

---

DRAFT STATUTORY INSTRUMENTS

---

**2016 No.**

The European Union Referendum (Conduct) Regulations 2016

PART 2

REGULATIONS FOR THE CONDUCT OF THE  
REFERENDUM IN THE UNITED KINGDOM

*Application and interpretation*

**Part to apply in United Kingdom and not Gibraltar**

4. This Part applies in England and Wales, Scotland and Northern Ireland (and not in Gibraltar).

**Interpretation**

5. In this Part(1)—

“anonymous entry”, in relation to a register of electors, is to be read in accordance with section 9B of the 1983 Act(2);

“ballot paper account” has the meaning given by regulation 44(6);

“certificate as to employment on duty on the day of the poll” has the meaning given by regulation 26(4);

“companion” has the meaning given by regulation 36(1);

“the completed corresponding number lists” has the meaning given by regulation 44(1)(e);

“counting agent” is to be read in accordance with regulation 23(10);

“declaration made by the companion of a voter with disabilities” has the meaning given by regulation 36(2)(c);

“declaration of identity” is to be read in accordance with regulation 17(1)(c);

“elector” means a person who is entitled to vote on his or her own behalf in the referendum;

“list of proxies”—

(a) in relation to England and Wales and Scotland, means the list kept under regulation 63(3);

(b) in relation to Northern Ireland, means the list kept under regulation 74(3);

“the list of voters with disabilities assisted by companions” has the meaning given by regulation 36(8);

“the list of votes marked by the presiding officer” has the meaning given by regulation 35(4);

---

(1) Other terms used in this Part are defined in section 11 of the 2015 Act.

(2) 1983 c.2. “1983 Act” is defined in section 11(1) of the 2015 Act. Section 9B was inserted by section 10(1) of the Electoral Administration Act 2006 (c.22) and was amended by section 20(a) of the Local Electoral Administration and Registration Services (Scotland) Act 2006 (asp 14); paragraphs 1 and 7 of Schedule 4 to the Electoral Registration and Administration Act 2013 (c.6); and article 3 of S.I. 2014/1116.

- “official mark” has the meaning given by regulation [12\(1\)](#);
- “parliamentary polling district” means a polling district for parliamentary elections (see sections 18A and 18AA of the 1983 Act([3](#)));
- “parliamentary polling place”, in relation to a parliamentary polling district, means the polling place designated for that district in accordance with section 18B of the 1983 Act([4](#));
- “peer” means a peer who is a member of the House of Lords;
- “polling agent” is to be read in accordance with regulation [23\(10\)](#);
- “postal voters list”—
- (a) in relation to England and Wales and Scotland, means the list kept under regulation [63\(2\)](#);
  - (b) in relation to Northern Ireland, means the list kept under regulation [74\(2\)](#);
- “postal voting statement” is to be read in accordance with regulation [17\(1\)\(b\)](#);
- “presiding officer” is to be read in accordance with regulation [19\(1\)](#) and [\(2\)](#);
- “proxy postal voters list”—
- (a) in relation to England and Wales and Scotland, means the list kept under regulation [66\(6\)](#);
  - (b) in relation to Northern Ireland, means the list kept under regulation [77\(8\)](#);
- “referendum agent” means a person appointed under paragraph 15 of Schedule 1 to the 2015 Act;
- “the relevant postal voting provisions”—
- (a) in relation to England and Wales, means Part 5 of the Representation of the People (England and Wales) Regulations 2001([5](#)) as applied by Part 1 of Schedule 3;
  - (b) in relation to Scotland, means Part 5 of the Representation of the People (Scotland) Regulations 2001([6](#)) as so applied;
  - (c) in relation to Northern Ireland, means Part 5 of the Representation of the People (Northern Ireland) Regulations 2008([7](#)) as applied by Part 2 of Schedule 3;
- “the relevant regulations”—
- (a) in relation to England and Wales, means the Representation of the People (England and Wales) Regulations 2001([8](#)) as applied by Part 1 of Schedule 3;
  - (b) in relation to Scotland, means the Representation of the People (Scotland) Regulations 2001([9](#)) as so applied;
  - (c) in relation to Northern Ireland, means the Representation of the People (Northern Ireland) Regulations 2008([10](#)) as applied by Part 2 of Schedule 3;
- “a spoilt ballot paper” has the meaning given by regulation [41\(1\)\(a\)](#);
- “tendered ballot paper” has the meaning given by regulation [37\(1\)](#);

- 
- (3) Section 18A was inserted by section 16 of the Electoral Administration Act 2006 ([c.22](#)) and was amended by article 9(1) and (2) of [S.I. 2013/3156](#). Section 18AA was inserted by article 9(1) and (3) of [S.I. 2013/3156](#).
  - (4) Section 18B was inserted by section 16 of the Electoral Administration Act 2006 ([c.22](#)).
  - (5) [S.I. 2001/341](#). Part 5 was amended by [S.I. 2006/752](#); [2006/2910](#); [2011/2085](#); and [2013/3198](#).
  - (6) [S.I. 2001/497](#). Part 5 was amended by [S.I. 2006/834](#); [2007/925](#); [2008/305](#); [2010/980](#); [2011/2085](#); and [2013/3206](#).
  - (7) [S.I. 2008/1741](#). Part 5 was amended by [S.I. 2010/278](#); [2011/2085](#); and [2014/1808](#).
  - (8) Relevant amendments were made by paragraph 2 of Schedule 1 to the Counter-Terrorism Act 2008 ([c.28](#)); [S.I. 2001/1700](#); [2002/1871](#); [2006/752](#); [2006/2910](#); [2007/1025](#); [2008/1901](#); [2011/2085](#); [2013/591](#); [2013/3198](#); [2014/1234](#); [2014/3161](#); [2014/3163](#); [2015/467](#); [2015/643](#); and [2015/1376](#).
  - (9) Relevant amendments were made by paragraph 2 of Schedule 1 to the Counter-Terrorism Act 2008 ([c.28](#)); [S.I. 2001/1749](#); [2002/1872](#); [2006/834](#); [2007/925](#); [2008/305](#); [2008/1901](#); [2010/980](#); [2011/2085](#); [2013/591](#); [2013/3206](#); [2015/450](#); and [2015/1376](#).
  - (10) Relevant amendments were made by section 14 of the Northern Ireland (Miscellaneous Provisions) Act 2014 ([c.13](#)); [S.I. 2010/278](#); [2011/2085](#); and [2014/1808](#).

“tendered postal ballot paper” has the meaning given by regulation 39(2);

“the tendered postal votes list” has the meaning given by regulation 39(10);

“tendered votes list” has the meaning given by regulation 38(7);

“voter” means a person voting in the referendum and includes a person voting as proxy and

“vote” (whether noun or verb) is to be construed accordingly; and a reference to an elector voting or an elector’s vote includes a reference to an elector voting by proxy or an elector’s vote given by proxy.