
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Local Authorities (Conduct of Referendums) (England) Regulations 2012 (S.I. 2012/323) (“the 2012 Regulations”). Their main purpose is to apply, for the purposes of referendums relating to the governance arrangements of local authorities, changes that have been or are to be made to the legislation relating to the administration of parliamentary and local government elections.

Regulation 3 amends the definition of “the relevant register” for the purposes of calculating the limit on referendum expenses. The limit is now to be calculated by reference to the register of local government electors as it has effect at the beginning of the referendum period, rather than as it was after the canvass in the preceding year.

Regulations 4, 9, 12, 13 and 19 and Schedules 1 and 3 replace various forms and notices used at referendums.

Regulations 5 and 6 amend the Local Government Act Referendums Rules (Schedule 3 to the 2012 Regulations) to enable a community support officer to enter a polling station or a count venue on the same terms as a constable. Regulations 14 to 16 make equivalent changes to the Local Government Act Referendums (Combination of Polls) Rules (Schedule 5 to the 2012 Regulations).

Regulations 7 and 8 amend the Local Government Act Referendums Rules to allow a voter to vote (or return a postal vote) if he or she is in a polling station or in a queue outside a polling station at 10 p.m. on polling day for the purpose of voting (or returning the postal vote). Regulations 17 and 18 make equivalent changes to the Local Government Act Referendums (Combination of Polls) Rules.

Regulations 10 and 11 and Schedule 2 amend the tables in Schedule 4 to the 2012 Regulations that apply certain elections legislation for the purposes of referendums. The amendments are to take account of amendments made to the Representation of the People Act 1983 (c.2) by the Electoral Registration and Administration Act 2013 (c.6) and of amendments made to the Representation of the People (England and Wales) Regulations 2001 (S.I. 2001/341) by the Representation of the People (Description of Electoral Registers and Amendment) (England and Wales) Regulations 2013 (S.I. 2013/3198).

A full regulatory impact assessment has not been produced for this instrument because no impact, or no significant impact, on the private or voluntary sector is foreseen, other than that set out in the impact assessments for the Electoral Registration and Administration Act 2013.