



# Parliamentary Voting System and Constituencies Act 2011

## 2011 CHAPTER 1

### PART 1

#### VOTING SYSTEM FOR PARLIAMENTARY ELECTIONS

##### *The referendum*

#### **4 Combination of polls**

- (1) Where the date of the poll for one or more of the following is the same as the date of the poll for the referendum, the polls are to be taken together—
  - (a) a local authority election in England;
  - (b) a local referendum in England;
  - (c) a mayoral election in England.
- (2) The polls for the referendum and the Welsh Assembly general election in 2011 are to be taken together.
- (3) The polls for the referendum and the Scottish parliamentary general election in 2011 are to be taken together.
- (4) The polls for—
  - (a) the referendum,
  - (b) the general election of members of the Northern Ireland Assembly to be held on 5 May 2011, and
  - (c) the Northern Ireland local elections to be held on that date,are to be taken together.
- (5) The following have effect—

Schedule 5, in relation to the polls to be taken together in England under subsection (1);

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*Status: This is the original version (as it was originally enacted).*

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- Schedule 6, in relation to the polls to be taken together in Wales under subsection (2);
- Schedule 7, in relation to the polls to be taken together in Scotland under subsection (3);
- Schedule 8, in relation to the polls to be taken together in Northern Ireland under subsection (4).
- (6) Polls taken together under this section must not be taken together with any other polls (despite provision in any enactment to the contrary).
- (7) Section 16 of the Representation of the People Act 1985 (postponement of poll at parish elections etc) does not apply to any polls taken together under subsection (1).
- (8) If any of the elections referred to in subsections (2) to (4) are not held on the same day as the referendum, this Part has effect with any necessary adaptations and in particular—
- (a) if the Welsh Assembly general election in 2011 is not held on that day, subsection (2) and Schedule 6 do not apply (and Part 3 of Schedule 4 applies with the necessary adaptations);
  - (b) if the Scottish parliamentary general election in 2011 is not held on that day, subsection (3) and Schedule 7 do not apply (and Part 3 of Schedule 4 applies with the necessary adaptations);
  - (c) if any of the elections referred to in subsection (4) are not held on that day, that subsection and Schedule 8 either do not apply or apply only in relation to the elections that are held on that day.
- (9) Where a day is appointed by an order under section 1(4)—
- (a) if that day is the same as the date of a poll mentioned in subsection (1), the Minister may by order make provision disapplying that subsection or any of paragraphs (a) to (c) of it;
  - (b) if that day is the same as the date of a poll mentioned in subsection (2) or (3), the Minister may by order make provision disapplying the subsection in question;
  - (c) if that day is the same as the date of a poll mentioned in subsection (4), the Minister may by order make provision disapplying that subsection or either of paragraphs (b) and (c) of it.
- (10) Where a day is appointed by an order under section 1(4), and that day is the same as the date of a poll not mentioned in subsections (1) to (4), the Minister may by order—
- (a) provide that the polls are to be taken together, and
  - (b) make provision for and in connection with the combination of the polls.
- (11) An order containing provision made under subsection (9) or (10)—
- (a) may make supplemental or consequential provision, including provision modifying or amending this Act or another enactment (and, in particular, provision modifying or amending this Act as regards the meaning of “voting area” or “counting officer”);
  - (b) may not be made unless a draft of the order has been laid before, and approved by a resolution of, each House of Parliament.
- (12) In this section—
- “local authority election in England” means the election of a councillor of any of the following—

- (a) a county council in England;
- (b) a district council in England;
- (c) a London borough council;
- (d) a parish council;

“local referendum in England” means a referendum held in England under Part 2 of the Local Government Act 2000;

“mayoral election in England” means an election in England for the return of an elected mayor as defined by section 39(1) of the Local Government Act 2000;

“Northern Ireland local election” means a local election as defined by section 130(1) of the Electoral Law Act (Northern Ireland) 1962;

“Scottish parliamentary general election” means an ordinary election under section 2 of the Scotland Act 1998;

“Welsh Assembly general election” means an ordinary election under section 3 of the Government of Wales Act 2006.