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DRAFT STATUTORY INSTRUMENTS

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**2016 No.**

The European Union Referendum (Conduct) Regulations 2016

PART 2

REGULATIONS FOR THE CONDUCT OF THE  
REFERENDUM IN THE UNITED KINGDOM

*The poll*

**Voting procedure**

**32.**—(1) In Northern Ireland a ballot paper must not be delivered to a voter unless the voter has produced a specified document to the presiding officer or a clerk.

(2) A clerk or presiding officer in Northern Ireland to whom a specified document is produced must not deliver a ballot paper to the voter if the clerk or officer decides that—

- (a) the document raises a reasonable doubt as to whether the voter is the elector or proxy he or she claims to be, or
- (b) the apparent age of the voter as compared with the date of birth supplied in pursuance of section 10(4A)(b), 10A(1A)(b) or 13A(2A)(b) of the 1983 Act<sup>(1)</sup> raises a reasonable doubt as to whether the voter is the elector or proxy he or she claims to be.

(3) Where such a decision is made by a clerk, the clerk must refer the case to the presiding officer, who must deal with it under this regulation as if the specified document had been produced to the officer in the first place.

The presiding officer must deal with the case in person (and accordingly regulation 19(3) does not apply).

(4) For the purposes of this regulation a specified document is one that for the time being falls within the following list—

- (a) a licence to drive a motor vehicle if the licence bears the photograph of the person to whom it is issued;
- (b) a passport issued by the Government of the United Kingdom or by the Government of the Republic of Ireland;
- (c) an electoral identity card, issued under section 13C of the 1983 Act<sup>(2)</sup>;
- (d) a Senior SmartPass issued under the Northern Ireland Concessionary Fares Scheme for use from 1st May 2002;

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(1) Section 10 was substituted, and sections 10A and 13A were inserted, by paragraphs 1, 4 and 6 of Schedule 1 to the Representation of the People Act 2000 (c.2). Subsection (4A) of section 10, subsection (1A) of section 10A and subsection (2A) of section 13A were inserted by section 1 of the Electoral Fraud (Northern Ireland) Act 2002 (c.13). Section 10(4A) was amended by paragraph 9(1) and (6) of Schedule 4 to the Electoral Registration and Administration Act 2013 (c.6).

(2) Section 13C was inserted by section 4 of the Electoral Fraud (Northern Ireland) Act 2002 (c.13).

- (e) a Blind Person’s SmartPass, issued under the Northern Ireland Concessionary Fares Scheme for use from 1st May 2002;
  - (f) a War Disabled SmartPass, issued under the Northern Ireland Concessionary Fares Scheme for use from 1st May 2002;
  - (g) a 60+ SmartPass issued under the Northern Ireland Concessionary Fares Scheme for use from 1st October 2008.
- (5) In paragraph (4)(a) “licence to drive a motor vehicle” means a licence granted under—
- (a) Part 3 of the Road Traffic Act 1972<sup>(3)</sup> or Part 3 of the Road Traffic Act 1988<sup>(4)</sup>, or
  - (b) the Road Traffic (Northern Ireland) Order 1981<sup>(5)</sup>,
- and includes a Community licence within the meaning of those enactments.
- (6) References in this regulation to producing a document are to producing it for inspection.

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<sup>(3)</sup> 1972 c.20. This Act was repealed by the Road Traffic (Consequential Provisions) Act 1988 (c.54).  
<sup>(4)</sup> 1988 c.52.  
<sup>(5)</sup> S.I. 1981/154.