

Status: Point in time view as at 16/02/2011.

Changes to legislation: There are currently no known outstanding effects for the Parliamentary Voting System and Constituencies Act 2011, General provisions. (See end of Document for details)

SCHEDULES

SCHEDULE 2

RULES FOR CONDUCT OF THE REFERENDUM

PART 1

REFERENDUM RULES

GENERAL PROVISIONS

Notice of referendum

- 3 Each counting officer must give public notice of the referendum stating—
- (a) the date of the poll;
 - (b) the date by which—
 - (i) applications to vote by post or by proxy, and
 - (ii) other applications and notices about postal or proxy voting,must reach the registration officer in order that they may be effective for the referendum.

Poll to be taken by ballot

- 4 The votes at the poll are to be given by ballot.

The ballot paper

- 5 (1) The ballot of every voter is to consist of a ballot paper, which is to be printed in the form set out in Form 1 in Part 2 of this Schedule and according to the directions specified in that Part.
- (2) Each ballot paper—
- (a) must set out the question as specified in section 1;
 - (b) must be capable of being folded up;
 - (c) must have a number and other unique identifying mark printed on the back.

Corresponding number list

- 6 (1) The counting officer must prepare a list containing the numbers and other unique identifying marks of all of the ballot papers to be—
- (a) issued by the officer in pursuance of rule 12(1), or
 - (b) provided by the officer in pursuance of rule 17(1).
- (2) The list must be in the form set out in Form 2 in Part 2 of this Schedule.

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The official mark

- 7 (1) Every ballot paper must contain an appropriate security marking (the official mark).
 (2) The official mark must be kept secret.
 (3) The counting officer may use a different official mark for different purposes.

Prohibition of disclosure of vote

- 8 A person who has voted in the referendum may not be required, in any legal proceeding to question the referendum, to state for which answer he or she voted.

Use of schools and public rooms

- 9 (1) The counting officer may use, free of charge, for the purpose of taking the poll—
 (a) a room in a school within paragraph (3);
 (b) a room the expense of maintaining which is met by any local authority (in England and Wales or Scotland) or is payable out of any rate (in Northern Ireland).
- (2) The counting officer must—
 (a) make good any damage done to any such room, and
 (b) defray any expense incurred by the persons having control over any such room,
 by reason of its being used for that purpose.
- (3) The schools within this paragraph are—
 (a) in England and Wales—
 (i) a school maintained or assisted by a local authority;
 (ii) a school in respect of which grants are made out of moneys provided by Parliament to the person or body of persons responsible for the management of the school;
 (b) in Scotland, a school that is not an independent school within the meaning of the Education (Scotland) Act 1980;
 (c) in Northern Ireland, a school in receipt of a grant out of moneys appropriated by Measure of the Northern Ireland Assembly, other than a school that—
 (i) adjoins or is adjacent to a church or other place of worship, or
 (ii) is connected with a nunnery or other religious establishment.

Modification of forms

- 10 (1) The Chief Counting Officer may, for the purpose of making a relevant form easier for voters to understand or use, specify modifications that are to be made to the wording or appearance of the form.
- (2) In paragraph (1) “relevant form” means any of the following—
 (a) Forms 3 to 10, 12 and 14 in Part 2 of this Schedule;
 (b) the form of the notice set out in rule 17(7).
- (3) In this Part of this Act a reference to a form is to be read as a reference to that form with any modifications specified under paragraph (1).

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- (4) Where a form is modified by virtue of paragraph (1), section 26(2) of the Welsh Language Act 1993 applies as if the modified form were specified by this Act.

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