
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations set the date of the referendum on whether the United Kingdom should remain a member of the European Union. They also prescribe the length of the referendum period, the start of the period for applications for becoming a designated organisation and periods for reporting of donations or regulated transactions. They extend to the whole of the United Kingdom and Gibraltar.

Regulation 3 sets 23rd June 2016 as the date of the referendum. The European Union Referendum Act 2015 (c.36) (“the 2015 Act”) provides that the referendum must take place no later than 31st December 2017. It may not be held on 5th May 2016 or 4th May 2017.

Regulation 4 prescribes the referendum period, which will begin with 15th April 2016. Under paragraph 1(2) of Schedule 1 to the 2015 Act the referendum period must not be less than 10 weeks and must end with the date of the referendum. The referendum period is relevant, in particular, to restrictions on incurring referendum expenses provided for in sections 117 and 118 and Schedule 14 of the Political Parties, Elections and Referendums Act 2000 (c.41) (“the 2000 Act”), which apply, as modified, for the referendum.

Regulation 5 prescribes 4th March 2016 as the start of the period in which applications can be made to become a designated organisation at the referendum. The process and effects of designation are set out in Part 7 of the 2000 Act, as modified by Schedule 1 to the 2015 Act. Paragraph 12 of Schedule 1 to the 2015 Act modifies section 109 of the 2000 Act, with the effect that the period for making an application for designation begins with the day prescribed in regulations. Section 109 of that Act sets out that the application period lasts for 28 days.

Regulation 6 and the Schedule set out periods for reporting, by permitted participants who are not registered parties or are minor parties, of donations or regulated transactions, for example loans, and the date on or before which reports must be delivered to the Electoral Commission. Where an individual or body which either is not a registered party or is a minor party becomes a permitted participant during a period set out in the Schedule, the report which is submitted to the Electoral Commission must cover that period but also every reporting period which preceded that period.

An impact assessment has not been produced for this instrument as any impact on the private or voluntary sectors is not significant.