
Changes to legislation: There are currently no known outstanding effects for the Parliamentary Voting System and Constituencies Act 2011, SCHEDULE 4. (See end of Document for details)

SCHEDULES

SCHEDULE 4

Section 3

APPLICATION TO THE REFERENDUM OF EXISTING PROVISIONS

PART 1

REPRESENTATION OF THE PEOPLE ACT 1983

- 1 (1) The provisions of the 1983 Act listed in the first column of the table apply for the purposes of the referendum.
- (2) In their application by virtue of this paragraph, those provisions have effect—
- (a) with the modifications (if any) shown in the second column of the table, and
 - (b) with any other necessary modifications, including in particular those set out in sub-paragraph (3).
- (3) Except where the context otherwise requires—
- (a) a reference to a provision that is applied by this Schedule has effect as a reference to that provision as so applied;
 - (b) expressions are to be construed in accordance with the definitions in section 7 of this Act and rule 53 of the referendum rules.
- (4) The provisions of the 1983 Act that apply for the purposes of the referendum by virtue of this paragraph are in addition to the provisions of that Act that would apply for those purposes in any event.

<i>Provision</i>	<i>Modification</i>
Section 13C(5) (validity of electoral identity card in Northern Ireland)	For “subsection (4) above and rule 37E(1) in Schedule 1 to this Act” substitute “ rule 27 of the referendum rules ”.
Section 47 (loan of equipment)	In subsection (1), for “the returning officer at a local government election” substitute “ a counting officer ”. In subsection (2), for “the returning officer at an election held under those Acts” substitute “ a counting officer ”.
Section 49 (effect of registers)	In subsection (4)— <ul style="list-style-type: none">(a) after “this Part” insert “ or Part 1 of the Parliamentary Voting System and Constituencies Act 2011 ”;(b) for “except for the purposes of an election at which” substitute “ for the purposes of the referendum unless ”. In subsection (5) omit “prevent the rejection of the vote on a scrutiny, or”.

Changes to legislation: There are currently no known outstanding effects for the Parliamentary Voting System and Constituencies Act 2011, SCHEDULE 4. (See end of Document for details)

Section 50 (effect misdescription)	of	In paragraph (c)— (a) omit “nomination paper”; (b) for “and the parliamentary election rules” substitute “ or Part 1 of the Parliamentary Voting System and Constituencies Act 2011 ”.
Section 52 (discharge registration duties)	of	The Secretary of State may give a direction under section 52(1) only if it is in accordance with a recommendation made by the Electoral Commission. In subsections (1), (2) and (4), after “this Act” insert “ and Part 1 of the Parliamentary Voting System and Constituencies Act 2011 ”. In subsection (1), after the first “this Act” insert “ or Part 1 of the Parliamentary Voting System and Constituencies Act 2011 ”.
Section 56(3) to (4A) (registration appeals: England and Wales)	In subsection (3)—	(a) for “notice of an election is given” substitute “ notice of the referendum is given ”; (b) for “the election” substitute “ the referendum ”. In subsection (4A), for “that election” substitute “ the referendum ”.
Section 57 (registration appeals: Scotland)	Section 57 applies for the purposes of the referendum only in so far as it applies section 56(3) to (4A).	
Section 58(3) to (5) (registration appeals: Northern Ireland)	In subsection (3)—	(a) for “notice of an election is given” substitute “ notice of the referendum is given ”; (b) for “the election” substitute “ the referendum ”. In subsection (5), for “that election” substitute “ the referendum ”.
Section 60 (personation)	In subsection (2), for “at a parliamentary or local government election” substitute “ in the referendum ”.	
Section 61 (other voting offences)	For subsections (1) to (4) substitute—	“(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, in the referendum, knowing that he is subject to a legal incapacity to vote in the referendum; or (b) he applies for the appointment of a proxy to vote for him in the referendum knowing that he is or the person to be appointed is subject to a legal incapacity to vote in the referendum; or (c) he votes, whether in person or by post, as proxy for some other person in the referendum knowing that that person is subject to a legal incapacity to vote.

Changes to legislation: There are currently no known outstanding effects for the Parliamentary Voting System and Constituencies Act 2011, SCHEDULE 4. (See end of Document for details)

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 in the referendum; or
 - (b) he votes on his own behalf in person in the referendum when he is entitled to vote by post; or
 - (c) he votes on his own behalf in person in the referendum, 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 Schedule 3 to the Parliamentary Voting System and Constituencies Act 2011 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 Schedule 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 in the referendum; or
 - (b) he votes in person as proxy for another person in the referendum and he is entitled to vote by post as proxy for that person; or
 - (c) he votes in person as proxy for another person in the referendum 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.”

In subsection (6A), for the words from “ballot paper” to the end substitute “ in reliance on Case 3, 4, 5 or 6 in rule 32 of the referendum rules. ”

Omit subsection (6B).

In subsection (7)—

Changes to legislation: There are currently no known outstanding effects for the Parliamentary Voting System and Constituencies Act 2011, SCHEDULE 4. (See end of Document for details)

- (a) after “section 173 below” insert “ (read with paragraph 3 of Schedule 4 to the Parliamentary Voting System and Constituencies Act 2011) ”;
- (b) omit paragraph (b).

Section 62A(1) to (5) (applications for absent voting: offences) In subsection (1)(a), omit “at a parliamentary or local government election”.
 In subsection (2)(c), for “returning officer” substitute “counting officer”.

Section 63 (breach of official duty) For subsections (3) and (4) substitute—

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

- (a) the Chief Counting Officer and any Regional Counting Officer or counting officer,
- (b) any presiding officer or registration officer,
- (c) any official designated by a universal postal service provider, and
- (d) any deputy of a person mentioned in any of paragraphs (a) to (c) 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 Part 1 of the Parliamentary Voting System and Constituencies Act 2011 or the law 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 7 of Schedule 1 to the Parliamentary Voting System and Constituencies Act 2011,
- he shall not be guilty of an offence under subsection (1) above.”

Section 65 (tampering with papers) In subsection (1)—

- (a) for “at a parliamentary or local government election” substitute “ in the referendum ”;
- (b) omit paragraph (a);
- (c) in paragraph (f), for “election” substitute “ referendum ”.

For subsection (2) substitute—

Changes to legislation: There are currently no known outstanding effects for the Parliamentary Voting System and Constituencies Act 2011, SCHEDULE 4. (See end of Document for details)

“(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.”

In subsection (3), for “a returning officer” substitute “the Chief Counting Officer, a Regional Counting Officer, a counting officer”.

Section 66(1) to (6) (requirement of secrecy) In subsection (1), for paragraphs (a) to (d) substitute—

- “(a) the Chief Counting Officer, and every Regional Counting Officer and counting officer, attending at a polling station,
- (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.”

In subsections (2)(b), (3)(b) and (c), (4)(d) and (5), for “the candidate for whom” substitute “the referendum answer for which”.

In subsection (3)(d), for “the name of the candidate for whom” substitute “the referendum answer for which”.

In subsection (5)—

- (a) for “blind voter” substitute “voter with disabilities”;
- (b) at the end insert— “ “Voter with disabilities” has the meaning given by rule 31(11) of the referendum rules. ”

Section 66A (prohibition on publication of exit polls) In subsection (1), for “an election to which this section applies”, and for “the election” (in both places), substitute “the referendum”.

Omit subsection (2).

In subsection (4), for the words after “whatever means” substitute— “ and the reference to a forecast as to the result of the referendum includes a reference to 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. ”

Section 66B (failure to comply with conditions relating to supply etc of documents) In subsection (1)(a), for “regulations under rule 57 of the parliamentary election rules” substitute

Changes to legislation: There are currently no known outstanding effects for the Parliamentary Voting System and Constituencies Act 2011, SCHEDULE 4. (See end of Document for details)

- “ regulations mentioned in rule 52(5)(a) of the referendum rules ”.
- Section 92 (broadcasting from outside UK) In subsection (1)—
 (a) for “at a parliamentary or local government election” substitute “ in the referendum ”;
 (b) for “the election” substitute “ the referendum ”.
 In subsection (2), after “section 173 below” insert “ (read with paragraph 3 of Schedule 4 to the Parliamentary Voting System and Constituencies Act 2011) ”.
- Section 94(1) (imitation poll cards) For “the election of any candidate at a parliamentary election or a local government election to which this section applies” substitute “ a particular result in the referendum ”.
- Section 97 (disturbances at meetings) For subsection (2) substitute—
 “(2) This section applies to a meeting held by a permitted participant during the referendum period (within the meaning given by paragraph 1 of Schedule 1 to the Parliamentary Voting System and Constituencies Act 2011) in connection with the referendum.”
- Section 99 (officials not to act for candidates) For subsection (1) substitute—
 “(1) If—
 (a) the Chief Counting Officer or any Regional Counting Officer or counting officer,
 (b) any officer, deputy or clerk appointed by such a person,
 (c) any officer of a local authority whose services have been placed at the disposal of a counting officer or Regional Counting Officer under paragraph 4 of Schedule 1 to the Parliamentary Voting System and Constituencies Act 2011,
 acts as a referendum agent for a permitted participant, he shall be guilty of an offence.”
- Section 100 (illegal canvassing by police officers) In subsection (1), for the words after “proxy” substitute “ in the referendum ”.
- Section 109 (payments for exhibition of election notices) In subsection (1), for “the election of a candidate at an election” substitute “ a particular result in the referendum ”.
 In subsection (2), for “an election” substitute “ the referendum ”.
- Section 111 (prohibition of paid canvassers) For “an election” substitute “ the referendum ”
 For “a candidate's election” substitute “ a particular result in the referendum ”.

Changes to legislation: There are currently no known outstanding effects for the Parliamentary Voting System and Constituencies Act 2011, SCHEDULE 4. (See end of Document for details)

Section 112(a) and (c) (providing money for illegal purposes)

Section 113 (bribery)

In subsection (2)—

(a) for “the return of any person at an election” (in both places) substitute “ a particular result in the referendum ”;

(b) omit paragraph (iii).

In subsection (3), for “at any election” (in both places) substitute “ in the referendum ”.

In subsections (4), (5) and (6), for “an election” substitute “ the referendum ”.

Section 114 (treating)

In subsection (2), for “an election” substitute “ the referendum ”.

Section 115 (undue influence)

Section 116(a) (rights of creditors)

Section 117(2) (saving for employees to be absent for voting)

For “parliamentary electors” substitute “ persons entitled to vote on their own behalf ”.

For “at a parliamentary election” substitute “ in the referendum ”.

In paragraphs (b) and (c), for “any particular candidate at the election” substitute “ a particular answer in the referendum ”.

In section 118 (interpretation), the definitions of “money”, “pecuniary reward” and “payment”

Section 167(1) to (2) (application for relief)

For subsection (1) substitute—

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

In subsection (2)(c), omit the words from “in the constituency” to “was held,”.

Sections 168(1) and (7), 169 and 170 (prosecutions for corrupt and illegal practices)

Section 175(1) and (3) (prosecution for illegal employment)

Section 176 (time limit for prosecutions)

In subsection (2C), for “rule 57 of the parliamentary elections rules” substitute “ rule 52 of the referendum rules ”.

In subsection (2D), for paragraph (a) substitute—

“(a) directing the registration officer not to cause the documents to be destroyed at the expiry of the period of one year mentioned in rule 52 of the referendum rules,”.

Changes to legislation: There are currently no known outstanding effects for the Parliamentary Voting System and Constituencies Act 2011, SCHEDULE 4. (See end of Document for details)

Section 178 (prosecution of offences committed outside the UK)

Section 179 (offences by Omit paragraph (b). associations)

Section 181(1) (Director of Public Prosecutions)

Section 184 (service of notices) In subsection (1)—

- (a) for “an election” substitute “ the referendum ”;
- (b) omit “or any election court,”;
- (c) in paragraph (a), omit the words from “in the constituency” to the end.

In section 185 (interpretation), the definitions of “payment” and “Licensing Acts”

Section 186 (computation of time)

Section 199B(1) to (9) (translations etc of certain documents) In subsection (1)—

- (a) after “this Act” insert “ or Part 1 of the Parliamentary Voting System and Constituencies Act 2011 ”;
- (b) for “a parliamentary or local government election” substitute “ the referendum ”.

In subsection (4) omit paragraph (a).

For subsections (5) and (6) substitute—

“(5) The counting officer may cause to be displayed at every polling station an enlarged sample copy of the ballot paper.

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

- (a) must have printed on it the words “Vote (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.”

In subsection (7)—

- (a) for “returning officer at a parliamentary election or a local government election” substitute “ counting officer ”;
- (b) for “the election” substitute “ the referendum ”.

In subsection (9), for “returning officer” substitute “ counting officer ”.

Changes to legislation: There are currently no known outstanding effects for the Parliamentary Voting System and Constituencies Act 2011, SCHEDULE 4. (See end of Document for details)

In section 202 (interpretation), In the definition of “prescribed”, after “regulations” the definitions in subsection (1) insert “ applied by Schedule 4 to the Parliamentary of “legal incapacity”, “legal Voting System and Constituencies Act 2011 ”. process”, “person”, “prescribed” and “universal postal service provider”; and subsection (2)

Section 204(3), (5) and (8) (general application to Scotland)

Section 205 (general application to Northern Ireland)

- 2 (1) In relation to England and Wales or Scotland, section 13B of the 1983 Act has effect for the purposes of the referendum as if a reference to an election to which that section applies included a reference to the referendum.
 - (2) In relation to Northern Ireland, section 13BA of the 1983 Act has effect for the purposes of the referendum as if—
 - (a) a reference to an election to which that section applies included a reference to the referendum,
 - (b) a reference to the final nomination day included a reference to the eleventh day before the date of the poll for the referendum,
 - (c) a reference in subsection (4) to an election included a reference to the referendum, and
 - (d) subsection (4)(b) referred also to the postal voters list or list of proxies kept for the referendum under paragraph 16(2) or (3) of Schedule 3.
 - (3) A reference in any enactment to section 13B or 13BA of the 1983 Act includes (where the context allows) a reference to that section as modified 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.
- 3 In sections 173 and 173A of the 1983 Act (which relate to incapacities where a person has been convicted of a corrupt or illegal practice) a reference to a person convicted of a corrupt or illegal practice includes a reference to a person convicted of such a practice under a provision of the 1983 Act applied by paragraph 1.

PART 2

OTHER ACTS

Political Parties, Elections and Referendums Act 2000

- 4 Section 6A(4) of the 2000 Act (meaning of “relevant counting officer”) applies for the purposes of the referendum as if for paragraphs (a) and (b) there were substituted “ in accordance with paragraph 2 of Schedule 1 to the Parliamentary Voting System and Constituencies Act 2011. ”
- 5 Section 9C of the 2000 Act (provision of information about expenditure) applies for the purposes of the referendum as if for the words in subsection (2)(c) after “in connection with” there were substituted “ the referendum under section 1 of the Parliamentary Voting System and Constituencies Act 2011. ”

Changes to legislation: There are currently no known outstanding effects for the Parliamentary Voting System and Constituencies Act 2011, SCHEDULE 4. (See end of Document for details)

- 6 Section 128 of the 2000 Act (counting officers etc for referendums) applies for the purposes of the referendum as if—
- (a) subsections (3), (4), (8) and (9)(b) were omitted;
 - (b) in subsection (5), for “the area for which he is appointed” there were substituted “ the voting area for which he acts ”;
 - (c) in subsection (9), for paragraph (a) there were substituted—
 - “(a) voting area” has the meaning given by section 7(2) of the Parliamentary Voting System and Constituencies Act 2011;”.

Electoral Administration Act 2006

- 7 Section 71 of the Electoral Administration Act 2006 (restriction on powers of arrest by persons other than constables) applies for the purposes of the referendum as if the reference to section 60 of the 1983 Act (personation) were to that section as applied by Part 1 of this Schedule.

PART 3

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

- 8 (1) The provisions of the relevant regulations listed in the first column of the table apply for the purposes of the referendum (subject to sub-paragraphs (4) and (5); and for this purpose the relevant regulations are—
- (a) the Representation of the People (England and Wales) Regulations 2001 (S.I. 2001/341) (referred to in this paragraph as “the England and Wales Regulations”), and
 - (b) the Representation of the People (Scotland) Regulations 2001 (S.I. 2001/497) (referred to in this paragraph as “the Scotland Regulations”).
- (2) In their application by virtue of this paragraph, those provisions have effect—
- (a) with the modifications (if any) shown in the second column of the table, and
 - (b) with any other necessary modifications, including in particular those set out in sub-paragraph (3).
- (3) Except where the context otherwise requires—
- (a) a reference to a provision that is applied by this Schedule has effect as a reference to that provision as so applied;
 - (b) expressions are to be construed in accordance with the definitions listed in section 7 of this Act and rule 53 of the referendum rules.
- (4) Part 5 of the England and Wales Regulations does not apply for the purposes of the referendum in so far as it is taken together with the poll for the Welsh Assembly general election under section 4(2).
- (5) Part 5 of the Scotland Regulations does not apply for the purposes of the referendum in so far as it is taken together with the poll for the Scottish parliamentary election under section 4(3).
- (6) In relation to the referendum—

Changes to legislation: There are currently no known outstanding effects for the Parliamentary Voting System and Constituencies Act 2011, SCHEDULE 4. (See end of Document for details)

- (a) regulation 45B(2) of the Scotland Regulations (restrictions on supply etc of record of anonymous entries) has effect as if after sub-paragraph (a) there were inserted—
- “(aa) a deputy of the registration officer acting in that other capacity;” and as if the references in sub-paragraph (b) to “that officer” were to “a person mentioned in sub-paragraph (a) or (aa)”;
- (b) regulation 94(2) of the England and Wales Regulations (restrictions on supply etc of full register) has effect as if after sub-paragraph (b) there were inserted—
- “(ba) the Chief Counting Officer and any Regional Counting Officer;
- (bb) any deputy of the Chief Counting Officer or any Regional Counting Officer;” and as if the references in sub-paragraph (c) to “any person mentioned in paragraph (a) or (b)” and “any such officer” were references to “a person mentioned in sub-paragraph (a), (b), (ba) or (bb)”;
- (c) regulation 94(2) of the Scotland Regulations (restrictions on supply etc of full register) has effect as if after sub-paragraph (a) there were inserted—
- “(aa) any deputy of the registration officer acting in that other capacity,
- (ab) the Chief Counting Officer and any Regional Counting Officer,
- (ac) any deputy of the Chief Counting Officer or any Regional Counting Officer;” and as if the references in sub-paragraph (b) to “that officer” were to “a person mentioned in sub-paragraph (a), (aa), (ab) or (ac)”.
- (7) The provisions of the relevant regulations that apply for the purposes of the referendum by virtue of this paragraph are in addition to the provisions of the regulations that would apply for those purposes in any event.

<i>Provision</i>	<i>Modification</i>
Regulation 3(1) and (3) (interpretation)	
Regulation 4 (forms)	In paragraph (1)— (a) for paragraphs (a) and (b) substitute “ applications made under Part 1 of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2011 and Part 4 of these Regulations ”; (b) “an election” substitute “ the referendum ”. Paragraph (2) applies for the purposes of the referendum only in so far as it relates to Form K in Schedule 3 to the regulations.
Regulation 5 (applications, notices etc)	
Regulation 6 (electronic signatures)	

Changes to legislation: There are currently no known outstanding effects for the Parliamentary Voting System and Constituencies Act 2011, SCHEDULE 4. (See end of Document for details)

- Regulation 8 (time)
- Regulation 11 (interference with notices etc)
- Regulation 32A (representations regarding clerical errors)
- Regulation 36(2) and (3) (notices in connection with registration) In paragraph (2) omit “13A(2) or”.
- Regulation 36A (communication of notices issued on polling day)
- Regulation 50 (interpretation of Part 4) Omit the definition of “allotted polling station”.
- Regulation 51 (general requirements for applications for an absent vote) For “Schedule 4” substitute “ Part 1 of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2011 ”.
 In paragraph (2)—
 (a) in sub-paragraph (b), for “paragraph 7(4) or (7) of Schedule 4” substitute “ paragraph 8(4) or (5) of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2011 ”;
 (b) in sub-paragraph (f), for “paragraph 3, 4 or 7 of Schedule 4” substitute “ paragraph 4 or 8 of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2011 ”.
 Omit paragraph (4).
 For paragraph (5) substitute—
 “(5) An application that is made under Part 1 of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2011 for the purposes of the referendum must state that it is so made.”
- Regulation 51A (additional provision concerning requirement that applications for absent vote must be signed) In sub-paragraph (a)—
 (a) for “Schedule 4” substitute “ Part 1 of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2011 ”;
 (b) for “returning officer” substitute “ counting officer ”.
- Regulation 51AA (additional requirement for applications for ballot paper to be sent to different address from that stated in application) In paragraph (1)—
 (a) in sub-paragraph (a), for “paragraph 3(1) or (7) or 4(1) of Schedule 4” substitute “ paragraph 4(1) of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2011 ”;
 (b) in sub-paragraph (b), for “paragraph 7(4) of Schedule 4” substitute “ paragraph 8(4)

Changes to legislation: There are currently no known outstanding effects for the Parliamentary Voting System and Constituencies Act 2011, SCHEDULE 4. (See end of Document for details)

- of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2011 ”.
- Regulation 51B (additional requirement for applications for ballot paper to be sent to different address from that shown in records) In paragraph (1), for sub-paragraphs (a) and (b) substitute “ paragraph 4(5)(a) or 8(5) of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2011 by a person shown as voting by post in the record referred to in that provision ”.
- Regulation 52 (additional requirements for applications for appointment of proxy) For “paragraphs 3 and 4 of Schedule 4” substitute “ paragraph 4 of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2011 ”.
- Regulation 55 (additional requirements for applications for proxy to vote in respect of a particular election) For paragraph (1) substitute—
- “(1) An application under paragraph 4(2) of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2011 to vote by proxy in the referendum 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 the referendum rules.”
- In paragraph (2)—
- (a) for “paragraph 4(2) of Schedule 4” substitute “ paragraph 4(2) of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2011 ”;
- (b) for “at the election for which it is made” substitute “ for the referendum ”.
- In paragraph (4) of the England and Wales Regulations and in paragraph (3A) of the Scotland Regulations—
- (a) for “paragraph 4(2) of Schedule 4” substitute “ paragraph 4(2) of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2011 ”;
- (b) for “paragraph 2(5A)” substitute “ paragraph 2(6) ”;
- (c) for “at the election for which it is made” substitute “ for the referendum ”.
- Regulation 56 (closing date for applications) For paragraph (1) substitute—
- “(1) An application under paragraph 3(1), (6) or (7) or 7(4) of Schedule 4 to the 2000 Act or an application under paragraph 8(4) of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2011 shall be disregarded for the purposes of the referendum, and an application under paragraph 4(5) of Schedule 3 to

Changes to legislation: There are currently no known outstanding effects for the Parliamentary Voting System and Constituencies Act 2011, SCHEDULE 4. (See end of Document for details)

the Parliamentary Voting System and Constituencies Act 2011 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.”

In paragraph (2)—

- (a) for “a particular parliamentary or local government election” substitute “ the referendum ”;
- (b) for “at that election” substitute “ for the referendum ”.

For paragraphs (3) and (3A) substitute—

“(3) Subject to paragraph (3A), an application under paragraph 4(2) or 6(4) of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2011 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 paragraph 4(2) of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2011 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) by a person to whom paragraph 2(6) of that Schedule applies, the application, or an application under paragraph 6(4) of that Schedule made by virtue of that application, shall be refused if it is received after 5 pm on the day of the poll for the referendum.”

For paragraph (4) substitute—

“(4) An application under paragraph 4(1) or 8(5) of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2011 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.”

In paragraph (5)—

- (a) after “paragraph 6(10) of that Schedule by an elector” insert “ , or a notice under paragraph 6(6) of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2011 by a person, ”;

Changes to legislation: There are currently no known outstanding effects for the Parliamentary Voting System and Constituencies Act 2011, SCHEDULE 4. (See end of Document for details)

(b) for “a particular parliamentary or local government election” substitute “ the referendum ”;

(c) for “at that election” substitute “ for the referendum ”.

In paragraph (6), after “bank holiday” insert “ or any day appointed as a day of public thanksgiving or mourning ”.

For paragraph (7) substitute—

“(7) In paragraph (6) above “bank holiday” means a day which is a bank holiday under the Banking and Financial Dealings Act 1971 in any part of the United Kingdom.”

Regulation 57 (grant or refusal of applications) or Omit paragraph (3).

In paragraph (4), for “Schedule 4” substitute “ Part 1 of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2011 ”.

In paragraph (4A), for sub-paragraphs (a) and (b) substitute—

“(a) paragraph 4(5)(a) of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2011 by a person shown as voting by post in the record mentioned in that provision; or

(b) paragraph 8(5) of that Schedule by a person shown as voting by post in the record mentioned in that provision.”.

Omit paragraph (4B).

In paragraph (5), for “a particular parliamentary or local government election” substitute “ the referendum ”.

For paragraph (6) substitute—

“(6) 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.”

Regulation 59 (cancellation of proxy appointment)

For the words from “by notice given” to the end substitute “ under paragraph 6(6) of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2011, or otherwise ceases to be in force by virtue of that provision, the registration officer shall notify the person who was the proxy, unless the registration officer has previously been notified by that person that he no longer wishes to act as proxy. ”

Changes to legislation: There are currently no known outstanding effects for the Parliamentary Voting System and Constituencies Act 2011, SCHEDULE 4. (See end of Document for details)

- Regulation 60A(7) to (9) (requirement to provide fresh signatures at five yearly intervals)
- In paragraph (7), for the words from “from the records” to the end substitute “ from the postal voters list, list of proxies or proxy postal voters list (as the case may be) kept under paragraph 5(2), 5(3) or 8(6) of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2011 ”.
- In paragraph (8)—
- (a) in sub-paragraph (a), for “the appropriate rules (as defined in paragraph 1 of Schedule 4)” substitute “ the referendum rules ”;
 - (b) in sub-paragraph (b), omit “and regulation 58”;
 - (c) in sub-paragraph (b), for “Schedule 4” substitute “ Part 1 of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2011 ”.
- In paragraph (9), for the words from “removal from” to the end substitute
- “removal from the postal voters list, list of proxies or proxy postal voters list (as the case may be) kept under paragraph 5(2), 5(3) or 8(6) of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2011, 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).”
- Regulation 61 (records and lists kept under Schedule 4)
- In paragraph (1), for the words from “any of the following” to the end substitute “ 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 paragraph 5(2), 5(3) or 8(6) of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2011. ”
- In paragraph (5), for “paragraph 5(2) of Schedule 4” substitute “ paragraph 5(2) of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2011 ”.
- In paragraph (6)—
- (a) in sub-paragraph (a), for “paragraphs 5 and 7(8) of Schedule 4” substitute “ paragraphs 5 and 8(6) of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2011 ”;
 - (b) for sub-paragraph (b) substitute—
 - “(b) if he is not the counting officer for any voting area or part of a voting area in

Changes to legislation: There are currently no known outstanding effects for the Parliamentary Voting System and Constituencies Act 2011, SCHEDULE 4. (See end of Document for details)

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;”.

In paragraph (7), for “paragraph 5(3) of Schedule 4” substitute “ paragraph 5(3) of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2011 ”.

Regulation 61A (conditions on the use, supply and inspection of absent voter records or lists) For “regulations 61(1)(a) and (b)” substitute “ regulation 61(1) ”.

Regulation 61B (personal identifiers record) For paragraph (1) substitute—

“(1) In this regulation “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) paragraph 4(8) or 8(10) of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2011.”

In paragraph (3), for sub-paragraph (a) substitute—

- “(a) any agent attending proceedings on receipt of postal ballot papers, in accordance with regulation 85A(4) or 85B(3)(a).”

Regulation 62 (marked register for polling stations)

Regulation 64 (interpretation of Part 5) For the definition of “agent” substitute—

““agent”, except in regulation 69, means a referendum agent or an agent appointed under that regulation;”.

In the definition of “valid postal voting statement”, for “returning officer” substitute “ counting officer ”.

Changes to legislation: There are currently no known outstanding effects for the Parliamentary Voting System and Constituencies Act 2011, SCHEDULE 4. (See end of Document for details)

- Regulation 67 (persons entitled to be present at proceedings on issue of postal ballot papers) For “returning officer” substitute “counting officer”.
- Regulation 68 (persons entitled to be present at proceedings on receipt of postal ballot papers) For sub-paragraphs (a) to (c) substitute—
“(a) the counting officer and his clerks,
(b) a referendum agent.”.
- Regulation 69 (agents of candidates who may attend proceedings on receipt of postal ballot papers) Before paragraph (1) insert—
“(A1) A reference in this regulation to a candidate is to be read as a reference to a referendum agent.”
For “returning officer” (in each place) substitute “counting officer”.
Omit paragraph (5).
- Regulation 70 (notification of requirement of secrecy) For “returning officer” substitute “counting officer”.
- Regulation 71 (time when postal ballot papers are to be issued) For paragraph (1) substitute—
“(1) In the case of a person within entry 3, 4 or 5 of the table in paragraph 5(2) of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2011 or entry 3, 4 or 5 of the table in paragraph 8(6) of that Schedule (electors and proxies entitled to vote by post for an indefinite or definite period), no postal ballot paper (and postal voting statement) shall be issued until after 5 pm on the eleventh day before the date of the poll (computed in accordance with regulation 56(6) above).”
In paragraph (2), for “returning officer” substitute “counting officer”.
- Regulation 72 (procedure on issue of postal ballot papers) In paragraph (8), for sub-paragraphs (a) and (b) substitute “as mentioned in column 3 of the table in paragraph 5(2) or 8(6) of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2011.”
- Regulation 73 (refusal to issue ballot paper) For “returning officer” substitute “counting officer”.
For “at any one election” substitute “for the referendum”.
- Regulation 74 (envelopes) In paragraph (1), for “rule 24 of the elections rules” substitute “rule 12 of the referendum rules”.
- Regulation 75 (sealing up of completed corresponding number lists) For “returning officer” (in both places) substitute “counting officer”.

Changes to legislation: There are currently no known outstanding effects for the Parliamentary Voting System and Constituencies Act 2011, SCHEDULE 4. (See end of Document for details)

- Regulation 76 (delivery of postal ballot papers) In paragraph (1)—
(a) for “returning officer” substitute “ counting officer ”;
(b) in sub-paragraph (c), for “rule 26(1) of the elections rules” substitute “ rule 14 of the referendum rules ”.
In paragraph (2), for “returning officer” substitute “ counting officer ”.
- Regulation 77 (spoilt postal ballot papers) For “returning officer” (in each place) substitute “ counting officer ”.
- Regulation 78 (lost postal ballot papers) For “returning officer” (in each place) substitute “ counting officer ”.
- Regulation 79 (alternative means of returning postal ballot paper or postal voting statement) For “returning officer” (in each place) substitute “ counting officer ”.
In paragraph (1), for “rule 45(1B) of the rules in Schedule 1 to the 1983 Act” substitute “ rule 40(3) of the referendum rules ”.
In paragraph (3), for “rule 43(1) of the elections rules” substitute “ rule 38(1) of the referendum rules ”.
- Regulation 80 (notice of opening of postal ballot paper envelopes) In paragraph (1)—
(a) for “returning officer” substitute “ counting officer ”;
(b) for “candidate” substitute “ referendum agent ”.
In paragraph (2)(b), for “candidate” substitute “ referendum agent ”.
- Regulation 81 (postal ballot boxes and receptacles) For “returning officer” (in each place) substitute “ counting officer ”.
In paragraph (2), for the words from “constituency” to the end substitute “ voting area ”.
In paragraph (4), after “lock the ballot box” insert “ (if it has a lock) ”.
- Regulation 82 (receipt of covering envelope) For “returning officer” (in both places) substitute “ counting officer ”.
- Regulation 83 (opening of postal voters' ballot box) In paragraphs (1) and (2), for “returning officer” substitute “ counting officer ”.
In paragraph (3), for “rule 45 of the elections rules” substitute “ rule 40 of the referendum rules ”.
- Regulation 84 (opening of covering envelopes) For “returning officer” (in each place) substitute “ counting officer ”.
- Regulation 84A (confirming receipt of postal voting statements) For “returning officer” (in each place) substitute “ counting officer ”.

Changes to legislation: There are currently no known outstanding effects for the Parliamentary Voting System and Constituencies Act 2011, SCHEDULE 4. (See end of Document for details)

- Regulation 85 (procedure in relation to postal voting statements) For “returning officer” (in each place) substitute “counting officer”.
- Regulation 85A (procedure in relation to postal voting statements: personal identifier verification) For “returning officer” (in each place) substitute “counting officer”.
- Regulation 85B (postal voting statements: additional personal identifier verification) For “returning officer” (in each place) substitute “counting officer”.
 In paragraph (4), for “lock and reseal the postal ballot box” substitute “lock the postal ballot box (if it has a lock) and reseal it”.
- Regulation 86 (opening of ballot paper envelopes) In paragraph (1), for “returning officer” substitute “counting officer”.
- Regulation 86A (retrieval of cancelled postal ballot papers) In paragraph (1), for “returning officer” substitute “counting officer”.
 In paragraph (2)(f), for “rule 45 of the elections rules” substitute “rule 40 of the referendum rules”.
 In paragraph (3), for “returning officer” substitute “counting officer”.
- Regulation 87 (list of rejected postal ballot papers) In paragraph (1), for “In respect of any election, the returning officer” substitute “The counting officer”.
- Regulation 88 (checking of lists of rejected postal ballot papers) For “returning officer” (in each place) substitute “counting officer”.
 In paragraph (3), for the words from “in the constituency” to the end substitute “in the voting area under rule 38(4) of the referendum rules”.
- Regulation 89 (sealing of receptacles) In paragraph (1), for “returning officer” substitute “counting officer”.
- Regulation 91 (forwarding or retention of documents) For paragraph (1) substitute—
- “(1) The counting officer shall forward to the relevant registration officer appointed, at the same time as he forwards the documents mentioned in rule 50 of the referendum rules—
- (a) any packets referred to in regulations 75, 77(6), 78(2C), 84(9) and 89 above, 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.

Changes to legislation: There are currently no known outstanding effects for the Parliamentary Voting System and Constituencies Act 2011, SCHEDULE 4. (See end of Document for details)

- In this paragraph “relevant registration officer” has the meaning given by rule 50(3) of the referendum rules.”
- In paragraph (3), for “returning officer” (in both places) substitute “ counting officer ”.
- In paragraph (4), for “Rules 56 and 57 of the elections rules” substitute “ Rules 51 and 52 of the referendum rules ”.
- In paragraph (5), for “returning officer” substitute “ counting officer ”.
- Regulation 92 (interpretation and application of Part 6)
- In paragraph (2), omit the definitions of “relevant conditions” and “research purposes”.
- In the England and Wales Regulations, in paragraph (7), for the words from “under regulations” to the first “may” substitute “ under regulation 98 may ”.
- In the England and Wales Regulations, in paragraph (10), for the words from “in regulations” to “below” substitute “ in regulation 98(9) below ”.
- Regulation 97 of the Scotland Regulations (supply of free copy of full register for electoral purposes and restrictions on use)
- For paragraphs (1) to (6) substitute—
- “(1) By no later than the publication of the notice of a 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) 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—

Changes to legislation: There are currently no known outstanding effects for the Parliamentary Voting System and Constituencies Act 2011, SCHEDULE 4. (See end of Document for details)

- (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 (2)—
- (a) a revised version of a relevant register is published,
 - (b) a notice is published, under section 13A(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.”

In paragraph (7)—

- (a) for “the register” substitute “ any register ”;
- (b) for “an election” substitute “ the referendum ”.

Regulation 98 of the England and Wales Regulations (supply of free copy of full

For paragraphs (1) to (8) substitute—
 “(1) By no later than the publication of the notice of a referendum, the registration

Changes to legislation: There are currently no known outstanding effects for the Parliamentary Voting System and Constituencies Act 2011, SCHEDULE 4. (See end of Document for details)

register for electoral purposes
and restrictions on use)

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) 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 (2)—

- (a) a revised version of a relevant register is published,
- (b) a notice is published, under sections 13A(2) or 13B(3), (3B) or (3D) of the 1983 Act, setting out

Changes to legislation: There are currently no known outstanding effects for the Parliamentary Voting System and Constituencies Act 2011, SCHEDULE 4. (See end of Document for details)

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.”

In paragraph (9)—

- (a) for “the register” substitute “ any register ”;
- (b) for “an election” substitute “ the referendum ”.

Regulation 115 (offences)

In the England and Wales Regulations, for paragraph (2) substitute—

“(2) The provisions are regulations 61(3) and (14), 92(9) and 98(9).”

In the Scotland Regulations, for paragraph (2) substitute—

“(2) The provisions are regulations 61(3) and (14) and 97(7).”

Regulation
(interpretation of Part 7)

116 In the England and Wales Regulations, in paragraph (1), for “rule 55(1)(e) of the elections rules” substitute “ by virtue of rule 50(2)(f) of the referendum rules ”.

In the England and Wales Regulations, after paragraph (1) insert—

“(1A) In this Part references to “the relevant registration officer” have the meaning given by rule 50(3) of the referendum rules.”

In the Scotland Regulations, in paragraph (1)—

- (a) for “returning officer” substitute “ counting officer ”;
- (b) for “rule 58 of the elections rules” substitute “ by virtue of rule 50(2)(f) of the referendum rules ”.

In the Scotland Regulations, in paragraph (4), for “returning officer” substitute “ counting officer ”.

Changes to legislation: There are currently no known outstanding effects for the Parliamentary Voting System and Constituencies Act 2011, SCHEDULE 4. (See end of Document for details)

- Regulation 117 (supply of marked registers and lists after an election)
- In the England and Wales Regulations, in paragraph (1)—
- (a) for the words from “regulation 100” to “local government election” substitute “regulation 100, 106, 109 or 113 with copies of the full register”;
 - (b) at the end insert— “ 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). ”
- In the England and Wales Regulations, in paragraph (2)—
- (a) for “regulation 103, 105, 106 or 108 before a particular election” substitute “ regulation 106(1)(a) or (c) before the referendum ”;
 - (b) for “that election for which the marked register or list was prepared” substitute “ the referendum ”.
- In the England and Wales Regulations, in paragraph (6)(b), for “regulations 100, 103, 105, 106, 108, 109 or 113” substitute “ regulations 100, 106, 109 and 113 ”.
- In the England and Wales Regulations, in paragraph (7), for “regulations 100(3), 103(3), 105(4), 106(3), 108(5) and 109(3)” substitute “ regulations 100(3), 106(3) and 109(3) ”.
- In the Scotland Regulations, for “returning officer” (in each place) substitute “ counting officer ”.
- In the Scotland Regulations, in paragraph (1)—
- (a) for the words from “regulation 99” to “parliamentary election” substitute “ regulation 99, 105, 108 and 112 with copies of the full register ”;
 - (b) at the end insert— “ 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). ”
- In the Scotland Regulations, in paragraph (2)—
- (a) for “regulation 102, 104, 105 or 107 before a particular election” substitute “ regulation 105(1) or (c) before the referendum ”;
 - (b) for “that election for which the marked register or list was prepared” substitute “ the referendum ”.
- In the Scotland Regulations, in paragraph (6)(b), for “regulations 99, 102, 104, 105, 107, 108 or 112” substitute “ regulations 99, 105, 108 and 112 ”.

Changes to legislation: There are currently no known outstanding effects for the Parliamentary Voting System and Constituencies Act 2011, SCHEDULE 4. (See end of Document for details)

<p>Regulation 118 (inspection of documents open to public inspection)</p>	<p>In the Scotland Regulations, in paragraph (7), for “regulation 99(3), 102(3), 104(4), 105(3), 107(5) or 108(3)” substitute “ regulation 99(3), 105(3) or 108(3) ”.</p> <p>In paragraph (1)(b)—</p> <p>(a) for “an election” substitute “ the referendum ”;</p> <p>(b) in paragraph (iii), for “election” substitute “ referendum ”.</p> <p>In the Scotland Regulations, for “returning officer” (in each place) substitute “ counting officer ”.</p>
<p>Regulation 119 (conditions on the use, supply and disclosure of documents open to public inspection)</p>	<p>In paragraph (2), omit “either” and after paragraph (ii) insert “, or</p> <p style="text-align: right;">(iii) any purpose in connection with the referendum.”</p>
<p>Regulation 120 (calculating the fee for supply of marked registers or lists)</p>	<p>In paragraph (2), omit “either” and after paragraph (ii) insert “, or</p> <p style="text-align: right;">(iii) any purpose in connection with the referendum.”</p>
<p>In Schedule 3, Form K</p>	<p>For the heading substitute “ REFERENDUM ON THE VOTING SYSTEM FOR UNITED KINGDOM PARLIAMENTARY ELECTIONS ”.</p> <p>For “constituency” substitute “ voting area ”.</p> <p>For “returning officer” (in each place) substitute “ counting officer ”.</p>

PART 4

THE 2008 REGULATIONS (NORTHERN IRELAND)

- 9 (1) The provisions of the Representation of the People (Northern Ireland) Regulations 2008 (S.I. 2008/1741) listed in the first column of the table apply for the purposes of the referendum.
- (2) In their application by virtue of this paragraph, those provisions have effect—
- (a) with the modifications (if any) shown in the second column of the table, and
 - (b) with any other necessary modifications, including in particular those set out in sub-paragraph (3).
- (3) Except where the context otherwise requires—
- (a) a reference to a provision that is applied by this Schedule has effect as a reference to that provision as so applied;
 - (b) expressions are to be construed in accordance with the definitions listed in section 7 of this Act and rule 53 of the referendum rules.
- (4) In relation to the referendum, regulation 94(2) (restrictions on supply etc of full register) has effect as if after sub-paragraph (b) there were inserted—
- “(ba) the Chief Counting Officer;

Changes to legislation: There are currently no known outstanding effects for the Parliamentary Voting System and Constituencies Act 2011, SCHEDULE 4. (See end of Document for details)

- (bb) any deputy of the Chief Counting Officer;” and as if the references in sub-paragraph (c) to “any such officer” were to “a person mentioned in sub-paragraph (a), (b), (ba) or (bb)”.
- (5) The provisions of the regulations that apply for the purposes of the referendum by virtue of this paragraph are in addition to the provisions of the regulations that would apply for those purposes in any event.

<i>Provision</i>	<i>Modification</i>
Regulation 3 (interpretation)	
Regulation 4 (forms)	In paragraph (1), for “an election” substitute “ the referendum ”. Paragraph (2) applies for the purposes of the referendum only in so far as it relates to Form N in Schedule 3 to the regulations.
Regulation 5 (applications, notices etc)	
Regulation 6 (electronic signatures)	
Regulation 8 (time)	
Regulation 11 (interference with notices etc)	
Regulation 25 (alteration of registers under section 13BA(3) of the 1983 Act)	
Regulation 40 (representations regarding clerical errors)	
Regulation 44(2) and (3) (notices in connection with registration)	In paragraph (2) omit “13A(2) or”.
Regulation 45 (communication of notices issued on polling day)	In paragraph (3), for “returning officer” substitute “ counting officer ”.
Regulation 54 (interpretation of Part 4)	In the definition of “his allotted polling station”, for “elections rules” substitute “ referendum rules ”.
Regulation 55 (general requirements for applications for an absent vote)	In paragraph (1), for “section 6, 7, 8 or 9 of the 1985 Act” substitute “ Part 2 of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2011 ”. In paragraph (2)— (a) for “section 6(1) or 7(1)” substitute “ paragraph 15(1) or 19(4) of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2011 ”;

Changes to legislation: There are currently no known outstanding effects for the Parliamentary Voting System and Constituencies Act 2011, SCHEDULE 4. (See end of Document for details)

- (b) for “section 6(1)(ba) to (bc) or section 7(1) (ba) to (bc) of the 1985 Act” substitute “ paragraph 15(1)(c) to (e) or 19(4)(d) of that Schedule ”;
- (c) in sub-paragraph (b), for “section 9 of the 1985 Act” substitute “ paragraph 19(4) of that Schedule ”;
- (d) in sub-paragraph (d), for “section 6(1), 7(1) or 9(4) or (7) of the 1985 Act” substitute “ paragraph 15(1) of that Schedule ”.

Regulation 55A (additional requirement for applications for ballot paper to be sent to different address from that shown in register)

In paragraph (1)—

- (a) omit sub-paragraph (a);
- (b) in sub-paragraph (b), for “section 7(1) of the 1985 Act, the address provided in accordance with section 7(5) of that Act” substitute “ paragraph 15(1) of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2011, the address provided in accordance with paragraph 15(7) of that Schedule ”;
- (c) omit sub-paragraph (c).

In paragraph (2), for “the provisions of the 1985 Act mentioned above” substitute “ paragraph 15(7) of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2011 ”.

Regulation 55B (additional requirement for applications for ballot paper to be sent to different address from that shown in records)

For sub-paragraphs (a) and (b) substitute “ paragraph 15(5)(a) or 19(5) of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2011 by a person (“A”) shown as voting by post in the record mentioned there ”.

Regulation 56 (additional requirements for applications for appointment of proxy)

For “section 8(6) or (7) of the 1985 Act” substitute “ paragraph 17(4) of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2011 ”.

Regulation 59 (additional requirement for applications in respect of a particular election)

For paragraph (1) substitute—

“(1) An application under paragraph 15(1) of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2011 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 the referendum rules.”

In paragraphs (2)(d) and (3)(d) omit the words from “in respect of the election” to the end.

In paragraphs (4), (6) and (8), for “section 7(1) of the 1985 Act” substitute “ paragraph 15(1) of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2011 ”.

Changes to legislation: There are currently no known outstanding effects for the Parliamentary Voting System and Constituencies Act 2011, SCHEDULE 4. (See end of Document for details)

In paragraph (6)(a), for “the election in question” substitute “ the referendum ”.

In paragraph (8), for sub-paragraph (b) substitute—

“(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;”.

Regulation 60 (additional requirements for applications by proxies to vote by post at a particular election) For “section 9(7) of the 1985 Act” substitute “ paragraph 19(4) of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2011 ”.
For “elections rules” substitute “ referendum rules ”.

Regulation 61 (closing date for applications) For paragraphs (1) to (3) substitute—

- “(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 paragraph 15(1) or (5), 17(4) or 19(4) or (5) of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2011 shall be refused if it is received by the registration officer after 5 pm on the fourteenth day before the day 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 day of the poll for the referendum.”

In paragraph (4)—

- (a) after “section 8(9) of that Act by an elector” insert “ , or a notice under paragraph 17(6) of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2011 by a person, ”;
- (b) for “a particular election” substitute “ the referendum ”;

Changes to legislation: There are currently no known outstanding effects for the Parliamentary Voting System and Constituencies Act 2011, SCHEDULE 4. (See end of Document for details)

- (c) for “at that election” substitute “ for the referendum ”.
- For paragraph (6) substitute—
- “(6) In paragraph (5) “bank holiday” means a day which is a bank holiday under the Banking and Financial Dealings Act 1971 in any part of the United Kingdom.”
- Regulation 62 (grant or refusal of applications) or In paragraph (1), for “section 6, 7, 8 or 9 of the 1985 Act” substitute “ Part 2 of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2011 ”.
- Omit paragraph (3).
- For paragraph (4) substitute—
- “(4) Where the registration officer refuses an application under Part 2 of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2011 he shall notify the applicant of his decision.”
- In paragraph (5), for “a particular election” substitute “ the referendum ”.
- Regulation 64 (cancellation of proxy appointment) For the words from “by notice” to the end substitute “ under paragraph 17(6) of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2011, or otherwise ceases to be in force by virtue of that provision, the registration officer shall notify the person who was the proxy, unless the registration officer has previously been notified by that person that he no longer wishes to act as proxy. ”
- Regulation 66(1) and (3) (records and lists kept under sections 6, 7 and 8 of the 1985 Act) For “sections 7(4) and 9(9) of the 1985 Act” substitute “ paragraphs 16(2) or (3) or 19(6) of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2011 ”.
- Regulation 70 (interpretation of Part 5) In the definition of “absent voters list”, for “section 7(4) of the 1985 Act” substitute “ paragraph 16(2) of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2011 ”.
- For the definition of “agent” substitute—
- ““agent”, except in regulation 73, means a referendum agent or an agent appointed under that regulation;”.
- In the definition of “list of postal proxies”, for “section 9(9) of the 1985 Act” substitute “ paragraph 19(6) of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2011 ”.
- Regulation 72 (persons entitled to be present at referendum) For “a parliamentary election” substitute “ the referendum ”.

Changes to legislation: There are currently no known outstanding effects for the Parliamentary Voting System and Constituencies Act 2011, SCHEDULE 4. (See end of Document for details)

- proceedings on issue and receipt of postal ballot papers) For sub-paragraphs (a) to (c) substitute—
“(a) the counting officer and his clerks,
(b) a referendum agent,”.
- Regulation 73 (agents of candidates who may attend proceedings on issue or receipt of postal ballot papers) Before paragraph (1) insert—
“(A1) A reference in this regulation to a candidate is to be read as a reference to a referendum agent.”
For “returning officer” (in each place) substitute “counting officer”.
Omit paragraph (6).
- Regulation 74 (notification of requirement of secrecy) For “returning officer” substitute “counting officer”.
- Regulation 75 (notice of issue of postal ballot papers) In paragraphs (1) and (2)—
(a) for “returning officer” substitute “counting officer”;
(b) for “candidate” (in each place) substitute “referendum agent”.
- Regulation 76 (procedure on issue of postal ballot papers) In paragraph (5)(b), for “section 9(9) of the 1985 Act” substitute “paragraph 19(6) of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2011”.
- Regulation 77 (refusal to issue postal ballot paper) For “returning officer” substitute “counting officer”.
- Regulation 78 (envelopes) In paragraph (1), for “rule 24 of the elections rules” substitute “rule 12 of the referendum rules”.
- Regulation 79 (sealing up of completed corresponding number lists) For “returning officer” (in each place) substitute “counting officer”.
- Regulation 80 (delivery of postal ballot papers) In paragraph (1)—
(a) for “returning officer” substitute “counting officer”;
(b) in sub-paragraph (c), for “rule 26(1) of the elections rules” substitute “rule 14 of the referendum rules”.
In paragraph (2), for “returning officer” substitute “counting officer”.
- Regulation 81 (spoilt postal ballot papers) For “returning officer” (in each place) substitute “counting officer”.
- Regulation 82 (notice of opening of postal ballot paper envelopes) In paragraph (1)—
(a) for “returning officer” substitute “counting officer”;
(b) for “candidate” substitute “referendum agent”.
In paragraph (2), for “candidate” substitute “referendum agent”.

Changes to legislation: There are currently no known outstanding effects for the Parliamentary Voting System and Constituencies Act 2011, SCHEDULE 4. (See end of Document for details)

- Regulation 83 (postal ballot boxes and receptacles) For “returning officer” (in each place) substitute “counting officer”.
- In paragraph (2), for the words “constituency for which the election is held” substitute “voting area”.
- In paragraph (4), after “lock the postal ballot box” insert “(if it has a lock)”.
- Regulation 84 (receipt of covering envelope) For “returning officer” substitute “counting officer”.
- Regulation 85 (opening of postal voters' ballot box) In paragraphs (1) and (2), for “returning officer” substitute “counting officer”.
- In paragraph (3), for “rule 45 of the elections rules” substitute “rule 40 of the referendum rules”.
- Regulation 86 (opening of covering envelopes) For “returning officer” (in each place) substitute “counting officer”.
- After paragraph (4) insert—
- “(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.”
- Regulation 87 (procedure in relation to declarations of identity) For “returning officer” (in each place) substitute “counting officer”.
- In paragraph (1)(b), for “rule 45(2)(b) and (2A) of the elections rules)” substitute “rule 40(4)(b) and (5) of the referendum rules”.
- Regulation 88 (opening of ballot paper envelopes) In paragraph (1), for “returning officer” substitute “counting officer”.
- Regulation 89 (sealing of receptacles) For “returning officer” substitute “counting officer”.
- Regulation 91 (forwarding of documents) For paragraph (1) substitute—

Changes to legislation: There are currently no known outstanding effects for the Parliamentary Voting System and Constituencies Act 2011, SCHEDULE 4. (See end of Document for details)

“(1) The Chief Electoral Officer for Northern Ireland shall retain, together with the documents mentioned in rule 50 of the referendum rules—

- (a) any packets referred to in regulations 79, 81(5) 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 N.”

For “returning officer” (in each place) substitute “counting officer”.

In paragraph (2), for the words from “and endorse” to the end substitute “, endorse the packet as mentioned in paragraph (1)(a) and retain the packet”.

For paragraph (3) substitute—

“(3) Rules 51 and 52 of the referendum rules shall apply to any packet or document retained under this regulation.”

Regulation 115 (interpretation of Part 7) In paragraph (1), for “rule 57(1A) of the elections rules” substitute “ rule 50(1)(b) of the referendum rules ”.

Regulation 116 (supply of marked registers and lists after an election) In paragraph (1)—
(a) for the words from “regulation 99” to “local government election” substitute “ regulations 99, 105, 107 or 111, with copies of the full register ”;
(b) at the end insert— “ 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). ”
In paragraph (2)—
(a) for the words from “regulation 102” to “particular election” substitute “ regulation 105(1)(a) or (c) applies before the referendum ”;
(b) for “that election” substitute “ the referendum ”.
In paragraph (6)(b), for “regulations 99, 102, 104, 105, 106, 107 or 111” substitute “ regulations 99, 105, 107 and 111 ”.

Regulation 117 (inspection of documents open to public inspection) In paragraph (1)(b), for “an election” substitute “ the referendum ”.

Changes to legislation: There are currently no known outstanding effects for the Parliamentary Voting System and Constituencies Act 2011, SCHEDULE 4. (See end of Document for details)

Regulation 118 (conditions on the use, supply and disclosure of documents open to public inspection) In paragraph (2) omit “either” and at the end insert “or any purpose in connection with the referendum”.

Regulation 119 (fees relating to the supply of marked registers and lists)

In Schedule 3, Form N For the heading substitute “ REFERENDUM ON THE VOTING SYSTEM FOR UNITED KINGDOM PARLIAMENTARY ELECTIONS ”. For “constituency” substitute “ voting area ”. For “returning officer” (in each place) substitute “ counting officer ”.

Changes to legislation:

There are currently no known outstanding effects for the Parliamentary Voting System and Constituencies Act 2011, SCHEDULE 4.