
STATUTORY INSTRUMENTS

2004 No. 1962

**The Regional Assembly and Local
Government Referendums Order 2004**

Application and modification of enactments relating to elections

6.—(1) The provisions set out in column (1) of the Tables in Parts 1 to 3 of Schedule 2 shall have effect in relation to a referendum with the modifications shown against those provisions in column (2) of those Tables; and in particular, except where the context otherwise requires—

- (a) a reference to an election shall be construed as a reference to a referendum;
- (b) a reference to a returning officer or acting returning officer shall be construed as a reference to the counting officer;
- (c) a reference to a constituency, an electoral area, division or ward shall be construed as a reference to a voting area;
- (d) a reference to voting for, or a vote for, a candidate shall be construed as a reference to voting for, or a vote for, a referendum answer;
- (e) a reference to promoting or procuring the election of a candidate, or furthering a person's candidature, shall be construed as a reference to promoting or procuring a particular referendum answer;
- (f) references to nomination papers and, except as mentioned in sub-paragraphs (d) and (e), references to candidates, shall be ignored;
- (g) a reference to the return of a person shall be construed as a reference to a particular referendum answer;
- (h) a reference to a person voting as an elector shall be construed as a reference to a person voting on his own behalf;
- (i) a reference to a person's entitlement as an elector to an absent vote shall be construed as a reference to a person's entitlement to vote by post on his own behalf or to vote by proxy;
- (j) a reference to an election agent shall be construed as a reference to a referendum agent;
- (k) a reference to anything being prescribed shall be construed as a reference to its being provided for by a provision of subordinate legislation applied by this Order;
- (l) a form which is required to be used may be used with such variations as the circumstances may require;
- (m) a reference to the registration officer is a reference to the relevant registration officer appointed under section 8 (registration officers) or 203(4) (application to Isles of Scilly) of the 1983 Act;
- (n) any reference to an enactment or instrument made under an enactment shall be construed as a reference to that enactment or instrument as applied and modified (where applicable) by this Order; and
- (o) so much of any provision as—
 - (i) relates to an election petition or an election court; or

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(ii) applies only in relation to Scotland, Wales or Northern Ireland, shall be ignored.

(2) The form shown in Part 4 of Schedule 2 shall have effect as the form of proxy paper for the appointment of a proxy at a particular Regional Assembly referendum or particular combined referendums.