



Referendums (Scotland and Wales) Act 1997

1997 CHAPTER 61

1 Referendum in Scotland

- (1) On 11th September 1997, a referendum shall be held in Scotland on the establishment and tax-varying powers of a Scottish Parliament.
- (2) The propositions to be voted on in the referendum and the front of the ballot papers to be used for that purpose shall be in the form set out in Schedule 1.
- (3) Those entitled to vote in the referendum shall be the persons who, on the date of the referendum, would be entitled to vote as electors at a local government election in any electoral area in Scotland.

But an alteration in a register of electors under section 11(1) or (2) or 57 of the Representation of the People Act 1983 (correction of registers and registration appeals) shall not have effect for the purposes of the referendum unless it is made before the start of the period of eleven days ending with the date of the referendum.

- (4) The Secretary of State shall appoint a Chief Counting Officer for Scotland.
- (5) The Chief Counting Officer shall appoint a counting officer for each local government area in Scotland.
- (6) Each counting officer shall—
 - (a) conduct the counting of votes cast in the area for which he is appointed in accordance with paragraph 11 of Schedule 3 and any directions given by the Chief Counting Officer, and
 - (b) certify, for each of the two forms of ballot paper, the number of ballot papers counted by him and the number of votes cast for each proposition.
- (7) The Chief Counting Officer shall certify, for each of the two forms of ballot paper, the total of—
 - (a) the ballot papers counted, and
 - (b) the votes cast for each proposition,

for the whole of Scotland.

2 Referendum in Wales

- (1) On 18th September 1997, a referendum shall be held in Wales on the establishment of a Welsh Assembly.
- (2) The propositions to be voted on in the referendum and the front of the ballot paper to be used for that purpose shall be in the form set out in Schedule 2.
- (3) Those entitled to vote in the referendum shall be the persons who, on the date of the referendum, would be entitled to vote as electors at an election for a county council or county borough council in Wales.

But an alteration in a register of electors under section 11(1) or (2) or 56 of the Representation of the People Act 1983 (correction of registers and registration appeals) shall not have effect for the purposes of the referendum unless it is made before the start of the period of eleven days ending with the date of the referendum.

- (4) The Secretary of State shall appoint a Chief Counting Officer for Wales.
- (5) The Chief Counting Officer shall appoint a counting officer for each county or county borough in Wales.
- (6) Each counting officer shall—
 - (a) conduct the counting of votes cast in the area for which he is appointed in accordance with paragraph 11 of Schedule 3 and any directions given by the Chief Counting Officer, and
 - (b) certify the number of ballot papers counted by him and the number of votes cast for each proposition.
- (7) The Chief Counting Officer shall certify the total of—
 - (a) the ballot papers counted, and
 - (b) the votes cast for each proposition,for the whole of Wales.

3 Referendums: supplementary

Schedule 3 (conduct of the referendums, &c.) shall have effect.

4 Exclusion of legal proceedings

No court shall entertain any proceedings for questioning the number of ballot papers counted or votes cast as certified by a Chief Counting Officer or counting officer appointed in accordance with section 1(4) or (5) or 2(4) or (5).

5 Expenditure

- (1) There shall be charged on and paid out of the Consolidated Fund any expenditure which is to be charged on and paid out of that Fund by virtue of any enactment applied by Schedule 3.
- (2) Any expenditure of a Minister of the Crown—

- (a) in connection with a referendum held by virtue of this Act, or
 - (b) in preparation for a Scottish Parliament or a Welsh Assembly,
- shall be paid out of money provided by Parliament.

6 Short title

This Act may be cited as the Referendums (Scotland and Wales) Act 1997.