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STATUTORY INSTRUMENTS

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**2010 No. 2837**

**CONSTITUTIONAL LAW  
DEVOLUTION, WALES  
REFERENDUMS  
REPRESENTATION OF THE PEOPLE**

The National Assembly for Wales Referendum  
(Assembly Act Provisions) (Referendum  
Question, Date of Referendum Etc.) Order 2010

*Made - - - - 15th December 2010*

*Coming into force in accordance with article 1(2)*

**THE NATIONAL ASSEMBLY FOR WALES REFERENDUM  
(ASSEMBLY ACT PROVISIONS) (REFERENDUM  
QUESTION, DATE OF REFERENDUM ETC.) ORDER 2010**

1. Citation, commencement and extent
2. Interpretation etc.
3. Referendum and date of poll
4. Referendum question and statement
5. Referendum period
6. Polling districts and polling places
7. Other voting provisions
8. Rules for the conduct of the referendum
9. The Chief Counting Officer and Deputy Chief Counting Officers
10. Counting officers
11. Supplementary
12. Correction of procedural errors
13. Payments to counting officers
14. Taxation of counting officers' accounts
15. Accounts of the Welsh Ministers
16. Explanatory material
17. Supply of full register to the Commission
18. Referendum agents
19. Translations etc. of certain documents

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

20. Public notices and declarations
21. Sending of applications and notices: electronic signatures and related certificates
22. Publication and copies of documents
23. Advertisements
24. Non-domestic rating: premises used for referendum purposes
25. Loan of equipment for referendum
26. Offences
27. Modifications of enactments
28. Forms: general  
Signature

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## SCHEDULE 1 — VOTING IN THE REFERENDUM

### PART 1

1. Persons entitled to vote
2. Existing postal and proxy voters
3. Applications by electors for absent vote
4. Absent voters lists
5. Proxies
6. Voting as proxy
7. Use of personal identifier information
8. Information contained in records kept by a registration officer in...

### PART 2

9. General requirements for applications
10. Additional requirements for applications to vote by proxy
11. Closing dates for applications
12. Grant or refusal of applications
13. Cancellation of proxy appointment
14. The personal identifiers record

### PART 3

15. Effect of register
16. Effect of misdescription
17. Discharge of registration duties
18. Alterations in the register
19. Payment of expenses of registration
20. Supply of free copy of register, notices and lists for referendum purposes
21. (1) A permitted participant is entitled, subject to the following...
22. Appeals
23. Marked register for polling stations
24. Notification by registration officer
25. Service Voters
26. Forms

## SCHEDULE 2 — ISSUE AND RECEIPT OF POSTAL BALLOT PAPERS

### PART 1

1. Interpretation

### PART 2

2. Persons entitled to be present at proceedings on issue of postal ballot papers
3. Persons entitled to be present at proceedings on receipt of postal ballot papers
4. Notification of requirement of secrecy

5. Time when postal ballot papers are to be issued
6. Procedure on issue of postal ballot paper
7. Refusal to issue postal ballot papers
8. Envelopes
9. Sealing up of completed corresponding number lists and security of lists
10. Delivery of postal ballot papers
11. Spoilt postal ballot paper
12. Lost postal ballot papers

PART 3

13. Notice of opening of postal ballot paper envelopes
14. Postal ballot boxes and receptacles
15. Receipt of covering envelope
16. Opening of postal voters' ballot box
17. Opening of covering envelopes
18. Confirming receipt of postal voting statements
19. Procedure in relation to postal voting statements
20. Procedure in relation to postal voting statements: personal identifier verification
21. Postal voting statements: additional personal identifier verification
22. Opening of ballot paper envelopes
23. Retrieval of cancelled postal ballot papers
24. Lists of rejected postal ballot papers
25. Checking of lists kept under paragraph 24
26. Sealing of receptacles
27. Forwarding of documents

SCHEDULE 3 — REFERENDUM RULES

PART 1

1. Timetable
2. Computation of time

PART 2

3. Notice of the referendum
4. Hours of polling
5. Poll to be taken by ballot
6. The ballot paper
7. The corresponding number list
8. The official mark
9. Prohibition of disclosure of vote
10. Use of schools and public rooms for polling

PART 3

11. Notice of poll
12. Postal ballot papers
13. Provision of polling stations
14. Appointment of presiding officers and clerks
15. Issue of official poll cards
16. Equipment of polling stations
17. Appointment of polling and counting agents
18. Notification of requirement of secrecy
19. Return of postal ballot papers

PART 4

20. Admission to polling station
21. Keeping of order in polling station
22. Sealing of ballot boxes

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23. Questions to be put to voters
24. Challenge of voter
25. Voting procedure
26. Votes marked by presiding officer
27. Voting by persons with disabilities
28. Tendered ballot papers
29. Spoilt ballot papers
30. Correction of errors on the day of the poll
31. Adjournment of poll in case of riot
32. Procedure on close of poll
- PART 5
33. Time of, and attendance at, the count
34. The count
35. Rejected ballot papers
36. Decisions on ballot papers
37. Counting officer's re-count
38. Chief Counting Officer's re-count
- PART 6
39. Counting officer's certification and declaration
40. Chief Counting Officer's certification and declaration of result of referendum
- PART 7
41. Sealing up of ballot papers
42. Delivery of documents to relevant registration officer
43. Orders for production of documents
44. Retention and public inspection of documents

#### SCHEDULE 4 — OFFENCES

1. Offences relating to applications for postal and proxy votes
2. Personation
3. Other voting offences
4. Breach of official duty
5. Tampering with ballot papers etc.
6. Requirement of secrecy
7. Prohibition on publication of exit polls
8. Broadcasting from outside the United Kingdom
9. Imitation poll cards
10. Disturbances at meetings
11. Officials not to act for permitted participants
12. Illegal canvassing by police officers
13. Payments for exhibition of referendum notices
14. Prohibition of paid canvassers
15. Providing money for illegal purposes
16. Bribery
17. Treating
18. Undue influence
19. Interference with notices etc.
20. Offences in contravention of Schedule 1 paragraphs 20 and 21 (Supply of free copy of register etc.)
21. Application for relief
22. Prosecutions for corrupt practices
23. Prosecutions for illegal practice
24. Conviction of illegal practice on charge of corrupt practice etc.

25. Incapacities on conviction of corrupt or illegal practice
26. Prosecutions for illegal payments etc.
27. Time limit for prosecutions
28. Referendum offence punishable summarily
29. Prosecution of offences committed outside the United Kingdom
30. Offences by associations
31. Evidence by certificate of electoral registration
32. Director of Public Prosecutions
33. Rights of creditors
34. Saving
35. Service of notices
36. Interpretation of this Schedule

SCHEDULE 5 — APPLICATION AND MODIFICATIONS OF ENACTMENTS  
RELATING TO ELECTIONS

1. General

SCHEDULE 6 — APPENDIX OF FORMS

Explanatory Note