



Regional Assemblies (Preparations) Act 2003

2003 CHAPTER 10

PART 1

REFERENDUMS

Referendums

6 Further referendums

- (1) Subsection (2) applies if—
 - (a) a referendum is held in a region in pursuance of an order under section 1, and
 - (b) a majority of the votes cast in the referendum is against there being an elected assembly for the region.
- (2) No further order under section 1 may be made in relation to the region until the end of the period of seven years starting with the day on which the referendum was held.
- (3) Any question as to the number of votes cast in a referendum in favour of an answer to a question is determined by the certificate of the Chief Counting Officer given under section 128 of the 2000 Act (functions of Chief Counting Officer).
- (4) Subsection (5) applies if in any proceedings any certificate given by a person appointed for the purpose as to the number of votes cast in favour of any option in a referendum held in a county area in pursuance of an order under section 2(2) is declared or held to be invalid.
- (5) The Secretary of State may by order cause a further referendum to be held in that county area as mentioned in that section and for that purpose the following provisions of section 2 apply as they apply for the purpose of an order made under section 2(2)—
 - (a) subsections (3) to (5);
 - (b) subsection (6)(a);
 - (c) subsections (9) and (10).

Status: This is the original version (as it was originally enacted).

- (6) If an order is made under subsection (5) any reference in this Act to a referendum held in pursuance of an order under section 2(2) or to the order must be construed as a reference to a referendum held in pursuance of an order under subsection (5) or to the order under that subsection (as the case may be).
- (7) But subsection (6) applies to such a reference in section 3(7) and (8) only to the extent that the wording of the text mentioned in section 3(7)(a) or the explanatory material differs from that considered by the Electoral Commission for the purposes of the referendum held in pursuance of the order under section 2(2).
- (8) For the purposes of a referendum held in pursuance of an order under subsection (5) the Secretary of State may by order vary the terms of the statement set out in section 3(5).
- (9) Before an order under subsection (8) is laid before Parliament in pursuance of section 29(2) the Secretary of State must consult the Electoral Commission as to the wording of the statement as so varied.
- (10) At the time when the order is so laid the Secretary of State must lay before each House a report stating any views which the Commission have expressed in response to the consultation as to the intelligibility of the statement as so varied.
- (11) The Secretary of State may by order vary or revoke an order made under subsection (5) if he thinks that it is not appropriate for the referendum to be held on the date specified in the order.
- (12) Explanatory material must be construed in accordance with section 3.