

SCHEDULE 2

Regulation 80

APPLICATION OF PROVISIONS OF OTHER ACTS

PART 1

POLITICAL PARTIES, ELECTIONS AND REFERENDUMS ACT 2000

Attendance of representatives of Electoral Commission at referendum proceedings

1. Section 6A of the 2000 Act⁽¹⁾ has effect for the purposes of the referendum as if for subsection (4) there were substituted—

“(4) In this section, “the relevant counting officer” means, in relation to proceedings at the referendum under section 1 of the European Union Referendum Act 2015, the counting officer for the voting area to which the proceedings relate (determined in accordance with paragraph 3 of Schedule 3 to that Act).”

Commencement Information

11 Sch. 2 para. 1 in force at 26.2.2016, see [reg. 1](#)

Observation of working practices by representatives of the Electoral Commission

2. Section 6B of the 2000 Act⁽²⁾ has effect for the purposes of the referendum as if—

(a) for subsection (1)(c) there were substituted—

“(c) a counting officer for the referendum under section 1 of the European Union Referendum Act 2015”, and

(b) subsection (2)(a) were omitted.

Commencement Information

12 Sch. 2 para. 2 in force at 26.2.2016, see [reg. 1](#)

Accredited observers of referendum proceedings

3. Section 6C of the 2000 Act⁽³⁾ has effect for the purposes of the referendum as if the following subsection were inserted after subsection (1)—

“(1A) In subsection (1)(c) the reference to “proceedings at the counting of votes” includes proceedings of—

(a) a Regional Counting Officer in connection with the officer’s duty to certify the matters specified in paragraph 7(4) of Schedule 3 to the European Union Referendum Act 2015, and

(1) Section 6A was inserted by section 29 of the Electoral Administration Act 2006 (c.22). There are amendments that are not relevant to these Regulations.

(2) Section 6B was inserted by section 29 of the Electoral Administration Act 2006 (c.22). There are amendments that are not relevant to these Regulations.

(3) Section 6C was inserted by section 29 of the Electoral Administration Act 2006 (c.22). There are amendments that are not relevant to these Regulations.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The European Union Referendum (Conduct) Regulations 2016. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (b) the Chief Counting Officer in connection with the officer’s duty to certify the matters specified in section 128(6).”

Commencement Information

I3 Sch. 2 para. 3 in force at 26.2.2016, see [reg. 1](#)

4. Section 6D of the 2000 Act⁽⁴⁾ has effect for the purposes of the referendum as if the following subsection were inserted after subsection (1)—

“(1A) In subsection (1)(c) the reference to “proceedings at the counting of votes” includes proceedings of—

- (a) a Regional Counting Officer in connection with the officer’s duty to certify the matters specified in paragraph 7(4) of Schedule 3 to the European Union Referendum Act 2015, and
- (b) the Chief Counting Officer in connection with the officer’s duty to certify the matters specified in section 128(6).”

Commencement Information

I4 Sch. 2 para. 4 in force at 26.2.2016, see [reg. 1](#)

Commencement Information

I3 Sch. 2 para. 3 in force at 26.2.2016, see [reg. 1](#)

I4 Sch. 2 para. 4 in force at 26.2.2016, see [reg. 1](#)

Provision to the Electoral Commission of information about expenditure

5. Section 9C of the 2000 Act⁽⁵⁾ has effect for the purposes of the referendum as if for subsection (2)(c) there were substituted—

“(c) in the case of a counting officer for the referendum under section 1 of the European Union Referendum Act 2015, expenditure in connection with that referendum.”

Commencement Information

I5 Sch. 2 para. 5 in force at 26.2.2016, see [reg. 1](#)

Right to use rooms for holding public meetings

6. Paragraph 2(3) of Schedule 12 to the 2000 Act has effect for the purposes of the referendum as if after “public funds” there were inserted “, Gibraltar public funds”.

Commencement Information

I6 Sch. 2 para. 6 in force at 26.2.2016, see [reg. 1](#)

(4) Section 6D was inserted by section 29 of the Electoral Administration Act 2006 (c.22). There are amendments that are not relevant to these Regulations.

(5) Section 9C was inserted by section 67 of the Electoral Administration Act 2006 (c.22).

PART 2

APPLICATION OF OTHER ENACTMENTS

Premises used for referendum purposes in England and Wales

7. Section 65(6) of the Local Government Finance Act 1988⁽⁶⁾ (which makes provision for England and Wales corresponding to section 98 of and rule 22(3) in Schedule 1 to the 1983 Act) applies for the purposes of the referendum but as if—

- (a) the reference in paragraph (a) to public meetings in furtherance of a person's candidature at a parliamentary or local government election included public meetings to promote or procure a particular result in the referendum, and
- (b) the reference in paragraph (b) to use by a returning officer for the purpose of taking the poll in a parliamentary or local government election included use by a counting officer for the purpose of taking the poll in the referendum.

Commencement Information

I7 Sch. 2 para. 7 in force at 26.2.2016, see [reg. 1](#)

Restriction on powers of arrest at polling station by persons other than constables

8. Section 71 of the Electoral Administration Act 2006⁽⁷⁾ applies for the purposes of the referendum but as if the reference to an offence under section 60 of the 1983 Act were a reference to an offence under that section as applied by Schedule 1.

Commencement Information

I8 Sch. 2 para. 8 in force at 26.2.2016, see [reg. 1](#)

⁽⁶⁾ 1988 c.41.
⁽⁷⁾ 2006 c.22.

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The European Union Referendum (Conduct) Regulations 2016. Any changes that have already been made by the team appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to :

- Regulations modified by [S.I. 2016/220 art. 4\(4\)Sch. 2](#)
- Regulations power to modify conferred by [S.I. 2016/220 art. 3Sch. 1](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 1 para. 4(1)(ca) inserted by [S.I. 2016/636 reg. 3\(2\)\(a\)](#)