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DRAFT STATUTORY INSTRUMENTS

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**2016 No.**

**The European Union Referendum (Conduct) Regulations 2016**

**PART 2**

**REGULATIONS FOR THE CONDUCT OF THE  
REFERENDUM IN THE UNITED KINGDOM**

*General provisions*

**Notice of referendum**

- 8.** Each counting officer must give public notice of the referendum stating—
- (a) the date of the poll;
  - (b) the date by which—
    - (i) applications to vote by post or by proxy, and
    - (ii) other applications and notices about postal or proxy voting,must reach the registration officer in order that they may be effective for the referendum.

**Poll to be taken by ballot**

- 9.** The votes at the poll are to be given by ballot.

**The ballot paper**

- 10.**—(1) The ballot of every voter is to consist of a ballot paper, which is to be printed in the form set out in Form 1 in Schedule 4 according to the directions specified in that Schedule.
- (2) Each ballot paper—
- (a) must set out the question and the alternative answers to that question as specified in section 1 of the 2015 Act;
  - (b) must be capable of being folded up; and
  - (c) must have a number and other unique identifying mark printed on the back.

**Corresponding number list**

- 11.**—(1) The counting officer must prepare a list containing the numbers and other unique identifying marks of all of the ballot papers to be—
- (a) issued by the officer in pursuance of regulation 17(1), or
  - (b) provided by the officer in pursuance of regulation 22(1).
- (2) The list must be in the form set out in Form 2 in Schedule 4.

### The official mark

12.—(1) Every ballot paper must contain an appropriate security marking (referred to in these Regulations as the “official mark”).

(2) The official mark must be kept secret.

(3) The counting officer may use a different official mark for different purposes.

### Prohibition of disclosure of vote

13. A person who has voted in the referendum may not be required, in any legal proceeding to question the referendum, to state for which answer he or she voted.

### Use of schools and public rooms

14.—(1) The counting officer may use, free of charge, for the purpose of taking the poll—

(a) a room in a school within paragraph (3);

(b) a room the expense of maintaining which is met by any local authority (in England and Wales or Scotland) or is payable out of any rate (in Northern Ireland).

(2) The counting officer must—

(a) make good any damage done to any such room, and

(b) defray any expense incurred by the persons having control over any such room,

by reason of its being used for that purpose.

(3) The schools within this paragraph are—

(a) in England and Wales—

(i) a school maintained or assisted by a local authority;

(ii) a school in respect of which grants are made out of moneys provided by Parliament to the person or body of persons responsible for the management of the school;

(b) in Scotland, a school that is not an independent school within the meaning of the Education (Scotland) Act 1980<sup>(1)</sup>;

(c) in Northern Ireland, a school in receipt of a grant out of moneys appropriated by Act of the Northern Ireland Assembly, other than a school that—

(i) adjoins or is adjacent to a church or other place of worship, or

(ii) is connected with a nunnery or other religious establishment.

### Modification of forms

15.—(1) The Chief Counting Officer may, for the purpose of making a relevant form easier for voters to understand or use, specify modifications that are to be made to the wording or appearance of the form.

(2) In paragraph (1) “relevant form” means any of the following—

(a) the forms in Schedule 4, except Forms 1 (ballot paper), 2 (corresponding number list), 13 (corresponding number list for use in polling stations), 16 (certificate of employment Great Britain) or 17 (certificate of employment Northern Ireland);

(b) the forms of the notices set out in regulation 22<sup>(8)</sup>.

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(1) 1980 c.44. See section 135.

(3) In these Regulations a reference to such a form is to be read as a reference to that form with any modifications specified under paragraph (1).

(4) Where a form is modified by virtue of paragraph (1), section 26(2) of the Welsh Language Act 1993<sup>(2)</sup> applies as if the modified form were specified by these Regulations<sup>(3)</sup>.

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<sup>(2)</sup> 1993 c.38.

<sup>(3)</sup> See section 9(6) of the 2015 Act.