
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**

The poll

Tendered ballot papers

38.—(1) Tendered ballot papers must be a different colour from the other ballot papers.

(2) A person in Northern Ireland who marks a tendered ballot paper in reliance on Case 7 or 8 in regulation 37 must sign the paper, unless it is marked after an application was refused under regulation 35 or 36.

(3) If a tendered ballot paper is required to be signed under paragraph (2) and the paper is not signed, the paper is void.

(4) Tendered ballot papers must be given to the presiding officer instead of being put into the ballot box.

(5) On receiving a tendered ballot paper from a voter the presiding officer must endorse it with the voter's name and number on the register of electors.

(6) The presiding officer must set tendered ballot papers aside in a separate packet.

(7) The name and number on the register of electors of every voter whose vote is marked in pursuance of regulation 37 must be entered on a list (referred to in this Part as the "tendered votes list") and the voter must sign the list opposite the entry relating to him or her.

(8) In the case of a person voting as proxy for an elector, the number to be endorsed or entered together with the voter's name is the elector's number.

(9) In the case of an elector who has an anonymous entry, the references in paragraphs (5) and (7) to the name of the voter are to be ignored.

(10) In the case of a person in respect of whom a notice has been issued under section 13B(3B) or (3D) or 13BA(9) of the 1983 Act, the references in paragraphs (5) and (7) to the voter's number on the register of electors are to be read as references to the number relating to the voter on the notice.

(11) This regulation does not apply in relation to an elector who has an anonymous entry in a register maintained by the Chief Electoral Officer for Northern Ireland.

Commencement Information

II Reg. 38 in force at 26.2.2016, see [reg. 1](#)

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.

[View outstanding changes](#)

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\(2\)\(a\)](#)