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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations, amend the Local Authorities (Conduct of Referendums) (England) Regulations 2001 (the 2001 Regulations) as they apply where the poll at a referendum under the Local Government Act 2000 is taken together with the poll at:

- a Parliamentary election;
- a European parliamentary election;
- a local government election (which includes Greater London Authority elections in London)
- an election for an elected mayor; or
- another such referendum.

Under the 2001 Regulations, a referendum is conducted in accordance with a modified version of the rules which govern an election of members of the council of a principal area (a county, district of London Borough in England, a County or County Borough in Wales).

Regulation 2 provides that a referendum which is held together with another referendum or one or more of a number of types of election shall be in accordance with a modified version of the version of rules for election of members of the council of a principal area that applies where such an election is held in combination with another poll.

Regulation 2(6) substitutes a new schedule for Schedule 5 to the 2001 Regulations. The new Schedule specifies the modifications that are required to other enactments as a consequence of combination of polls.

In particular, Part II of that Schedule specifies the modifications to the rules relating to combined polls at principal area elections that are to be applied for the purposes of the mayoral referendum. The modifications reflect the differences in nomenclature between elections and referendums, the absence of candidates, other changes required to reflect correctly the allocation of responsibilities in relation to returning officer and counting officer functions and include other minor or consequential changes.

The new schedule applies the changes which have been made to the rules for election of members of the council of a principal area that apply where such an election is held in combination with another poll to a referendum held in combination with another poll. The main changes are—

- making use of the same ballot box optional in the case of all possible combined polls;
- allowing for the translation of notices for the guidance of voters into languages other than English;
- entitling representatives of the Electoral Commission to attend the polling stations, verification and count;
- allowing those who are entitled to attend the count at the poll which is combined to attend at the joint verification of ballot paper accounts;
- requiring that postal ballot papers which are returned to a polling station are returned to a polling station located in the area which is common to the electoral or voting areas in which each poll is taking place;
- clarifying that where a signature is required on a form, in accordance with the common law, a mark will suffice; and

**Status:** *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

ensuring that forms which are or may be used for all polls, such as notices in polling stations and declarations by disabled voters are in a form which is consistent with those applying under the legislation governing the election with which the referendum is combined.

A full regulatory impact assessment has not been produced for this instrument, as it has no impact on the costs of businesses, charities or voluntary bodies.