



# European Union Referendum Act 2015

## 2015 CHAPTER 36

### *The referendum*

#### **8 Power to modify section 125 of the 2000 Act**

- (1) In this section—
  - (a) “section 125” means section 125 of the 2000 Act (restriction on publication etc of promotional material by central and local government etc), as modified by paragraph 38 of Schedule 1, and
  - (b) “section 125(2)” means subsection (2) of section 125 (which prevents material to which section 125 applies from being published by or on behalf of certain persons and bodies during the 28 days ending with the date of the poll).
- (2) The Minister may by regulations make provision modifying section 125, for the purposes of the referendum, so as to exclude from section 125(2) cases where—
  - (a) material is published—
    - (i) in a prescribed way, or
    - (ii) by a communication of a prescribed kind, and
  - (b) such other conditions as may be prescribed are met.
- (3) The communications that may be prescribed under subsection (2)(a)(ii) include, in particular, oral communications and communications with the media.
- (4) Before making any regulations under this section, the Minister must consult the Electoral Commission.
- (5) Consultation carried out before the commencement of this section is as effective for the purposes of subsection (4) as consultation carried out after that commencement.
- (6) Any regulations under subsection (2) must be made not less than 4 months before the date of the referendum.
- (7) In this section—
  - “prescribed” means prescribed by the regulations;
  - “publish” has the same meaning as in section 125.

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*Status: This is the original version (as it was originally enacted).*

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(8) This section does not affect the generality of section 4(1)(c).