposes of the referendum but with the modifications in sub-paragraphs (2) to (4) below.

(2) For the purposes of the referendum, the following subsections are to be treated as substituted for subsections (1) to (4)—

“(1) A person shall be guilty of an offence if—

- (a) he votes in person or by post, whether on his own behalf or as proxy, or applies to vote by proxy or by post on his own behalf, knowing that he is subject to a legal incapacity to vote; or
- (b) he applies for the appointment of a proxy to vote for him knowing that he is or the person to be appointed is subject to a legal incapacity to vote; or
- (c) he votes, whether in person or by post, as proxy for some other person knowing that that person is subject to a legal incapacity to vote.

For the purposes of this subsection references to a person being subject to a legal incapacity to vote do not, in relation to things done before polling day, include his being below voting age if he will be of voting age on that day.

(2) A person shall be guilty of an offence if—

- (a) he votes on his own behalf otherwise than by proxy more than once; or
- (b) he votes on his own behalf in person when he is entitled to vote by post; or
- (c) he votes on his own behalf in person knowing that a person appointed to vote as his proxy either has already voted in person or is entitled to vote by post; or
- (d) he applies under Part 3 of the European Union Referendum (Conduct) Regulations 2016 for a person to be appointed as his proxy to vote for him without applying for the cancellation of a previous appointment of a third person then in force under that Part or without withdrawing a pending application for such an appointment.

(3) A person shall be guilty of an offence if—

- (a) he votes as proxy for the same person more than once; or
- (b) he votes in person as proxy for another person and he is entitled to vote by post as proxy for that person; or
- (c) he votes in person as proxy for another person and he knows that other person has already voted in person.

(4) A person shall also be guilty of an offence if he votes as proxy for more than two persons of whom he is not the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild.”

(3) Subsection (6A) has effect for the purposes of the referendum as if for the words from “in pursuance of” to the end there were substituted “in reliance on Case 3, 4, 5 or 6 in regulation 37 of the European Union Referendum (Conduct) Regulations 2016”.

(4) For the purposes of the referendum the following are to be treated as omitted—

- (a) subsection (6B);
- (b) subsection (7)(b).

(5) Paragraph 2(1) of this Schedule (meaning of “vote”) does not apply for the purposes of—

⁽¹⁶⁾ Section 61 was amended by paragraph 2 of Schedule 2 to the Representation of the People Act 1985 (c.50); paragraph 83 of Schedule 27 to the Civil Partnership Act 2004 (c.33); and section 38(3) of the Electoral Administration Act 2006 (c.22). There are other amendments that are not relevant to these Regulations.

- (a) subsection (2)(a) and (c), or
- (b) subsection (3)(a) and (c),

of section 61 of the 1983 Act as applied by this paragraph, and in those provisions “vote” is to be read in accordance with sub-paragraphs (6) and (7).

(6) In subsections (2)(a) and (3)(a) “vote” means vote in the referendum (and does not exclude voting in Gibraltar).

(7) In subsections (2)(c) and (3)(c)—

- (a) references to voting in person are to voting in the referendum in person either in the United Kingdom or Gibraltar, and
- (b) references to voting by post are to voting in the referendum by post, either under the law of the United Kingdom relating to postal voting or under the law of Gibraltar relating to postal voting.

(8) But—

- (a) a person does not commit an offence under subsection (2)(a) or (3)(a) of section 61 of the 1983 Act as applied by this paragraph unless at least one of the votes mentioned in subsection (2)(a) or (3)(a) (as the case may be) is a vote in the United Kingdom;
- (b) a person does not commit an offence under subsection (2)(c) of section 61 of the 1983 Act as so applied unless either or both of the following apply—
 - (i) the person’s vote on his own behalf is a vote in person in the United Kingdom;
 - (ii) the proxy’s vote (or entitlement to a postal vote) is a vote in (or an entitlement to a postal vote in) the United Kingdom;
- (c) a person does not commit an offence under subsection (3)(c) of section 61 of the 1983 Act as so applied unless at least one of the votes mentioned in subsection (3)(c) is a vote in person in the United Kingdom.

(9) In sub-paragraph (6) the reference to voting “in Gibraltar” is to voting—

- (a) in person in Gibraltar, or
- (b) by post under the law of Gibraltar relating to postal voting,

and in sub-paragraph (8) references to a vote “in the United Kingdom” are to be read accordingly.

Offences relating to applications for absent voting

15. Section 62A(1) to (5) of the 1983 Act⁽¹⁷⁾ applies for the purposes of the referendum but as if—

- (a) in subsection (1)(a) the words “at a parliamentary or local government election” were omitted, and
- (b) in subsection (2)(c) for “returning officer” there were substituted “counting officer”.

Breach of official duty

16. Section 63 of the 1983 Act⁽¹⁸⁾ applies for the purposes of the referendum but as if for subsections (3) and (4) there were substituted—

“(3) The persons to whom this section applies are—

⁽¹⁷⁾ Section 62A was inserted by section 40 of the Electoral Administration Act 2006 (c.22).

⁽¹⁸⁾ Section 63 was substituted by paragraph 19 of Schedule 4 to the Representation of the People Act 1985 (c.50) and was amended by sections 7, 41(8) and 46(6) of the Electoral Administration Act 2006 (c.22); section 25(a) of the Political Parties and Elections Act 2009 (c.12); and paragraph 57(1) and (2) of Schedule 1 to S.I. 2001/1149.

- (a) the Chief Counting Officer,
- (b) any Regional Counting Officer,
- (c) any counting officer,
- (d) any registration officer,
- (e) the Gibraltar registration officer,
- (f) any presiding officer, or any equivalent officer in Gibraltar,
- (g) any official designated by a universal postal service provider (within the meaning given by section 202), and
- (h) any deputy of a person mentioned in any of paragraphs (a) to (g) above or any person appointed to assist, or in the course of his employment assisting, a person so mentioned in connection with his official duties;

and “official duty” shall for the purposes of this section be construed accordingly, but shall not include duties imposed otherwise than by this Act, the European Union Referendum Act 2015 or regulations under section 4 of that Act, Gibraltar conduct law, the Gibraltar Act titled the European Parliamentary Elections Act 2004 or the law of the United Kingdom or of Gibraltar relating to referendums.

(4) Where—

- (a) a Regional Counting Officer or counting officer is guilty of an act or omission in breach of his official duty, but
- (b) he remedies that act or omission in full by taking steps under paragraph 9 of Schedule 3 to the European Union Referendum Act 2015,

he shall not be guilty of an offence under subsection (1) above.”

Tampering with papers

17.—(1) Section 65 of the 1983 Act⁽¹⁹⁾ applies for the purposes of the referendum but with the following modifications.

(2) Subsection (1) has effect for those purposes as if—

- (a) for “at a parliamentary or local government election” there were substituted “in the referendum”,
- (b) paragraph (a) were omitted, and
- (c) in paragraph (f), for “election” there were substituted “referendum”.

(3) But nothing in that subsection is to be taken to apply to anything done in connection with the referendum so far as held in Gibraltar.

(4) For the purposes of the referendum the following subsection is to be treated as substituted for subsection (2)—

“(2) In Scotland, a person shall be guilty of an offence if—

- (a) in the referendum, he forges or counterfeits any ballot paper or the official mark on any ballot paper; or
- (b) he fraudulently or without due authority, as the case may be, attempts to do any of those things.”

⁽¹⁹⁾ Section 65 was amended by paragraph 2 of Schedule 3 to the Representation of the People Act 1985 (c.50) and paragraphs 69 and 72 of Schedule 1 to the Electoral Administration Act 2006 (c.22). There are other amendments that are not relevant to these Regulations.

(5) Subsection (3) has effect for the purposes of the referendum as if for “a returning officer” there were substituted “the Chief Counting Officer, a Regional Counting Officer, a counting officer”.

Requirement of secrecy

18.—(1) Section 66(1) to (6) of the 1983 Act(**20**) applies for the purposes of the referendum but with the following modifications.

(2) Subsection (1) has effect for those purposes as if—

(a) for paragraphs (a) to (c) there were substituted—

“(a) the Chief Counting Officer, and every Regional Counting Officer and counting officer, attending at a polling station in the United Kingdom,

(b) every deputy of such an officer so attending,

(c) every presiding officer and clerk so attending,

(d) every referendum agent, polling agent and counting agent so attending, and

(e) every person so attending by virtue of any of sections 6A to 6D of the Political Parties, Elections and Referendums Act 2000,”

(b) in paragraph (i) for “elector or proxy for an elector” there were substituted “person”, and

(c) in paragraph (ii) for “elector” there were substituted “person”.

(3) The references in subsections (1) and (4) to the closure of the poll are to be read, in relation to the referendum, as references to the closure of the poll in the United Kingdom or Gibraltar, whichever is the later.

(4) Subsections (2)(b), (3)(b) and (c), (4)(d) and (5) have effect for the purposes of the referendum as if for “the candidate for whom” there were substituted “the referendum answer for which”.

(5) Subsection (3)(d) has effect for those purposes as if for “the name of the candidate for whom” there were substituted “the referendum answer for which”.

(6) Subsection (5) has effect for those purposes as if—

(a) for “blind voter” there were substituted “voter with disabilities”, and

(b) at the end there were inserted—

““Voter with disabilities” has the meaning given by regulation 36(11) of the the European Union Referendum (Conduct) Regulations 2016.”

Prohibition on publication of exit polls

19.—(1) Section 66A of the 1983 Act(**21**) applies for the purposes of the referendum but with the following modifications.

(2) Subsection (1) has effect for those purposes as if “the referendum” were substituted for each of the following—

(a) “an election to which this section applies”, and

(b) “the election” (in both places).

(3) For the purposes of the referendum subsection (2) is to be treated as omitted.

(4) Subsection (4) has effect for the purposes of the referendum as if for the words after “whatever means” there were substituted—

(20) Section 66 was amended by paragraph 2 of Schedule 3 to the Representation of the People Act 1985 (c.50) and paragraphs 69, 82 and 86 of Schedule 1 to the Electoral Administration Act 2006 (c.22). There are other amendments that are not relevant to these Regulations.

(21) Section 66A was inserted by paragraphs 3 and 6 of Schedule 6 to the Representation of the People Act 2000 (c.2).

“and the reference to a forecast as to the result of the referendum includes a forecast as to the number or proportion of votes expected to be cast for each answer to the referendum question in any region, voting area or other area.”

(5) In section 66A of the 1983 Act as applied by this paragraph—

(a) the reference in subsection (1) to the closure of the poll is to be read as a reference to the closure of the poll in the United Kingdom or Gibraltar, whichever is the later, and

(b) the references in subsection (1)(a) to “voters” include any voters in the referendum, whether voting in the United Kingdom or Gibraltar, and “vote” is to be read accordingly,

and, accordingly, paragraph 2(1) of this Schedule (meaning of “vote”) does not apply in relation to that section.

(6) In subsection (4) of that section as so applied, the references to the public are to the public in the United Kingdom.

Failure to comply with conditions relating to supply etc of documents

20. Section 66B of the 1983 Act(22) applies for the purposes of the referendum, but as if in subsection (1)(a) for “imposed in pursuance of regulations under rule 57 of the parliamentary election rules” there were substituted “to which the right to inspect or be supplied with a document or part of document under regulation 58 of the European Union Referendum (Conduct) Regulations 2016 is subject under paragraph (5)(a) of that regulation”.

Broadcasting from outside UK

21. Section 92 of the 1983 Act(23) applies for the purposes of the referendum but as if in subsection (1)—

(a) for “at a parliamentary or local government election” there were substituted “in the referendum”, and

(b) for “the election” there were substituted “the referendum”.

Imitation poll cards

22.—(1) Section 94(1) of the 1983 Act(24) applies for the purposes of the referendum but as if for “the election of any candidate at a parliamentary election or a local government election to which this section applies” there were substituted “a particular result in the referendum”.

(2) The references in section 94(1) to poll cards do not include poll cards for the purposes of the referendum so far as held in Gibraltar.

Disturbances at meetings

23. Section 97 of the 1983 Act(25) applies for the purposes of the referendum but as if for subsection (2) there were substituted—

“(2) This section applies to a meeting in connection with the referendum which—

(22) Section 66B was inserted by section 41(9) of the Electoral Administration Act 2006 (c.22).

(23) Section 92 was amended by paragraph 35(3) and (5) of Schedule 20 to the Broadcasting Act 1990 (c.42) and paragraph 61 of Schedule 17 to the Communications Act 2003 (c.21).

(24) Section 94(1) was amended by paragraph 36 of Schedule 4 to the Representation of the People Act 1985 (c.50).

(25) Section 97 was amended by paragraph 39 of Schedule 4 to the Representation of the People Act 1985 (c.50) and Part 1 of Schedule 7 to the Police and Criminal Evidence Act 1984 (c.60).

- (a) is held by a permitted participant during the referendum period (within the meaning given by paragraph 1 of Schedule 1 to the European Union Referendum Act 2015), and
- (b) is held in the United Kingdom.”

Premises used for referendum meetings in Scotland or Northern Ireland

24. Section 98 of the 1983 Act⁽²⁶⁾ applies for the purposes of the referendum but as if the reference to public meetings in furtherance of any person’s candidature at a parliamentary or local government election included public meetings to promote or procure a particular result in the referendum.

Officials not to act for candidates

25. Section 99 of the 1983 Act⁽²⁷⁾ applies for the purposes of the referendum but as if for subsection (1) there were substituted—

“(1) If—

- (a) the Chief Counting Officer,
- (b) any Regional Counting Officer,
- (c) any counting officer for a voting area in the United Kingdom,
- (d) any officer, deputy or clerk appointed by a person mentioned in paragraph (a), (b) or (c), or
- (e) any officer whose services have been placed at the disposal of a counting officer or Regional Counting Officer under paragraph 6(1) of Schedule 3 to the European Union Referendum Act 2015,

acts as a referendum agent for a permitted participant, he shall be guilty of an offence.”

Illegal canvassing by police officers

26. Section 100 of the 1983 Act⁽²⁸⁾ applies for the purposes of the referendum but as if in subsection (1)—

- (a) for “as an elector” there were substituted “on that person’s own behalf”, and
- (b) the words after “proxy” were omitted.

Payments for exhibition of election notices

27. Section 109 of the 1983 Act applies for the purposes of the referendum but as if—

- (a) in subsection (1) for “the election of a candidate at an election” there were substituted “a particular result in the referendum”,
- (b) in subsection (2) for “an election” there were substituted “the referendum”, and
- (c) after subsection (2) there were inserted—

“(3) In this section “elector” means a person entitled to vote on his own behalf.”

⁽²⁶⁾ Section 98 was repealed as regards England and Wales by Part 1 of Schedule 13 to the Local Government Finance Act 1988 (c.41).

⁽²⁷⁾ Section 99 was amended by paragraph 4 of Schedule 3 to the Representation of the People Act 1985 (c.50).

⁽²⁸⁾ Section 100 was amended by paragraph 5 of Schedule 3 to the Representation of the People Act 1985 (c.50) and section 78(2) (c) of the Police (Northern Ireland) Act 2000 (c.32).

Prohibition of paid canvassers

28.—(1) Section 111 of the 1983 Act applies for the purposes of the referendum but as if—

- (a) for “an election” there were substituted “the referendum”, and
- (b) for “a candidate’s election” there were substituted “a particular result in the referendum”.

(2) But nothing in that section applies in relation to canvassing in Gibraltar in connection with the referendum.

Providing money etc for illegal purposes

29. Section 112 of the 1983 Act applies for the purposes of the referendum but as if—

- (a) the reference in paragraph (a) to the provisions of the 1983 Act were to any provision of the 1983 Act as applied by this Schedule, and
- (b) the following were omitted—
 - (i) paragraph (b),
 - (ii) in paragraph (c) the words “or expenses”, and
 - (iii) the words “or the incurring of the expenses”.

Bribery

30.—(1) Section 113 of the 1983 Act⁽²⁹⁾ applies for the purposes of the referendum but with the following modifications.

(2) Subsection (2) has effect for those purposes as if—

- (a) for “the return of any person at an election” (in the first two places) there were substituted “a particular result in the referendum”, and
- (b) paragraph (iii) were omitted.

(3) Subsection (3) has effect for those purposes as if for “at any election” (in both places) there were substituted “in the referendum”.

(4) Each of subsections (4), (5) and (6) has effect for those purposes as if for “an election” there were substituted “the referendum”.

Treating

31. Section 114 of the 1983 Act applies for the purposes of the referendum but as if—

- (a) in subsection (2) for “an election” there were substituted “the referendum”, and
- (b) in subsection (3) for “Every elector or his proxy” there were substituted “Every person entitled to vote on his own behalf, and every proxy of such a person,”.

Undue influence

32. Section 115 of the 1983 Act⁽³⁰⁾ applies for the purposes of the referendum but as if after subsection (2) there were inserted—

“(3) In this section “elector” means a person entitled to vote on his own behalf.”

⁽²⁹⁾ There are amendments to section 113 that are not relevant to these Regulations.

⁽³⁰⁾ Section 115 was amended by section 39 of the Electoral Administration Act 2006 (c.22) and section 14 of the Local Electoral Administration and Registration Services (Scotland) Act 2006 (asp 14).

Rights of creditors where applied provision prohibits payments

33. In section 116 of the 1983 Act the reference to the provisions of Part 2 of that Act prohibiting payments and contracts for payments includes any such provision as applied by this Schedule.

Saving for employees to be absent for voting

34. Section 117(2) of the 1983 Act applies for the purposes of the referendum but as if—

- (a) for “parliamentary electors or their proxies” there were substituted “persons entitled to vote (on their own behalf or as proxies)”,
- (b) the words “at a parliamentary election” were omitted, and
- (c) in paragraphs (b) and (c), for “any particular candidate at the election” there were substituted “a particular answer in the referendum”.

Computation of time

35.—(1) Section 119 of the 1983 Act(**31**), in its application for the purposes of any provision of the 1983 Act as applied by this Schedule, has effect as if for subsection (3) there were substituted—

“(3) In this section, in relation to a voting area—

- (a) “bank holiday” means any day that is a bank holiday under the Banking and Financial Dealings Act 1971 in the part of the United Kingdom in which the voting area is situated, and
- (b) “a day appointed for public thanksgiving or mourning” means a day appointed in the part of the United Kingdom in which the voting area is situated as a day of public thanksgiving or mourning.”

(2) The reference in sub-paragraph (1) to section 119 of the 1983 Act includes that section as applied by any other provision of that Act.

Application for relief

36.—(1) Section 167(1) to (2)(**32**) applies for the purposes of the referendum but with the following modifications.

(2) For the purposes of the referendum the following subsection is to be treated as substituted for subsection (1)—

“(1) An application for relief under this section may be made to the High Court.”

(3) Subsection (2)(c) has effect for those purposes as if the words from “in the constituency” to “was held,” were omitted.

Powers of court on conviction of corrupt practice

37. In section 168 of the 1983 Act(**33**)—

(31) Section 119 was amended by section 19(4) of the Representation of the People Act 1985 (c.50); paragraphs 49 and 51 of Schedule 2 to the Electoral Administration Act 2006 (c.22); section 30 of the Local Electoral Administration and Registration Services (Scotland) Act 2006 (asp 14); and paragraphs 6 and 9 of the Schedule to the Fixed-term Parliaments Act 2011 (c.14).

(32) Section 167(1) was amended by paragraph 52 of Schedule 9 to the Crime and Courts Act 2013 (c.22). Section 167(1A) was inserted by paragraph 56 of Schedule 4 to the Representation of the People Act 1985 (c.50).

(33) Section 168 was amended by paragraph 8 of Schedule 3 and paragraph 57 of Schedule 4 to the Representation of the People Act 1985 (c.50); paragraphs 104 and 121 of Schedule 1 to the Electoral Administration Act 2006 (c.22); and paragraphs 1 and 11 of Schedule 2 to the Local Electoral Administration and Registration Services (Scotland) Act 2006 (asp 14).

- (a) the reference in subsection (1) to a person who is guilty of a corrupt practice includes a person who is guilty of a corrupt practice under a provision of the 1983 Act as applied by this Schedule,
- (b) the reference in subsection (1)(a) to section 60 or 62A includes either of those sections as so applied, and
- (c) the reference in subsection (7) to the offence of bribery or treating includes an offence under section 113 or 114 of the 1983 Act as applied by this Schedule.

Prosecution and conviction of illegal practice and illegal payments

38. In sections 169(34), 170, 173(35), 173A(36) and 175(1) and (3)(37) of the 1983 Act—

- (a) references to an illegal practice include an illegal practice under a provision of the 1983 Act as applied by this Schedule,
- (b) references to a corrupt practice include a corrupt practice under such a provision, and
- (c) references to an offence of illegal payment or employment include an offence of illegal payment or employment under such a provision;

and in section 173(2) any reference to a corrupt practice or illegal practice under a section mentioned there includes a reference to a corrupt practice or illegal practice under that section as applied by this Schedule.

Time limit for prosecutions

39.—(1) In section 176 of the 1983 Act(38), the reference in subsection (1) to any offence under any provision contained in the 1983 Act includes any offence under any such provision as applied by this Schedule.

(2) Subsections (2) to (2G) of section 176 of the 1983 Act have effect in relation to such an offence (“a referendum offence”) with the following modifications.

(3) Subsection (2C) has effect in relation to a referendum offence as if for “rule 57 of the parliamentary elections rules” there were substituted “regulation 58 of the European Union Referendum (Conduct) Regulations 2016”.

(4) Subsection (2D) has effect in relation to a referendum offence as if for paragraph (a) there were substituted—

- “(a) directing the registration officer not to cause the documents to be destroyed at the expiry of the period of one year mentioned in regulation 58 of the European Union Referendum (Conduct) Regulations 2016.”

Prosecution of offences committed outside the United Kingdom

40. In section 178 of the 1983 Act(39) the reference to an offence under that Act includes an offence under any provision of that Act as applied by this Schedule.

(34) Section 169 was amended by paragraph 9 of Schedule 3 to the Representation of the People Act 1985 (c.50).

(35) Section 173 was substituted by section 136 of the Political Parties, Elections and Referendums Act 2006 (c.41) and amended by article 2(1) and (4) of S.I. 2007/931.

(36) Section 173A was inserted by section 136 of the Political Parties, Elections and Referendums Act 2006 (c.41) and was amended by paragraphs 104 and 123 of the Electoral Administration Act 2006 (c.22); section 34(3) of the Local Electoral Administration and Registration Services (Scotland) Act 2006 (asp 14); and article 2(1) and (5) of S.I. 2007/931.

(37) Section 175(1) and (3) was amended by paragraph 6(1) and (6) of Schedule 21 to the Political Parties, Elections and Referendums Act 2000 (c.41). Subsection (1) was also amended by paragraph 10 of Schedule 3 to the Representation of the People Act 1985 (c.50).

(38) Section 176 was amended by paragraph 61 of Schedule 4 to the Representation of the People Act 1985 (c.50) and section 70 of the Electoral Administration Act 2006 (c.22).

(39) Section 178 was substituted by paragraph 62 of Schedule 4 to the Representation of the People Act 1985 (c.50).

Offences by associations

41. In section 179 of the 1983 Act(40)—

- (a) the reference to any corrupt or illegal practice includes any corrupt or illegal practice under any provision of the 1983 Act as applied by this Schedule, and
- (b) the reference to any illegal payment, employment or hiring includes any illegal payment or employment under any such provision.

Director of Public Prosecutions

42. In section 181(1) of the 1983 Act(41) the reference to any offence under that Act includes any offence under any provision of that Act as applied by this Schedule.

Service of notices

43. Section 184 of the 1983 Act(42) applies for the purposes of the referendum but as if in subsection (1)—

- (a) for “an election” there were substituted “the referendum”,
- (b) for the words from “the High Court” to “any election court” there were substituted “the High Court or the county court”, and
- (c) in paragraph (a), the words from “in the constituency” to “held” were omitted.

Computation of time for purposes of Part 3

44. In section 186 of the 1983 Act the reference to Part 3 of that Act includes any provision of that Part as applied by this Schedule.

Translations etc of certain documents

45.—(1) Section 199B(1) to (9) of the 1983 Act(43) applies for the purposes of the referendum but with the following modifications.

(2) For those purposes, the following subsection is to be treated as substituted for subsection (1)—

“(1) Subsections (2) and (3) below apply to any document which under or by virtue of this Act, the European Union Referendum Act 2015 or the European Union Referendum (Conduct) Regulations 2016 is required or authorised—

- (a) to be given to voters, or
- (b) to be displayed in any place in the United Kingdom, for the purposes of the referendum.”

(3) Subsection (4) has effect for the purposes of the referendum as if paragraph (a) were omitted.

(4) For the purposes of the referendum the following subsections are to be treated as substituted for subsections (5) to (7)—

“(5) The counting officer for a voting area in the United Kingdom may cause to be displayed at every polling station in that area an enlarged sample copy of the ballot paper.

(40) Section 179 was amended by paragraphs 1 and 12 of Schedule 2 to the Local Electoral Administration and Registration Services (Scotland) Act 2006 ([asp 14](#)).

(41) Section 181(1) was amended by paragraph 63(a) of Schedule 4 to the Representation of the People Act 1985 ([c.50](#)).

(42) Section 184 was amended by paragraphs 1 and 19(5) of Schedule 18 to the Political Parties, Elections and Referendums Act 2000 ([c.41](#)); paragraphs 116 and 118 of Schedule 12 to the Postal Services Act 2011 ([c.5](#)); and paragraphs 57(1) and (3) of Schedule 1 to [S.I. 2001/1149](#).

(43) Section 199B was inserted by section 36 of the Electoral Administration Act 2006 ([c.22](#)).

(6) The sample copy mentioned in subsection (5) above—

- (a) must have printed on it the words “Put a cross (X) in one box only” both at the top and immediately below the referendum question, and
- (b) below the second occurrence of those words, may include a translation of those words into such other languages as the counting officer thinks appropriate.

(7) The counting officer for a voting area in the United Kingdom must provide at every polling station in that area an enlarged hand-held sample copy of the ballot paper for the assistance of voters who are partially sighted.”

(5) Subsection (9) has effect for the purposes of the referendum as if for “returning officer” there were substituted “counting officer”.

General interpretation

46. In its application for the purposes of any provision of the 1983 Act as applied by this Schedule, section 202 of the 1983 Act⁽⁴⁴⁾ has effect as if in subsection (1)—

(a) for the definition of “list of proxies” there were substituted—

““list of proxies” is to be read in accordance with paragraph 1(1) of Schedule 1 to the European Union Referendum (Conduct) Regulations 2016;”, and

(b) for the definition of “voter” and “vote” there were substituted—

““vote” and “voter” are to be read in accordance with paragraph 2(1) of Schedule 1 to the European Union Referendum (Conduct) Regulations 2016 (subject to any provision to the contrary in that Schedule).”

General application to Scotland

47. Section 204(3), (5) and (8) of the 1983 Act applies for the purposes of any provision of the 1983 Act as applied by this Schedule, so far as that provision applies to Scotland.

General application to Northern Ireland

48. Section 205 of the 1983 Act⁽⁴⁵⁾ applies for the purposes of any provision of the 1983 Act as applied by this Schedule, so far as that provision applies to Northern Ireland.

Premises used for poll: Scotland and Northern Ireland

49. Rule 22(3) in Schedule 1 to the 1983 Act⁽⁴⁶⁾ applies for the purposes of the referendum but as if the reference to use for the purpose of taking the poll in an election included use by a counting officer for the purpose of taking the poll in the referendum.

⁽⁴⁴⁾ Section 202 was amended by section 4(5) of, and Schedule 2 and paragraphs 70 of Schedule 4 to, the Representation of the People Act 1985 (c.50); Part 14 of Schedule 1 to the Statute Law (Repeals) Act 1993 (c.50); the Schedule to the Law Officers Act 1997 (c.60); paragraphs 1 and 22 of Schedule 1 and paragraphs 3 and 9 of Schedule 6 to the Representation of the People Act 2000 (c.2); paragraphs 1 and 19(6) of Schedule 18 and paragraph 6(1) and (8) of Schedule 21 to the Political Parties, Elections and Referendums Act 2000 (c.41); section 28(2) of the Local Electoral Administration and Registration Services (Scotland) Act 2006 (asp 14); section 73(1) and (2) of, and paragraphs 2, 13, 69, 76, 104 and 128 of Schedule 1 to, the Electoral Administration Act 2006 (c.22); paragraphs 116 and 120 of Schedule 12 to the Postal Services Act 2011 (c.5), regulation 4(2) of S.I. 1994/1948; and paragraphs 57(1) and (4) of Schedule 1 to S.I. 2001/1149. There are other amendments that are not relevant to these Regulations.

⁽⁴⁵⁾ Section 205 was amended by paragraph 72 of Schedule 4 to the Representation of the People Act 1985 (c.50).

⁽⁴⁶⁾ Rule 22(3) was repealed as regards England and Wales by Part 1 of Schedule 13 to the Local Government Finance Act 1988 (c.41).

SCHEDULE 2

Regulation 80

APPLICATION OF PROVISIONS OF OTHER ACTS

PART 1

POLITICAL PARTIES, ELECTIONS AND REFERENDUMS ACT 2000

Attendance of representatives of Electoral Commission at referendum proceedings

1. Section 6A of the 2000 Act(47) has effect for the purposes of the referendum as if for subsection (4) there were substituted—

“(4) In this section, “the relevant counting officer” means, in relation to proceedings at the referendum under section 1 of the European Union Referendum Act 2015, the counting officer for the voting area to which the proceedings relate (determined in accordance with paragraph 3 of Schedule 3 to that Act).”

Observation of working practices by representatives of the Electoral Commission

2. Section 6B of the 2000 Act(48) has effect for the purposes of the referendum as if—

(a) for subsection (1)(c) there were substituted—

“(c) a counting officer for the referendum under section 1 of the European Union Referendum Act 2015”, and

(b) subsection (2)(a) were omitted.

Accredited observers of referendum proceedings

3. Section 6C of the 2000 Act(49) has effect for the purposes of the referendum as if the following subsection were inserted after subsection (1)—

“(1A) In subsection (1)(c) the reference to “proceedings at the counting of votes” includes proceedings of—

(a) a Regional Counting Officer in connection with the officer’s duty to certify the matters specified in paragraph 7(4) of Schedule 3 to the European Union Referendum Act 2015, and

(b) the Chief Counting Officer in connection with the officer’s duty to certify the matters specified in section 128(6).”

4. Section 6D of the 2000 Act(50) has effect for the purposes of the referendum as if the following subsection were inserted after subsection (1)—

“(1A) In subsection (1)(c) the reference to “proceedings at the counting of votes” includes proceedings of—

(47) Section 6A was inserted by section 29 of the Electoral Administration Act 2006 (c.22). There are amendments that are not relevant to these Regulations.

(48) Section 6B was inserted by section 29 of the Electoral Administration Act 2006 (c.22). There are amendments that are not relevant to these Regulations.

(49) Section 6C was inserted by section 29 of the Electoral Administration Act 2006 (c.22). There are amendments that are not relevant to these Regulations.

(50) Section 6D was inserted by section 29 of the Electoral Administration Act 2006 (c.22). There are amendments that are not relevant to these Regulations.

- (a) a Regional Counting Officer in connection with the officer’s duty to certify the matters specified in paragraph 7(4) of Schedule 3 to the European Union Referendum Act 2015, and
- (b) the Chief Counting Officer in connection with the officer’s duty to certify the matters specified in section 128(6).”

Provision to the Electoral Commission of information about expenditure

5. Section 9C of the 2000 Act⁽⁵¹⁾ has effect for the purposes of the referendum as if for subsection (2)(c) there were substituted—

- “(c) in the case of a counting officer for the referendum under section 1 of the European Union Referendum Act 2015, expenditure in connection with that referendum.”

Right to use rooms for holding public meetings

6. Paragraph 2(3) of Schedule 12 to the 2000 Act has effect for the purposes of the referendum as if after “public funds” there were inserted “, Gibraltar public funds”.

PART 2

APPLICATION OF OTHER ENACTMENTS

Premises used for referendum purposes in England and Wales

7. Section 65(6) of the Local Government Finance Act 1988⁽⁵²⁾ (which makes provision for England and Wales corresponding to section 98 of and rule 22(3) in Schedule 1 to the 1983 Act) applies for the purposes of the referendum but as if—

- (a) the reference in paragraph (a) to public meetings in furtherance of a person’s candidature at a parliamentary or local government election included public meetings to promote or procure a particular result in the referendum, and
- (b) the reference in paragraph (b) to use by a returning officer for the purpose of taking the poll in a parliamentary or local government election included use by a counting officer for the purpose of taking the poll in the referendum.

Restriction on powers of arrest at polling station by persons other than constables

8. Section 71 of the Electoral Administration Act 2006⁽⁵³⁾ applies for the purposes of the referendum but as if the reference to an offence under section 60 of the 1983 Act were a reference to an offence under that section as applied by Schedule 1.

⁽⁵¹⁾ Section 9C was inserted by section 67 of the Electoral Administration Act 2006 (c.22).

⁽⁵²⁾ 1988 c.41.

⁽⁵³⁾ 2006 c.22.

SCHEDULE 3

Regulation 81

APPLICATION OF EXISTING PROVISIONS OF REGULATIONS

PART 1

THE 2001 REGULATIONS (ENGLAND AND WALES)
AND THE 2001 REGULATIONS (SCOTLAND)**Preliminary**

- 1.—(1) In this Part of this Schedule the “relevant regulations” means—
- (a) the Representation of the People (England and Wales) Regulations 2001 (referred to in this Part of this Schedule as “the England and Wales Regulations”), and
 - (b) the Representation of the People (Scotland) Regulations 2001 (referred to in this Part of this Schedule as “the Scotland Regulations”).
- (2) In any provision of the relevant regulations as applied by this Part of this Schedule—
- (a) expressions defined by section 11 of the 2015 Act have the meaning given by that section, and
 - (b) expressions defined by regulation 5 have the meaning given by that regulation.
- (3) Sub-paragraph (2) does not apply to the extent that the context otherwise requires.
2. The following provisions of the relevant regulations apply for the purposes of the referendum—
- (a) regulation 3(1) and (3) (interpretation)(**54**);
 - (b) regulation 5 (applications, notices etc)(**55**);
 - (c) regulation 6 (electronic signatures)(**56**);
 - (d) regulation 11 (interference with notices etc);
 - (e) regulation 32A (representations regarding clerical errors)(**57**);
 - (f) regulation 36A (communication of notices issued on polling day)(**58**);
 - (g) regulation 55A (additional requirements for applications for an emergency proxy vote)(**59**);
 - (h) regulation 62 (marked register for polling stations)(**60**);

(54) Relevant amendments to regulation 3 of the England and Wales Regulations were made by regulations 2 and 3 of S.I. 2001/1700; regulation 5 of S.I. 2002/1871; regulation 2 of S.I. 2006/2910; and regulation 3 of S.I. 2013/3198. Relevant amendments to regulation 3 of the Scotland Regulations were made by regulations 2 and 3 of S.I. 2001/1749; regulation 5 of S.I. 2002/1872; regulation 2 of 2007/925; and regulation 3 of S.I. 2013/3206.

(55) Regulation 5 of the England and Wales Regulations was amended by regulation 5 of S.I. 2013/3198. Regulation 5 of the Scotland Regulations was amended by regulation 5 of S.I. 2013/3206.

(56) Regulation 6 of the England and Wales Regulations was amended by regulation 6 of S.I. 2013/3198. Regulation 6 of the Scotland Regulations was amended by regulation 6 of S.I. 2013/3206.

(57) Regulation 32A of the England and Wales Regulations was inserted by regulation 24(4) of S.I. 2006/2910. Regulation 32A of the Scotland Regulations was inserted by regulation 24(4) of S.I. 2007/925.

(58) Regulation 36A of the England and Wales Regulations was inserted by regulation 26 of S.I. 2006/2910. Regulation 36A of the Scotland Regulations was inserted by regulation 26 of S.I. 2007/925.

(59) Regulation 55A of the England and Wales Regulations was inserted by regulation 24 of S.I. 2013/3198. Regulation 55A of the Scotland Regulations was inserted by regulation 24 of S.I. 2013/3206.

(60) Regulation 62 of the England and Wales Regulations was inserted by regulation 16 of S.I. 2006/2910. Regulation 62 of the Scotland Regulations was inserted by regulation 16 of S.I. 2007/925.

- (i) regulation 120 (calculating the fee for supply of marked registers or lists)(61).

Forms

3.—(1) Regulation 4 of the relevant regulations (forms)(62) applies for the purposes of the referendum but with the following modifications.

(2) Paragraph (1) has effect for the purposes of the referendum as if—

(a) after paragraph (b) there were inserted—

“, and

(c) applications made under Chapter 1 of Part 3 of the European Union Referendum (Conduct) Regulations 2016.”

(b) after “an election” there were inserted “or the referendum”.

(3) Paragraph (2) has effect for the purposes of the referendum only in so far as it relates to Form K in Schedule 3 to the relevant regulations.

Computation of time

4. Regulation 8 of the relevant regulations (time)(63) has effect for the purposes of the referendum as if in paragraph (2) for “regulation 56(6)” there were substituted “regulations 56(6) and 78A(5)”.

Restriction on supply etc of record of anonymous entries

5. Regulation 45B(2) of the Scotland Regulations (duties of registration officers etc in relation to record of anonymous entries)(64) has effect for the purposes of the referendum as if—

(a) after sub-paragraph (a) there were treated as inserted—

“(aa) a deputy of the registration officer acting in that other capacity;”, and

(b) the references in sub-paragraph (b) to “that officer” were treated as references to “a person mentioned in sub-paragraph (a) or (aa)”.

General requirements for applications for an absent vote

6.—(1) Regulation 51 of the relevant regulations (general requirements for applications for an absent vote)(65) has effect for the purposes of the referendum with the following modifications.

(2) Paragraph (1) has effect for those purposes as if after “Schedule 4” there were inserted “or Chapter 1 of Part 3 of the European Union Referendum (Conduct) Regulations 2016”.

(3) Paragraph (2) has effect for the purposes of the referendum as if—

(a) in sub-paragraph (b), after “Schedule 4” there were inserted “or regulation 66(4) or (5) of the European Union Referendum (Conduct) Regulations 2016”, and

(61) Regulation 120 of each of the England and Wales and Scotland Regulations was substituted by regulations 3, 5, 6 and 8 of S.I. 2008/1901.

(62) Regulation 4 of the England and Wales Regulations was amended by regulation 4 of S.I. 2013/3198. Regulation 4 of the Scotland Regulations was amended by regulation 4 of S.I. 2013/3206.

(63) Regulation 8 of the England and Wales Regulations was amended by regulation 60(1) of S.I. 2006/2910. Regulation 8 of the Scotland Regulations was amended by regulation 48(1) of S.I. 2007/925.

(64) Regulation 45B was inserted by regulation 18 of S.I. 2007/925.

(65) Regulation 51 of the England and Wales Regulations was amended by regulation 3 of S.I. 2006/752 and regulation 32 of S.I. 2006/2910. Regulation 51 of the Scotland Regulations was amended by regulation 3 of S.I. 2006/834 and regulation 3 of S.I. 2008/305.

(b) in sub-paragraph (f), after “Schedule 4” there were inserted “or regulation 62 or 66 of the European Union Referendum (Conduct) Regulations 2016,”.

(4) For the purposes of the referendum the following paragraph is to be treated as inserted after paragraph (5)—

“(5A) An application that is made under Chapter 1 of Part 3 of the European Union Referendum (Conduct) Regulations 2016 for the purposes of the referendum must state that it is so made.”

Signature of application for absent vote

7. Regulation 51A(a) of the relevant regulations (requirements that applications for an absent vote must be signed)(66) has effect for the purposes of the referendum as if—

- (a) after “Schedule 4” there were inserted “or Chapter 1 of Part 3 of the European Union Referendum (Conduct) Regulations 2016”, and
- (b) for “or the returning officer” there were substituted “, the returning officer or the counting officer”.

Address to which to send ballot paper: requirements if different to address in application

8. Regulation 51AA(1) of the relevant regulations (additional requirement for applications for ballot paper to be sent to different address from that in application)(67) has effect for the purposes of the referendum as if—

- (a) in sub-paragraph (a), after “Schedule 4” there were inserted “or regulation 62(1) of the European Union Referendum (Conduct) Regulations 2016”, and
- (b) in sub-paragraph (b), after “Schedule 4” there were inserted “or regulation 66(4) of the European Union Referendum (Conduct) Regulations 2016”.

Address to which to send ballot paper: requirements if different to address in records

9. Regulation 51B of the relevant regulations (additional requirement for applications for ballot paper to be sent to different address from that in records)(68) applies for the purposes of the referendum but as if for sub-paragraphs (a) and (b) of paragraph (1) there were substituted “regulation 62(5)(a) or 66(5) of the European Union Referendum (Conduct) Regulations 2016 by a person shown as voting by post in the record referred to in that provision.”

Applications for appointment of a proxy

10. Regulation 52 of the relevant regulations (additional requirements for applications for appointment of proxy) has effect for the purposes of the referendum as if after “Schedule 4” there were inserted “or regulation 64(4) of the European Union Referendum (Conduct) Regulations 2016”.

(66) Regulation 51A of the England and Wales Regulations was inserted by regulation 4 of [S.I. 2006/752](#) and substituted by regulation 33 of [S.I. 2006/2910](#). Regulation 51A of the Scotland Regulations was inserted by regulation 4 of [S.I. 2006/834](#) and substituted by regulation 4 of [S.I. 2008/305](#).

(67) Regulation 51AA of the England and Wales Regulations was inserted by regulation 61 of [S.I. 2006/2910](#). Regulation 51AA of the Scotland Regulations was inserted by regulation 49 of [S.I. 2007/925](#).

(68) Regulation 51B of the England and Wales Regulations was inserted by regulation 4 of [S.I. 2006/752](#) and amended by regulation 19 of [S.I. 2006/2910](#). Regulation 51B of the Scotland Regulations was inserted by regulation 4 of [S.I. 2006/834](#) and amended by regulation 19 of [S.I. 2007/925](#).

Additional requirements for applications for proxy to vote

11.—(1) Regulation 55 of the relevant regulations (additional requirement for applications for proxy to vote) applies for the purposes of the referendum but with the following modifications.

(2) For those purposes the following paragraph is to be treated as substituted for paragraph (1)—

“(1) An application under regulation 62(2) of the European Union Referendum (Conduct) Regulations 2016 to vote by proxy in the referendum is to set out why the applicant’s circumstances on the date of the poll will be or are likely to be such that the applicant cannot reasonably be expected to vote in person at the polling station allotted to the applicant under Part 2 of those Regulations.”

(3) Paragraph (2) has effect for the purposes of the referendum as if—

- (a) for “paragraph 4(2) of Schedule 4” there were substituted “regulation 62(2) of the European Union Referendum (Conduct) Regulations 2016”, and
- (b) for “at the election for which it is made” there were substituted “for the referendum”.

(4) Paragraph (3A) of the England and Wales Regulations and paragraph (4) of the Scotland Regulations has effect for the purposes of the referendum as if—

- (a) for “paragraph 4(2) of Schedule 4” there were substituted “regulation 62(2) of the European Union Referendum (Conduct) Regulations 2016”, and
- (b) for “at the election for which it is made” there were substituted “for the referendum”.

(5) Paragraph (4) of the England and Wales Regulations and paragraph (3A) of the Scotland Regulations has effect for the purposes of the referendum as if—

- (a) for “paragraph 4(2) of Schedule 4” there were substituted “regulation 62(2) of the European Union Referendum (Conduct) Regulations 2016”,
- (b) for “paragraph 2(5A) of that Schedule” there were substituted “regulation 60(7) of those Regulations”, and
- (c) for “at the election for which it is made” there were substituted “for the referendum”.

Closing date for applications

12.—(1) Regulation 56 of the relevant regulations (closing date for applications)(69) has effect for the purposes of the referendum with the following modifications.

(2) For those purposes the following paragraph is to be treated as substituted for paragraph (1)—

“(1) An application under paragraph 3(1), (6) or (7) or 7(4) of Schedule 4 to the 2000 Act or an application under regulation 66(4) of the European Union Referendum (Conduct) Regulations 2016 shall be disregarded for the purposes of the referendum, and an application under regulation 62(5) of the European Union Referendum (Conduct) Regulations 2016 shall be refused, if it is received by the registration officer after 5 pm on the eleventh day before the date of the poll for the referendum.”

(3) Paragraph (2) has effect for the purposes of the referendum as if—

- (a) for “a particular parliamentary or local government election” there were substituted “the referendum”, and
- (b) for “at that election” there were substituted “for the referendum”.

(69) Regulation 56 of the England and Wales Regulations was amended by regulations 2 and 6 of S.I. 2001/1700; regulation 6 of S.I. 2006/752; regulations 44 and 60(2) of S.I. 2006/2910; and regulation 25 of S.I. 2013/3198. Regulation 56 of the Scotland Regulations was amended by regulations 2 and 5 of S.I. 2001/1749; regulation 6 of S.I. 2006/834; regulations 32 and 48(2) of S.I. 2007/925; and regulation 25 of S.I. 2013/3206.

(4) For the purposes of the referendum the following paragraphs are to be treated as substituted for paragraphs (3) and (3A)—

“(3) Subject to paragraph (3A), an application under regulation 62(2) or 64(4) of the European Union Referendum (Conduct) Regulations 2016 shall be refused if it is received by the registration officer after 5 pm on the sixth day before the date of the poll for the referendum.

(3A) Where an application made under regulation 62(2) of the European Union Referendum (Conduct) Regulations 2016 is made—

- (a) on the grounds of the applicant’s disability and the applicant became disabled after 5 pm on the sixth day before the date of the poll for the referendum; or
- (b) on grounds relating to the applicant’s occupation, service or employment and the applicant became aware of those grounds after 5 pm on the sixth day before the date of the poll for the referendum; or
- (c) by a person to whom regulation 60(7) of those Regulations applies,

the application, or an application under regulation 64(4) of those Regulations made by virtue of that application, is to be refused if it is received after 5pm on the day of the poll for the referendum.”

(5) For the purposes of the referendum the following paragraph is to be treated as substituted for paragraph (4)—

“(4) An application under regulation 62(1) or 66(5) of the European Union Referendum (Conduct) Regulations 2016 is to be refused if it is received by the registration officer after 5 pm on the eleventh day before the date of the poll for the referendum.”

(6) Paragraph (5) has effect for the purposes of the referendum as if—

- (a) after “paragraph 6(10) of that Schedule by an elector” there were treated as inserted “, or a notice under regulation 64(6) of the European Union Referendum (Conduct) Regulations 2016 by a person,”,
- (b) for “a particular parliamentary or local government election” there were substituted “the referendum”, and
- (c) for “at that election” there were substituted “for the referendum”.

(7) Paragraph (5A) has effect for the purposes of the referendum as if for “a particular parliamentary or local government election” there were substituted “the referendum”.

(8) For the purposes of the referendum the following paragraph is to be treated as substituted for paragraphs (6) and (7)—

“(6) In computing a period of days for the purposes of this regulation the following days are to be disregarded—

- (a) a Saturday or Sunday, and
- (b) Christmas Eve, Christmas Day, Good Friday and any other day that is a bank holiday under the Banking and Financial Dealings Act 1971 in any part of the United Kingdom.”

Grant or refusal of applications

13.—(1) Regulation 57 of the relevant regulations (grant or refusal of applications)(70) has effect for the purposes of the referendum with the following modifications.

(70) Regulation 57 of the England and Wales Regulations was amended by regulation 7 of S.I. 2006/752 and regulation 61 of S.I. 2006/2910. Regulation 57 of the Scotland Regulations was amended by regulation 7 of S.I. 2006/834 and regulation 50 of S.I. 2007/925.

(2) For those purposes, paragraph (3) is treated as omitted.

(3) Paragraph (4) has effect for the purposes of the referendum as if after “Schedule 4” there were inserted “or Chapter 1 of Part 3 of the European Union Referendum (Conduct) Regulations 2016”.

(4) Paragraph (4A) has effect for the purposes of the referendum as if after sub-paragraph (b) there were inserted—

“, or

(c) regulation 62(5)(a) of the European Union Referendum (Conduct) Regulations 2016 by a person shown as voting by post in a record mentioned in that provision, or

(d) regulation 66(5) of those Regulations by a person shown as voting by post in a record mentioned in that provision.”.

(5) Paragraph (4B) has effect for the purposes of the referendum as if after “Schedule 4” there were inserted “or regulation 62(5)(a) or 66(5) of the European Union Referendum (Conduct) Regulations 2016”.

(6) Paragraph (5) has effect for the purposes of the referendum as if for “any particular parliamentary or local government election,” there were substituted “the referendum”.

(7) For the purposes of the referendum the following paragraph is to be treated as inserted after paragraph (6)—

“(7) Where the registration officer is not the counting officer for any voting area or part of a voting area in the area for which he is the registration officer, he shall send to that officer details of any application to vote by post which he has granted as soon as practicable after doing so.”

Cancellation of proxy appointment

14. Regulation 59 of the relevant regulations (cancellation of proxy appointment) has effect for the purposes of the referendum as if—

(a) after “paragraph 6(10) of Schedule 4” there were inserted “or regulation 64(6) of the European Union Referendum (Conduct) Regulations 2016”,

(b) for “that provision” there were substituted “either of those provisions”,

(c) for “of that Schedule” there were substituted “of Schedule 4”, and

(d) after “paragraph 3(4)(c) of Schedule 4” there were inserted “or the list of proxies kept under regulation 63(3) of the European Union Referendum (Conduct) Regulations 2016”.

Requirement to provide fresh signatures every 5 years

15.—(1) Regulation 60A of the relevant regulations (requirement to provide fresh signatures)(71) has effect for the purposes of the referendum with the following modifications.

(2) Paragraph (7) has effect for those purposes as if for the words from “kept under” to the end there were substituted “kept under regulation 63(2), 63(3) or 66(6) of the European Union Referendum (Conduct) Regulations 2016.”

(3) Paragraph (8) has effect for the purposes of the referendum as if—

(a) in sub-paragraph (a), at the end there were inserted “or under Part 2 of the European Union Referendum (Conduct) Regulations 2016 (as the case may be)”, and

(b) in sub-paragraph (b), after “Schedule 4” there were inserted “or Chapter 1 of Part 3 of the European Union Referendum (Conduct) Regulations 2016”.

(71) Regulation 60A of the England and Wales Regulations was inserted by regulation 34 of S.I. 2006/2910. Regulation 60A of the Scotland Regulations was inserted by regulation 5 of S.I. 2008/305.

(4) Paragraph (9) has effect for the purposes of the referendum as if for the words from “kept under” to the end there were substituted—

“kept under regulation 63(2), 63(3) or 66(6) of the European Union Referendum (Conduct) Regulations 2016, information—

- (a) explaining the effect of such removal, and
- (b) reminding the absent voter that he may make a fresh application to vote by post or by proxy (as the case may be).”

Records and lists

16.—(1) Regulation 61 of the relevant regulations (records and lists)(72) applies for the purposes of the referendum but with the following modifications.

(2) Paragraph (1) has effect for those purposes as if for the words from “any of the following” to the end there were substituted “the current or final version of the postal voters list, the list of proxies or the proxy postal voters lists which he is required to keep under regulation 63(2), 63(3) or 66(6) of the European Union Referendum (Conduct) Regulations 2016.”

(3) Paragraph (3) of the Scotland Regulations has effect for the purposes of the referendum as if after sub-paragraph (b) there were inserted—

“or

- (c) purposes connected with the referendum.”

(4) Paragraph (5) has effect for the purposes of the referendum as if for “paragraph 5(2) of Schedule 4” there were substituted “regulation 63(2) of the European Union Referendum (Conduct) Regulations 2016.”

(5) Paragraph (6) has effect for the purposes of the referendum as if—

- (a) in sub-paragraph (a), for “paragraphs 5 and 7(8) of Schedule 4” there were substituted “regulations 63 and 66(6) of the European Union Referendum (Conduct) Regulations 2016”, and
- (b) for sub-paragraph (b) there were substituted—

“(b) if he is not the counting officer for any voting area or part of a voting area in the area for which he is the registration officer, send to that officer a copy of those lists and provide any subsequent revised lists or revisions to the lists;”

(6) Paragraph (6A) has effect for the purposes of the referendum as if—

- (a) for “parliamentary election” there were substituted “the referendum”,
- (b) for “acting returning officer” there were substituted “counting officer”,
- (c) for “any constituency or part of a constituency” there were substituted “any voting area or part of a voting area”, and
- (d) for “paragraphs 5 and 7(8) of Schedule 4” there were substituted “regulations 63 and 66(6) of the European Union Referendum (Conduct) Regulations 2016”.

(7) Paragraph (7) has effect for the purposes of the referendum as if for “the proxy voters list kept under paragraph 5(3) of Schedule 4” there were substituted “the list of proxies kept under regulation 63(3) of the European Union Referendum (Conduct) Regulations 2016”.

(72) Regulation 61 of the England and Wales Regulations was substituted by regulation 55 of S.I. 2006/2910 and amended by regulation 27 of S.I. 2013/3198. Regulation 61 of the Scotland Regulations was substituted by regulation 43 of S.I. 2007/925 and amended by regulation 27 of S.I. 2013/3206.

Conditions on use, supply and inspection of absent voter records or lists

17. Regulation 61A of the relevant regulations (conditions on the use, supply and inspection of absent voter records or lists)(73) applies for the purposes of the referendum but as if—

- (a) for “regulations 61(1)(a) and (b)” there were substituted “regulation 61(1)”,
- (b) the word “either” were omitted, and
- (c) after sub-paragraph (b) there were inserted—
“, or
(c) purposes connected with the referendum.”

Personal identifiers record

18.—(1) Regulation 61B of the relevant regulations (personal identifiers record)(74) has effect for the purposes of the referendum with the following modifications.

(2) For those purposes the following paragraph is to be treated as substituted for paragraph (1)—

“(1) In these Regulations “personal identifiers record” means a record kept by a registration officer in pursuance of—

- (a) paragraph 3(9) or 7(12) of Schedule 4 to the Representation of the People Act 2000 in relation to persons entitled to vote in the referendum,
- (b) paragraph 3(9) or 7(13) of Schedule 2 to the European Parliamentary Elections Regulations 2004 in relation to peers entitled to vote in the referendum, or
- (c) regulation 62(8) or 66(10) of the European Union Referendum (Conduct) Regulations 2016.”

(3) Paragraph (3) has effect for the purposes of the referendum as if the following were substituted for sub-paragraph (a)—

- “(a) any agent attending proceedings on receipt of postal ballot papers, in accordance with regulation 85A(4).”

Notification of rejected postal voting statement

19. Regulation 61C of the relevant regulations (notification of rejected postal voting statement)(75) applies for the purposes of the referendum but as if, in paragraphs (1)(a) and (2)(b), for “returning officer” there were substituted “counting officer”.

Interpretation of Part 5

20. Regulation 64 of the relevant regulations (interpretation of Part 5)(76) has effect for the purposes of the referendum as if—

- (a) the following were substituted for the definition of “agent”—
““agent”, except in regulation 69, means a referendum agent or an agent appointed under regulation 69;”, and

(73) Regulation 61A of the England and Wales Regulations was inserted by regulation 56 of S.I. 2006/2910. Regulation 61A of the Scotland Regulations was inserted by regulation 44 of S.I. 2007/925.

(74) Regulation 61B of the England and Wales Regulations was inserted by regulation 35 of S.I. 2006/2910. Regulation 61B of the Scotland Regulations was inserted by regulation 6 of S.I. 2008/305.

(75) Regulation 61C of the England and Wales Regulations was inserted by regulation 28 of S.I. 2013/3198. Regulation 61C of the Scotland Regulations was inserted by regulation 28 of S.I. 2013/3206.

(76) Regulation 64 of the England and Wales Regulation was amended by regulations 31(2) and 48 of S.I. 2006/2910 and paragraph 46 of Schedule 1 to S.I. 2011/2085. Regulation 64 of the Scotland Regulations was amended by regulation 36 of S.I. 2007/925; regulation 2(2) of S.I. 2008/305; and paragraph 47 of Schedule 1 to S.I. 2011/2085.

- (b) in the definition of “valid postal voting statement”, for “returning officer” there were substituted “counting officer”.

Persons entitled to be present at proceedings on issue of postal ballot papers

21. Regulation 67 of the relevant regulations (persons entitled to be present at proceedings on issue of postal ballot papers)(77) applies for the purposes of the referendum but as if for “returning officer” there were substituted “counting officer”.

Persons entitled to be present at proceedings on receipt of postal ballot papers

22. Regulation 68 of the relevant regulations (persons entitled to be present at proceedings on receipt of postal ballot papers)(78) applies for the purposes of the referendum but as if for sub-paragraphs (a) to (c) there were substituted—

- “(a) the counting officer and his clerks,
- (b) a referendum agent,”.

Agents of candidate who may attend proceedings on receipt of postal ballot papers

23. Regulation 69 of the relevant regulations (agents of candidates who may attend proceedings on receipt of postal ballot papers) applies for the purposes of the referendum but as if—

- (a) for “candidate” (in each place) there were substituted “referendum agent”,
- (b) for “returning officer” (in each place) there were substituted “counting officer”, and
- (c) paragraphs (3) and (5) were omitted.

Notification of requirement of secrecy

24. Regulation 70 of the relevant regulations (notification of requirement of secrecy) applies for the purposes of the referendum but as if for “returning officer” there were substituted “counting officer”.

Time when postal ballot papers are to be issued

25. Regulation 71 of the relevant regulations (time when postal ballot papers are to be issued)(79) applies for the purposes of the referendum but as if for the words from “be issued” to the end there were substituted—

“not be issued by a counting officer so as to be received by persons entitled to vote in the referendum before the beginning of the relevant period within the meaning of section 125 of the Political Parties, Elections and Referendums Act 2000 (restriction on campaigning by certain persons or bodies).”

(77) Regulation 67 of the England and Wales Regulations was amended by regulation 63 of S.I. 2006/2910. Regulation 67 of the Scotland Regulations was amended by regulation 51 of S.I. 2007/925.

(78) Regulation 68 of the England and Wales Regulations was amended by regulation 63 of S.I. 2006/2910. Regulation 67 of the Scotland Regulations was amended by regulation 51 of S.I. 2007/925.

(79) Regulation 71 of the England and Wales Regulations was substituted by regulation 29 of S.I. 2013/3198. Regulation 71 of the Scotland Regulations was substituted by regulation 29 of S.I. 2013/3206.

Procedure on issue of postal ballot papers

26. Regulation 72 of the relevant regulations (procedure on issue of postal ballot papers)(80) applies for the purposes of the referendum but as if in paragraph (8) for sub-paragraphs (a) and (b) there were substituted “as mentioned in column 3 of the table in regulation 63(2) or 66(6) of the European Union Referendum (Conduct) Regulations 2016.”

Refusal to issue ballot paper

27. Regulation 73 of the relevant regulations (refusal to issue ballot paper)(81) has effect for the purposes of the referendum as if—

- (a) for “returning officer” there were substituted “counting officer”, and
- (b) for “at any one election” there were substituted “for the referendum”.

Envelopes

28. Regulation 74 of the relevant regulations (envelopes)(82) applies for the purposes of the referendum but as if in paragraph (1) for “rule 24 of the elections rules” there were substituted “regulation 17 of the European Union Referendum (Conduct) Regulations 2016”.

Sealing up of completed corresponding number lists

29. Regulation 75 of the relevant regulations (sealing up of completed corresponding number lists)(83) applies for the purposes of the referendum but as if for “returning officer” (in both places) there were substituted “counting officer”.

Delivery of postal ballot papers

30.—(1) Regulation 76 of the relevant regulations (delivery of postal ballot papers) applies for the purposes of the referendum but with the following modifications.

- (2) For those purposes paragraph (1) has effect as if—
 - (a) for “returning officer” there were substituted “counting officer”, and
 - (b) in sub-paragraph (c), for “rule 26(1) of the elections rules” there were substituted “regulation 19 of the European Union Referendum (Conduct) Regulations 2016.”
- (3) For the purposes of the referendum paragraph (2) has effect as if for “returning officer” there were substituted “counting officer”.

Spoilt postal ballot papers

31. Regulation 77 of the relevant regulations (spoilt postal ballot papers)(84) applies for the purposes of the referendum but as if for “returning officer” (in each place) there were substituted “counting officer”.

(80) Regulation 72 of the England and Wales Regulations was amended by regulation 12 of S.I. 2002/1871 and regulations 30(1), 49 and 65(a) of S.I. 2006/2910. Regulation 72 of the Scotland Regulations was amended by regulations 29(1), 37 and 54(a) of S.I. 2007/925.

(81) Regulation 73 of the England and Wales Regulations was amended by regulation 49 of S.I. 2006/2910. Regulation 72 of the Scotland Regulations was amended by regulation 37 of S.I. 2007/925.

(82) Regulation 74 of the England and Wales Regulations was amended by regulations 64 and 65(a) of S.I. 2006/2910. Regulation 72 of the Scotland Regulations was amended by regulations 52 and 54(a) of S.I. 2007/925.

(83) Regulation 75 of the England and Wales Regulations was amended by regulations 30(2) and 50 of S.I. 2006/2910. Regulation 75 of the Scotland Regulations was amended by regulations 29(2) and 38 of S.I. 2007/925.

(84) Regulation 77 of the England and Wales Regulations was amended by regulation 9 of S.I. 2006/752 and regulations 22 65(a) of S.I. 2006/2910. Regulation 77 of the Scotland Regulations was amended by regulation 8 of S.I. 2006/834 and regulations 22 and 54(a) of S.I. 2007/925.

Lost postal ballot papers

32. Regulation 78 of the relevant regulations (lost postal ballot papers)(**85**) applies for the purposes of the referendum but as if for “returning officer” (in each place) there were substituted “counting officer”.

Cancellation of postal ballot papers

33.—(1) Regulation 78A of the relevant regulations (cancellation of postal ballot papers)(**86**) applies for the purposes of the referendum but with the following modifications.

(2) Paragraph (1) has effect for those purposes as if—

- (a) for the words from “final” to “application under” there were substituted “nineteenth day before the day of the poll for the referendum, an application under”,
- (b) in sub-paragraph (b), for the reference to “or 4(3)(b) of that Schedule” there were substituted “of Schedule 4 or regulation 62(5)(b) of the European Union Referendum (Conduct) Regulations 2016”,
- (c) in sub-paragraph (c), for the reference to “that Schedule” there were substituted “Schedule 4”,
- (d) in sub-paragraph (d), for the reference to “paragraph 4(3)(a) of that Schedule” there were substituted “regulation 62(5)(a) of the European Union Referendum (Conduct) Regulations 2016”,
- (e) in sub-paragraph (e), for the reference to “or (8) of that Schedule” there were substituted “of Schedule 4 or regulation 64(4) of the European Union Referendum (Conduct) Regulations 2016”,
- (f) in sub-paragraph (f), for the reference to “paragraph 7(7) of that Schedule” there were substituted “regulation 66(5) of the European Union Referendum (Conduct) Regulations 2016”,
- (g) in sub-paragraph (g), for the reference to “that Schedule” there were substituted “Schedule 4”,
- (h) for the reference to “paragraph 6(10) of that Schedule” there were substituted “paragraph 6(10) of Schedule 4 or regulation 64(4) of the European Union Referendum (Conduct) Regulations 2016”, and
- (i) for the reference to “that election” there were substituted “the referendum”.

(3) For the purposes of the referendum, paragraphs (1), (2) and (3) have effect as if for “returning officer” (in each place) there were substituted “counting officer”.

(4) For the purposes of the referendum the following paragraph is treated as substituted for paragraph (5)—

“(5) In computing a period of days for the purposes of this regulation the following days are to be disregarded—

- (a) a Saturday or Sunday,
- (b) Christmas Eve, Christmas Day, Good Friday and any other day that is a bank holiday under the Banking and Financial Dealings Act 1971 in any part of the United Kingdom,

(85) Regulation 78 of the England and Wales Regulations was amended by regulation 10 of [S.I. 2006/752](#) and regulations 22 and 65(2) of [S.I. 2006/2910](#). Regulation 78 of the Scotland Regulations was amended by regulation 9 of [S.I. 2006/834](#); regulations 22 and 54(a) of [S.I. 2007/925](#); and regulation 30 of [S.I. 2013/3206](#).

(86) Regulation 78A of the England and Wales Regulations was inserted by regulation 30 of [S.I. 2013/3198](#). Regulation 78A of the Scotland Regulations was inserted by regulation 31 of [S.I. 2013/3206](#) and was amended by regulations 2 and 9 of [S.I. 2015/450](#).

- (c) any day that is a bank or public holiday in Gibraltar under the Gibraltar Acts titled the Banking and Financial Dealings Act and the Interpretation and General Clauses Act, and
- (d) any day appointed in any part of the United Kingdom or Gibraltar as a day of public thanksgiving or mourning.”

Alternative means of returning postal ballot paper or postal voting statement: England and Wales

34. Regulation 79 of the England and Wales Regulations (alternative means of returning postal ballot paper or postal voting statement)(**87**) applies for the purposes of the referendum but as if—

- (a) for “returning officer” (in each place) there were substituted “counting officer”,
- (b) in paragraph (1) for “rule 45(1B) of the rules in Schedule 1 to the 1983 Act” there were substituted “regulation 46(3) of the European Union Referendum (Conduct) Regulations 2016”, and
- (c) in paragraph (3) for “rule 43(1) of the elections rules” there were substituted “regulation 44(1) of the European Union Referendum (Conduct) Regulations 2016”.

Alternative means of returning postal ballot paper or postal voting statement: Scotland

35. Regulation 79 of the Scotland Regulations (alternative means of returning postal ballot paper or postal voting statement) applies for the purposes of the referendum but as if—

- (a) for “returning officer” (in each place) there were substituted “counting officer”,
- (b) in paragraph (1) for “rule 45(1B) of the elections rules” there were substituted “regulation 46(3) of the European Union Referendum (Conduct) Regulations 2016”, and
- (c) in paragraph (2) for “rule 43(1) of the elections rules” there were substituted “regulation 44(1) of the European Union Referendum (Conduct) Regulations 2016”.

Notice of opening of postal ballot paper envelopes

36.—(1) Regulation 80 of the relevant regulations (notice of opening of postal ballot paper envelopes) applies for the purposes of the referendum but with the following modifications.

(2) Paragraph (1) has effect for those purposes as if—

- (a) for “returning officer” there were substituted “counting officer”, and
- (b) for “candidate” there were substituted “referendum agent”.

(3) Paragraph (2) has effect for the purposes of the referendum as if for “candidate” there were substituted “referendum agent”.

Postal ballot boxes and receptacles

37. Regulation 81 of the relevant regulations (postal ballot boxes and receptacles)(**88**) applies for the purposes of the referendum but as if—

- (a) for “returning officer” (in each place) there were substituted “counting officer”,

(87) Regulation 79 of the England and Wales Regulations was amended by regulation 11 of [S.I. 2006/752](#) and regulation 65 of [S.I. 2006/2910](#). Regulation 79 of the Scotland Regulations was amended by regulation 10 of [S.I. 2006/834](#) and regulation 54 of [S.I. 2007/925](#).

(88) Regulation 81 of the England and Wales Regulations was amended by regulation 36 of [S.I. 2006/2910](#) and Schedule 2 to [S.I. 2103/3198](#). Regulation 81 of the Scotland Regulations was amended by regulation 7 of [S.I. 2008/305](#) and Schedule 2 to [S.I. 2013/3206](#).

- (b) in paragraph (2) for the words from “constituency” to the end there were substituted “voting area”, and
- (c) in paragraph (4) after “box” there were inserted “(if it has a lock)”.

Receipt of covering envelope

38. Regulation 82 of the relevant regulations (receipt of covering envelope)(**89**) applies for the purposes of the referendum but as if for “returning officer” (in both places) there were substituted “counting officer”.

Opening of postal voters’ ballot box

39. Regulation 83 of the relevant regulations (opening of postal voters’ ballot box) applies for the purposes of the referendum but as if—

- (a) for “returning officer” (in both places) there were substituted “counting officer”, and
- (b) in paragraph (3) for “rule 45 of the elections rules” there were substituted “regulation 46 of the European Union Referendum (Conduct) Regulations 2016”.

Opening of covering envelopes

40. Regulation 84 of the relevant regulations (opening of covering envelopes)(**90**) applies for the purposes of the referendum but as if for “returning officer” (in each place) there were substituted “counting officer”.

Confirming receipt of postal voting statements

41. Regulation 84A of the relevant regulations (confirming receipt of postal voting statements)(**91**) applies for the purposes of the referendum but as if for “returning officer” (in each place) there were substituted “counting officer”.

Procedure in relation to postal voting statements: personal identifier verification

42. Regulation 85A of the relevant regulations (procedure in relation to postal voting statements: personal identifier verification)(**92**) applies for the purposes of the referendum but as if for “returning officer” (in each place) there were substituted “counting officer”.

Opening of ballot paper envelopes

43. Regulation 86 of the relevant regulations (opening of ballot paper envelopes) applies for the purposes of the referendum but as if, in paragraph (1), for “returning officer” there were substituted “counting officer”.

(**89**) Regulation 82 of the England and Wales Regulations was amended by regulation 65(a) of [S.I. 2006/2910](#). Regulation 82 of the Scotland Regulations was amended by regulation 54(a) of [S.I. 2007/925](#).

(**90**) Regulation 84 of the England and Wales Regulations was amended by regulations 37, 51 and 65(a) of [S.I. 2006/2910](#) and regulation 31 of [S.I. 2013/3198](#). Regulation 84 of the Scotland Regulation was amended by regulations 39 and 54(1) of [S.I. 2007/925](#); regulation 8 of [S.I. 2008/305](#); and regulation 32 of 2013/3206 regulation 54(1) of [S.I. 2007/925](#).

(**91**) Regulation 84A of the England and Wales Regulations was inserted by regulation 52 of [S.I. 2006/2910](#). Regulation 84A of the Scotland Regulations was inserted by regulation 40 of [S.I. 2007/925](#).

(**92**) Regulation 85A of the England and Wales Regulations was inserted by regulation 39 of [S.I. 2006/2910](#) and was amended by regulation 32 of [S.I. 2013/3198](#). Regulation 85A of the Scotland Regulations was inserted by regulation 10 of [S.I. 2008/305](#) and was amended by regulation 33 of [S.I. 2013/3206](#).

Retrieval of cancelled postal ballot papers

44.—(1) Regulation 86A of the relevant regulations (retrieval of cancelled postal ballot papers)(93) applies for the purposes of the referendum but with the following modifications.

(2) Paragraphs (1) and (3) have effect for those purposes as if for “returning officer” (in each place) there were substituted “counting officer”.

(3) Paragraph (2)(f) has effect for the purposes of the referendum as if for “rule 45 of the elections rules” there were substituted “regulation 46 of the European Union Referendum (Conduct) Regulations 2016”.

Lists of rejected postal ballot papers

45. Regulation 87 of the relevant regulations (lists of rejected postal ballot papers)(94) applies for the purposes of the referendum but as if in paragraph (1) for “In respect of any election, the returning officer” there were substituted “The counting officer”.

Checking of lists of rejected postal ballot papers

46. Regulation 88 of the relevant regulations (checking of lists of rejected postal ballot papers)(95) applies for the purposes of the referendum but as if—

- (a) for “returning officer” (in each place) there were substituted “counting officer”, and
- (b) in paragraph (3), for the words from “constituency” to the end there were substituted “voting area under regulation 44(4) of the European Union Referendum (Conduct) Regulations 2016”.

Sealing of receptacles

47. Regulation 89 of the relevant regulations (sealing of receptacles)(96) applies for the purposes of the referendum but as if, in paragraph (1), for “returning officer” there were substituted “counting officer”.

Forwarding or retention of documents: England and Wales

48.—(1) Regulation 91 of the England and Wales Regulations (forwarding of documents)(97) applies for the purposes of the referendum but with the following modifications.

- (2) For those purposes the following paragraph is to be treated as substituted for paragraph (1)—
- “(1) When the counting officer forwards the documents mentioned in regulation 56 of the European Union Referendum (Conduct) Regulations 2016, he shall forward to the same registration officer—

(93) Regulation 86A of the England and Wales Regulations was inserted by regulation 45 of [S.I. 2006/2910](#) and amended by regulation 33 of [S.I. 2013/3198](#). Regulation 86A of the Scotland Regulations was inserted by regulation 33 of [S.I. 2007/925](#) and was amended by regulation 34 of [S.I. 2013/3206](#).

(94) Regulation 87 of the England and Wales Regulations was amended by regulation 65(a) of [S.I. 2006/2910](#) and regulation 34 of [S.I. 2013/3198](#). Regulation 87 of the Scotland Regulations was amended by regulation 54(a) of [S.I. 2007/925](#) and regulation 35 of [S.I. 2013/3206](#).

(95) Regulation 88 of the England and Wales Regulations was amended by regulation 65 of [S.I. 2006/2910](#). Regulation 88 of the Scotland Regulations was amended by regulation 54 of [S.I. 2007/925](#).

(96) Regulation 89 of the England and Wales Regulations was amended by regulation 40 of [S.I. 2006/2910](#) and regulation 35 of [S.I. 2013/3198](#). Regulation 89 of the Scotland Regulations was amended by regulation 11 of [S.I. 2008/305](#) and regulation 36 of [S.I. 2013/3206](#).

(97) Regulation 91 was amended by regulation 12 of [S.I. 2006/752](#); regulation 53 of [S.I. 2006/2910](#); and regulation 36 of [S.I. 2013/3198](#).

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: *The European Union Referendum (Conduct) Regulations 2016 No. 219*

- (a) any packets referred to in regulations 75, 77(6), 78(2C), 78A(2), 84(9) and 89, endorsing on each packet a description of its contents, the date of the referendum and the name of the voting area, and
 - (b) a completed statement in Form K of the number of postal ballot papers issued.”
- (3) Paragraph (3) has effect for the purposes of the referendum as if for “returning officer” (in both places) there were substituted “counting officer”.
- (4) Paragraph (3A) has effect for the purposes of the referendum as if—
- (a) for “returning officer” (in both places) there were substituted “counting officer”,
 - (b) the following were substituted for sub-paragraph (a)—
 - “(a) forward to the registration officer mentioned in that paragraph the list required to be compiled under regulation 87(4),”, and
 - (c) in sub-paragraph (b) for “constituency” there were substituted “voting area”.
- (5) Paragraph (4) has effect for the purposes of the referendum as if for “Rules 56 and 57 of the elections rules” there were substituted “Regulations 57 and 58 of the European Union Referendum (Conduct) Regulations 2016”.
- (6) Paragraph (5) has effect for the purposes of the referendum as if for “returning officer” there were substituted “counting officer”.

Retention of documents: Scotland

- 49.**—(1) Regulation 91 of the Scotland Regulations (retention of documents)(**98**) applies for the purposes of the referendum but with the following modifications.
- (2) For those purposes the following paragraph is to be treated as substituted for paragraph (1)—
- “(1) The counting officer shall retain together with the documents mentioned in regulation 56 of the European Union Referendum (Conduct) Regulations 2016—
- (a) any packets referred to in regulations 75, 77(6), 78(2C), 78A(2), 84(8) and 89, endorsing on each packet a description of its contents, the date of the referendum and the name of the voting area,
 - (b) a completed statement in Form K of the number of postal ballot papers issued, and
 - (c) any list compiled under regulation 87(4).”
- (3) Paragraph (2) has effect for the purposes of the referendum as if for “returning officer” (in both places) there were substituted “counting officer”.
- (4) Paragraph (4) has effect for the purposes of the referendum as if—
- (a) for “Rules 56, 57 and 58 of the elections rules” there were substituted “Regulations 57 and 58 of the European Union Referendum (Conduct) Regulations 2016”, and
 - (b) for “rules 56 and 57” there were substituted “those regulations”.
- (5) Paragraph (5) has effect for the purposes of the referendum as if for “returning officer” there were substituted “counting officer”.

Forwarding of documents: Scotland

- 50.**—(1) Regulation 91A of the Scotland Regulations (forwarding of documents)(**99**) applies for the purposes of the referendum but with the following modifications.

(98) Regulation 91 was amended by regulation 11 of S.I. 2006/834; regulation 41 of S.I. 2007/925; regulations 2 and 3 of S.I. 2010/980; and regulation 37 of S.I. 2013/3206.

(99) Regulation 91A was inserted by regulation 38 of S.I. 2013/3206.

- (2) For those purposes the following paragraph is to be treated as substituted for paragraph (1)—
- “(1) Before the counting officer seals up the counted and rejected ballot papers as provided by regulation 55 of the European Union Referendum (Conduct) Regulations 2016, the counting officer must send a copy of any list compiled under regulation 87(4) to the registration officer for the local government area for which the counting officer is appointed.”
- (3) Paragraph (2) has effect for the purposes of the referendum as if the words from “and requiring” to the end were omitted.
- (4) Paragraph (3) has effect for the purposes of the referendum as if—
- (a) for “Rule 56 of the elections rules, as modified by rule 58 of those rules,” there were substituted “Regulation 57 of the European Union Referendum (Conduct) Regulations 2016”,
- (b) the words “, or extracts of the list,” were omitted,
- (c) for “returning officer” (in both places) there were substituted “counting officer”,
- (d) in sub-paragraph (a)—
- (i) for “rule 56” there were substituted “regulation 57”, and
- (ii) the words “, or extracts of the list,” were omitted, and
- (e) in sub-paragraph (b)—
- (i) the words “(as modified by rule 58 of the elections rules)” were omitted, and
- (ii) the words “, or extracts of a list,” were omitted.
- (5) Paragraph (4) has effect for the purposes of the referendum as if the words “, or extracts of the list,” were omitted.
- (6) Paragraph (5) has effect for the purposes of the referendum as if—
- (a) the words “, or extracts of the list,” (in both places) were omitted, and
- (b) the words “, and issued any notices under regulation 60B,” were omitted.

Interpretation and application of Part 6: England and Wales

51. Regulation 92 of the England and Wales Regulations (interpretation and application of Part 6)(100) applies for the purposes of the referendum but as if—

- (a) in paragraph (7), for the words from “under regulations” to the first “may” there were substituted “under regulation 98 may”, and
- (b) in paragraph (10), for the words from “in regulations” to “below” there were substituted “in regulations 94(3) and 98(9) below”.

Restriction on supply etc of full register: England and Wales

52. Regulation 94 of the England and Wales Regulations (restrictions on supply etc of full register)(101) has effect for the purposes of the referendum as if, in paragraph (1), after sub-paragraph (b) there were inserted—

- “(ba) the Chief Counting Officer and any Regional Counting Officer; and
- (bb) any deputy of the Chief Counting Officer or of any Regional Counting Officer; and”.

(100) Regulation 92 was inserted by regulation 15 of S.I. 2002/1871 and was amended by regulation 13 of S.I. 2006/752; regulations 27 and 57 of S.I. 2006/2910; and regulations 37 and 42 of S.I. 2013/3198.

(101) Regulation 94 was inserted by regulation 15 of S.I. 2002/1871.

Restriction on supply etc of full register: Scotland

53.—(1) Regulation 94 of the Scotland Regulations (restrictions on supply etc of full register)⁽¹⁰²⁾ has effect for the purposes of the referendum with the following modifications.

(2) Paragraph (1) has effect for those purposes as if after sub-paragraph (a) there were inserted—

- “(aa) the Chief Counting Officer and any Regional Counting Officer, and
- (ab) any deputy of the Chief Counting Officer or of any Regional Counting Officer, and”.

(3) Paragraph (2) has effect for the purposes of the referendum as if—

- (a) after sub-paragraph (a) there were inserted—
 - “(aa) any deputy of the registration officer acting in that other capacity, and”, and
- (b) the references in sub-paragraph (b) to “that officer” were treated as references to “a person mentioned in sub-paragraph (a) or (aa)”.

Supply of free copy of full register for electoral purposes and restrictions on use: Scotland

54. For the purposes of the referendum the following is treated as substituted for regulation 97 of the Scotland Regulations⁽¹⁰³⁾—

“Supply of free copy of full register for electoral purposes and restrictions on use

97.—(1) By no later than the publication of the notice of the referendum, the registration officer shall supply each relevant counting officer with as many printed copies of the following as he may reasonably require for the purposes of the referendum—

- (a) the latest version of the relevant registers,
- (b) any notice, published under section 13A(2), 13AB(2) or 13B(3), (3B) or (3D) of the 1983 Act, setting out an alteration to the latest version of a relevant register, and
- (c) the latest version of the list of overseas electors.

(2) In this regulation—

“relevant counting officer” in relation to a registration officer—

- (a) means a counting officer for a voting area that is the same as, or falls wholly or partly within, the registration officer’s registration area, but
- (b) does not include a counting officer who is the same individual as the registration officer;

“relevant register” means—

- (a) the register of parliamentary electors, published under section 13(1) or (3) of the 1983 Act,
- (b) the register of local government electors, published under section 13(1) or (3) of that Act, or
- (c) the register of peers, maintained under section 3 of the 1985 Act, and published under section 13(1) or (3) of the 1983 Act (as applied by regulation 13(4) of, and Schedule 4 to, these regulations).

(3) If at any time after a registration officer has complied with paragraph (1)—

- (a) a revised version of a relevant register is published,

⁽¹⁰²⁾Regulation 94 was inserted by regulation 14 of [S.I. 2002/1872](#) and was amended by regulation 53 of [S.I. 2007/925](#).

⁽¹⁰³⁾Regulation 97 was inserted by regulation 14 of [S.I. 2002/1872](#). There are amendments that are not relevant to these Regulations.

(b) a notice is published, under section 13A(2), 13AB(2) or 13B(3), (3B) or (3D) of the 1983 Act, setting out an alteration to the latest version of a relevant register, or

(c) a revised version of the list of overseas electors is published,

the registration officer shall supply the counting officer with as many printed copies of the register, notice or list as he may reasonably require for the purposes of the referendum.

(4) Where a registration officer is under a duty to supply a counting officer with printed copies of a register, notice or list under this regulation, he must also supply a copy of the register, notice or list in data form.

(5) A register notice or list supplied under this regulation shall be supplied free of charge.

(6) No person to whom a copy of any register has been supplied under this regulation may—

(a) supply a copy of the full register,

(b) disclose any information contained in it (that is not contained in the edited register), or

(c) make use of any such information,

except for the purposes of the referendum.”

Supply of free copy of full register for electoral purposes and restrictions on use: England and Wales

55. For the purposes of the referendum the following is treated as substituted for regulation 98 of the England and Wales Regulations(104)—

“Supply of free copy of full register for electoral purposes and restrictions on use

98.—(1) By no later than the publication of the notice of the referendum, the registration officer shall supply each relevant counting officer with as many printed copies of the following as he may reasonably require for the purposes of the referendum—

(a) the latest version of the relevant registers,

(b) any notice, published under section 13A(2), 13AB(2) or 13B(3), (3B) or (3D) of the 1983 Act, setting out an alteration to the latest version of a relevant register, and

(c) the latest version of the list of overseas electors.

(2) In this regulation—

“relevant counting officer” in relation to a registration officer—

(a) means a counting officer for a voting area that is the same as, or falls wholly or partly within, the registration officer’s registration area, but

(b) does not include a counting officer who is the same individual as the registration officer;

“relevant register” means—

(a) the register of parliamentary electors, published under section 13(1) or (3) of the 1983 Act,

(b) the register of local government electors, published under section 13(1) or (3) of that Act, or

(104) Regulation 98 was inserted by regulation 15 of S.I. 2002/1871. There are amendments that are not relevant to these Regulations.

- (c) the register of peers, maintained under section 3 of the 1985 Act, and published under section 13(1) or (3) of the 1983 Act (as applied by regulation 13(4) of, and Schedule 4 to, these regulations).
- (3) If at any time after a registration officer has complied with paragraph (1)—
- (a) a revised version of a relevant register is published,
 - (b) a notice is published, under section 13A(2), 13AB(2) or 13B(3), (3B) or (3D) of the 1983 Act, setting out an alteration to the latest version of a relevant register, or
 - (c) a revised version of the list of overseas electors is published,
- the registration officer shall supply the counting officer with as many printed copies of the register, notice or list as he may reasonably require for the purposes of the referendum.
- (4) Where a registration officer is under a duty to supply a counting officer with printed copies of a register, notice or list under this regulation, he must also supply a copy of the register, notice or list in data form.
- (5) A register notice or list supplied under this regulation shall be supplied free of charge.
- (6) No person to whom a copy of any register has been supplied under this regulation may—
- (a) supply a copy of the full register,
 - (b) disclose any information contained in it (that is not contained in the edited register), or
 - (c) make use of any such information,
- except for the purposes of the referendum.”

Offences: England and Wales

56. Regulation 115 of the England and Wales Regulations (offences)(**105**) has effect for the purposes of the referendum as if in paragraph (2) for “98(9)” there were substituted “98(6)”.

Offences: Scotland

57. Regulation 115 of the Scotland Regulations (offences)(**106**) has effect for the purposes of the referendum as if in paragraph (2) for “97(7)” there were substituted “97(6)”.

Interpretation of Part 7: England and Wales

58. Regulation 116 of the England and Wales Regulations (interpretation of Part 7)(**107**) has effect for the purposes of the referendum as if—

- (a) in paragraph (1) for “rule 55(1)(e) of the elections rules” there were substituted “by virtue of regulation 56(2)(g) of the European Union Referendum (Conduct) Regulations 2016”, and
- (b) after paragraph (1) there were inserted—

(105) Regulation 115 was inserted by regulation 15 of S.I. 2002/1871, substituted by regulation 58 of S.I. 2006/2910 and amended by paragraphs 2(1) and (7) of Schedule 1 to the Counter-Terrorism Act 2008 (c.28).

(106) Regulation 115 was inserted by regulation 14 of S.I. 2002/1872, substituted by regulation 46 of S.I. 2007/925 and amended by paragraphs 3(1) and (7) of Schedule 1 to the Counter-Terrorism Act 2008 (c.28).

(107) Regulation 116 was inserted by regulation 59 of S.I. 2006/2910 and was amended by regulation 2(1) and (5) of S.I. 2007/1025 and regulations 3 and 4(1) of S.I. 2008/1901.

“(1A) In this Part references to “the relevant registration officer” means the registration officer to whom packets are forwarded under regulation 56(1) of the European Union Referendum (Conduct) Regulations 2016.”

Interpretation of Part 7: Scotland

59.—(1) Regulation 116 of the Scotland Regulations (interpretation of Part 7)(**108**) has effect for the purposes of the referendum with the following modifications.

(2) Paragraph (1) has effect for those purposes as if—

- (a) for “returning officer” there were substituted “counting officer”, and
- (b) for “rule 58 of the elections rules” there were substituted “by virtue of regulation 56(2)(g) of the European Union Referendum (Conduct) Regulations 2016”.

(3) Paragraph (4) has effect for the purposes of the referendum as if for “returning officer” there were substituted “counting officer”.

Supply of marked registers and lists after an election: England and Wales

60.—(1) Regulation 117 of the England and Wales Regulations (supply of marked registers and lists)(**109**) applies for the purposes of the referendum but with the following modifications.

(2) Paragraph (1) has effect for those purposes as if—

- (a) for the words from “regulation 100” to “local government election” there were substituted “regulation 100, 106, 109 or 113 with copies of the full register”, and
- (b) at the end there were treated as inserted—

“The reference to a person entitled to be supplied in accordance with regulation 106 with copies of the full register does not include a person mentioned in regulation 106(1)(b).”

(3) Paragraph (2) has effect for the purposes of the referendum as if—

- (a) for “regulation 103, 105, 106 or 108 before a particular election” there were substituted “regulation 106(1)(a) or (c) before the referendum”, and
- (b) for “that election for which the marked register or list was prepared” there were substituted “the referendum”.

(4) Paragraph (6)(b) has effect for the purposes of the referendum as if for “regulations 100, 103, 105, 106, 108, 109 or 113” there were substituted “regulations 100, 106, 109 and 113”.

(5) Paragraph (7) has effect for the purposes of the referendum as if for “regulations 100(3), 105(4), 106(3), 108(5) and 109(3)” there were substituted “regulations 100(3), 106(3) and 109(3)”.

Supply of marked registers and lists after an election: Scotland

61.—(1) Regulation 117 of the Scotland Regulations (supply of marked registers and lists)(**110**) applies for the purposes of the referendum but with the following modifications.

(2) The regulation has effect for those purposes as if for “returning officer” (in each place) there were substituted “counting officer”.

(3) Paragraph (1) has effect for the purposes of the referendum as if—

(108) Regulation 116 was inserted by regulation 47 of S.I. 2007/925 and was amended by regulations 3 and 7 of S.I. 2008/1901 and regulations 2, 4 and 5 of S.I. 2010/980.

(109) Regulation 117 was inserted by regulation 59 of S.I. 2006/2910 and amended by regulation 2(1) and (5) of S.I. 2007/1025 and regulations 3 and 4(1) of S.I. 2008/1901.

(110) Regulation 117 inserted by regulation 47 of S.I. 2007/925 and amended by regulation 14(4) of S.I. 2008/305 and regulations 2 and 5 of S.I. 2010/980.

- (a) for the words from “regulation 99” to “parliamentary election” there were substituted “regulation 99, 105, 108 or 112 with copies of the full register”, and
- (b) at the end there were treated as inserted—

“The reference to a person entitled to be supplied in accordance with regulation 105 with copies of the full register does not include a person mentioned in regulation 105(1)(b).”
- (4) Paragraph (2) has effect for the purposes of the referendum as if—
 - (a) for “regulation 102, 104, 105 or 107 before a particular election” there were substituted “regulation 105(1)(a) or (c) before the referendum”, and
 - (b) for “that election for which the marked register or list was prepared” there were substituted “the referendum”.
- (5) Paragraph (6)(b) has effect for the purposes of the referendum as if for “regulations 99, 102, 104, 105, 107, 108 or 112” there were substituted “regulations 99, 105, 108 and 112”.
- (6) Paragraph (7) has effect for the purposes of the referendum as if for “regulations 99(3), 102(3), 104(4), 105(3), 107(5) or 108(3)” there were substituted “regulations 99(3), 105(3) or 108(3)”.

Inspection of documents open to public inspection

62. Regulation 118 of the relevant regulations (inspection of documents)(**111**) applies for the purposes of the referendum but as if in paragraph (1)—

- (a) for “an election” there were substituted “the referendum”, and
- (b) for “the election” there were substituted “the referendum”.

63. For the purposes of the referendum, in regulation 118 of the Scotland Regulations, for “returning officer” (in each place) there is to be treated as substituted “counting officer”.

Conditions on use, supply and disclosure of documents open to public inspection

64. Regulation 119 of the relevant regulations (conditions on the use, supply and disclosure of documents)(**112**) applies for the purposes of the referendum but as if, in paragraph (2)(b)—

- (a) the word “either” were omitted, and
- (b) the following were treated as inserted after paragraph (ii)—

“; or

 - (iii) any purpose in connection with the referendum.”

Form K: statement as to postal ballot papers

65. Form K in Schedule 3 to the relevant regulations (statement as to postal ballot papers)(**113**) applies for the purposes of the referendum but as if—

(111) Regulation 118 of the England and Wales Regulations was inserted by regulation 59 of [S.I. 2006/2910](#) and amended by paragraphs 2(1) and (8) of Schedule 1 to the Counter-Terrorism Act 2008 ([c.28](#)) and regulation 44 of [S.I. 2013/3198](#). Regulation 118 of the Scotland Regulations was inserted by regulation 47 of [S.I. 2007/925](#) and amended by paragraphs 3(1) and (8) of Schedule 1 to the Counter-Terrorism Act 2008 ([c.28](#)); regulations 2, 5 and 6 of [S.I. 2010/980](#); and regulation 46 of [2013/3206](#).

(112) Regulation 119 of the England and Wales Regulations was inserted by regulation 59 of [S.I. 2006/2910](#) and amended by paragraphs 2(1) and (9) of Schedule 1 to the Counter-Terrorism Act 2008 ([c.28](#)). Regulation 118 of the Scotland Regulations was inserted by regulation 47 of [S.I. 2007/925](#) and amended by paragraphs 3(1) and (9) of Schedule 1 to the Counter-Terrorism Act 2008 ([c.28](#)).

(113) Form K in Schedule 3 to the England and Wales Regulations was substituted by Schedule 2 to [S.I. 2006/2910](#) and amended by regulation 49 of [S.I. 2013/3198](#). Form K in Schedule 3 to the Scotland Regulations was substituted by the Schedule to [S.I. 2008/305](#) and amended by regulation 51 of [S.I. 2013/3206](#).

- (a) for the heading “REPRESENTATION OF THE PEOPLE ACTS PARLIAMENTARY ELECTION” there were substituted “REFERENDUM ON THE UNITED KINGDOM’S MEMBERSHIP OF THE EUROPEAN UNION”,
- (b) for “constituency” there were substituted “voting area”, and
- (c) for “Returning Officer” (in each place) there were substituted “Counting Officer”.

PART 2

THE 2008 REGULATIONS (NORTHERN IRELAND)

Preliminary

66.—(1) In this Part of this Schedule the “2008 Regulations” means the Representation of the People (Northern Ireland) Regulations 2008.

(2) In any provision of the 2008 Regulations as applied by this Part of this Schedule—

- (a) expressions defined by section 11 of the 2015 Act have the meaning given by that section, and
- (b) expressions defined by regulation 5 have the meaning given by that regulation.

(3) Sub-paragraph (2) does not apply to the extent that the context otherwise requires.

67. The following provisions of the 2008 Regulations apply for the purposes of the referendum—

- (a) regulation 3 (interpretation)(**114**);
- (b) regulation 5 (applications, notices etc);
- (c) regulation 6 (electronic signatures);
- (d) regulation 8 (time);
- (e) regulation 11 (interference with notices etc);
- (f) regulation 25 (alteration of registers under section 13BA(3) of the 1983 Act)(**115**);
- (g) regulation 40 (representations regarding clerical errors);
- (h) regulation 119 (fees relating to the supply of marked registers and lists).

Forms

68.—(1) Regulation 4 of the 2008 Regulations (forms) applies for the purposes of the referendum but with the following modifications.

(2) Paragraph (1) has effect for those purposes as if for “an election” there were substituted “the referendum”.

(3) Paragraph (2) has effect for the purposes of the referendum only in so far as it relates to Form N in Schedule 3 to the 2008 Regulations.

Communication of notices made on polling day

69. Regulation 45 of the 2008 Regulations (communication of notices made on polling day) applies for the purposes of the referendum but as if in paragraph (3) for “returning officer” there were substituted “counting officer”.

(114) Regulation 3 was amended by regulation 2 of [S.I. 2014/1808](#).

(115) Regulation 25 was amended by regulation 2 of [S.I. 2010/278](#).

Interpretation of Part 4

70. Regulation 54 of the 2008 Regulations (interpretation of Part 4) has effect for the purposes of the referendum as if after “his allotted polling station” there were inserted “(apart from in regulation 59)”.

General requirements for applications for an absent vote

71.—(1) Regulation 55 of the 2008 Regulations (general requirements for applications for an absent vote)(**116**) has effect for the purposes of the referendum with the following modifications.

(2) Paragraph (1) has effect for those purposes as if after “the 1985 Act” there were inserted “or Chapter 2 of Part 3 of the European Union Referendum (Conduct) Regulations 2016”.

(3) Paragraph (2) has effect for the purposes of the referendum as if—

- (a) after “section 6(1) or 7(1)” there were inserted “of the 1985 Act or regulation 73(1) or 77(5) of the European Union Referendum (Conduct) Regulations 2016”,
- (b) after “section 7(1)(ba) to (bc) of the 1985 Act” there were inserted “regulation 73(1)(c) to (e) or 77(5)(d) of those Regulations”,
- (c) in sub-paragraph (b), after “the 1985 Act” there were inserted “or regulation 77(5) of the European Union Referendum (Conduct) Regulations 2016”,
- (d) in sub-paragraph (c) for “such an application” there were substituted “an application under section 9 of the 1985 Act”, and
- (e) in sub-paragraph (d), after “the 1985 Act” there were inserted “or regulation 73(1) or 77(5) of the European Union Referendum (Conduct) Regulations 2016”.

Address to which to send ballot paper: requirements if different to address in application

72. Regulation 55A of the 2008 Regulations (additional requirement for applications for ballot paper to be sent to different address to that in register)(**117**) has effect for the purposes of the referendum as if—

- (a) after paragraph (1)(c) there were inserted—
 - “(d) in the case of an application to vote by post under regulation 73(1) of the European Union Referendum (Conduct) Regulations 2016, the address provided in accordance with regulation 73(7) of those Regulations and regulation 55(2)(b) above are different.”, and
- (b) in paragraph (2) “of the 1985 Act” were omitted.

Address to which to send ballot paper: requirements if different to address in records

73. Regulation 55B of the 2008 Regulations (additional requirement for applications for ballot paper to be sent to different address from that in records)(**118**) applies for the purposes of the referendum but as if for sub-paragraphs (a) and (b) of paragraph (1) there were inserted “regulation 73(5)(a) or 77(7) of the European Union Referendum (Conduct) Regulations 2016 by a person (“A”) shown as voting by post in the record referred to in that provision”.

(**116**) Regulation 55 was amended by regulation 16 of [S.I. 2014/1808](#).

(**117**) Regulation 55A was inserted by regulation 5 of [S.I. 2010/278](#) and amended by regulation 17 of [S.I. 2014/1808](#).

(**118**) Regulation 55B was inserted by regulation 5 of [S.I. 2010/278](#) and amended by regulation 18 of [S.I. 2014/1808](#).

Additional requirements for applications for appointment of a proxy

74. Regulation 56 of the 2008 Regulations (additional requirement for applications for the appointment of a proxy)(**119**) applies for the purposes of the referendum but as if—

- (a) in paragraph (1), after “the 1985 Act” there were inserted “or regulation **75(4)** of the European Union Referendum (Conduct) Regulations 2016”, and
- (b) after paragraph (2)(b) there were inserted—
 - “; or
 - (c) regulation **77(5)** of the European Union Referendum (Conduct) Regulations 2016.”

Additional requirements for applications in respect of a particular election

75.—(1) Regulation 59 of the 2008 Regulations (additional requirements for applications in respect of a particular election)(**120**) applies for the purposes of the referendum but with the following modifications.

(2) For those purposes the following paragraph is to be treated as substituted for paragraph (1)—

“(1) An application under regulation **73(1)** of the European Union Referendum (Conduct) Regulations 2016 shall set out why the applicant’s circumstances on the date of the poll will be or are likely to be such that he cannot reasonably be expected to vote in person at the polling station allotted to him under Part 2 of the European Union Referendum (Conduct) Regulations 2016.”

(3) Paragraphs (2)(d) and (3)(e) have effect for the purposes of the referendum as if the words from “in respect” to the end of the paragraph were omitted.

(4) Paragraphs (4), (6) and (8) have effect for the purposes of the referendum as if for “section 7(1) of the 1985 Act” there were substituted “regulation **73(1)** of the European Union Referendum (Conduct) Regulations 2016”.

(5) Paragraph (6)(a) has effect for the purposes of the referendum as if for “at the election in question” there were substituted “for the referendum”.

(6) For the purposes of the referendum the following paragraph is to be treated as substituted for paragraph (8)(b)—

- “(b) in which the circumstances set out in accordance with paragraph (1) relate to the applicant’s employment either as a constable or by a counting officer on the date of the poll for the referendum for a purpose connected with the referendum;”.

Additional requirements for applications by proxies to vote by post at a particular election

76. Regulation 60 of the 2008 Regulations (additional requirements for applications by proxies to vote by post at a particular election)(**121**) applies for the purposes of the referendum but as if for “section 9(7)(a) of the 1985 Act” there were substituted “regulation **77(5)** of the European Union Referendum (Conduct) Regulations 2016”.

Closing date for applications

77.—(1) Regulation 61 of the 2008 Regulations (closing date for applications) has effect for the purposes of the referendum with the following modifications.

(119) Regulation 56 was amended by regulation 19 of [S.I. 2014/1808](#).

(120) Regulation 59 was amended by regulation 7 of [S.I. 2010/278](#).

(121) Regulation 60 was amended by regulation 20 of [S.I. 2014/1808](#).

(2) For those purposes the following paragraphs are to be treated as substituted for paragraphs (1) to (3)—

“(1) An application under section 6(1) or (5), 8(6) or 9(4) of the 1985 Act shall be disregarded for the purposes of the referendum if it is received by the registration officer after 5 pm on the fourteenth day before the date of the poll for the referendum.

(2) Subject to paragraph (3), an application under regulation 73(1) or (5), 75(4) or 77(5) of the European Union Referendum (Conduct) Regulations 2016 shall be refused if it is received by the registration officer after 5 pm on the fourteenth day before the date of the poll for the referendum.

(3) Paragraph (2) shall not apply to an application which satisfies the requirements of either paragraphs (6) and (7) or paragraph (8) of regulation 59; and such an application shall be refused if it is received by the registration officer after 5 pm on the sixth day before the date of the poll for the referendum.”

(3) Paragraph (4) has effect for the purposes of the referendum as if—

- (a) after “section 8(9) of that Act by an elector” there were inserted “, or a notice under regulation 75(6) of the European Union Referendum (Conduct) Regulations 2016 by a person,”,
- (b) for “a particular election” there were substituted “the referendum”, and
- (c) for “at that election” there were substituted “for the referendum”.

(4) For the purposes of the referendum the following paragraph is to be treated as substituted for paragraphs (5) and (6)—

“(5) In computing a period of days for the purposes of this regulation the following days are to be disregarded—

- (a) a Saturday or Sunday, and
- (b) Christmas Eve, Christmas Day, Good Friday and any other day that is a bank holiday under the Banking and Financial Dealings Act 1971 in any part of the United Kingdom.”

Grant or refusal of applications

78.—(1) Regulation 62 of the 2008 Regulations (grant or refusal of applications) has effect for the purposes of the referendum with the following modifications.

(2) Paragraph (1) has effect for those purposes as if after “section 6, 7, 8 or 9 of the 1985 Act” there were inserted “or Chapter 2 of Part 3 of the European Union Referendum (Conduct) Regulations 2016”.

(3) For the purposes of the referendum, paragraph (3) is to be treated as omitted.

(4) For the purposes of the referendum paragraph (4) has effect as if after “the 1985 Act” there were inserted “or Chapter 2 of Part 3 of the European Union Referendum (Conduct) Regulations 2016”

(5) Paragraph (5) has effect for the purposes of the referendum as if after “a particular election” there were inserted “or the referendum”.

Cancellation of proxy appointment

79. Regulation 64 of the 2008 Regulations (cancellation of proxy appointment) has effect for the purposes of the referendum as if—

- (a) after “the 1985 Act” there were inserted “or regulation 75(6) of the European Union Referendum (Conduct) Regulations 2016,

- (b) for “that provision” there were substituted “either of those provisions”,
- (c) for “that Act” there were substituted “the 1985 Act”, and
- (d) before “remove his name” there were inserted “in the case where an application was made under section 8 of the 1985 Act”.

Records and lists

80.—(1) Regulation 66 of the 2008 Regulations (records and lists)(**122**) applies for the purposes of the referendum but with the following modifications.

- (2) Paragraph (1) has effect for those purposes as if—
 - (a) for “sections 7(4) and 9(9) of the 1985 Act” there were substituted “regulations 74(2) or (3) or 77(8) of the European Union Referendum (Conduct) Regulations 2016”, and
 - (b) for “candidate at a parliamentary election or his election agent” there were substituted “referendum agent”.

(3) For the purposes of the referendum paragraphs (2) and (2A) are to be treated as omitted.

(4) Paragraph (3) has effect for the purposes of the referendum as if for “sections 7(4) and 9(9) of the 1985 Act” there were substituted “regulations 74(2) or (3) or 77(8) of the European Union Referendum (Conduct) Regulations 2016”.

Interpretation of Part 5

81.—(1) Regulation 70 of the 2008 Regulations (interpretation of Part 5)(**123**) has effect for the purposes of the referendum with the following modifications.

(2) For those purposes the definition of “absent voters list” has effect as if for “section 7(4) of the 1985 Act” there were substituted “regulations 74(2) or (3) of the European Union Referendum (Conduct) Regulations 2016”.

(3) For the purposes of the referendum the definition of “agent” has effect as if the following were substituted for it—

““agent”, except in regulation 73, means a referendum agent or an agent appointed under regulation 73;”.

(4) For the purposes of the referendum the definition of “list of postal proxies” has effect as if for “section 9(9) of the 1985 Act” there were substituted “regulation 77(8) of the European Union Referendum (Conduct) Regulations 2016”.

Time when postal ballot papers are to be issued

82. For the purposes of the referendum, the following regulation is to be treated as inserted after regulation 70 of the 2008 Regulations—

“Time when postal ballot papers are to be issued

70A. Postal ballot papers (and declarations of identity) must not be issued by the counting officer so as to be received by persons entitled to vote in the referendum before the beginning of the relevant period within the meaning of section 125 of the Political Parties, Elections and Referendums Act 2000 (restriction on campaigning by certain persons and bodies).”

(122) Regulation 66 was amended by regulation 21 of S.I. 2014/1808.

(123) Regulation 70 was amended by paragraph 76 of Schedule 1 to S.I. 2011/2085.

Persons entitled to be present at proceedings on issue and receipt of postal ballot papers

83.—(1) Regulation 72 of the 2008 Regulations (persons entitled to be present at proceedings on issue of postal ballot papers)(**124**) applies for the purposes of the referendum but with the following modifications.

(2) Paragraph (1) has effect for those purposes as if—

(a) For “a parliamentary election” there were substituted “the referendum”, and

(b) for sub-paragraphs (a) to (c) there were substituted—

“(a) the counting officer and his clerks;

(b) a referendum agent;”.

(3) Paragraph (2) has effect for the purposes of the referendum as if—

(a) for “sub-paragraphs (b), (c) and (d)” there were substituted “sub-paragraphs (b) and (d)”, and

(b) for “rule 40ZA of the elections rules” there were substituted “regulation 39 of the European Union Referendum (Conduct) Regulations 2016”.

Agents of candidate who may attend proceedings on issue or receipt of postal ballot papers

84. Regulation 73 of the 2008 Regulations (agents of candidates who may attend proceedings on issue or receipt of postal ballot papers)(**125**) applies for the purposes of the referendum but as if—

(a) for “candidate” (in each place) there were substituted “referendum agent”,

(b) for “returning officer” (in each place) there were substituted “counting officer”,

(c) paragraph (6) were treated as omitted, and

(d) in paragraph (10), for “rule 40ZA of the elections rules” there were substituted “regulation 39 of the European Union Referendum (Conduct) Regulations 2016”.

Notification of requirement of secrecy

85. Regulation 74 of the 2008 Regulations (notification of requirement of secrecy) applies for the purposes of the referendum but as if for “returning officer” there were substituted “counting officer”.

Notice of issue of postal ballot papers

86. Regulation 75 of the 2008 Regulations (notice of issue of postal ballot papers)(**126**) applies for the purposes of the referendum but as if—

(a) for “returning officer” (in both places) there were substituted “counting officer”,

(b) for “candidate” (in each place) there were substituted “referendum agent”, and

(c) in paragraph (3), for “rule 40ZA of the elections rules” there were substituted “regulation 39 of the European Union Referendum (Conduct) Regulations 2016”.

Procedure on issue of postal ballot paper

87.—(1) Regulation 76 of the 2008 Regulations (procedure on issue of postal ballot paper)(**127**) applies for the purposes of the referendum but with the following modifications.

(124) Regulation 72 was amended by regulation 8 of S.I. 2010/278 and regulation 22 of S.I. 2014/1808.

(125) Regulation 73 was amended by regulation 23 of S.I. 2014/1808.

(126) Regulation 75 was amended by regulation 24 of S.I. 2014/1808.

(127) Regulation 76 was amended by regulation 25 of S.I. 2014/1808.

- (2) For those purposes paragraph (5) has effect as if—
- (a) in sub-paragraph (a) for “section 7(4A) of the 1985 Act” there were substituted “regulation 74(4) of the European Union Referendum (Conduct) Regulations 2016”, and
 - (b) in sub-paragraph (b)—
 - (i) for “section 9(9) of the 1985 Act” there were substituted “regulation 77(8) of those Regulations”, and
 - (ii) for “section 9(9A) or (9B) of that Act” there were substituted “regulation 77(9) of those Regulations”.

Refusal to issue ballot paper

88. Regulation 77 of the 2008 Regulations (refusal to issue ballot paper) applies for the purposes of the referendum but as if for “returning officer” there were substituted “counting officer”.

Envelopes

89. Regulation 78 of the 2008 Regulations (envelopes)(**128**) applies for the purposes of the referendum but as if in paragraph (1) for “rule 24 of the elections rules” there were substituted “regulation 17 of the European Union Referendum (Conduct) Regulations 2016”.

Sealing up of completed corresponding number lists

90. Regulation 79 of the 2008 Regulations (sealing up of completed corresponding number lists) applies for the purposes of the referendum but as if for “returning officer” (in each place) there were substituted “counting officer”.

Delivery of postal ballot papers

91.—(1) Regulation 80 of the 2008 Regulations (delivery of postal ballot papers) applies for the purposes of the referendum but with the following modifications.

- (2) For those purposes paragraph (1) has effect as if—
- (a) for “returning officer” there were substituted “counting officer”, and
 - (b) in sub-paragraph (c), for “rule 26(1) of the elections rules” there were substituted “regulation 19 of the European Union Referendum (Conduct) Regulations 2016.”
- (3) For the purposes of the referendum paragraph (2) has effect as if for “returning officer” there were substituted “counting officer”.

Spoilt postal ballot papers

92. Regulation 81 of the 2008 Regulations (spoilt postal ballot papers)(**129**) applies for the purposes of the referendum but as if for “returning officer” (in each place) there were substituted “counting officer”.

Tendered postal ballot papers

93.—(1) Regulation 81A of the 2008 Regulations (tendered postal ballot papers)(**130**) applies for the purposes of the referendum but with the following modifications.

(128) Regulation 78 was amended by regulation 9 of S.I. 2010/278.

(129) Regulation 81 was amended by regulation 26 of S.I. 2014/1808.

(130) Regulation 81A was inserted by regulation 27 of S.I. 2014/1808.

- (2) Paragraph (1) has effect for those purposes as if for “rule 40ZA of the elections rules” there were substituted “regulation 39 of the European Union Referendum (Conduct) Regulations 2016”.
- (3) Paragraph (2) has effect for the purposes of the referendum as if—
- (a) for “a parliamentary election” there were substituted “the referendum”, and
 - (b) for “section 15 of the 1985 Act” there were substituted “regulations under section 4(2) of the European Union Referendum Act 2015”.
- (4) Paragraph (4) has effect for the purposes of the referendum as if—
- (a) in sub-paragraph (a), for “section 7(4A) of the 1985 Act” there were substituted “regulation 74(4) of the European Union Referendum (Conduct) Regulations 2016”, and
 - (b) in sub-paragraph (b), for the words from “section 9(9)” to the end there were substituted “regulation 77(8) of the European Union Referendum (Conduct) Regulations 2016 but for regulations 74(4) or 77(9) of those Regulations.”
- (5) Paragraphs (5) to (11) have effect for the purposes of the referendum as if for “Chief Electoral Officer” (in each place) there were substituted “counting officer”.
- (6) Paragraph (9) has effect for the purposes of the referendum as if—
- (a) for “rule 40ZA(9) of the elections rules” there were substituted “regulation 39(9) of the European Union Referendum (Conduct) Regulations 2016”, and
 - (b) for “rule 40ZA(7) of the elections rules” there were substituted “regulation 39(7) of the European Union Referendum (Conduct) Regulations 2016”.

Notice of opening of postal ballot paper envelopes

94.—(1) Regulation 82 of the 2008 Regulations (notice of opening of postal ballot paper envelopes) applies for the purposes of the referendum but with the following modifications.

- (2) Paragraph (1) has effect for those purposes as if—
- (a) for “returning officer” there were substituted “counting officer”, and
 - (b) for “candidate” there were substituted “referendum agent”.
- (3) Paragraph (2) has effect for the purposes of the referendum as if for “candidate” there were substituted “referendum agent”.

Postal ballot boxes and receptacles

95. Regulation 83 of the 2008 Regulations (postal ballot boxes and receptacles) applies for the purposes of the referendum but as if—

- (a) for “returning officer” (in each place) there were substituted “counting officer”,
- (b) in paragraph (2), for the words from “constituency” to the end there were substituted “voting area”, and
- (c) in paragraph (4), after “box” there were inserted “(if it has a lock)”.

Receipt of covering envelope

96. Regulation 84 of the 2008 Regulations (receipt of covering envelope)(131) applies for the purposes of the referendum but as if for “returning officer” there were substituted “counting officer”.

(131) Regulation 84 was amended by regulation 28 of [S.I. 2014/1808](#).

Opening of postal voters' ballot box

97. Regulation 85 of the 2008 Regulations (opening of postal voters' ballot box) applies for the purposes of the referendum but as if—

- (a) for “returning officer” (in both places) there were substituted “counting officer”, and
- (b) in paragraph (3), for “rule 45 of the elections rules” there were substituted “regulation 46 of the European Union Referendum (Conduct) Regulations 2016”.

Opening of covering envelopes

98. Regulation 86 of the 2008 Regulations (opening of covering envelopes) applies for the purposes of the referendum but as if—

- (a) for “returning officer” (in each place) there were substituted “counting officer”, and
- (b) after paragraph (4) there were inserted—

“(5) Where an envelope opened in accordance with paragraph (1) contains a declaration of identity (whether separate or not), the counting officer must place a mark in the marked copy of the postal voters list or the proxy postal voters list in a place corresponding to the number of the elector to denote that a postal vote has been returned.

(6) A mark made under paragraph (5) must be distinguishable from and must not obscure the mark made under regulation 76.

(7) As soon as practicable after the last covering envelope has been opened, the counting officer must make up into a packet the copy of the postal voters list and the proxy postal voters list that has been marked in accordance with paragraph (5) and must seal the packet.”

Procedure in relation to declarations of identity

99. Regulation 87 of the 2008 Regulations (procedure in relation to declarations of identity)(**132**) applies for the purposes of the referendum but as if—

- (a) for “returning officer” (in each place) there were substituted “counting officer”, and
- (b) in paragraph (1)(b) for “rule 45(2)(b) and (2A) of the elections rules” there were substituted “regulation 46(5)(b) and (6) of the European Union Referendum (Conduct) Regulations 2016”.

Opening of ballot paper envelopes

100. Regulation 88 of the 2008 Regulations (opening of ballot paper envelopes) applies for the purposes of the referendum but as if, in paragraph (1), for “returning officer” there were substituted “counting officer”.

Sealing of receptacles

101. Regulation 89 of the 2008 Regulations (sealing of receptacles) applies for the purposes of the referendum but as if for “returning officer” there were substituted “counting officer”.

(132) Regulation 87 was amended by regulation 9(2) of S.I. 2010/278.

Forwarding of documents

102. Regulation 91 of the 2008 Regulations (forwarding of documents)(**133**) applies for the purposes of the referendum but as if—

- (a) for “returning officer” (in each place) there were substituted “counting officer”,
- (b) the following were treated as substituted for paragraph (1)—
 - “(1) The Chief Electoral Officer for Northern Ireland shall retain together with the documents mentioned in regulation 56 of the European Union Referendum (Conduct) Regulations 2016—
 - (a) any packets referred to in regulation 79, 81(5), 81A(11) and 89, endorsing on each packet a description of its contents, the date of the referendum and the name of the voting area,
 - (b) the list of spoilt ballot papers and the list of tendered ballot papers, and
 - (c) a completed statement in Form N.”,
- (c) in paragraph (2), for the words from “and endorse” to the end there were substituted “, endorse the packet as mentioned in paragraph (1)(a) and retain the packet”,
- (d) the following were treated as substituted for paragraph (3)—
 - “(3) Regulations 57 and 58 of the European Union Referendum (Conduct) Regulations 2016 shall apply to any packet or document retained under this regulation.”, and
- (e) in paragraph (4) for “(1)(b)” there were substituted “(1)(c)”.

Restriction on supply etc of full register

103. Regulation 94(1) of the 2008 Regulations (restrictions on supply etc of full register) has effect for the purposes of the referendum as if—

- (a) after sub-paragraph (b) there were inserted—
 - “(ba) the Chief Counting Officer;
 - (bb) any deputy of the Chief Counting Officer;”, and
- (b) the references in sub-paragraph (c) to “any such officer” were treated as references to “a person mentioned in sub-paragraph (a), (b), (ba) or (bb)”.

Interpretation of Part 7

104. Regulation 115 of the 2008 Regulations (interpretation of Part 7) has effect for the purposes of the referendum as if, in paragraph (1), for “rule 57(1A) of the elections rules” there were substituted “regulation 56(1)(b) of the European Union Referendum (Conduct) Regulations 2016”.

Supply of marked registers and lists after an election

105.—(1) Regulation 116 of the 2008 Regulations (supply of marked registers and lists) applies for the purposes of the referendum but with the following modifications.

- (2) Paragraph (1) has effect for those purposes as if—
 - (a) for the words from “regulation 99” to “local government election” there were substituted “regulations 99, 105, 107 or 111, with copies of the full register”, and
 - (b) at the end there were treated as inserted—

(133) Regulation 91 was amended by regulation 29 of [S.I. 2014/1808](#).

“The reference to a person entitled to be supplied in accordance with regulation 105 with copies of the full register does not include a person mentioned in regulation 105(1)(b).”

- (3) Paragraph (2) has effect for the purposes of the referendum as if—
- (a) for the words from “regulation 102” to “particular election” there were substituted “regulation 105(1)(a) or (c) applies before the referendum”, and
 - (b) for “that election” there were substituted “the referendum”.
- (4) Paragraph (6)(b) has effect for the purposes of the referendum as if for “regulations 99, 102, 104, 105, 106, 107 or 111” there were substituted “regulations 99, 105, 107 or 111”.

Inspection of documents open to public inspection

106. Regulation 117 of the 2008 Regulations (inspection of documents) applies for the purposes of the referendum but as if in paragraph (1)(b) for “an election” there were substituted “the referendum”.

Conditions on use, supply and disclosure of documents open to public inspection

107. Regulation 118 of the 2008 Regulations (conditions on the use, supply and disclosure of documents) applies for the purposes of the referendum but as if, in paragraph (2)—

- (a) the word “either” were omitted, and
- (b) at the end, there was inserted “or any purpose in connection with the referendum”.

Form N: statement as to postal ballot papers

108. Form N in Schedule 3 of the 2008 Regulations (statement as to postal ballot papers)(**134**) applies for the purposes of the referendum but as if—

- (a) for the heading “REPRESENTATION OF THE PEOPLE ACTS PARLIAMENTARY ELECTION” there were substituted “REFERENDUM ON THE UNITED KINGDOM’S MEMBERSHIP OF THE EUROPEAN UNION”,
- (b) for “constituency” there were substituted “voting area”, and
- (c) for “Returning Officer” (in each place) there were substituted “Counting Officer”.

PART 3

OTHER REGULATIONS

Control of advertisements

109. The Town and Country Planning (Control of Advertisements) Regulations 1992(**135**) apply in relation to the display on any site in Wales of an advertisement relating specifically to the referendum as they apply in relation to the display of an advertisement relating specifically to a pending parliamentary election.

110. The Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984(**136**) apply in relation to the display on any site in Scotland of an advertisement relating

(134) Form N was amended by regulation 32(1) and (8) of S.I. 2014/1808.

(135) S.I. 1992/666, amended by S.I. 1999/1910 and S.I. 2012/791 (W. 106), extended by article 11 of S.I. 2006/1282 and revoked in relation to England by S.I. 2007/783; there are other amending instruments but none is relevant.

(136) S.I. 1984/467, amended by S.S.I. 2003/503 and S.S.I. 2004/334 and extended by article 6 of S.S.I. 2006/270.

specifically to the referendum as they apply in relation to the display of an advertisement relating specifically to a pending parliamentary election.

111. The Planning (Control of Advertisements) Regulations (Northern Ireland) 2015(**137**) apply in relation to the display on any site in Northern Ireland of an advertisement relating specifically to the referendum as they apply in relation to the display of an advertisement relating specifically to a pending parliamentary election.

Right of audience and right to conduct litigation

112. Article 6 of the European Parliamentary Elections (Combined Region and Campaign Expenditure) (United Kingdom and Gibraltar) Order 2004(**138**) applies for the purposes of the referendum but as if for “European Parliamentary elections in the combined region” (in each place) there were substituted “the referendum under section 1 of the European Union Referendum Act 2015 in the South West and Gibraltar Region within the meaning of that Act (see paragraph 5 of Schedule 3 to that Act)”.

Provision of information regarding proxies

113. Regulation 2 of the Representation of the People (Provision of Information Regarding Proxies) Regulations 2013(**139**) has effect for the purposes of the referendum as if—

(a) the following paragraph were treated as substituted for paragraph (1)—

“(1) A registration officer in Great Britain may require a registration officer in Great Britain or Northern Ireland to provide information as soon as reasonably practicable about—

- (a) whether the person, whom an elector wishes to be appointed as their proxy under paragraph 6(7) or (8) of Schedule 4 to the Representation of the People Act 2000, has or will have an entry in a relevant register maintained by that officer under section 9(1) of the Representation of the People Act 1983; or
- (b) whether the person, whom the principal wishes to be appointed as their proxy under regulation 64 of the European Union Referendum (Conduct) Regulations 2016, has or will have an entry in a relevant register maintained by that officer.”, and

(b) the following paragraphs were treated as substituted for paragraph (2)—

“(2) In paragraph (1)(a) “relevant register” means a register which relates to elections of the same kind as those to which the proxy appointment relates.

(3) In paragraph (1)(b) “relevant register” means—

- (a) a register of parliamentary electors, or
- (b) in relation to a peer —
 - (i) a register of local government electors in Great Britain, or
 - (ii) a register of local electors in Northern Ireland, or
 - (iii) a register of peers maintained under section 3 of the Representation of the People Act 1985 (peers resident outside the United Kingdom).”

(137) S.R. 2015/66.

(138) S.I. 2004/366.

(139) S.I. 2103/3199.

Persons convicted of corrupt or illegal practices: Gibraltar

114. Regulation 107 of the European Parliamentary Elections Regulations 2004(**140**) applies for the purposes of the referendum but as if—

- (a) references to an illegal practice included an illegal practice under any provision of Gibraltar conduct law,
- (b) references to a corrupt practice included a corrupt practice under any such provision,
- (c) in paragraph (1) for “paragraph (2)” there were substituted “paragraphs (1A) and (2)”,
- (d) after that paragraph there were inserted—

“(1A) Paragraph (1) does not apply in relation to an act or omission that is an illegal practice by reason of being a contravention of Gibraltar conduct law (within the meaning of section 11(1) of the European Union Referendum Act 2015) in respect of which the Gibraltar court has made an order under any provision of Gibraltar conduct law making provision corresponding to regulation 108.”,

- (e) the reference in paragraph (2) to regulation 23 included any provision of Gibraltar conduct law making provision corresponding to that regulation, and
- (f) the reference in that paragraph to regulation 24 included any provision of Gibraltar conduct law making provision corresponding to that regulation.

115. Regulation 112 of the European Parliamentary Elections Regulations 2004 applies for the purposes of the referendum.

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: The European Union Referendum (Conduct) Regulations 2016 No. 219

SCHEDULE 4

Regulation 83

FORMS

Form 1 – Form of ballot paper

Front of ballot paper

Referendum on the United Kingdom's membership of the European Union	
Vote only once by putting a cross <input checked="" type="checkbox"/> in the box next to your choice	
Should the United Kingdom remain a member of the European Union or leave the European Union?	
Remain a member of the European Union	<input type="checkbox"/>
Leave the European Union	<input type="checkbox"/>

Back of ballot paper

Number

[Other unique identifying mark]

Referendum on the United Kingdom's membership of the European Union

[insert voting area]

Directions as to printing the ballot paper

1. Nothing is to be printed on the ballot paper except in accordance with these directions.
2. So far as is practicable, the arrangements set out in paragraphs 3 to 9 must be observed in the printing of the ballot paper.
3. No words may be printed on the front of the ballot paper except:
 - (a) the heading "Referendum on the United Kingdom's membership of the European Union";
 - (b) the direction "Vote only once by putting a cross [X] in the box next to your choice";
 - (c) those constituting the referendum question; and
 - (d) those indicating the alternative forms of answer to the question.
4. A box must be printed around the heading, direction, referendum question and alternative forms of answer referred to in paragraph 3; and the heading, direction, referendum question and alternative forms of answer referred to in paragraph 3 must be separated from each other by horizontal rules extending across the box.
5. No rule may be printed on the face except:
 - (a) as part of the box referred to in paragraph 4;
 - (b) the horizontal rules referred to in paragraph 4; and
 - (c) as part of the boxes on the right-hand side of the ballot paper where the vote is to be marked.
6. The horizontal rules separating the alternative forms of answer from the referendum question and from each other must be equally spaced and the space between each of them must be a minimum of 2.5 centimetres.
7. The boxes referred to in paragraph 5(c) must not touch any horizontal rule and each one must be equidistant between the horizontal rule above it and the horizontal rule below it.
8. All the words on the front of the ballot paper must appear in very large type and:
 - (a) the heading referred to in paragraph 3(a) must appear in bold;
 - (b) in the direction referred to in paragraph 3(b), the words "Vote only once" must appear in bold; and
 - (c) the alternative forms of answer must appear in bold.
9. Nothing must be printed on the back of the ballot paper except:

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: The European Union Referendum (Conduct) Regulations 2016 No. 219

- (a) the number and other unique identifying mark;
- (b) the name of the referendum; and
- (c) the name of the voting area.

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Form 3 - Form of Postal Voting Statement

Postal voting statement	<i>[Space for barcode]</i>
Referendum on the United Kingdom’s membership of the European Union	
Voting area: <i>[insert voting area]</i>	
Date of referendum <i>[day] [date] [month] [year]</i>	
<p>Important – you must fill in and return this postal voting statement with your completed ballot paper for it to be counted.</p> <p>Please read the instructions carefully and use a black pen.</p> <p>* Name _____ Ballot paper number _____</p> <p>* Counting Officer to insert name but omit where sent to an anonymous elector</p> <p>(!) Check that the number on the back of your ballot paper matches the number shown above. If they do not match, call us immediately on <i>(insert helpline number)</i>.</p> <div style="border: 1px solid black; padding: 10px; margin: 10px 0;"> <p>I am the person the ballot paper numbered above was sent to.</p> <p>My Date of Birth is: <input style="width: 30px; height: 20px; border: 1px solid black;" type="text"/> <input style="width: 30px; height: 20px; border: 1px solid black;" type="text"/> <input style="width: 30px; height: 20px; border: 1px solid black;" type="text"/> <input style="width: 30px; height: 20px; border: 1px solid black;" type="text"/> <input style="width: 30px; height: 20px; border: 1px solid black;" type="text"/> <input style="width: 30px; height: 20px; border: 1px solid black;" type="text"/></p> <p style="text-align: center;">Day Month Year</p> <p>* My Signature is: (You must sign inside the box)</p> <p>* Counting Officer to omit box where the elector has been granted a waiver</p> <div style="border: 1px solid black; width: 100%; height: 60px; margin-top: 5px;"></div> <p>We will check this information against our records for security.</p> </div> <p>It is an offence to vote using a ballot paper that was not sent for your use or interfere with another voter’s ballot paper. It is an offence to vote more than once at the same referendum (unless you are appointed as a proxy).</p> <p><i>Counting Officer to add pictorial guidance as appropriate.</i></p>	

Back of statement

Instructions for voting by post

Please read through carefully. If you need help, please call us on [insert helpline number]

1. For your vote to be counted, you must fill in and return this postal voting statement with your ballot paper.
2. Make sure you have filled in the **date of birth** ***[and signature] box(es)** on this postal voting statement.
**Counting Officer to delete where elector has been granted a waiver.*
3. Vote **only once** by putting a cross in the box next to your choice.
4. Do not mark the ballot paper in any other way or your vote may not count.
5. We must get your postal vote by **10pm on [day] [date of poll]**. If you miss the post, you can hand it in at our office or at any polling station in the voting area listed on the front of this form before **10pm on [day][date of poll]**.
6. After receiving this postal vote, you cannot vote in person at a polling station in this referendum.

Getting help

- If you need help to vote, you can ask someone you know or get independent help by calling the helpline on [insert helpline number]. The person helping you must not tell anyone how you voted.
- Please call the helpline if you require copies of this form or guidance in Braille or languages other than English.
- If you make a mistake, or lose your postal ballot paper or this statement, you can get a replacement. Call us immediately as **we can only issue a replacement before 5pm on [day] [date] [month]**. If you apply after 5pm on **[day before poll]** we can only issue a replacement if you return this ballot pack by hand.

Electoral fraud is a crime. It is an offence to vote more than once at the same referendum (unless you are voting on your own behalf and as a proxy for another person).

The Counting Officer issued this statement.
Counting Officer to add pictorial guidance as appropriate.

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: The European Union Referendum (Conduct) Regulations 2016 No. 219

Form 4 - Declaration of Identity (Northern Ireland)

Declaration of Identity	[Space for barcode]
Referendum on the United Kingdom's membership of the European Union	
Voting area: Northern Ireland	
Date of referendum <i>[day] [date] [month] [year]</i>	
<p>Important – you must fill in and return this declaration with your completed ballot paper for it to be counted.</p> <p>Please read the instructions carefully and use a black pen.</p> <p>* Name _____ Ballot paper number _____</p> <p>* <i>Counting Officer to insert name but omit where sent to an anonymous elector</i></p> <p>(!) Check that the number on the back of your ballot paper matches the number shown above. If they do not match, call us immediately on <i>(insert helpline number)</i>.</p>	
<p>I am the person the ballot paper numbered above was sent to.</p> <p>My Date of Birth is: <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/></p> <p style="text-align: center;">Day Month Year</p> <p>My Signature is: (You must sign inside the box)</p> <div style="border: 1px solid black; height: 60px; width: 100%; margin-top: 10px;"></div> <p>We will check this information against our records for security.</p>	
<p>The voter has signed this declaration in my presence.</p> <p>Witness signature _____</p> <p>The witness must be aged 18 or over and satisfied to the best of their knowledge and belief as to the identity of the voter.</p> <p><i>Counting Officer to add pictorial guidance as appropriate.</i></p>	

Back of Declaration

Instructions for voting by post

Please read through carefully. If you need help, please call us on [insert helpline number]

1. For your vote to be counted, you must fill in, in the presence of a witness, and return this declaration of identity with your ballot paper.
2. Make sure you have filled in all the information on this declaration of identity and your witness has signed it.
3. Vote **only once** by putting a cross in the box next to your choice.
4. Do not mark the ballot paper in any other way or your vote may not count.
5. Put the ballot paper in the smaller envelope marked "A" and seal it. Then put the envelope marked "A" together with this declaration of identity, in the larger envelope marked "B".
6. We must get your postal vote in the envelope provided by **10pm on [day] [date of poll]**.
7. After receiving this postal vote, you cannot vote in person at a polling station in this referendum.

Getting help

- If you need help to vote, you can ask someone you know or get independent help by calling the helpline on [insert helpline number]. The person helping you must not tell anyone how you voted.
- Please call the helpline if you require copies of this form or guidance in Braille or languages other than English.
- If you make a mistake you can get a replacement if you return all your postal vote documents. Call us immediately as **we can only issue a replacement before 5pm on [day] [date] [month]**.

Electoral fraud is a crime. It is an offence to vote more than once at the same referendum (unless you are voting on your own behalf and as a proxy for another person).

The Counting Officer issued this statement.
Counting Officer to add pictorial guidance as appropriate.

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: The European Union Referendum (Conduct) Regulations 2016 No. 219

Form 5 - Official Poll Card (to be sent to an elector not voting by post)

Poll Card
Referendum on the United Kingdom's membership of the European Union
Voting area: <i>[Insert name of area]</i>
Date of referendum <i>[day] [date] [month] [year]</i>

Voting information	
Polling day	
Voting hours	
Your polling station will be	

Your details:

* *[Elector's name and qualifying address details here]*

* *Counting Officer to omit where poll card sent to an anonymous elector. Poll card to an anonymous elector must be delivered in a sealed envelope*

Number on register:

** [You do not need to take this card with you in order to vote.]

** [You must have this card with you. You cannot vote without it.]

** *If anonymous elector omit the words in the first set of brackets, if not omit the words in the second set of brackets.*

[Insert helpline and other details including website].


Please turn over

Back of card

This space for map or other information such as helpline and website details

It is an offence to:

- vote more than once at this referendum unless you are voting on your own behalf and as a proxy for another person
- vote as a proxy at this referendum for more than two people, unless you are their spouse, civil partner, parent, grandparent, brother, sister, child or grandchild
- vote as a proxy for someone if you know that by law they are not allowed to vote

 If you need any help or to find out if your polling station is accessible, please contact us.
[Counting Officer to add contact details including website if appropriate]

If undelivered return to:
[Insert return address]

If you are away or cannot go to the polling station on *[day] [date of poll]* you can do one of the following:

- Apply to vote by post. Completed applications must reach us **before 5pm on *[day] [date of deadline]***. If you are given a postal vote, you will not be able to vote in person at this referendum.

OR

- Apply to vote by proxy (this means someone else can vote on your behalf). Completed applications must reach us by **5pm on *[day] [date of deadline]***. If you appoint a proxy, you can vote if you wish, but only if your proxy has not already voted on your behalf and has not got a postal vote for you.

If after 5pm on *[the sixth day before the date of the poll]* you are unable to vote in person because you:

- **Have a medical emergency**
- **Learn you cannot go to the polling station because of work reasons**

You can apply to vote by proxy. Completed applications must reach us **before 5pm on *[day] [date of deadline]***. To find out how to apply, call the helpline immediately.

The Counting Officer issued this card.

Form 6 - Official Postal Poll Card (to be sent to an elector voting by post)

Postal poll card
Referendum on the United Kingdom's membership of the European Union
Voting area: <i>[Insert name of area]</i>
Date of referendum <i>[day] [date] [month] [year]</i>
Voting information
We will send your postal vote around <i>[day] [date] [month] [year]</i> *[addressed to:]
<i>*[Elector's name and address]</i>

Your details:

- * *[Elector's name and qualifying address details here]*
- * *Counting Officer to omit in both places where poll card sent to an anonymous elector. Poll card to an anonymous elector must be delivered in a sealed envelope*

Number on register:

Your postal vote

- You will receive a postal vote for this referendum because you asked to vote by post.
- You will not be able to vote in a polling station.
- **If you have not received your postal vote by *[day] [date] [month]* call *[insert helpline number]*.**

Please turn over

Back of card

How to vote

1. When you receive your postal vote, read the instructions carefully.
2. Your postal vote includes your ballot paper and a postal voting statement.
3. Complete both of these and return them immediately.
4. We need to receive your postal vote by **10pm on *[day/date of poll]***.

- i** **If you need information in another format, please call our helpline below.**
- i** **If you need help to vote, you can ask someone you know or get independent help by calling our helpline:**

[insert helpline and other details including website]

If you lose your postal vote or make a mistake

Please phone the helpline immediately.

We can only issue a replacement postal vote before **5pm on *[day/date of deadline]***.

If you would rather vote in person, or ask someone else to vote on your behalf, you must cancel your postal vote before **5pm on *[day/date of deadline]***. For more information, please call the helpline.

It is an offence to:

- vote using a ballot paper that was not sent for your use or interfere with another voter's ballot paper
- vote more than once at this referendum unless you are voting on your own behalf and as a proxy for another person
- vote as a proxy at this referendum for more than two people, unless you are their spouse, civil partner, parent, grandparent, brother, sister, child or grandchild
- vote as a proxy for someone if you know that by law they are not allowed to vote

The Counting Officer issued this card.

If undelivered return to

[insert return address]

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: The European Union Referendum (Conduct) Regulations 2016 No. 219

Form 7 - Official Proxy Poll Card (to be sent to an appointed proxy voting in person)

Proxy poll card
Referendum on the United Kingdom's membership of the European Union
Voting area: <i>[Insert name of area]</i>
Date of referendum <i>[day] [date] [month] [year]</i>

<p>Your details:</p> <p>* <i>[Proxy's name and qualifying address details here]</i></p> <p>* <i>Counting Officer to omit where poll card sent to the proxy of an anonymous elector. Poll card to proxy of an anonymous elector must be delivered in a sealed envelope</i></p>
--

Voting information	
Polling day	
Voting hours	
Your polling station will be	

You will receive a proxy vote

** [The person named on the back of the card] [Another person] has appointed you as a proxy to vote on their behalf at this referendum.

** [You do not need to take this card with you to vote.] [You must have this card with you when you vote. You cannot vote as a proxy without it.]

** *If sent to the proxy of an anonymous elector omit the words in each of the first sets of brackets, if not omit the words in each of the second sets of brackets.*

[Insert helpline and other details including website].

Please turn over

Back of card

For this referendum you are proxy for:

* *[(Elector's name)
(Elector's address)
(Elector's number on register)]*
 [the person with this elector number: *(insert elector's number on register)*]
 * *If anonymous elector omit the words in the first set of square brackets, if not omit the words in the second set of square brackets*

The person you are proxy for can vote themselves if they wish – but only if you have not already voted on their behalf.

This space for map or other information such as helpline and website details

📞 If you need any help or to find out if your polling station is accessible, please contact us.
Counting Officer to add contact details including website if appropriate

How to vote as a proxy

1. [At the polling station, tell the staff that you are a proxy for the person named above. They will give you that person's ballot paper.] * [At the polling station, ask to speak to the presiding officer and show them this card. They will give you the ballot paper of the person you are proxy for.]
 * *If anonymous elector omit the words in the first set of square brackets, if not omit the words in the second set of square brackets*
2. Go to one of the voting booths.
3. Follow the instructions on how to mark the ballot paper.
4. Fold the ballot paper and put in the ballot box

If you need any help, just ask the staff.

If you are away or cannot go to the polling station on *[day] [date of poll]*

- You can apply to vote by post. The deadline for completed applications is **5pm on *[day] [date of deadline]***.
- If you are given a postal vote, you or the person you are proxy for will not be able to vote in person at this referendum.
- **To find out how to apply, please call us on *[insert helpline number or other contact details]*.**

It is an offence to:

- vote more than once at this referendum unless you are voting on your own behalf and as a proxy for another person
- vote as a proxy at this referendum for more than two people, unless you are their spouse, civil partner, parent, grandparent, brother, sister, child or grandchild
- vote as a proxy for someone if you know that by law they are not allowed to vote

The Counting Officer issued this card.
 If undelivered return to
[insert return address]

Form 8 - Official Proxy Postal Poll Card (to be sent to an appointed proxy voting by post)

Proxy postal poll card
Referendum on the United Kingdom's membership of the European Union
Voting area: <i>[Insert name of area]</i>
Date of referendum <i>[day] [date] [month] [year]</i>

Voting information
We will send your postal vote around <i>[day] [date] [month] [year]</i> *<i>[addressed to:]</i>
* <i>[Proxy's name and qualifying address details here]</i> * Counting Officer to omit where poll card sent to the proxy of an anonymous elector. Poll card to proxy of an anonymous elector must be delivered in a sealed envelope.

Please turn over

Voting as a proxy

** [The person named on the back of the card] [Another person] has appointed you as a proxy to vote on their behalf at this referendum

** If sent to the proxy of an anonymous elector omit the words in the first set of brackets, if not omit the words in the second set of brackets.

Your postal vote

- You will receive a postal vote for this referendum because you asked to vote by post.
- You will not be able to vote as proxy in a polling station.
- If you have not received your postal vote by *[day] [date] [month]* call *[insert helpline number]*.**

Back of card

For this referendum you are proxy for:


* *[(Elector's name)
(Elector's address)
(Elector's number on register)]*


[the person with this elector number: (insert elector's number on register)]

* *if anonymous elector omit the words in the first set of square brackets, if not omit the words in the second set of square brackets*

How to vote

- When you receive your postal vote, read the instructions carefully.
- Your postal vote includes your ballot paper and a postal voting statement.
- Complete both of these and return them straight away.
- We need to get your postal vote by **10pm on *[day/date of poll]***.

 **If you need information in another format, please call our helpline below.**

 **If you need help to vote, you can ask someone you know or get independent help by calling our helpline:**

[insert helpline and other details including website]

If you lose your postal vote or make a mistake

- Please phone the helpline immediately.
- We can only issue a replacement postal vote before **5pm on *[day/date of deadline]***.

If you would rather vote in person, you must cancel your postal vote before **5pm on *[day/date of deadline]***. For more information, please call the helpline.

It is an offence to:

- vote using a ballot paper that was not sent for your use or interfere with another voter's ballot paper
- vote more than once at this referendum unless you are voting on your own behalf and as a proxy for another person
- vote as a proxy at this referendum for more than two people, unless you are their spouse, civil partner, parent, grandparent, brother, sister, child or grandchild
- vote as a proxy for someone if you know that by law they are not allowed to vote

The Counting Officer issued this card.

If undelivered return to
[insert return address]

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: The European Union Referendum (Conduct) Regulations 2016 No. 219

Form 9 – Official Poll Card (to be sent to an elector in Northern Ireland not voting by post)

Poll Card
Referendum on the United Kingdom's membership of the European Union
Voting area: Northern Ireland

Voting information	
Polling day	
Polling hours	7.00am to 10.00pm
Ballot box number	
Your polling station will be	

You do not have to take this card with you in order to vote but it will save time if you do

<p>Your details:</p> <p>* [Elector's name and qualifying address details here]</p> <p>Number on register:</p>

- i** Remember that you will not be able to vote unless you show one of the following forms of photographic identification:
- A UK, Irish or EEA driving licence
 - A UK or Irish passport
 - An Electoral Identity Card
 - A Translink Senior SmartPass
 - A Translink 60+ SmartPass
 - A Translink War Disabled SmartPass
 - A Translink Blind Person's SmartPass

Please turn over

Back of card

<p>If you are away or cannot go to the polling station on [day] [date of poll] you can do one of the following</p> <ul style="list-style-type: none"> • Apply to vote by post. Completed applications must be returned by 5pm on [day] [date of deadline]. If you are given a postal vote you will not be able to vote in person at this referendum. <p>OR</p> <ul style="list-style-type: none"> • Apply to vote by proxy (this means someone else can vote on your behalf.) Completed applications must reach us before 5pm on [day] [date of deadline]. <p>An application form is available on the website or can be requested via the helpline.</p>

<p>i If you need any help, require information in another format or language or wish to find out if your polling station is accessible, please contact us.</p> <p>[insert helpline and other contact details including website]</p>
--

Electoral fraud is a crime.

Issued by the Counting Officer

If undelivered please return to: [insert return address]

Form 10 - Official Postal Poll Card (to be sent to an elector in Northern Ireland voting by post)

Postal poll card
Referendum on the United Kingdom's membership of the European Union
Voting area: Northern Ireland

Voting information
We will send your postal vote approximately 10 working days before polling day.

Your details: * [Elector's name and qualifying address details here] Number on register: * Counting Officer to omit in both places where poll card sent to an anonymous elector. Poll card to an anonymous elector must be delivered in a sealed envelope
--


Your postal vote

- You will receive a postal vote for this referendum because you successfully applied to vote by post.
- You will not be able to vote in a polling station.
- **If you have not received your postal vote by [day] [date] [month] please contact us.**

Please turn over

Back of card

How to vote <ol style="list-style-type: none">1. When you receive your postal vote, read the instructions carefully.2. Your postal vote includes your ballot paper and a declaration of identity.3. Complete the declaration of identity.4. Complete the ballot paper.5. Return your postal voting papers in the envelope provided.6. We need to receive your postal vote by 10pm on [day/date of poll]. Postal voting papers cannot be accepted at polling stations

 If you need help to vote, you can ask someone you know or get advice by calling our helpline. If you need information in another format or language, please call our helpline.

If you make a mistake <p>Please phone the helpline immediately.</p> <p>We can only issue a replacement postal vote if you return all your postal vote documents before 5pm on [day/date of deadline].</p> <p>If you would rather vote in person, or ask someone else to vote on your behalf, you must cancel your postal vote before 5pm on [day/date of deadline].</p> <p>[* Note that if you have an anonymous entry on the register you will not be able to vote in person but you can ask someone else to vote by post on your behalf.]</p> <p>Counting Officer to include only on postal poll card sent to an anonymous elector.</p>
--

Electoral fraud is a crime

[insert helpline and other contact details including website]

The Counting Officer issued this card.

If undelivered return to: *[insert return address]*

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: The European Union Referendum (Conduct) Regulations 2016 No. 219

Form 11 - Official Proxy Poll Card (to be sent to an appointed proxy voting in person in Northern Ireland)

Proxy poll card


Referendum on the United Kingdom's membership of the European Union
Voting area: Northern Ireland

Voting information	
Polling day	
Polling hours	7.00am to 10.00pm
Ballot box number	
Polling station	

For this referendum you are proxy for:
[Elector's name]
Elector's address
Elector's number on register]

You do not need to take this card with you in order to vote but it will save time if you do.

Your details
[Proxy's name and address details here]

-  **Remember that you will not be able to vote unless you show one of the following forms of photographic identification for yourself:**
- A UK, Irish or EEA driving licence
 - A UK or Irish passport
 - An Electoral Identity Card
 - A Translink Senior SmartPass
 - A Translink 60+ SmartPass
 - A Translink War Disabled SmartPass
 - A Translink Blind Person's SmartPass

Please turn over


Back of card

How to vote as a proxy
 At the polling station, tell the staff that you are a proxy for the person named on the front of this card. Show an accepted form of photographic identification for yourself. They will give you that person's ballot paper.
If you need any help, just ask the staff.

If you are away or cannot go to the polling station on [day] [date of poll]:

- You can apply to vote by post. The deadline for completed applications is 5pm on **[day] date of deadline**.
- If you are given a postal vote, you or the person you are proxy for will not be able to vote in person at this referendum
- **To find out how to apply, please contact us.**

The person you are proxy for can vote for themselves if they wish – but only if you have not already voted on their behalf.

 **If you need any help, require information in another format or language, or wish to find out if your polling station is accessible, please contact us.**
[Insert helpline and other contact details including website]

Electoral fraud is a crime

Issued by the Counting Officer.

If undelivered return to *[Insert return address]*

Form 12 - Official Proxy Postal Poll Card (to be sent to an appointed proxy voting by post in Northern Ireland)

Proxy postal poll card
Referendum on the United Kingdom's membership of the European Union
Voting area: Northern Ireland
Voting information
We will send your postal vote approximately 10 working days before polling day

Your details: * [Proxy's name and address details here] * Counting Officer to omit where proxy postal poll card sent to the proxy of an anonymous elector. Proxy postal poll card to proxy of an anonymous elector must be delivered in a sealed envelope.

For this referendum you are proxy for:

* [(Elector's name)
(Elector's address)
(Elector's number on register)]
[the person with this elector number: (Insert elector's number on register)]
* If anonymous elector omit the words in the first set of square brackets, if not omit the words in the second set of square brackets

Your postal vote


- You will receive a postal vote for this referendum because you successfully applied to vote by post.
- You will not be able to vote as proxy in a polling station.
- **If you have not received your postal vote by [day] [date] [month] please call the helpline.**

Please turn over

Back of card

How to vote 1. When you receive your postal vote, read the instructions carefully. 2. Your postal vote includes your ballot paper and a declaration of identity. 3. Complete the declaration of identity. 4. Complete the ballot paper. 5. Return your postal voting papers in the envelope provided. 6 We need to get your postal vote by 10pm on [day/date of poll] . Postal voting papers cannot be accepted at polling stations.
--

If you make a mistake <ul style="list-style-type: none">• Please phone the helpline immediately.• We can only issue a replacement postal vote if you return all your postal vote documents before 5pm on [day/date of deadline]. If you would rather vote in person, you must cancel your postal vote before 5pm on [day/date of deadline] . For more information, please call the helpline. * [Note that if you are a proxy for a person with an anonymous entry on the register you will not be able to vote in person.] * Counting Officer to include only on proxy postal poll card sent to the proxy of an anonymous elector.
--

 If you need help to vote, you can ask someone you know or get advice by calling our helpline. If you need information in another format or language, please call our helpline.

Electoral fraud is a crime

[insert helpline and other contact details including website]

The Counting Officer issued this card.

If undelivered return to
[insert return address]

Form 14 – Form of Directions for the Guidance of the Voters in Voting (Great Britain)

How to vote at this referendum

1

Go to the desk and tell the staff your name and address. They will give you your ballot paper.



2

Take your ballot paper to a voting booth.



3

Read the instructions in the booth and mark your ballot paper.



4

When you have marked your ballot paper, fold it so that nobody can see how you have voted.



5

Put your folded ballot paper into the ballot box.



(!) Voting is secret. Do not let anyone see how you have voted.
🗣️ If you make a mistake or need some help, just ask the staff.

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: The European Union Referendum (Conduct) Regulations 2016 No. 219

Form 15 – Form of Directions for the Guidance of Voters in Voting (Northern Ireland)

How to vote at this referendum

1

Go to the desk and tell the staff your name and address and show your accepted form of photographic identification.

They will give you your ballot paper.



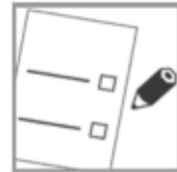
2

Take your ballot paper to a voting booth.



3

Read the instructions in the booth and mark your ballot paper.



4

When you have marked your ballot paper, fold it so that nobody can see how you have voted.



5

Put your folded ballot paper into the ballot box.



(!) Voting is secret. Do not let anyone see how you have voted.

i If you make a mistake or need some help, just ask the staff.

Form 16 – Form of Certificate of Employment (Great Britain)

Certificate of Employment
Referendum on the United Kingdom's membership of the European Union
Date of referendum [day] [date] [month] [year]
Voting area [insert name of area]
The person named below is entitled to vote at any polling station in the above voting area on production and surrender of this certificate to the Presiding Officer.
<p>I certify that _____ (name of elector)</p> <p>who is numbered* _____ in the register of electors for the voting area named above, cannot reasonably be expected to go in person to the polling station allotted to them at this referendum by reason of his/her employment on the above date for a purpose connected with this referendum:</p> <ul style="list-style-type: none"> – as a constable** – as a Police Community Support Officer** – by me (Only applies to Counting Officer's staff)** <p>Signature _____ Counting Officer/Police Officer (<i>Inspector or above</i>)**</p> <p>Date _____</p> <p>* The elector's number can be found on the poll card which was sent to them shortly after the referendum was announced, or can be checked by contacting the Electoral Registration Officer.</p> <p>** Person completing the form to delete whichever does not apply.</p>

Form 17 – Form of Certificate of Employment (Northern Ireland)

Certificate of Employment
Referendum on the United Kingdom's membership of the European Union
Date of referendum [day] [date] [month] [year]
Voting area: Northern Ireland
Ballot box number:
The person named below is entitled to vote at any polling station in Northern Ireland on production and surrender of this certificate to the Presiding Officer.
<p>I certify that _____ (name of elector)</p> <p>who is numbered _____ in the register of electors for the voting area named above, cannot reasonably be expected to go in person to the polling station allotted to them at this referendum by reason of his/her employment on the above date for a purpose connected with this referendum:</p> <ul style="list-style-type: none"> – as a constable* – by me (only applies to Counting Officer's staff)* <p>Signature _____ Counting Officer/Police Officer (<i>Chief Inspector or above</i>)*</p> <p>Date _____</p> <p>* Person completing the form to delete whichever does not apply.</p>

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: The European Union Referendum (Conduct) Regulations 2016 No. 219

Form 18 - Form of Declaration made by the companion of a voter or proxy with disabilities (Great Britain)

Declaration for the companion of a voter with disabilities	
Referendum on the United Kingdom's membership of the European Union	
Voting area: <i>[insert voting area]</i>	
Date of referendum <i>[day] [date] [month] [year]</i>	
A voter with disabilities is a voter who has made a declaration that he or she is so incapacitated by his or her blindness or other disability, or by his or her inability to read, as to be unable to vote at this referendum without assistance. In this form, "voter" means the person casting the vote at the referendum and includes a person voting as a proxy.	
Part 1 To be completed by the voter's companion	
Companion's name	
Companion's address	
Voter's name	
<i>[Only for use if the disabled voter is acting as a proxy]</i> Voter is acting as proxy for:	
Elector's number <i>[If the disabled voter is acting as a proxy, this is the number of the person for whom the voter is acting]</i>	
<p>I have been requested to assist the voter named above to record their vote at this referendum. I declare that:</p> <p>(1)</p> <ul style="list-style-type: none"> • I am entitled to vote as a voter at this referendum <p>or</p> <ul style="list-style-type: none"> • I am the *spouse/*civil partner/*parent/*brother/*sister/*child of the voter with disabilities and am 18 years of age or over <p style="text-align: center;"><i>*Please delete whichever does not apply</i></p> <p>AND</p> <p>(2)</p> <ul style="list-style-type: none"> • I have not previously assisted more than one voter with disabilities at this referendum. <p>If I have assisted one other voter their name and address is:</p>	
<i>[Complete if appropriate]</i> Name and address of other person assisted	

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NOTE – It is a criminal offence to knowingly make a false statement in this form.			
Companion's signature		Date	
Part 2 To be completed by the Presiding Officer			
I, the undersigned, being the Presiding Officer for:			
Polling station		Voting area of	
Hereby certify that the above declaration was signed in my presence.		Presiding Officer signature	
Date		Time (exact)	

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: The European Union Referendum (Conduct) Regulations 2016 No. 219

Form 19 - Form of Declaration made by the companion of a voter or proxy with disabilities (Northern Ireland)

Declaration for the companion of a voter with disabilities	
Referendum on the United Kingdom's membership of the European Union	
Voting area: Northern Ireland	
Date of referendum [day] [date] [month] [year]	
Ballot box number:	
A voter with disabilities is a voter who has made a declaration that he or she is so incapacitated by his or her blindness or other disability, or by his or her inability to read, as to be unable to vote at this referendum without assistance. In this form, "voter" means the person casting the vote at the referendum and includes a person voting as a proxy.	
Part 1 To be completed by the voter's companion	
Companion's name	
Companion's address	
Voter's name	
[Only for use if the disabled voter is acting as a proxy] Voter is acting as proxy for:	
Elector's number [If the disabled voter is acting as a proxy, this is the number of the person for whom the voter is acting]	
<p>I have been requested to assist the voter named above to record their vote at this referendum. I declare that:</p> <p>(1)</p> <ul style="list-style-type: none"> ● I am entitled to vote as a voter at this referendum <p>or</p> <ul style="list-style-type: none"> ● I am the *spouse/*civil partner/*parent/*brother/*sister/*child of the voter with disabilities and am 18 years of age or over <p style="text-align: center;"><i>*Please delete whichever does not apply</i></p> <p>AND</p> <p>(2)</p> <ul style="list-style-type: none"> ● I have not previously assisted more than one voter with disabilities at this referendum. <p>If I have assisted one other voter their name and address is:</p>	

Back of declaration

[Complete if appropriate] Name and address of other person assisted			
NOTE – It is a criminal offence to communicate at any time to any person any information as to the way in which the voter intends to vote or has voted.			
Companion's signature		Date	
Part 2 To be completed by the Presiding Officer			
I, the undersigned, being the Presiding Officer for:			
Polling station			
Certify that the above declaration was signed in my presence.		Presiding Officer signature	
Date		Time (exact)	

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: The European Union Referendum (Conduct) Regulations 2016 No. 219

Form 20 – Form of Proxy Paper (Great Britain)

Proxy Paper	
Referendum on the United Kingdom's membership of the European Union	
Voting area: <i>[insert name of voting area]</i>	
Name of Proxy	
Address of Proxy	
<p>You have been appointed as proxy for</p> <p>_____ (name of elector)</p> <p>[*who is qualified to be registered at</p> <p>(Qualifying address)_____]</p> <p>[*who has made an overseas elector's declaration]</p> <p>to vote for them in the referendum.</p> <p>Signature_____ (Electoral Registration officer)</p> <p>Date_____</p> <p><i>* Delete whichever is inappropriate</i></p>	

1. This proxy paper gives you the right to vote as proxy for the elector named above.
2. You may not vote as proxy in the referendum for more than two electors, unless you are their spouse, civil partner, parent, grandparent, brother, sister, child or grandchild.
3. You may vote as proxy at the polling station allotted to the elector on whose behalf you are appointed. Shortly before polling day you will be sent a proxy poll card telling you where the polling station is. You do not need to take either the poll card or this paper with you to vote but it will save time if you do take the poll card with you.
4. If you cannot vote in person at the polling station, contact the helpline or visit our website.
[Insert helpline and other contact details including website]

Form 21 – Form of Proxy Paper (Northern Ireland)

Proxy Paper	
Referendum on the United Kingdom's membership of the European Union	
Voting area: Northern Ireland	
Name of Proxy	
Address of Proxy	
You have been appointed as proxy for _____ (name of elector) [*who is qualified to be registered at (Qualifying address)_____] [*who has made an overseas elector's declaration] to vote for them in the referendum. Signature _____ (Electoral Registration officer) Date _____ * Delete whichever is inappropriate	

1. This proxy paper gives you the right to vote as proxy for the elector named above.
2. You may not vote as proxy in the referendum for more than two electors, unless you are their spouse, civil partner, parent, grandparent, brother, sister, child or grandchild.
3. You may vote as proxy at the polling station allotted to the elector on whose behalf you are appointed. Shortly before polling day you will be sent a proxy poll card telling you where the polling station is. You do not need to take either the poll card or this paper with you to vote but it will save time if you do take the poll card with you.
4. If you cannot vote in person at the polling station, contact the helpline or visit our website.
5. If you have been appointed as a proxy in behalf of an elector who has an anonymous entry in the register, you can only vote by post. If you have not already been granted a postal vote, you should contact the electoral registration officer.

[Insert helpline and other contact details including website]