

## SCHEDULES

### SCHEDULE 3

#### ABSENT VOTING IN THE REFERENDUM

#### PART 2

#### NORTHERN IRELAND

##### *Voting as proxy*

- 19 (1) A person entitled to vote as proxy for another (the “principal”) in the referendum may do so in person at the polling station allotted to the principal under the referendum rules unless the proxy is entitled to vote by post as proxy for the principal in the referendum, in which case the proxy may vote by post.
- (2) Where a person is entitled to vote by post as proxy for the principal in the referendum, the elector may not apply for a ballot paper for the purpose of voting in person in the referendum.
- (3) For the purposes of this Part of this Schedule and the 1983 Act a person entitled to vote as proxy for another in the referendum is entitled so to vote by post if the person is included in the list kept under sub-paragraph (6).
- (4) Where a person applies to the registration officer to vote by post as proxy in the referendum the officer must grant the application if—
- (a) the officer is satisfied that the principal is or will be registered in a relevant register,
  - (b) the applicant is the subject of a relevant proxy appointment within the meaning of paragraph 18(2)(a),
  - (c) either—
    - (i) the officer is satisfied that the applicant’s circumstances on the date of the poll will be or are likely to be such that the applicant cannot reasonably be expected to vote in person at the polling station allotted or likely to be allotted to the principal under the referendum rules, or
    - (ii) the applicant is, or the officer is satisfied that the applicant will be, included in the absent voters list for the referendum,
  - (d) the application specifies an address in the United Kingdom as the address to which the ballot paper is to be sent, and
  - (e) the application meets the requirements prescribed by the 2008 Regulations.
- (5) A person who is the subject of a relevant proxy appointment within the meaning of paragraph 18(2)(b), (c) or (d) and who—

*Status: This is the original version (as it was originally enacted).*

- (a) is included in the record kept under section 9(6) of the 1985 Act (record of proxies who have applied to vote by post) in respect of parliamentary elections,
- (b) is included in the record kept under paragraph 4(5) of Schedule 2 to the Local Elections (Northern Ireland) Order (record of proxies who have applied to vote by post), or
- (c) is included in the record kept under regulation 11(5) of the European Parliamentary Elections (Northern Ireland) Regulations (record of proxies who have applied to vote by post),

may apply to the registration officer for his or her referendum ballot paper to be sent to a different address in the United Kingdom from that shown in the record, and the officer must grant the application if it meets the requirements prescribed by the 2008 Regulations.

- (6) The registration officer must, in respect of the referendum, keep a special list (“the proxy postal voters list”) of those within column 2 of the following table, together with the addresses provided as mentioned in column 3 as the addresses to which their ballot papers are to be sent.

|   | <i>Description of proxy postal voters</i>  | <i>Address</i>  |
|---|--|---|
| 1 | A proxy whose application under sub-paragraph (4) has been granted.  | Address provided in the proxy’s application under sub-paragraph (4).  |
| 2 | A proxy who—<br>(a) was appointed as mentioned in column 3 of entry 2 in the table in paragraph 16(3) for a person mentioned in column 2 of that entry, and<br>(b) is included in the proxy postal voters list for the poll in respect of which that appointment was made.                             | Address provided in the proxy’s application to vote by post as proxy in that poll.  |
| 3 | A proxy who—<br>(a) was appointed as mentioned in column 3 of entry 3 in the table in paragraph 16(3) for a person mentioned in column 2 of that entry, and<br>(b) is for the time being included in the record kept under section 9(6) of the 1985 Act.   | Address provided in the proxy’s application under section 9(4) of the 1985 Act or (as the case may be) sub-paragraph (5) above.   |
| 4 | A proxy who—<br>(a) was appointed as mentioned in column 3 of entry 4 in the table in paragraph 16(3) for a peer mentioned in column 2 of that entry, and<br>(b) is for the time being included in the record kept under paragraph 4(5) of Schedule 2 to the Local Elections (Northern Ireland) Order. | Address provided in the proxy’s application under paragraph 4(4) of Schedule 2 to the Local Elections (Northern Ireland) Order or (as the case may be) sub-paragraph (5) above. |
| 5 | A proxy who—<br>(a) was appointed as mentioned in column 3 of entry 5 in the table in paragraph 16(3) for a peer mentioned in column 2 of that entry, and<br>(b) is for the time being included in the record kept under regulation 11(5) of the European  | Address provided in the proxy’s application under regulation 11(4) of the European Parliamentary Elections (Northern Ireland) Regulations or (as the case                       |

| <i>Description of proxy postal voters</i>               | <i>Address</i>                   |
|---|----------------------------------|
| Parliamentary Elections (Northern Ireland) Regulations. | may be) sub-paragraph (5) above. |

- (7) Sub-paragraph (2) does not prevent a person, at the polling station allotted to him or her, marking a tendered ballot paper in pursuance of rule 32 of the referendum rules.