
DRAFT STATUTORY INSTRUMENTS

2012 No.

The Neighbourhood Planning (Referendums) Regulations 2012

Combination of polls: supplementary provisions relating to relevant elections

13.—(1) This regulation applies, in relation to the relevant election, where polls are taken together in accordance with regulation 11.

(2) The enactments mentioned in Tables 2, 3 and 6 of Part 1 and Parts 2 and 3 of Schedule 4, have effect, in relation to the relevant election taken together with the referendum, subject to—

(a) unless the context otherwise requires, the general modifications specified in paragraph (3), and

(b) the modifications specified in Tables 2, 3 and 6 and Parts 2 and 3.

(3) The general modifications are—

(a) a reference to an election must be construed as including the referendum;

(b) a reference to a returning officer must be construed as including the counting officer;

(c) a reference to a constituency, an electoral division or a ward, or a reference to a voting area must be construed as including the referendum area;

(d) a reference to any local authority by or in respect of which an election is held must be construed as including the relevant council;

(e) a reference to voting for, or a vote for, a candidate must be construed as including voting for, or a vote for, an answer;

(f) a reference to promoting or procuring the election of a candidate, or furthering a person's candidature, must be construed as including promoting or procuring a particular result in the referendum;

(g) a reference to the return of a person must be construed as including a particular result in the referendum;

(h) a reference to a person voting as an elector must be construed as including a person voting on their own behalf;

(i) a reference to a person's entitlement as an elector to an absent vote must be construed as including a person's entitlement to vote by post on their own behalf or to vote by proxy;

(j) a reference to anything having been prescribed must be construed as including its being provided for by a provision of subordinate legislation applied by these Regulations;

(k) a form which is required to be used may be used with such variations as the circumstances require;

(l) a reference to the registration officer, in relation to a district, London borough, the Common Council of the City of London or the Isles of Scilly, includes a reference to the relevant registration officer appointed under section 8 or 203(4) of the 1983 Act, and for the purpose of the exercise of a registration officer's functions in relation to the referendum, section 52(1) to (4) (discharge of registration duties) and section 54(1), (3) and (4) (payment of expenses of registration) of that Act have effect;

- (m) any reference to an enactment or instrument made under an enactment must be construed as including that enactment or instrument as applied by these Regulations.