
DRAFT STATUTORY INSTRUMENTS

1998 No.

Northern Ireland Negotiations (Referendum) Order 1998

Application of certain provisions for the referendum

6.—(1) The provisions of the 1983 Act, the Elections (Northern Ireland) Act 1985(1) and the 1985 Act which are specified in the left-hand column of Schedule 2 to this Order shall, subject to—

- (a) any modifications and exceptions specified in relation to those provisions in the right-hand column of that Schedule, and
- (b) the provisions of paragraph (3) below,

apply for the purposes of the referendum.

(2) The provisions of the 1986 Regulations and the Planning (Control of Advertisements) Regulations (Northern Ireland) 1992(2) which are specified in the left-hand column of Schedule 3 to this Order shall, subject to—

- (a) any modifications and exceptions specified in relation to those provisions in the right-hand column of that Schedule, and
- (b) the provisions of paragraph (3) below,

apply for the purposes of the referendum.

(3) Unless the context otherwise requires, in the provisions applied by Schedules 2 and 3 to this Order—

- (a) any reference to a parliamentary election (except in section 160(4) of the 1983 Act), including a reference to a general election or a by-election, shall be construed as a reference to the referendum and a reference to the parliamentary elections rules shall be construed as a reference to the referendum rules;
- (b) any reference to a parliamentary elector (except in section 160(4) of the 1983 Act) shall be construed as an elector entitled to vote at the referendum and references to the register of electors shall be construed accordingly;
- (c) any provision relating to a local government election or local government electors shall be disregarded;
- (d) any provision having effect solely in Great Britain or any part of it shall be disregarded;
- (e) any reference to a returning officer shall be construed as a reference to the counting officer;
- (f) any reference to voting for, or a vote for, a candidate shall be construed as a reference to voting for, or a vote for, an answer in the referendum;
- (g) any reference to promoting or procuring the election of a candidate, or furthering a person's candidature, shall be construed as a reference to promoting or procuring a particular result in the referendum;
- (h) a reference to the return of a person or candidate shall be construed as a reference to a particular result in the referendum;

(1) 1985 c. 2.

(2) S.R. & O. (N.I.) 1992 No. 448.

- (i) references to election agents shall be disregarded; and
 - (j) any reference to an enactment or an instrument made under an enactment shall be construed as a reference to that instrument or enactment as applied by this Order.
- (4) Section 72 of the Post Office Act 1969⁽³⁾ shall apply in relation to the referendum as it applies in relation to a parliamentary election and as though—
- (a) the reference to the 1983 Act was a reference to that Act as applied by Schedule 2 to this Order; and
 - (b) the reference to a sum charged on, and issued out of, the Consolidated Fund was a reference to a sum paid by the Secretary of State.

⁽³⁾ 1969 c. 48.