
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**

The poll

Voting by people with disabilities

36.—(1) Paragraph (2) applies where a voter applies to the presiding officer, on the ground of blindness or other disability or inability to read, to be allowed to vote with the assistance of an accompanying person (referred to in this Part as the “companion”).

(2) The presiding officer must grant the application if—

- (a) the voter makes an oral or written declaration that he or she is so incapacitated by blindness or other disability, or by an inability to read, as to be unable to vote without assistance,
- (b) the presiding officer is satisfied that the voter is so incapacitated, and
- (c) the presiding officer is satisfied by a written declaration made by the companion (referred to in this Part as a “declaration made by the companion of a voter with disabilities”) that the companion—
 - (i) is a person qualified to assist the voter, and
 - (ii) has not previously assisted more than one voter with disabilities to vote in the referendum,

but in Northern Ireland this paragraph is subject to paragraph (3).

(3) In the case of a voter who makes an application in Northern Ireland under this regulation, regulation 32 applies as if the references to delivering a ballot paper were references to granting the voter’s application.

(4) For the purposes of paragraph (2)(c) a person is qualified to assist a voter with disabilities to vote if the person—

- (a) is entitled to vote as an elector in the referendum, or
- (b) is the father, mother, brother, sister, spouse, civil partner, son or daughter of the voter and has attained the age of 18 years.

(5) The declaration made by the companion—

- (a) must be in the form set out in Form 18 in Schedule 4 (for a companion in Great Britain) or Form 19 in that Schedule (for a companion in Northern Ireland),
- (b) must be made before the presiding officer at the time when the voter applies to vote with the assistance of the companion, and
- (c) must be given immediately to the presiding officer,

and the presiding officer must attest and retain the declaration.

(6) No fee or other payment may be charged in respect of the declaration.

(7) If the presiding officer grants an application under this regulation, anything which is by this Part required to be done to or by the voter in connection with the giving of his or her vote may be done to, or with the assistance of, the companion.

(8) The name of every voter whose vote is given in accordance with this regulation must be entered on a list (referred to in this Part as “the list of voters with disabilities assisted by companions”) together with—

- (a) the voter’s number on the register of electors, and
- (b) the name and address of the companion.

(9) In the case of a person voting as proxy for an elector, the number to be entered together with the voter’s name is the elector’s number.

(10) In the case of a person in respect of whom a notice has been issued under section 13B(3B) or (3D) or 13BA(9) of the 1983 Act, the reference in paragraph (8)(a) to the voter’s number on the register of electors is to be read as a reference to the number relating to the voter on the notice.

(11) For the purposes of this Part a person is a voter with disabilities if the person has made a declaration under this regulation.