
STATUTORY INSTRUMENTS

2016 No. 219

The European Union Referendum (Conduct) Regulations 2016

PART 2

**REGULATIONS FOR THE CONDUCT OF THE
REFERENDUM IN THE UNITED KINGDOM**

Action to be taken before the poll

Notification that certain electors entitled to absent vote

21.—(1) As soon as practicable after the publication of notice of the referendum, a registration officer must—

- (a) notify those peers who are within entry 2, 4 or 5 of the table in regulation [63\(2\)](#) or [74\(2\)](#) that they are entitled to vote by post in the referendum;
 - (b) notify those electors who are within entry 2, 3, 4 or 5 of the table in regulation [63\(3\)](#) or [74\(3\)](#) that they are entitled to vote by proxy in the referendum.
- (2) A notice given to a person under paragraph (1)(b) must—
- (a) in the case of a person within entry 2 of the table, state that the person’s entitlement to vote by proxy in the referendum arises by virtue of the person’s inclusion in the list of proxies for a specified poll mentioned in that entry;
 - (b) in the case of a person within entry 3 of the table, state that the person’s entitlement to vote by proxy in the referendum arises by virtue of the person’s inclusion in the record kept under paragraph 3 of Schedule 4 to the Representation of the People Act 2000(1) or (as the case may be) section 6 of the Representation of the People Act 1985(2) as voting by proxy at parliamentary elections;
 - (c) in the case of a peer within entry 4 of the table, state that the peer’s entitlement to vote by proxy in the referendum arises by virtue of the peer’s inclusion in the record kept under paragraph 3 of Schedule 4 to the Representation of the People Act 2000 or (as the case may be) paragraph 1 of Schedule 2 to the Local Elections (Northern Ireland) Order 1985(3) as voting by proxy;
 - (d) in the case of a peer within entry 5 of the table, state that the peer’s entitlement to vote by proxy in the referendum arises by virtue of the peer’s inclusion in the record kept under

(1) [2000 c.2](#). Paragraph 3 of Schedule 4 was amended by paragraph 164(1) and (2) of Schedule 27 to the Civil Partnership Act 2004 ([c.33](#)); section 14 of, and paragraphs 19, 20 137(1) and (4) of Schedule 1 to, the Electoral Administration Act 2006 ([c.22](#)); and sections 20(c)(i) and 34(5) of the Local Electoral Administration and Registration Services (Scotland) Act 2006 ([asp 14](#)).

(2) Section 6 was amended by section 1 of the Representation of the People Act 1990 ([c.32](#)); paragraph 134 of Schedule 1, and paragraphs 12 and 14 of Schedule 6, to the Representation of the People Act 2000 ([c.2](#)); section 3(1) and (2) of the Electoral Fraud (Northern Ireland) Act 2002 ([c.13](#)); paragraphs 7(1) and (2) of Schedule 4 to [S.I. 2005/3129](#); and article 5(1) and (3) of [S.I. 2014/1116](#).

(3) [S.I. 1985/454](#). Paragraph 1, together with the rest of Part 1 of Schedule 2, was substituted by article 5(5) of, and Schedule 2 to, [S.I. 1987/168](#).

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The European Union Referendum (Conduct) Regulations 2016. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

paragraph 3 of Schedule 2 to the European Parliamentary Elections Regulations 2004⁽⁴⁾ or (as the case may be) regulation 8 of the European Parliamentary Elections (Northern Ireland) Regulations 2004⁽⁵⁾ as voting by proxy.

Commencement Information

II Reg. 21 in force at 26.2.2016, see [reg. 1](#)

⁽⁴⁾ [S.I. 2004/293](#). Schedule 2 was substituted by regulation 40 of, and Schedule 3 to, [S.I. 2009/186](#).
⁽⁵⁾ [S.I. 2004/1267](#). Regulation 8 was amended by paragraph 2(1) and (2) of Schedule 9 to [2005/2114](#); regulation 7 of [S.I. 2009/813](#); and regulations 9 and 12 of [S.I. 2014/1803](#).

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Changes and effects yet to be applied to :

- Regulations modified by [S.I. 2016/220 art. 4\(4\)Sch. 2](#)
- Regulations power to modify conferred by [S.I. 2016/220 art. 3Sch. 1](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 1 para. 4(1)(ca) inserted by [S.I. 2016/636 reg. 3\(2\)\(a\)](#)