

SCHEDULE 3

APPLICATION, WITH MODIFICATIONS, OF ACTS AND STATUTORY INSTRUMENTS

**TABLE 2**  
**REPRESENTATION OF THE PEOPLE ACT 1983**

<i>(1)</i> <i>Provision</i>	<i>(2)</i> <i>Modification (if any)</i>
Section 13B (alteration of registers: pending elections)(1)	<p>After “election”, in each place, insert “or referendum”.</p> <p>In subsection (1), for “the final nomination day”, substitute “the nineteenth day before the date of the poll at the referendum”.</p> <p>After subsection (4), insert “(4A) This section also applies to referendums.”.</p>
Section 31(1) and (3) (polling districts and stations at local government elections)	<p>In subsection (1) — (a) for “elections of county councillors” substitute “referendums by or in respect of a county or county borough”.</p> <p>In subsection (3), for “local government elections” substitute “referendums”.</p> <p>Omit “mentioned in subsections (1) to (3) above”.</p>
Section 35(4) (appointments by returning officers)	For “subsections (1) to (3)”, substitute “subsection (1) or (3)”.
Section 36(4) and (6) (returning officer’s expenditure at local election)(2)	<p>In subsection (6), for the words from the beginning to “councillor, the council”, substitute “Before a poll is taken at such a referendum as is referred to in subsection (4), the local authority”.</p> <p>Regulation 8(1)(b) shall not apply in relation to the first reference in subsection (6) to the returning officer.</p>
Section 47 (loan of equipment for local elections)(3)	In subsection (1), for “the returning officer at a local government election”, substitute “the counting officer at a referendum”.

(1) Section 13B was inserted by the Representation of the People Act 2000 (c. 2), Schedule 1, paragraph 6.  
(2) Section 36(4) was amended by the Local Government Act 1985 (c. 51), Schedule 17 and the Local Government (Wales) Act 1994 (c. 19), Schedule 16.  
(3) Section 47(1) was amended by S.I. 1991/1728, regulation 4.

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<i>(1)</i> <i>Provision</i>	<i>(2)</i> <i>Modification (if any)</i>
	<p>In subsection (2) —</p> <ul style="list-style-type: none"> <li>(a) omit the words from “, or”, at the end of paragraph (a), to “as the case may be,”;</li> <li>(b) for “an election held under those Acts” substitute “a referendum held under the Referendums Regulations”.</li> </ul>
Section 49(4) and (5) (effect of registers)(4)	<p>In subsection (4), omit “parliamentary or”.</p> <p>In subsection (5), omit “parliamentary or” and “prevent the rejection of the vote on a scrutiny or”.</p>
Section 60 (personation)	Omit “parliamentary or”.
Section 61 (other voting offences)(5)	<p>In subsection (1), after “local government election” and “local government elections”, in each place, insert “or referendum” and “or referendums”, respectively. voting area, or for them without applying for the cancellation of a previous pending application for such an appointment. to vote by post as proxy for that other person, or</p> <p>For subsections (2) to (4) substitute —</p> <p>“(2) A person shall be guilty of an offence if —</p> <ul style="list-style-type: none"> <li>(a) that person votes on their own behalf otherwise than by proxy — <ul style="list-style-type: none"> <li>(i) more than once in the same voting area;</li> <li>(ii) in more than one voting area; or</li> <li>(iii) in any voting area where there is in force an appointment of a person to vote as that person’s proxy in the referendum in another</li> </ul> </li> <li>(b) that person votes on their own behalf in person and is entitled to vote by post, or</li> <li>(c) that person votes on their behalf in person knowing that a person appointed to vote as their proxy has already voted in person or is entitled to vote by post, or</li> </ul>

(4) Section 49(5) was substituted by S.I. 1995/1948, Schedule 2 and amended by the Representation of the People Act 2000, Schedule 1, paragraph 12.

(5) Amended by the Representation of the People Act 1985, Schedules 2 and 5, and by the Greater London Authority Act 1999 (c. 29), Schedule 3, paragraphs 1 and 10.

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(1) Provision	(2) Modification (if any)
	<p>(d) that person applies for a person to be appointed as their proxy to vote appointment of a third person then in force or without withdrawing a</p> <p>(3) A person shall be guilty of an offence if—</p> <p>(a) that person votes as proxy for the same person either —</p> <p>(i) more than once in the same voting area, or</p> <p>(ii) in more than one voting area, or</p> <p>(b) that person votes in person as proxy for another person and is entitled</p> <p>(c) that person votes in person as proxy for someone whom that person knows already to have voted in person.</p> <p>(4) A person shall also be guilty of an offence if that person votes as proxy in any voting area for more than two persons of whom that person is not the husband, wife, parent, grandparent, brother, sister, child or grandchild.”</p> <p>In subsection (7), omit paragraph (b) and the word “and” immediately preceding it.</p>
Section 65 (tampering with papers)(6)	<p>In subsection (1) —</p> <p>(a) after “election”, in the first place where it appears, insert “or referendum”; and</p> <p>(b) omit paragraph (a).</p> <p>In subsection (3), for “clerk”, substitute “person”.</p>
Section 66 (requirement of secrecy)(7)	<p>For subsection (1)(b) substitute —</p> <p>“(b) every polling observer, so attending,”.</p>
Section 66A (prohibition on publication of exit polls)(8)	<p>In subsection (2) —</p> <p>(a) in paragraph (b), after “Wales” insert “; and”; and</p> <p>(b) after paragraph (b) insert “(c) any referendum.”.</p> <p>In subsection (4), omit the words after the definition of “publish”.</p>

(6) Subsections (3) and (4) were substituted by the Representation of the People Act 1985, Schedule 3.

(7) Subsection (6) was amended by the Representation of the People Act 1985, Schedule 3. There are other amendments not relevant to these Regulations.

(8) Section 66A was inserted by the Representation of the People Act 2000 (c. 2), Schedule 6, paragraph 6.

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<i>(1)</i> <i>Provision</i>	<i>(2)</i> <i>Modification (if any)</i>
Section 92 (broadcasting from outside the United Kingdom)(9)	In subsection (1), after “local government election” insert “or referendum”.
Section 94 (imitation of poll cards)(10)	In subsection (2), after “section 42 above” insert “or to any referendum in relation to which any rules under section 36, as applied for the purposes of that referendum,”.
Section 96 (schools and rooms for local election meetings)(11)	<p>For subsection (1) substitute —</p> <p>“(1) Subject to the provisions of this section, any person is entitled, for the purpose of holding a public meeting to promote a particular result in the referendum, to use free of charge at reasonable times during the campaign period any meeting room to which this section applies.</p> <p>(1A) In subsection (1), “the campaign period” means the period of 25 days ending with the day before the date of the referendum.”.</p> <p>Omit subsection (2).</p> <p>In subsection (3) —</p> <p>(a) for “electoral area for which the candidate is standing or in a parish or community, as the case may be, in part comprised in that electoral area”, substitute “voting area”; and</p> <p>(b) omit paragraph (b).</p> <p>In subsection (4) —</p> <p>(a) omit the words “and paragraph 1(1) of Schedule 5 to this Act”;</p> <p>(b) after the words “that section” insert “subject to the substitution in subsection (5) of that section, for the word “candidate” of the word “person””; and</p> <p>(c) omit the words from “and any person” to the end.</p> <p>After subsection (4) insert —</p> <p>“(5) The lists maintained by a county council or county borough council of meeting rooms which candidates at a parliamentary election in any constituency are entitled to use shall have</p>

(9) Subsection (1) was substituted by the Broadcasting Act 1990 (c. 42), Schedule 20.

(10) Amended by the Representation of the People Act 1985, Schedule 4.

(11) Subsection (1) was amended by the Greater London Authority Act 1999 (c. 29), Schedule 3, paragraphs 1 and 29. Subsection (2) was amended by the Representation of the People Act 1985, Schedule 4. Subsection (4) was amended by the Police and Criminal Evidence Act 1984 (c. 60), Schedule 7.

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<i>(1)</i> <i>Provision</i>	<i>(2)</i> <i>Modification (if any)</i>
Section 97 (disturbances at election meetings)(12)	effect for the purposes of the referendum; and any person shall, before the referendum, be entitled at all reasonable hours to inspect those lists or a copy of them.”  For subsection (2), substitute —  “(2) This section applies to a meeting in connection with a referendum held during the campaign period.  (2A) In subsection (2), “the campaign period” means the period of 25 days ending with the day before the date of the referendum.”.
Section 100(1) and (2) (illegal canvassing by police officers)(13)	In subsection (1), for the words from “from giving his vote” to the end, substitute “from giving his vote in the referendum in a voting area wholly or partly within the police area”.
Section 109 (payments for exhibition of election notices)	
Section 110 (printer’s name and address on election publications)(14)	Omit subsection (12).
Section 111 (prohibition of paid canvassers)	
Section 112 (providing money for illegal purposes)	
Sections 113 to 115 (bribery, treating and undue influence)	
Section 116 (rights of creditors)	Omit paragraphs (b) and (c).
Section 118 (interpretation of Part II), the definitions of “money”, “pecuniary reward” and “payment”	
Section 119 (computation of time for purposes of Part II)	In subsection (1), in paragraph (b), after “disregarded”, insert —  “; and  (c) in computing any period referred to in section 96(1A) or 97(2A), as applied for the purposes of a referendum, any of the days so mentioned shall be disregarded.”.
Section 167 (application for relief)	
Sections 168 to 170 (prosecutions for corrupt and illegal practices)	

(12) Subsection (2) was amended by the Representation of the People Act 1985, Schedule 3.

(13) Section 103(2) was repealed, and section 104(b) amended, by the Representation of the People Act 1985, Schedule 5.

(14) Section 110 was substituted by the Political Parties, Elections and Referendums Act 2000, Schedule 18, paragraph 14.

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<i>(1)</i> <i>Provision</i>	<i>(2)</i> <i>Modification (if any)</i>
Subsections (1)(a)(i), (2) and (3) of section 173 (incapacities on conviction of corrupt or illegal practice)(15)	In subsection (1)(a)(i), after “Great Britain”, insert “or at any referendum”.
Section 174 (mitigation and remission etc.)	
Section 175 (illegal payments etc.)(16)	Omit subsection (2).
Section 176 (time limit for prosecutions)	
Section 177 (summary trial)	For “the local government Act”, substitute “the Referendums Regulations”.
	In paragraph (a), for “in the county in which the local government area for which the election was held is situated or which it adjoins” substitute “for the voting area in which, the offence is alleged to have been committed”.
Section 178 (prosecution of offences committed outside the United Kingdom)	
Section 179 (offences by associations)	
Section 181(1) (Director of Public Prosecutions)	
In section 185 (interpretation of Part III), the definitions of “judicial office”, “money” and “pecuniary reward”, “payment” and “public office”	
Section 200(1) and (2) (Public notices, and declarations)	
Section 202 (interpretation), the definitions in subsection (1) of “the absent voters' list”, “citizen of the Union” and “relevant citizen of the Union”, “elector”, “legal incapacity”, “the list of proxies”, “person” and “voter” and subsection (2)(17)	In the definition of “voter”, after “42 above”, insert “and such of those rules as are applied, in relation to a referendum, by any provision of the Referendums Regulations”.
Section 203(1) (local government provisions as to England and Wales)(18)	In subsection (1), insert at the end — ““the Referendums Regulations” means the Local Authorities (Conduct of Referendums) (Wales) Regulations 2004”.

(15) Section 173 was substituted by the Political Parties, Elections and Referendums Act 2000, section 136.

(16) Section 175 was amended by the Representation of the People Act 1985, Schedule 3 and by the Political Parties, Elections and Referendums Act 2000, Schedule 21, paragraph 6(6).

(17) Amended by the Representation of the People Act 1985, Schedule 4, the Local Government Act 1985 (c. 51) and the Education Reform Act 1988 (c. 40), Schedule 13.

(18) Amended by the Greater London Authority Act 1999 (c. 29), Schedule 3, paragraphs 1 and 39.