

Status: Point in time view as at 05/05/2010.

Changes to legislation: Political Parties, Elections and Referendums Act 2000, SCHEDULE 12 is up to date with all changes known to be in force on or before 05 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 12

Section 110.

ASSISTANCE AVAILABLE TO DESIGNATED ORGANISATIONS

Right to send referendum address post free

- 1 (1) A designated organisation is, subject to such reasonable terms and conditions as the universal service provider concerned may specify, entitled to send free of any charge for postage which would otherwise be made by a universal service provider either—
- (a) one unaddressed postal communication, containing matter relating to the referendum only and not exceeding 60 grammes in weight, to each place in the referendum area which, in accordance with those terms and conditions, constitutes a delivery point for the purposes of this sub-paragraph; or
 - (b) one such postal communication addressed to each person entitled to vote at the referendum.
- (2) A designated organisation is also, subject to any such terms and conditions, entitled to send free of any such charge for postage to each person entered in the list of proxies for the referendum one such postal communication for each appointment in respect of which that person is so entered.
- (3) Section 200A of the ^{M1}Representation of the People Act 1983 (remuneration of universal service provider for free postal services rendered in relation to parliamentary elections) shall apply in relation to a postal service rendered by a universal service provider in pursuance of this paragraph as it applies in relation to a postal service rendered by such a provider in pursuance of that Act.
- (4) In this paragraph—
- “the referendum area” means the area throughout which the referendum is being held;
 - “universal service provider” has the same meaning as in the ^{M2}Postal Services Act 2000.
- (5) If this paragraph comes into force at a time when the amendments made to section 91 of the Representation of the People Act 1983 by the Postal Services Act 2000 have not come into force, then until such time as those amendments come into force, this paragraph shall have effect subject to such modifications as may be specified in the order under section 163 of this Act which brings this paragraph into force.

Commencement Information

- II** Sch. 12 wholly in force at 16.2.2001; Sch. 12 not in force at Royal Assent, see s. 163(2); Sch. 12 in force at 16.2.2001 by [S.I. 2001/222](#), art. 2, [Sch. 1 Pt. I](#) (subject to transitional provisions in [Sch. 1 Pt. II](#))

Marginal Citations

- M1** 1983 c. 2.

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M2 2000 c. 26.

Right to use rooms for holding public meetings

- 2 (1) Subject to the provisions of this paragraph, persons authorised by a designated organisation are entitled for the purpose of holding public meetings in furtherance of the organisation’s referendum campaign to the use free of charge, at reasonable times during the relevant period, of—
- (a) a suitable room in the premises of a school to which this paragraph applies in accordance with sub-paragraph (2);
 - (b) any meeting room to which this paragraph applies in accordance with sub-paragraph (3).
- For this purpose “the relevant period” means the period of 28 days ending with the day before the date of the poll.
- (2) This paragraph applies—
- (a) in England and Wales, to community, foundation and voluntary schools whose premises are situated in the referendum area, and
 - (b) in Scotland, to any school whose premises are so situated, other than an independent school within the meaning of the ^{M3}Education (Scotland) Act 1980.
- (3) This paragraph applies to meeting rooms situated in the referendum area the expense of maintaining which is payable wholly or mainly out of public funds or by any local authority, or by a body whose expenses are so payable.
- (4) Where a room is used for a meeting in pursuance of the rights conferred by this paragraph, the person by whom or on whose behalf the meeting is convened—
- (a) shall defray any expenses incurred in preparing, warming, lighting and cleaning the room and providing attendance for the meeting and restoring the room to its usual condition after the meeting; and
 - (b) shall defray any damage done to the room or the premises in which it is situated, or to the furniture, fittings or apparatus in the room or premises.
- (5) A person is not entitled to exercise the rights conferred by this paragraph except on reasonable notice; and this paragraph does not authorise any interference with the hours during which a room in school premises is used for educational purposes, or any interference with the use of a meeting room either for the purposes of the person maintaining it or under a prior agreement for its letting for any purpose.
- (6) For the purposes of this paragraph (except those of paragraph (b) of sub-paragraph (4)), the premises of a school shall not be taken to include any private dwelling, and in this paragraph—
- “dwelling” includes any part of a building where that part is occupied separately as a dwelling;
- “meeting room” means any room which it is the practice to let for public meetings; and
- “room” includes a hall, gallery or gymnasium.
- (7) In this paragraph “the referendum area” means the area throughout which the referendum is being held.
- (8) Neither this paragraph, nor paragraph 3, applies to Northern Ireland.

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Commencement Information

I2 Sch. 12 wholly in force at 16.2.2001; Sch. 12 not in force at Royal Assent, see s. 163(2); Sch. 12 in force at 16.2.2001 by S.I. 2001/222, art. 2, **Sch. 1 Pt. I** (subject to transitional provisions in **Sch. 1 Pt. II**)

Marginal Citations

M3 1980 c. 44.

Supplementary provisions about use of rooms for public meetings

- 3 (1) This paragraph has effect with respect to the rights conferred by paragraph 2 and the arrangements to be made for their exercise.
- (2) Any arrangements for the use of a room in school premises shall be made—
- (a) with the [^{F1}local authority] (or, in Scotland, education authority) maintaining the school, or
 - (b) in the case of a room in the premises of a foundation or voluntary aided school, with the governing body of the school.
- (3) Any question as to the rooms in school premises which a person authorised by a designated organisation is entitled to use, or as to the times at which he is entitled to use them, or as to the notice which is reasonable, shall be determined by the Secretary of State.
- (4) Any person authorised by a designated organisation is entitled at all reasonable hours to inspect—
- (a) any lists prepared in pursuance of paragraph 4 or 6 of Schedule 5 to the Representation of the ^{M4}People Act 1983 (use of rooms for parliamentary election meetings), or
 - (b) a copy of any such lists,
- in connection with exercising the rights conferred by paragraph 2.
- [^{F2}(5) In this paragraph “local authority” has the meaning given by section 579(1) of the Education Act 1996.]

Textual Amendments

- F1** Words in Sch. 12 para. 3(2)(a) substituted (5.5.2010) by The Local Education Authorities and Children’s Services Authorities (Integration of Functions) Order 2010 (S.I. 2010/1158), art. 1, **Sch. 2 para. 48(2)**
- F2** Sch. 12 para. 3(5) inserted (5.5.2010) by The Local Education Authorities and Children’s Services Authorities (Integration of Functions) Order 2010 (S.I. 2010/1158), art. 1, **Sch. 2 para. 48(3)**

Commencement Information

I3 Sch. 12 wholly in force at 16.2.2001; Sch. 12 not in force at Royal Assent, see s. 163(2); Sch. 12 in force at 16.2.2001 by S.I. 2001/222, art. 2, **Sch. 1 Pt. I** (subject to transitional provisions in **Sch. 1 Pt. II**)

Marginal Citations

M4 1983 c. 2.

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Referendum campaign broadcasts

- 4 (1) ^{F3}
- (2) ^{F3}
- (3) ^{F3}
- (4) ^{F3}
- (5) ^{F3}
- (6) The British Broadcasting Corporation [^{F4}shall have regard, in determining its policy with respect to referendum campaign broadcasts by designated organisations,] to any views expressed by the Electoral Commission for the purposes of this sub-paragraph.
- (7) In this paragraph—
- ^{F5}
- ^{F5}
- ^{F5}
- ^{F5}
- “referendum campaign broadcast” has the same meaning as in section 127.

Textual Amendments

- F3** Sch. 12 para. 4(1)-(5) repealed (29.12.2003) by Communications Act 2003 (c. 21), ss. 406, 408, 411(2), Sch. 19(1) (with Sch. 18, Sch. 19(1) Note 1); S.I. 2003/3142, art. 3(1), Sch. 1 (subject to art. 3(3) and with art. 11)
- F4** Words in Sch. 12 para. 4(6) substituted (29.12.2003) by Communications Act 2003 (c. 21), ss. 406, 408, 411(2), Sch. 17 para. 167(3) (with Sch. 18); S.I. 2003/3142, art. 3(1), Sch. 1 (subject to art. 3(3) and with art. 11)
- F5** Sch. 12 para. 4(7): definitions of "the 1990 Act", "licence", "licensed" and "the licensing body" repealed (29.12.2003) by Communications Act 2003 (c. 21), ss. 406, 408, 411(2), Sch. 19(1) (with Sch. 18, Sch. 19(1) Note 1); S.I. 2003/3142, art. 3(1), Sch. 1 (subject to art. 3(3) and with art. 11)

Commencement Information

- I4** Sch. 12 wholly in force at 16.2.2001; Sch. 12 not in force at Royal Assent, see s. 163(2); Sch. 12 in force at 16.2.2001 by S.I. 2001/222, art. 2, Sch. 1 Pt. I (subject to transitional provisions in Sch. 1 Pt. II)

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