
WELSH STATUTORY INSTRUMENTS

2004 No. 870

**The Local Authorities (Conduct of
Referendums) (Wales) Regulations 2004**

Application of provisions

8.—(1) Subject to paragraph (2), and regulations 9, 10, 11, 12 and 15 the provisions set out in column (1) of Tables 1 to 4 in Schedule 3 shall have effect in relation to the referendum with the modifications shown in column (2) of those Tables and any other necessary modifications; and in particular, except where the context otherwise requires —

- (a) a reference to an election shall be construed as a reference to the referendum;
- (b) a reference to a returning officer shall be construed as a reference to the counting officer;
- (c) a reference to a constituency or an electoral division shall be construed as a reference to a voting area;
- (d) a reference to voting for, or a vote for, a candidate shall be construed as a reference to voting for, or a vote for, an answer;
- (e) a reference to promoting or procuring the election of a candidate, or furthering a person's candidature, shall be construed as a reference to promoting or procuring a particular result in the referendum;
- (f) references to nomination papers and, except as mentioned in sub-paragraphs (d) and (e), references to candidates, shall be ignored;
- (g) a reference to the return of a person shall be construed as a reference to a particular result in the referendum;
- (h) a reference to a person voting as an elector shall be construed as a reference to a person voting on their own behalf;
- (i) a reference to a person's entitlement as an elector to an absent vote shall be construed as a reference to a person's entitlement to vote by post on their own behalf or to vote by proxy;
- (j) where anything is required to be done in the presence of election, polling, counting or other agents, the reference to the presence of agents shall be ignored;
- (k) a reference to anything being prescribed shall be construed as a reference to its being provided for by a provision of subordinate legislation applied by these Regulations;
- (l) a form which is required to be used may be used with such variations as the circumstances may require;
- (m) a reference to the registration officer, in relation to a local authority, is a reference to the relevant registration officer appointed under section 8 of the 1983 Act; and for the purpose of the exercise of a registration officer's functions in relation to the referendum, sections 52(1) to (4) (discharge of registration duties) and 54(1), (3) and (4) (payment of expenses of registration) of that Act shall have effect;
- (n) a reference to an election petition shall be construed as a reference to a referendum petition;
- (o) any reference to an enactment or instrument made under an enactment shall be construed as a reference to that enactment or instrument as applied by these Regulations; and

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(p) so much of any provision as applies only in relation to England, Scotland or Northern Ireland, shall be ignored.

(2) A provision set out in column (1) of Table 4 in Schedule 3 and expressed to apply only in circumstances there mentioned, and any modification shown in column (2) as applicable to any such provision, shall have effect only in those circumstances.