

DRAFT STATUTORY INSTRUMENTS

2016 No.

The European Union Referendum (Conduct) Regulations 2016

PART 3

ABSENT VOTING IN THE REFERENDUM IN THE UNITED KINGDOM

CHAPTER 2

NORTHERN IRELAND

Absent voters lists

74.—(1) The registration officer must, for the purposes of the referendum, keep the two special lists mentioned in paragraphs (2) and (3) respectively.

(2) The first of those lists is a list (“the postal voters list”) of those within column 2 of the following table, together with the addresses provided as mentioned in column 3 as the addresses to which their ballot papers are to be sent.

	<i>Description of person voting by post</i>	<i>Address</i>
1	A person whose application under regulation 73(1) to vote by post in the referendum has been granted.	Address provided in the person’s application under regulation 73(1).
2	A person who— (a) is entitled to vote in the referendum and in a poll that is taken together with the referendum, (b) is shown in the absent voters list for that poll as voting by post, and (c) is not within entry 1 in this table or entry 1 in the table in paragraph (3).	Address provided in the application that gave rise to the person being included in the absent voters list or, if the person is included in more than one, the address provided in the latest of those applications.
3	A person who— (a) is for the time being shown in the record kept under section 6 of the 1985 Act as voting by post at parliamentary elections, and (b) is not within entry 1 or 2 of this table or entry 1 or 2 in the table in paragraph (3).	Address provided in the person’s application under section 6 of the 1985 Act or (as the case may be) regulation 73(5)(a).
4	A peer who— (a) is for the time being shown in the record kept under paragraph 1 of Schedule 2 to the Local Elections (Northern Ireland) Order 1985, (b) is not for the time being shown in the record kept under regulation 8 of the European Parliamentary Elections (Northern Ireland) Regulations 2004 as voting by post, or was included in that record	Address provided in the peer’s application under paragraph 1 of Schedule 2 to the Local Elections (Northern Ireland) Order 1985 or (as the case may be) regulation 73(5)(a).

	<i>Description of person voting by post</i>	<i>Address</i>
	before being included in the record mentioned in paragraph (a) above, and (c) is not within entry 1 or 2 of this table or entry 1 or 2 in the table in paragraph (3).	
5	A peer who— (a) is for the time being shown in the record kept under regulation 8 of the European Parliamentary Elections (Northern Ireland) Regulations 2004 as voting by post, (b) is not for the time being shown in the record kept under paragraph 1 of Schedule 2 to the Local Elections (Northern Ireland) Order 1985, or was included in that record before being included in the record mentioned in paragraph (a) above, and (c) is not within entry 1 or 2 in this table or entry 1 or 2 in the table in paragraph (3).	Address provided in the peer’s application under regulation 8 of the European Parliamentary Elections (Northern Ireland) Regulations 2004 or (as the case may be) regulation 73(5)(a).

(3) The second of the lists mentioned in paragraph (1) is a list (“the list of proxies”) of those within column 2 of the following table, together with the names and addresses of their proxies appointed as mentioned in column 3.

	<i>Description of person voting by proxy</i>	<i>Proxy</i>
1	A person (not within entry 1 in the table in paragraph (2)) whose application under regulation 73(1) or (5)(b) to vote by proxy in the referendum has been granted.	Proxy appointed under regulation 75.
2	A person who— (a) is entitled to vote in the referendum and in a poll that is taken together with the referendum, (b) is shown in the absent voters list for that poll as voting by proxy, and (c) is not within entry 1 in this table or entry 1 or 2 in the table in paragraph (2).	Proxy appointed for the purposes of that poll or, if there is more than one, the proxy appointed for the poll in respect of which the latest of the person’s applications to vote by proxy was made.
3	A person who— (a) is for the time being shown in the record kept under section 6 of the 1985 Act as voting by proxy at parliamentary elections, and (b) is not within entry 1 or 2 of this table or entry 1 or 2 in the table in paragraph (2).	Proxy appointed under section 8 of the 1985 Act(1) for parliamentary elections.
4	A peer who— (a) is for the time being shown in the record kept under paragraph 1 of Schedule 2 to the Local Elections (Northern Ireland) Order 1985 as voting by proxy, (b) is not for the time being shown in the record kept under regulation 8 of the European Parliamentary Elections (Northern Ireland) Regulations 2004 as	Proxy appointed under paragraph 3 of Schedule 2 to the Local Elections (Northern Ireland) Order 1985.

(1) Section 8 was amended by table (2) in Schedule 27 to the Finance Act 1985 (c.54); paragraphs 12 and 16 of Schedule 6 to the Representation of the People Act 2000 (c.2); paragraphs 7 and 8 of Schedule 2 to S.I. 1995/1948; and paragraph 7(1) and (3) of Schedule 4 to S.I. 2005/3129.

	<i>Description of person voting by proxy</i>	<i>Proxy</i>
	voting by proxy, or was included in that record before being included in the record mentioned in paragraph (a) above, and (c) is not within entry 1 or 2 of this table or entry 1, 2 or 5 in the table in paragraph (2).	
5	A peer who— (a) is for the time being shown in the record kept under regulation 8 of the European Parliamentary Elections (Northern Ireland) Regulations 2004 as voting by proxy, (b) is not for the time being shown in the record kept under paragraph 1 of Schedule 2 to the Local Elections (Northern Ireland) Order 1985 as voting by proxy, or was included in that record before being included in the record mentioned in paragraph (a) above, and (c) is not within entry 1 or 2 in this table or entry 1, 2 or 4 in the table in paragraph (2).	Proxy appointed under regulation 10 of the European Parliamentary Elections (Northern Ireland) Regulations 2004(2).

(4) In the case of a person who has an anonymous entry in a register, the postal voters list or list of proxies (as the case may be) must show in relation to the person only—

- (a) his or her electoral number, and
- (b) the date on which the person's entitlement to remain registered anonymously will terminate under section 9C(1A) of the 1983 Act(3) (in the absence of a further application under section 9B of that Act).

(2) Regulation 10 was amended by paragraph 2(1) and (3) of Schedule 9 to [S.I. 2005/2114](#).

(3) Section 9C was inserted by section 10(1) of the Electoral Administration Act 2006 (c.22). Subsection (1A) of section 9C was inserted by article 3(3)(b) of [S.I. 2014/1116](#).