

*These notes refer to the Parliamentary Voting System and Constituencies Act 2011 (c.1) which received Royal Assent on 16 February 2011*

# PARLIAMENTARY VOTING SYSTEM AND CONSTITUENCIES ACT 2011

---

## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 1: Voting system for parliamentary elections**

##### ***Section 2: Entitlement to vote in the referendum***

27. *Section 2* provides for who is entitled to vote in the referendum. Under *subsection (1)(a)*, a person is entitled to vote in the referendum if, on the date of the referendum, he or she would be entitled to vote in a parliamentary election. This includes a person who is entitled to vote in a parliamentary election as an overseas elector by virtue of section 1 of the Representation of the People Act 1985.
28. *Subsection (1)(b)* enables a peer, who is disqualified by common law from voting in parliamentary elections, to vote in the referendum if, on the date of the referendum, he or she would be entitled to vote in a local government election. Subsection (1)(b) also enables a peer to vote in the referendum if he or she is entitled to vote at a European Parliamentary election by virtue of section 3 of the Representation of the People Act 1985. This latter category comprises peers who are resident outside the UK.