Draft Regulations laid before Parliament under section 105(6) of the Local Government Act 2000, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2014 No. 0000

LOCAL GOVERNMENT, ENGLAND

The Local Authorities (Conduct of Referendums) (England) (Amendment) Regulations 2014

Made - - - - 2014

Coming into force in accordance with regulation 1

The Lord President of the Council makes these Regulations in exercise of the powers conferred by sections 9MG and 105 of the Local Government Act 2000(**a**).

In accordance with section 105(6) of that Act, a draft of these Regulations has been laid before and approved by a resolution of each House of Parliament.

Citation, commencement and application

1.—(1) These Regulations may be cited as the Local Authorities (Conduct of Referendums) (England) (Amendment) Regulations 2014.

(2) This regulation and regulations 2 (interpretation) and 3 (relevant register for the purposes of referendum expenditure) come into force on the day after the day on which these Regulations are made.

(3) The remainder of these Regulations come into force on 6th April 2014.

(4) Regulations 4 to 19 do not apply for the purposes of a referendum in respect of which the date of the poll specified in the statement published under regulation 4(1)(c) of the 2012 Regulations is on or before 21st May 2014.

(5) Regulation 3 does not apply for the purposes of a referendum in respect of which the referendum period begins on or before the day on which these Regulations are made.

(6) In paragraph (5) "referendum period" has the meaning given by regulation 2 of the 2012 Regulations.

Interpretation

2. In these Regulations "the 2012 Regulations" means the Local Authorities (Conduct of Referendums) (England) Regulations 2012(**b**) and, unless the context otherwise requires, a

(**a**) 2000 c.22. Section 9MG was inserted by section 22 of, and paragraph 1 of Schedule 1 to, the Localism Act 2011 (c.20). Relevant amendments were made to section 105(6) by section 22 of, and paragraphs 8 and 70 of Schedule 3 to, the Localism Act 2011. The power conferred on the Secretary of State by section 9MG was made exercisable concurrently by the Lord President of the Council and the Secretary of State by S.I. 2013/2597.

(**b**) S.I. 2012/323.

reference to a numbered regulation or Schedule is to the regulation or Schedule so numbered in those Regulations.

Amendments to the 2012 Regulations

3. In regulation 6 (general restriction on referendum expenses), in paragraph (1), for the definition of "the relevant register" substitute—

> ""the relevant register" means the register or registers of local government electors kept in accordance with section 9 of the 1983 Act(**a**) which has or have effect in the area of the local authority by which or as regards which the referendum is held on the day on which the referendum period begins (whether or not the persons to whom the entries relate are entitled to vote in the referendum."

4. In Schedule 3 (the Local Government Act Referendum Rules), in rule 12(1)(b) (notice of poll), after "referendum" insert ", using the words in the relevant paragraph in Schedule 1 to the Local Authorities (Conduct of Referendums) (England) Regulations 2012".

5. In Schedule 3, in rule 19 (notification of requirement of secrecy), after paragraph (1) insert—

> "(2) In this rule, a reference to a constable includes a person designated as a community support officer under section 38 of the Police Reform Act 2002 (police powers for employees)(**b**)."

6. In Schedule 3, in rule 21 (admission to polling station), after paragraph (4) insert—

> "(5) In this rule, a reference to a constable includes a person designated as a community support officer under section 38 of the Police Reform Act 2002 (police powers for employees)."

7. In Schedule 3, in rule 26 (voting procedure), after paragraph (5) insert—

> "(6) A voter or proxy who at the close of the poll is in the polling station, or in a queue outside the polling station, for the purpose of voting shall (despite the close of the poll) be entitled to apply for a ballot paper under paragraph (1); and these rules apply in relation to such a voter or proxy accordingly."

8. In Schedule 3, in rule 36 (the count), after paragraph (3) insert—

> "(3A) A postal ballot paper or postal voting statement that reaches the counting officer or a polling station on or after the close of the poll is treated for the purposes of paragraph (3) as reaching that officer or polling station before the close of the poll if it is delivered by a person who, at the close of the poll, is in the polling station, or in a queue outside the polling station, for the purpose of returning it."

9. In Schedule 3, in the Appendix of Forms, for the forms with the following headings substitute the corresponding forms in Schedule 1 to these Regulations—

(a) Form of Postal Voting Statement;

(b) Official Poll Card (to be sent to a voter voting in person);

(c) Official Postal Poll Card (to be sent to a voter voting by post);

(d) Official Proxy Poll Card (to be sent to an appointed proxy voting in person);

(e) Official Proxy Postal Poll Card (to be sent to an appointed proxy voting by post);

(f) Form of directions for the guidance of the voters and proxies in voting;

(g) Form of Certificate of Employment;

(**a**) Regulation 2 of the 2012 Regulations defines "the 1983 Act" as the Representation of the People Act 1983 (c.2). Section 9 was substituted by paragraphs 1 and 3 of Schedule 1 to the Representation of the People Act 2000 (c.2).

(**b**) 2002 c.30; section 38 was amended by section 120 of, and paragraphs 179 and 181 of Schedule 4 and Part 2 of Schedule 17 to, the Serious Organised Crime and Police Act 2005 (c.15), section 7 of, and paragraphs 1 and 2 of Schedule 5 to, the Police and Justice Act 2006 (c.48), paragraph 125 of Schedule 7 and Part 13 of Schedule 8 to the Policing and Crime Act 2009 (c.26) and paragraphs 277 and 292 of Schedule 16 to the Police Reform and Social Responsibility Act 2011 (c.13).

(h) Form of declaration to be made by the companion of a voter or proxy with disabilities.

10. In Schedule 4 (application, with modifications, of Acts and subordinate legislation), in table 1 (Representation of the People Act 1983), before the entry for section 13B insert—

"Section 13AB (alteration of registers: interim publication dates)(**a**)	After "election", in each place, insert "or referendum"
	In subsection (5), for the words from "is the last day" to the end, substitute "is the 19th working day before the day of the referendum; and in this subsection "working day" means a day which is not a day mentioned in regulation 18(2) of the Local Authorities (Conduct of Referendums) (England) Regulations 2012." After subsection (8) insert— "(8A) This section also applies to referendums.""

11. In Schedule 4, in table 6 (Representation of the People (England and Wales) Regulations 2001(**b**)—

(a) in the appropriate places, insert the entries in the table in Schedule 2 to these Regulations;

(b) in the entry for regulation 4 (forms)(**c**), for the words in the first column substitute "Regulation 4(1)(b) (forms) and, in so far as it gives effect to Forms E and K in Schedule 3, regulation 4(2)";

(c) in the entry for regulation 56 (closing date for applications)(**d**), in the second column, opposite that enty, for "(5)" substitute "(5A)";

(d) omit the entries for regulations 85 (procedure in relation to postal voting statements) and 85B (postal voting statements: additional personal identifier verification)(**e**);

(e) in the entry for regulation 91 (forwarding of documents)(**f**), in the second column, opposite that entry, for the modification that inserts paragraph (2A) substitute—

"After paragraph (3A) insert—

"(3B) In the case of a referendum, the documents to be forwarded under paragraphs (1) and (3A)(a) are to be forwarded to the registration officer of the local authority by or in respect of which the referendum is to be held.""

12. In Schedule 5 (the Local Government Act Referendums (Combination of Polls) Rules), in rule 12(1)(b) (notice of poll), after "referendum" insert ", using the words in the relevant paragraph in Schedule 1 to the Local Authorities (Conduct of Referendums) (England) Regulations 2012".

13. In Schedule 5, in rule 17 (equipment of polling stations), for paragraph (10) substitute—

"(10) In every compartment of every polling station there must be exhibited the notice—

"*PARLIAMENTARY ELECTION

([*Specify colour*] ballot paper)

Vote for ONLY ONE CANDIDATE by putting a cross [X} in the box next to your choice.

*EUROPEAN PARLIAMENTARY ELECTION

([*Specify colour*] ballot paper)

(**a**) Section 13AB was inserted by section 16 of the Electoral Registration and Administration Act 2013 (c.6).
(**b**) S.I. 2001/341.
(**c**) Regulation 4 of the Representation of the People (England and Wales) Regulations 2001 was amended by S.I. 2013/3198.
(**d**) Regulation 56 was amended by S.I. 2001/1700, 2006/752, 2006/2910 and 2013/3198.
(**e**) Regulations 85 and 85B were revoked by S.I. 2013/3198.
(**f**) Regulation 91 was amended byS.I. 2006/752, 2006/2910 and 2013/3198.

Vote ONLY ONCE by putting a cross [X} in the box next to your choice.

*[*Specify name of council*] COUNCIL ELECTION

([*Specify colour*] ballot paper)

*[Vote for NO MORE THAN … CANDIDATES by putting a cross [X] in the box next to EACH of your choices]

*[Vote ONLY ONCE by putting a cross [X] in the box next to your choice].

*ELECTION OF THE MAYOR OF LONDON

([*Specify colour*] ballot paper

#On the ballot paper for the election of the Mayor, vote ONCE for your first choice and ONCE for your second choice.

*ELECTION OF THE LONDON ASSEMBLY

#On the constituency members ballot paper [(*specify colour*)] vote for ONE candidate only.

#On the London members ballot paper [(*specify colour*)] vote for ONE party or individual candidate only.

*REFERENDUM ON HOW [*specify name of Council*] COUNCIL IS RUN.

([*Specify colour*] ballot paper)

Vote ONLY ONCE by putting a cross [X] in the box next to your choice.

*[*Specify other*] ELECTION/REFERENDUM

([*Specify colour*] ballot paper)

*[*Specify voting instructions in accordance with the legislation governing the election or referendum*]

PUT NO OTHER MARK ON THE BALLOT PAPER OR YOUR VOTE MAY NOT COUNT

*[PLEASE DO NOT FOLD THE BALLOT PAPERS FOR [*specify the election(s) and/or referendum(s) at which the votes are to be counted electronically*]. Post them, face downwards, in the [*appropriate] ballot box.]

**Complete or omit as necessary.*

#Alternatively, insert such information as the GLRO may decide.""

14. In Schedule 5, make the existing rule 20 (notification of requirement of secrecy in respect of polling stations) paragraph (1) of that rule and after it insert—

"(2) In this rule, a reference to a constable includes a person designated as a community support officer under section 38 of the Police Reform Act 2002 (police powers for employees)."

15. In Schedule 5, make the existing rule 21 (notification of requirement of secrecy in respect of the count) paragraph (1) of that rule and after it insert—

"(2) In this rule, a reference to a constable includes a person designated as a community support officer under section 38 of the Police Reform Act 2002 (police powers for employees)."

16. In Schedule 5, in rule 23 (admission to polling station), after paragraph (4) insert—

"(5) In this rule, a reference to a constable includes a person designated as a community support officer under section 38 of the Police Reform Act 2002 (police powers for employees)."

17. In Schedule 5, in rule 28 (voting procedure), after paragraph (5) insert—

"(5A) A voter or proxy who at the close of the poll is in the polling station, or in a queue outside the polling station, for the purpose of voting shall (despite the close of the poll) be entitled to apply for a ballot paper under paragraph (1); and these rules apply in relation to such a voter or proxy accordingly."

18. In Schedule 5, in rule 38 (the count), after paragraph (5) insert—

"(5A) A postal ballot paper or postal voting statement that reaches the relevant returning or counting officer or a polling station on or after the close of the poll is treated for the purposes of paragraph (5) as reaching that officer or polling station before the close of the poll if it is delivered by a person who, at the close of the poll, is in the polling station, or in a queue outside the polling station, for the purpose of returning it."

19. In Schedule 5, in the Appendix of Forms—

(a) for the forms with the following headings, substitute the corresponding forms in Schedule 3 to these Regulations—

(i) Form of Postal Voting Statement (for use where there is a joint issue and receipt of postal ballot papers);

(ii) Form of Postal Voting Statement (for use when a referendum poll is combined with another poll but the postal ballot papers are not combined);

(iii) Form of directions for the guidance of the voters and proxies in voting;

(iv) Form of declaration to be made by the companion of a voter or proxy with disabilities;

(b) for the forms with the following headings substitute the corresponding forms in Schedule 1 to these Regulations—

(i) Official Poll Card (to be sent to a voter voting in person);

(ii) Official Postal Poll Card (to be sent to a voter voting by post);

(iii) Official Proxy Poll Card (to be sent to an appointed proxy voting in person);

(iv) Official Proxy Postal Poll Card (to be sent to an appointed proxy voting by post);

(v) Form of Certificate of Employment.

Signed by authority of the Lord President of the Council

Name
Minister of State
Cabinet Office

Date

SCHEDULE 1

Regulation 9

FORMS FOR LOCAL GOVERNMENT ACT REFERENDUMS

Form of Postal Voting Statement

Postal voting statement

[Space for barcode]

Referendum on how *[insert name of council]* Council is run

Date of referendum ***[day] [date] [month] [year]***

Important – you must fill in and return this postal voting statement with your completed ballot paper for it to be counted.

Please read the instructions carefully and use a black pen.

* Name_____ Ballot paper number_____

* *Counting Officer to insert name but omit where sent to an anonymous voter*

(!) Check that the number on the back of your ballot paper matches the number shown above. If they do not match, call us **immediately** on (*insert helpline number*).

I am the person the ballot paper numbered above was sent to.

My Date of Birth is: ☐☐ ☐☐ ☐☐☐☐

Day Month Year

* **My Signature is: (You must sign inside the box)**
* *Counting Officer to omit box where the voter has been granted a waiver*

We will check this information against our records for security.

It is an offence to vote using a ballot paper that was not sent for your use or interfere with another voter's ballot paper. It is an offence to vote more than once at the same referendum (unless you are appointed as a proxy).

Counting Officer to add pictorial guidance as appropriate.

Instructions for voting by post

Please read through carefully. If you need help, please call us on *[insert helpline number]*

1. For your vote to be counted, you must fill in and return this postal voting statement with your ballot paper.
2. Make sure you have filled in the **date of birth *[and signature] box[es]** on this postal voting statement.
   **Counting Officer to delete where voter has been granted a waiver.*
3. Vote **only once** by putting a cross ☒ in the box next to your choice.
4. Do not mark the ballot paper in any other way or your vote may not count.
5. We must get your postal vote by **10pm on *[day] [date of poll]***. If you miss the post, you can hand it in at our office or at any polling station used for the referendum before **10pm on *[day] [date of poll]***.
6. After receiving this postal vote, you cannot vote in person at a polling station in this referendum.

Getting help

- If you need help to vote, you can ask someone you know or get independent help by calling the helpline on *[insert helpline number]*. The person helping you must not tell anyone how you voted.
- Please call the helpline if you require copies of this form or guidance in Braille or languages other than English.
- If you make a mistake, or lose your postal ballot paper or this statement, you can get a replacement. Call us immediately as **we can only issue a replacement before 5pm on *[day] [date] [month]***. If you apply after 5pm on ***[day before poll]*** we can only issue a replacement if you return this ballot pack by hand.

Electoral fraud is a crime. It is an offence to vote more than once at the same referendum (unless you are voting on your own behalf and as a proxy for another person).

The Counting Officer issued this statement.
Counting Officer to add pictorial guidance as appropriate.

Official Poll Card (to be sent to a voter voting in person)

Front of card

Poll card

Referendum on how *[insert name of council]* Council is run

Date of referendum ***[day] [date] [month] [year]***

Voting information	
Polling day	
Voting hours	
Your polling station will be	

Please turn over

Your details:

* *[Voter's name and qualifying address details here]*

* *Counting Officer to omit where poll card sent to an anonymous voter. Poll card to an anonymous voter must be delivered in a sealed envelope*

Number on register:

** [You do not need to take this card with you in order to vote.]

** [You must have this card with you. You cannot vote without it.]

** *If anonymous voter omit the words in the first set of brackets, if not omit the words in the second set of brackets.*

[Insert helpline and other details including website].

Back of card

This space for map or other information such as helpline and website details

It is an offence to:

- vote more than once at the same referendum, unless you are voting on your own behalf and as a proxy for another person
- vote as a proxy at the same referendum for more than two people, unless you are their spouse, civil partner, parent, grandparent, brother, sister, child or grandchild
- vote as a proxy for someone if you know that by law they are not allowed to vote

If you need any help or to find out if your polling station is accessible, please contact us.
[Counting Officer to add contact details including website if appropriate]

If undelivered return to:
[Insert return address]

If you are away or cannot go to the polling station on *[day] [date of poll]* you can do one of the following:

- Apply to vote by post. Completed applications must reach us **before 5pm on *[day] [date of deadline]***. If you are given a postal vote, you will not be able to vote in person at this referendum.

OR

- Apply to vote by proxy (this means someone else can vote on your behalf). Completed applications must reach us **before 5pm on *[day] [date of deadline]***. If you appoint a proxy, you can vote if you wish, but only if your proxy has not already voted on your behalf and has not got a postal vote for you.

If after 5pm on *[the sixth day before the date of the poll]* you are unable to vote in person because you:

- **Have a medical emergency, or**
- **Learn you cannot go to the polling station because of work reasons**

You can apply to vote by proxy. Completed applications must reach us **before 5pm on *[day] [date of deadline]***. To find out how to apply, call the helpline immediately.

The Counting Officer issued this card.

Official Postal Poll Card (to be sent to a voter voting by post)

Front of card

Postal poll card

Referendum on how *[insert name of council]* Council is run

Date of referendum ***[day] [date] [month] [year]***

Voting information

We will send your postal vote around *[day] [date] [month] [year]* *[addressed to:]

**[Voter's name and address]*

Your details:

* *[Voter's name and qualifying address details here]*

* *Counting Officer to omit in both places where poll card sent to an anonymous voter. Poll card to an anonymous voter must be delivered in a sealed envelope*

Number on register:

Your postal vote

- You will receive a postal vote for this referendum because you asked to vote by post.
- You will not be able to vote in a polling station.
- **If you have not received your postal vote by *[day] [date] [month]* call *[insert helpline number]*.**

Please turn over

Back of card

How to vote

1. When you receive your postal vote, read the instructions carefully.
2. Your postal vote includes your ballot paper and a postal voting statement.
3. Complete both of these and return them immediately.
4. We need to receive your postal vote by **10pm on *[day/date of poll]***.

If you need information in another format, please call our helpline below.

If you need help to vote, you can ask someone you know or get independent help by calling our helpline:

[Insert helpline and other details including website]

If you lose your postal vote or make a mistake

- Please phone the helpline immediately.
- We can only issue a replacement postal vote **before 5pm on *[day/date of deadline]***.

If you would rather vote in person, or ask someone else to vote on your behalf, you must cancel your postal vote **before 5pm on *[day/date of deadline]***. For more information, please call the helpline.

It is an offence to:

- vote using a ballot paper that was not sent for your use or interfere with another voter's ballot paper
- vote more than once at the same referendum, unless you are voting on your own behalf and as a proxy for another person
- vote as a proxy at the same referendum for more than two people, unless you are their spouse, civil partner, parent, grandparent, brother, sister, child or grandchild
- vote as a proxy for someone if you know that by law they are not allowed to vote

The Counting Officer issued this card.

If undelivered return to
[Insert return address]

Official Proxy Poll Card (to be sent to an appointed proxy voting in person)

Front of card

Proxy poll card

Referendum on how *[insert name of council]* Council is run

Date of referendum ***[day] [date] [month] [year]***

Voting information	
Polling day	
Voting hours	
Your polling station will be	

Please turn over

Your details:

* *[Proxy's name and qualifying address details here]*

* *Counting Officer to omit where poll card sent to the proxy of an anonymous voter. Poll card to proxy of an anonymous voter must be delivered in a sealed envelope.*

You will receive a proxy vote

** [The person named on the back of this card] [Another person] has appointed you as a proxy to vote on their behalf at this election.

** [You do not need to take this card with you to vote.] [You must have this card with you when you vote. You cannot vote as a proxy without it.]

** *If sent to the proxy of an anonymous voter omit the words in each of the first sets of brackets, if not omit the words in each of the second sets of brackets.*

[Insert helpline and other details including website].

Back of card

For this referendum you are proxy for:

† *[(Voter's name)*
(Voter's address)
(Voter's number on register)]
[the person with this elector number: (*Insert voter's number on register*)]

† *If anonymous voter omit the words in the first set of square brackets, if not omit the words in the second set of square brackets*

The person you are proxy for can vote themselves if they wish – but only if you have not already voted on their behalf.

This space for map or other information such as helpline and website details

If you need any help or to find out if your polling station is accessible, please contact us.
[Counting Officer to add contact details including website if appropriate]

How to vote as a proxy

1. † [At the polling station, tell the staff that you are a proxy for the person named above. They will give you that person's ballot paper.] †[At the polling station, ask to speak to the presiding officer and show them this card. They will give you the ballot paper of the person you are proxy for.]
   † *If anonymous voter omit the words in the first set of square brackets, if not omit the words in the second set of square brackets*
2. Go to one of the voting booths.
3. Follow the instructions on how to mark the ballot paper.
4. Fold the ballot paper and put in the ballot box

If you need any help, just ask the staff.

If you are away or cannot go to the polling station on *[day] [date of poll]*

- You can apply to vote by post. The deadline for completed applications is **5pm on *[day] [date of deadline]***.
- If you are given a postal vote, you or the person you are proxy for will not be able to vote in person at this referendum.
- **To find out how to apply, please call us on *[insert helpline number or other contact details].***

It is an offence to:

- vote more than once at the same referendum, unless you are voting on your own behalf and as a proxy for another person
- vote as a proxy at the same referendum for more than two people, unless you are their spouse, civil partner, parent, grandparent, brother, sister, child or grandchild
- vote as a proxy for someone if you know that by law they are not allowed to vote

The Counting Officer issued this card.

If undelivered return to
[Insert return address]

Official Proxy Postal Poll Card (to be sent to an appointed proxy voting by post)

Front of card

Proxy postal poll card

Referendum on how *[Insert name of council]* Council is run

Date of referendum ***[day] [date] [month] [year]***

Voting information

We will send your postal vote around *[day] [date] [month] [year]* *[addressed to:]

** [Proxy's name and qualifying address details here]*

** Counting Officer to omit where poll card sent to the proxy of an anonymous voter. Poll card to proxy of an anonymous voter must be delivered in a sealed envelope.*

Voting as a proxy

** [The person named on the back of this card] [Another person] has appointed you as a proxy to vote on their behalf at this referendum.

** *If sent to the proxy of an anonymous voter omit the words in the first set of brackets, if not omit the words in the second set of brackets.*

Your postal vote

- You will receive a postal vote for this referendum because you asked to vote by post.
- You will not be able to vote as a proxy in a polling station.
- **If you have not received your postal vote by *[day] [date] [month]* call *[insert helpline number].***

Please turn over

Back of card

For this referendum you are proxy for:

** [(Voter's name)*
(Voter's address)
(Voter's number on register)]

[the person with this elector number: (*Insert voter's number on register*)]

** If anonymous voter omit the words in the first set of square brackets, if not omit the words in the second set of square brackets*

How to vote

1. When you receive your postal vote, read the instructions carefully.
2. Your postal vote includes your ballot paper and a postal voting statement.
3. Complete both of these and return them straight away.
4. We need to receive your postal vote by **10pm on *[day/date of poll]***.

If you need information in another format, please call our helpline below.

If you need help to vote, you can ask someone you know or get independent help by calling our helpline:

[insert helpline or other details including website]

If you lose your postal vote or make a mistake

- Please phone the helpline immediately.
- We can only issue a replacement postal vote before **5pm on *[day/date of deadline]***.

If you would rather vote in person, you must cancel your postal vote before **5pm on *[day/date of deadline]***. For more information, please call the helpline.

It is an offence to:

- vote using a ballot paper that was not sent for your use or interfere with another voter's ballot paper
- vote more than once at the same referendum, unless you are voting on your own behalf and as a proxy for another person
- vote as a proxy at the same referendum for more than two people, unless you are their spouse, civil partner, parent, grandparent, brother, sister, child or grandchild
- vote as a proxy for someone if you know that by law they are not allowed to vote

The Counting Officer issued this card.

If undelivered return to
[Insert return address]

Form of directions for the guidance of the voters and proxies in voting

How to vote at this referendum

1	Go to the desk and tell the staff your name and address. They will give you your ballot paper.	
2	Take your ballot paper to a voting booth.	
3	Read the instructions in the booth and mark your ballot paper.	
4	When you have marked your ballot paper, fold it so that nobody can see how you have voted.	
5	Put your folded ballot paper into the ballot box.	

(!) Voting is secret. Do not let anyone see how you have voted.
If you make a mistake or need some help, just ask the staff.

Form of Certificate of Employment

Certificate of Employment

Referendum on how *[insert name of council]* Council is run

Voting area of *[insert name of voting area]*

Date of referendum *[day] [date] [month] [year]*

The person named below is entitled to vote at any polling station in the above voting area on production and surrender of this certificate to the Presiding Officer

I certify that _____ (name of voter)
who is numbered* _____ in the register of electors for the voting area named above, cannot reasonably be expected to go in person to the polling station allotted to them at this referendum by reason of his/her employment on the above date for a purpose connected with this referendum:

– as a constable**
– as a Police Community Support Officer**
– by me (Only applies to Counting Officer's staff)**

Signature _____ Counting Officer/Police Officer *(Inspector or above)***

Date _____

* The voter's number can be found on the poll card which was sent to them shortly after the referendum was announced, or can be checked by contacting the Electoral Registration Officer.

** Person completing the form to delete whichever does not apply.

Form of declaration to be made by the companion of a voter or proxy with disabilities

Declaration for the companion of a voter with disabilities	
Referendum on how *[insert name of council]* Council is run	
Date of referendum *[day] [date] [month] [year]*	
A voter with disabilities is a voter who has made a declaration that he or she is so incapacitated by his or her blindness or other disability, or by his or her inability to read, as to be unable to vote at this referendum without assistance. In this form, "voter" means the person casting the vote at the referendum and includes a person voting as a proxy.	
Part 1 To be completed by the voter's companion	
Companion's name	
Companion's address	
Voter's name	
[*Only for use if the disabled voter is acting as a proxy*] Voter is acting as proxy for:	
Elector's number [*If the disabled voter is acting as a proxy, this is the number of the person for whom the voter is acting*]	
I have been requested to assist the voter named above to record their vote at this referendum. I declare that: **(1)** • I am entitled to vote as a voter at this referendum **or** • I am the *spouse/*civil partner/*parent/*brother/*sister/*child of the voter with disabilities and am 18 years of age or over **Please delete whichever does not apply* **AND** **(2)** • I have not previously assisted more than one voter with disabilities at this referendum. If I have assisted one other voter their name and address is:	
[*Complete if appropriate*] Name and address of other person assisted	
NOTE – It is a criminal offence to knowingly make a false statement in this form.	

Part 2 To be completed by the Presiding Officer			
I, the undersigned, being the Presiding Officer for:			
Polling station		Voting area of	
Hereby certify that the above declaration was signed in my presence.		Presiding Officer signature	
Date		Time (exact)	

SCHEDULE 2

Regulation 11(a)

APPLICATION, WITH MODIFICATIONS, OF OTHER SUBORDINATE LEGISLATION

Provision	*Modification*
Regulation 55A (additional requirements for applications for an emergency proxy vote in respect of a particular election)(**a**)	
Regulation 60B (requirement to provide fresh signatures following rejection of a postal voting statement)(**b**)	
Regulation 61C (notification of a rejected postal voting statement)(**c**)	
Regulation 78A (cancellation of postal ballot papers)(**d**)	In paragraph (1), for "after the final nomination day at a parliamentary or local government election" substitute "during the referendum period in respect of a referendum". Omit paragraph (5).
In Schedule 3, Form K(**e**)	For "Representation of the People Acts" substitute "Local Authorities (Conduct of Referendums) (England) Regulations". For "Parliamentary Election" substitute "Local Government Act Referendum".

SCHEDULE 3

Regulation 19

FORMS FOR LOCAL GOVERNMENT ACT REFERENDUMS COMBINED WITH OTHER POLLS

Form of Postal Voting Statement (for use where there is joint issue and receipt of postal ballot papers)

(**a**) Regulation 55A was inserted by S.I. 2013/3198.
(**b**) Regulation 60B was inserted by S.I. 2013/3198.
(**c**) Regulation 61C was inserted by S.I. 2013/3198.
(**d**) Regulation 78A was inserted by S.I. 2013/3198.
(**e**) Form K was substituted by S.I. 2006/2910 and amended by S.I. 2013/3198.

Postal voting statement

[Space for barcode]

Referendum on how *[insert name of council]* Council is run
[Relevant Returning or Counting Officer to insert title(s) of other elections and referendums as appropriate]

Date of [election(s) and] referendum(s) ***[day] [date] [month] [year]***

Important – you must fill in and return this postal voting statement with your completed ballot papers for them to be counted.

Please read the instructions carefully and use a black pen.

* Name_____ Ballot paper numbers_____

* *Relevant Returning or Counting Officer to insert name but omit where sent to an anonymous voter*

(!) Check that the numbers on the backs of your ballot papers match the numbers shown above. If they do not match, call us **immediately** on (*insert helpline number*).

I am the person the ballot papers numbered above were sent to.

My Date of Birth is: ☐☐ ☐☐ ☐☐☐☐

Day Month Year

* **My Signature is: (You must sign inside the box)**
* *Relevant Returning or Counting Officer to omit box where the voter has been granted a waiver*

We will check this information against our records for security.

It is an offence to vote using a ballot paper that was not sent for your use or interfere with another voter's ballot paper. It is an offence to vote more than once at the same [election or] referendum (unless you are appointed as a proxy).

Relevant Returning or Counting Officer to add pictorial guidance as appropriate.

Instructions for voting by post

Please read through carefully. If you need help, please call us on *[insert helpline number]*

- For your votes to be counted, you must fill in and return this postal voting statement with **all** your ballot papers (listed below).
- Make sure you have filled in the **date of birth *[and signature] box[es]** on this postal voting statement.
  **Relevant Returning or Counting Officer to delete where voter is granted a waiver.*

*** UK Parliamentary election (*[insert colour]* ballot paper)**

- [Vote for **only one candidate** by putting a cross ☒ in the box next to your choice.]

*** European Parliamentary election (*[insert colour]* ballot paper)**

- [Vote **only once** by putting a cross ☒ in the box next to your choice.]

*** [Local government election]/[Parish/Town council election] (*[insert colour]* ballot paper)**

- [Vote **for only one candidate** by putting a cross ☒ in the box next to your choice.]
- [Vote for **no more than ___ candidates** by putting a cross ☒ in the box next to **each** of your choices.]

*** London Assembly constituency members election (*[insert colour]* ballot paper)**

- [Vote for **only one candidate** by putting a cross ☒ in the box next to your choice.]

London Assembly London members election (*[insert colour]* ballot paper)

- [Vote **only once** by putting a cross ☒ in the box next to your choice.]

*** London Mayoral election (*[insert colour]* ballot paper)**

- [Vote for **only one candidate** by putting a cross ☒ in the box next to your choice.]
- [Vote by putting a cross ☒ in the box
  In column 1 next to your first choice candidate
  In column 2 next to your second choice candidate
  Your first and second choices should be different.]

*** Referendum on how *[insert name of council]* Council is run *([insert colour]* ballot paper)**

- Vote **only once** by putting a cross ☒ in the box next to your choice.

*** *[Specify other]* election/referendum (*[insert colour]* ballot paper)**

- [*Specify voting instructions in accordance with the legislation governing the election or referendum.*]

** Relevant Returning or Counting Officer to add/amend as appropriate.*

(!) Do not mark the ballot papers in any other way or your votes may not count.

(!) We must get your postal vote by **10pm on *[day] [date of poll]***. If you miss the post, you can hand it in at our office or at any polling station in the _____ area before **10pm on *[day] [date of poll]***.

(!) After receiving this postal vote, you cannot vote in person at a polling station in [this] [these] [election(s) and] referendum(s).

Getting help

- If you need help to vote, you can ask someone you know or get independent help by calling the helpline on *[insert helpline number]*. The person helping you must not tell anyone how you voted.
- Please call the helpline if you require copies of this form or guidance in Braille or languages other than English.
- If you make a mistake, or lose your postal ballot papers or this statement, you can get a replacement. Call us immediately as **we can only issue a replacement before 5pm on *[day] [date] [month]***. If you apply after **5pm on *[day before poll]*** we can only issue a replacement if you return this ballot pack by hand.

Electoral fraud is a crime. It is an offence to vote more than once at the same [election or] referendum (unless you are voting on your own behalf and as a proxy for another person).

The [Counting / Returning] Officer issued this statement.
Relevant Returning or Counting Officer to add pictorial guidance as appropriate.

Form of Postal Voting Statement (for use when a referendum poll is combined with another poll but the postal ballot papers are not combined)

Postal voting statement	*[Space for barcode]*

Referendum on how *[insert name of council]* Council is run

Date of referendum ***[day] [date] [month] [year]***

Important – you must fill in and return this postal voting statement with your completed ballot paper for it to be counted.

Please read the instructions carefully and use a black pen.

* Name_____ Ballot paper number_____

* *Counting Officer to insert name but omit where sent to an anonymous voter*

(!) Check that the number on the back of your ballot paper matches the number shown above. If these do not match, call us **immediately** on (*insert helpline number*).

I am the person the ballot paper numbered above was sent to.

My Date of Birth is: ☐☐ ☐☐ ☐☐☐☐

Day Month Year

* **My Signature is: (You must sign inside the box)**

* *Counting Officer to omit box where the voter has been granted a waiver*

We will check this information against our records for security.

It is an offence to vote using a ballot paper that was not sent for your use or interfere with another voter's ballot paper. It is an offence to vote more than once at the same referendum (unless you are appointed as a proxy).

Counting Officer to add pictorial guidance as appropriate.

Instructions for voting by post

Please read through carefully. If you need help, please call us on *[insert helpline number]*

- For your vote to be counted, you must fill in and return this postal voting statement with your ballot paper for the **Referendum on how *[insert name of council]* Council is run**
- Make sure you have filled in the **date of birth *[and signature] box[es]** on this postal voting statement.
  **Counting Officer to delete where voter is granted a waiver.*

Referendum on how *[insert name of Council]* Council is run *([insert colour]* ballot paper)

- Vote **only once** by putting a cross ☒ in the box next to your choice.
- Do not mark the ballot paper in any other way or your vote may not count.
- We must get your postal vote by **10pm on *[day] [date of poll]***. If you miss the post, you can hand it in at our office or at any polling station used for the referendum before **10pm on *[day] [date of poll]***.
- After receiving this postal vote, you cannot vote in person at a polling station in this referendum.

Getting help

- If you need help to vote, you can ask someone you know or get independent help by calling the helpline on *[insert helpline number]*. The person helping you must not tell anyone how you voted.
- Please call the helpline if you require copies of this form or guidance in Braille or languages other than English.
- If you make a mistake, or lose your postal ballot paper or this statement, you can get a replacement. Call us immediately as **we can only issue a replacement before 5pm on *[day] [date] [month]***. If you apply after **5pm on *[day before poll]*** we can only issue a replacement if you return this ballot pack by hand.

Electoral fraud is a crime. It is an offence to vote more than once at the same referendum (unless you are voting on your own behalf and as a proxy for another person).

The Counting Officer issued this statement.
Counting Officer to add pictorial guidance as appropriate.

Form of directions for the guidance of the voters and proxies in voting

How to vote at [this] [these] [election(s) and] referendum(s)

1	Go to the desk and tell the staff your name and address. They will give you your ballot papers.	
2	Take your ballot papers to a voting booth.	
3	Read the instructions in the booth and mark your ballot papers.	
4	When you have marked your ballot papers, fold them so that nobody can see how you have voted.	
5	Put your folded ballot papers into the [appropriate] ballot box[es].	

(!) Voting is secret. Do not let anyone see how you have voted.
If you make a mistake or need some help, just ask the staff.

Form of declaration made by the companion of a voter or proxy with disabilities

Declaration for the companion of a voter with disabilities	
***[Election of Member of Parliament for the [*insert name of constituency*] constituency]** ***[Election of Members of the European Parliament for the [*insert name of Region, e.g.* 'North-West Region']]** ***[Election of councillors to [*insert name of local authority/parish/town council in full*]]** ***[Referendum on how *[insert name of council]* Council is run]** ***[Election of London Assembly [London member] [constituency member] for [*insert name of constituency*]]]** ***[Election of the Mayor [of London] [for [*insert name of authority*]]]** ***[[*Insert title of election/referendum*] election/referendum]** * *Delete or amend as appropriate*	
Date of [election(s) and] referendum(s) *[day] [date] [month] [year]*	
A voter with disabilities is a voter who has made a declaration that he or she is so incapacitated by his or her blindness or other disability, or by his or her inability to read, as to be unable to vote at [this] [these] [election(s) and] referendum(s) without assistance. In this form, "voter" means the person casting the vote at the election or referendum and includes a person voting as a proxy.	
Part 1 To be completed by the voter's companion	
Companion's name	
Companion's address	
Voter's name	
[*Only for use if the disabled voter is acting as a proxy*] Voter is acting as proxy for:	
Elector's number [*If the disabled voter is acting as a proxy, this is the number of the person for whom the voter is acting*]	

I have been requested to assist the person named above to record their vote at [this] [these] [election(s) and] referendum(s). I declare that: **(1)** • I am entitled to vote as an elector at [this] [these] [election(s) and] as a voter at [this] [these] referendum(s) **or** • I am the *spouse/*civil partner/*parent/*brother/*sister/*child of the person with disabilities and am 18 years of age or over **Please delete whichever does not apply* **AND** **(2)** • I have not previously assisted more than one voter or proxy with disabilities at [this] [these] [election(s) or] referendum(s). If I have assisted one other voter or proxy their name and address is:			
[Complete if appropriate] Name and address of other person assisted			
NOTE – It is a criminal offence to knowingly make a false statement in this form.			
Companion's signature		Date	
Part 2 To be completed by the Presiding Officer			
I, the undersigned, being the Presiding Officer for:			
Polling station		Voting area of	
Hereby certify that the above declaration was signed in my presence.		Presiding Officer signature	
Date		Time (exact)	

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.

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