

SCHEDULE 4

Regulation 10

ADDITIONAL MODIFICATIONS AS REGARDS
REFERENDUM AT WHICH VOTING TO BE BY POST ONLY

<i>(1)</i> <i>Provision</i>	<i>(2)</i> <i>Modification</i>
<i>The 1983 Act</i>	
Section 47 (loan of equipment for local elections)	In subsections (1) and (2), omit “fittings and compartments”.
Section 60 (personation)	In subsection (2), in paragraphs (a) and (b), omit “in person or”.
	In subsection (3), omit the words from “who has applied” to “person or”.
Section 61 (other voting offences) (see the modifications in Table 2 of Schedule 3)	Omit subsections (2)(b) and (c) and (3)(b) and (c).
Section 66 (requirement of secrecy)	Omit subsection (1).
Section 66A (prohibition on publication of exit polls)	In subsection (1), for “the poll is closed”, substitute “10 p.m. on the day of the referendum”.
<i>The Elections Regulations</i>	
Regulation 50 (interpretation of Part IV)	Omit the definition of “allotted polling station”.
Regulation 51 (general requirements for applications for an absent vote)	Omit paragraph (5).
Regulation 72 (procedure on issue of postal ballot paper)	For paragraph (1) substitute — <p>“(1) First, the counting officer at the referendum shall issue postal ballot papers to those persons entitled to vote in the referendum who are included as voting by post in the absent voters list for the referendum, and shall place a mark in that list and the register of electors against the number of that person to denote that a ballot paper has been issued to that person but without showing the particular ballot paper issued.</p> <p>(1A) Secondly, the counting officer shall issue postal ballot papers to those proxies included in the list kept under paragraph 7(8) of Schedule 4 to the 2000 Act, as applied for the purposes of the referendum, and shall place a mark —</p> <p>(a) in that list against the name of the proxy; and</p> <p>(b) in the register of electors against the number of the person for whom the proxy is appointed,</p>

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<i>(1)</i> <i>Provision</i>	<i>(2)</i> <i>Modification</i>
	<p>to denote that a ballot paper has been issued to the proxy but without showing the particular ballot paper issued.</p> <p>(1B) Thirdly, the counting officer shall issue postal ballot papers to those proxies included in the absent voters list for the referendum and shall place a mark —</p> <ul style="list-style-type: none"> (a) in that list against the name of the proxy; and (b) in the register of electors against the number of the person for whom the proxy is appointed, <p>to denote that a ballot paper has been issued to the proxy but without showing the particular ballot paper issued.</p> <p>(1C) Finally, the counting officer shall issue postal ballot papers to every person entitled to vote in the referendum against whose number in the register of electors no mark has been placed, and shall then place a mark against that person’s number to denote that a ballot paper has been issued but without showing the particular ballot paper issued.</p> <p>(1D) Each postal ballot paper issued shall be stamped with the official mark.</p> <p>(1E) The address to which a postal ballot paper is to be sent shall be determined in accordance with rule 19 of the rules set out in Schedule 2 to the Local Elections (Principal Areas) Rules 1986, as substituted.”.</p> <p>Omit paragraphs (5) and (6).</p>
<i>The Principal Areas Rules</i>	
Rule 1 (timetable)	In the timetable, omit the entry in respect of polling.
Rule 3 (notice of election)	In paragraph 1, for “poll” substitute “referendum”. In paragraph (2) —
	(a) omit sub-paragraph (a) and the word “and” following it; and
	(b) in sub-paragraph (b), omit “other”.
Rule 13 (poll to be taken by ballot)	After “given by”, insert “postal”.
Rule 15 (ballot papers: official mark)	Omit paragraph (3).

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<i>(1)</i> <i>Provision</i>	<i>(2)</i> <i>Modification</i>
Rule 17 (use of schools and public rooms)(1)	In paragraphs (1) and (2), omit “taking the poll or”.
Rule 18 (notice of poll)	In paragraph (1), for sub-paragraph (a) substitute — “ <i>(a)</i> that the poll at the referendum is to be taken only by post;”.
	Omit paragraph (3).
Rule 19 (postal ballot papers)(2)	Substitute —

“Postal ballot papers

19.—(1) The counting officer shall as soon as reasonably practicable issue to —

- (a) each person entitled to vote in the referendum for whom a proxy has not been appointed; and
- (b) each proxy appointed by a person entitled to vote in the referendum,

at the address determined in accordance with this rule, a postal ballot paper and a declaration of identity in the forms set out in the Appendix, or forms to the like effect, together with such envelopes for their return (whether free of charge or otherwise) as may be prescribed by regulations made under the 1983 Act.

(2) In the case of a person entitled to vote in the referendum whose name is shown in the absent voters' list for the referendum, the address referred to in paragraph (1) is that shown in that list.

(3) Subject to paragraph (4), in the case of a person entitled to vote in the referendum whose name is not shown in the absent voters' list for the referendum, the address referred to in paragraph (1) is that person's qualifying address as shown in the register of electors.

(4) In the case of a person entitled to vote in the referendum —

(1) Rule 17 was amended by S.I.2001/81, rule 6.
(2) Rule 19 was substituted by S.I. 2001/81, rule 7.

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<i>(1)</i> <i>Provision</i>	<i>(2)</i> <i>Modification</i>
	<p>(a) whose name is not shown in the absent voters' list for the referendum; and</p> <p>(b) whose qualifying address is not shown in the register of electors, the address referred to in paragraph (1) is —</p> <p>(i) the address given in accordance with regulation 15 of the Elections Regulations (if that address is within the United Kingdom) in the case of a service voter; or</p> <p>(ii) the address given in accordance with section 7B(3)(a) of the 1983 Act in the case of a person registered in pursuance of a declaration of local connection.</p> <p>(5) In the case of a proxy, the address referred to in paragraph (1) is —</p> <p>(a) in the case of a proxy whose name is included in the special list kept under paragraph 7(8) of Schedule 4 to the RPAct 2000 for the referendum, the address recorded in that list; or</p> <p>(b) in the case of any other proxy, the address of the proxy as given under regulation 52 of the Elections Regulations.”.</p>
Rules 20 to 23 (provision of polling stations, appointment of presiding officers and clerks, issue of official poll cards and equipment of polling stations)	Omit.
Rule 25 (notification of requirement of secrecy)	Omit paragraph (a).
Rules 26 to 37 (admission to polling stations, keeping of order in station, sealing of ballot boxes, questions to be put to voters, challenge of voters, voting procedure, votes marked by presiding officer, voting by persons with disabilities, tendered ballot papers, spoilt ballot	Omit.

<i>(1)</i> <i>Provision</i>	<i>(2)</i> <i>Modification</i>
papers, adjournment of poll in case of riot and procedure on close of poll)	
Rule 39 (the count)(3)	In paragraph (1), omit sub-paragraphs (a) and (b) and the words “and (c)”.
Rule 46 (delivery of documents)(4)	Omit paragraphs (2), (4) and (6). In paragraph (1) — (a) for sub-paragraph (b) substitute — “(b) the statements of rejected ballot papers;” (b) omit sub-paragraph (c); and (c) in sub-paragraph (d), omit from “and” to the end.
Rule 47	In paragraph (1)(b) omit “and certificates as to employment on duty on the day of the poll”.
Rule 48	In paragraphs (2) and (3), omit “and certificates”.
Rule 48	In paragraph (2), for the words from “, counterfoils” to “poll” substitute “and counterfoils,”.
The Appendix of Forms	In the back of the form of the declaration of identity omit note 6. Omit the forms of — (a) an elector’s official poll card; (b) a proxy’s official poll card; (c) directions for guidance of the voters in voting; (d) certificate of employment; and (e) declaration to be made by the companion of a voter with disabilities.

(3) Paragraph (3) of rule 39 was substituted by S.I. 2001/81, rule 12.

(4) Rule 46 was amended by S.I. 2001/81, rule 13.