



# Media handbook

Referendum on the voting system for  
the UK Parliament

17 February 2011

## **Translations and other formats**

For information on obtaining this publication in another language or in a large-print or Braille version, please contact the Electoral Commission:

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# 1 Contacts and resources

## Electoral Commission press office

### London

Office hours: 020 7271 0704

Out of office hours: 07789 920414

### Scotland

Office hours: 0131 225 0211

Out of office hours: 07789 920414

### Wales

Office hours: 029 2034 6810

Out of office hours: 07789 920414

### Northern Ireland

Office hours: 028 9089 4028

Out of office hours: 07789 920414

## Websites

[www.electoralcommission.org.uk](http://www.electoralcommission.org.uk)

Our corporate website features a dedicated area on this referendum:

[www.electoralcommission.org.uk/elections/upcoming-elections-and-referendums/uk/referendum](http://www.electoralcommission.org.uk/elections/upcoming-elections-and-referendums/uk/referendum).

There is also a dedicated media centre for journalists, where you can find media handbooks covering local elections in England and Northern Ireland and elections to the Scottish Parliament, National Assembly for Wales and Northern Ireland Assembly: [www.electoralcommission.org.uk/news-and-media](http://www.electoralcommission.org.uk/news-and-media).

[www.aboutmyvote.co.uk/referendum](http://www.aboutmyvote.co.uk/referendum)

This website provides information on how to register and vote and on the referendum question. The website will be the first place to display the results of the referendum as soon as each Counting Officer declares the total for their area. Voters will be able to search totals by postcode or local authority.

You can also follow the Commission on Twitter at

[www.twitter.com/ElectoralCommUK](https://www.twitter.com/ElectoralCommUK).

## Images

We have a range of referendum and voting-related images, which are available on the Commission website at [www.electoralcommission.org.uk/news-and-media/media-resources/press-images](http://www.electoralcommission.org.uk/news-and-media/media-resources/press-images), or by contacting the Commission press office.

## 2 Who's who at the referendum

### The Electoral Commission

The Electoral Commission is independent of Government and was established by the Political Parties, Elections and Referendums Act 2000 (PPERA 2000). The Commission regulates party and election finance and sets standards for well-run elections.

At elections, Returning Officers are solely responsible for the administration of the election and the Commission has only an oversight role. However, PERA 2000 gives the Commission specific responsibilities in relation to the conduct of referendums. These include:

- commenting on the wording of the referendum question
- registering campaigners who want to spend over £10,000
- designating 'lead campaigners' to represent each outcome
- administering grants to lead campaigners
- regulating and monitoring campaign spending, donations and borrowing
- reporting on the administration of the referendum
- publishing details of campaign spending by, and donations to, registered campaigners

### The Chief Counting Officer

The Chief Counting Officer is responsible for the conduct of the referendum and for ensuring the accuracy of the overall result. The Chief Counting Officer appoints and may issue directions to local and regional Counting Officers (see below).

The Chief Counting Officer for this referendum will be the Chair of the Electoral Commission, Jenny Watson. Jenny Watson joined the Electoral Commission in January 2009 as the Commission's second Chair.

There are also elections to local authorities in England and Northern Ireland, the Scottish Parliament, the National Assembly for Wales and the Northern Ireland Assembly on 5 May.

Where Counting Officers for the referendum also carry out the functions of Returning Officers for these elections, the Chief Counting Officer has power of direction over the core functions common to both.

## The Deputy Chief Counting Officer

The Chief Counting Officer may appoint a Deputy Chief Counting Officer. The Deputy Chief Counting Officer for this referendum will be Electoral Commissioner Max Caller CBE.

Max Caller has been Chief Executive and Returning Officer at three local authorities and was the London Regional Returning Officer for the 1999 European Parliamentary elections.

## Counting Officers

Counting Officers administer the voting process in their local area. Their duties include issuing ballot papers, running polling stations and counting the votes cast in that area.

## Regional Counting Officers

The Chief Counting Officer has appointed Regional Counting Officers for each of the 11 referendum regions in Great Britain and a Counting Officer for the whole of Northern Ireland. These regions are the same as the 12 electoral regions used for the European Parliamentary elections.

Regional Counting Officers coordinate the voting process in their area and collate the local totals into a regional total. A list of the 11 Regional Counting Officers and the Counting Officer for Northern Ireland is available in Appendix A.

## Electoral Registration Officers

In Great Britain, Electoral Registration Officers (EROs) are responsible for the preparation and maintenance of the electoral register and list of absent voters within their area. Every local authority is required to appoint an ERO.

In Northern Ireland, the Chief Electoral Officer is responsible for electoral registration and the list of absent voters.

## Registered campaigners and lead campaigners

Any group or individual planning to spend more than £10,000 on campaigning at the referendum must register with the Electoral Commission as a 'registered campaigner'.

The Commission may appoint 'lead campaigners' for each side of the referendum debate. Registered campaigners may apply to the Commission to become lead campaigners.

For more detail on registered campaigners and lead campaigners, please see Section 4 of this media handbook: 'Campaign spending and controls on donations'.

## Responsible person

Registered campaigners must comply with spending, donation and borrowing controls set out in legislation. Registered campaigners must appoint a 'responsible person' who is legally responsible for making sure that they follow these rules (see Section 4, 'Campaign spending and controls on donations').

## Referendum agents

Registered campaigners may appoint referendum agents. Referendum agents can appoint people to attend polling stations, the counting of votes and the opening of returned postal votes (see below).

## Counting agents, polling agents and postal voting agents

Counting agents may observe the counting process on behalf of campaigners, to make sure that the count is undertaken in the correct manner. Polling agents may access polling stations to observe polling. Postal voting agents can observe the opening of returned postal votes. Counting, polling and postal voting agents must comply with the law regarding respecting the secrecy of the ballot.

## Electoral observers

Anyone can apply to the Commission to be an observer at the referendum. Observers must comply with the law regarding respecting the secrecy of the ballot and agree to abide by the Commission's Code of Practice.

Observers can ask questions of electoral staff, campaigners and voters and observe proceedings at the poll, count and the issue and receipt of postal ballots. Representatives of the Commission may also attend any stage of the vote or count.



To find out more about observing the referendum, please visit the electoral observers page of the Electoral Commission website at [www.electoralcommission.org.uk/elections/electoral\\_observers](http://www.electoralcommission.org.uk/elections/electoral_observers).

### 3 Referendum timetable

Event	Date
Start of the 'referendum period'	Wednesday 16 February 2011
Deadline for 'registered campaigners' to apply to be 'lead campaigners'	Tuesday 15 March 2011
Start of the Commission's public information campaign in Northern Ireland	Monday 28 March 2011
Delivery of the Commission's information booklet to voters in Northern Ireland	Monday 28 March to Friday 8 April 2011
Last day for appointment of lead campaigners by the Commission	Tuesday 29 March 2011
Start of the Commission's public information campaign in Great Britain	Friday 1 April 2011
Delivery of the Commission's information booklet to voters in Great Britain	Monday 4 to Friday 15 April 2011
Last day for Counting Officers to publish the notice of poll for the referendum	Friday 8 April 2011
Deadline for applying for a postal or proxy vote in Northern Ireland	5pm, Monday 11 April 2011
Deadline for applying for a postal vote in Great Britain	5pm, Thursday 14 April 2011
First day for dispatch of postal ballot packs	after 5pm, Thursday 14 April 2011
Deadline for registering to vote	midnight, Thursday 14 April 2011 (midnight, Friday 15 April in Scotland*)
Deadline for applying for a proxy vote in Great Britain (except in medical emergencies)	5pm, Thursday 21 April 2011

Event	Date
Deadline for registering as an 'accredited observer'	Thursday 28 April 2011
Deadline for Counting Officers to issue replacement postal ballot papers	5pm, Thursday 5 May 2011
Polling day	7am – 10pm, Thursday 5 May 2011
Counting of votes	starting at 4pm, Friday 6 May 2011
Last day for registered campaigners that have spent £250,000 or less to submit campaign spending returns	Friday 5 August 2011
Last day for registered campaigners that have spent more than £250,000 to submit campaign spending returns	Saturday 5 November 2011

\*Days that are bank holidays are discounted when calculating the registration deadline. Easter Monday is a bank holiday in England, Wales and Northern Ireland. Easter Monday is a **public** holiday but not a bank holiday in Scotland.

# 4 Campaign spending and controls on donations

## What is the referendum period?

The referendum period is the formal campaigning period before the referendum. During this period, there are rules on how much campaigners can spend on campaigning, and controls on donations accepted by campaigners.

The referendum period for the referendum runs from 16 February – the date on which the Parliamentary Voting System and Constituencies Bill received Royal Assent – to the close of poll on 5 May 2011. The law does not prohibit campaigners from campaigning on polling day.

## Who can campaign at the referendum?

Any group or individual can campaign at the referendum. If they plan to spend more than £10,000 on campaigning during the referendum period, then they must register with the Electoral Commission as a 'registered campaigner'.

Only the following individuals or organisations can register as campaigners:

- an individual who is resident in the UK or is on a UK electoral register
- a UK-registered political party
- a UK-registered company that is incorporated in the EU and carries on business in the UK
- a UK-registered trade union
- a UK-registered building society
- a UK-registered limited liability partnership that carries on business in the UK
- a UK-registered friendly, industrial, provident or building society
- a UK-based unincorporated association that carries on the majority of its business or other activities in the UK

## Would a newspaper or broadcaster have to register as a campaigner?

No. The publication of any material – other than an advertisement – in a newspaper or periodical or by a broadcaster is specifically excluded from spending controls, meaning that they would not have to register as a campaigner.

## What can registered campaigners do?

Individuals and organisations that become registered campaigners will benefit from:

- having a higher spending limit
- access to the electoral register to help their campaign
- being able to attend polling stations, the counting of votes and postal vote opening sessions

Registered campaigners must comply with controls on spending and donations set out in the Political Parties, Elections and Referendums Act 2000 (PPERA 2000). Registered campaigners must appoint a 'responsible person', who is responsible for making sure they follow these rules.

When individuals or groups apply to the Commission to become registered campaigners, they must register for a particular outcome of the referendum.

## What are lead campaigners?

Registered campaigners can apply to the Commission to become the lead campaigner representing either side of the debate.

The Commission can only appoint applicants that adequately represent those campaigning for each outcome. The Commission will make this decision on 29 March at the latest.

The benefits for lead campaigners are:

- a higher spending limit than other registered campaigners
- the ability to send a mailshot by freepost
- referendum campaign broadcasts
- the free use of certain public rooms to hold public meetings
- a grant administered by the Electoral Commission

The Commission may decide that no one adequately represents those campaigning for a particular outcome, and therefore not designate lead campaigners. The Commission must designate lead campaigners for both sides of the referendum outcome or for neither side.

## How much will the lead campaigners in the referendum receive as a grant?

PPERA 2000 states that the Commission may make a grant of up to £600,000 to each lead campaigner in a referendum.

The Commission determines the level of the grant, taking into account factors such as the size of the electorate and the length of the referendum period. The

grant for each of the lead campaigners at the referendum on the voting system for the UK Parliament will be £380,000.

Lead campaigners may use the grant to pay for set-up costs and the infrastructure of their campaign, such as offices and computer equipment. They may not use the grant to meet the cost of campaign materials.

## What are the spending limits for campaigners?

PPERA 2000 sets out the spending limits for registered campaigners and lead campaigners for UK-wide referendums.

The spending limit for political parties that register with the Commission as referendum campaigners will depend on their share of the vote at the UK Parliamentary general election in 2010.

The spending limit for different campaigners is listed below:

Referendum campaigner	Spending limit
Lead campaigners	£5,000,000
Conservative Party	£5,000,000
Labour Party	£4,000,000
Liberal Democrats	£4,000,000
Other political parties	£500,000
Registered campaigners	£500,000
Campaigners not registered with the Electoral Commission	£10,000

## Do campaigners have to report donations they receive?

Yes. The law requires registered campaigners to include details of all donations of over £7,500 in their campaign spending report submitted to the Electoral Commission after the referendum. The Commission will then publish this information alongside the spending reports. Registered campaigners that are also political parties do not have to include details of donations in their spending returns, as parties already have to report donations on a quarterly basis to the Commission.

Donations include money, goods or services given to the campaigner without charge or on non-commercial terms. Registered campaigners may only accept donations of more than £500 if they are from a permissible source. The source has to be permissible at the time the donation is made. Permissible sources include:

- an individual registered on a UK electoral register
- a company registered in the UK and carrying on business in the UK
- a UK-registered trade union
- a UK-registered building society
- a UK-registered limited liability partnership that carries on business in the UK
- a UK-registered friendly society
- a UK-based unincorporated association that carries on business or other activities in the UK

UK-registered political parties can only donate to campaigners that have been appointed by the Commission as lead campaigners at the referendum.

The 'responsible person' for each registered campaigner is responsible for reporting donations to the Commission and checking that they are permissible before accepting them.

## Do campaigners have to report campaign spending?

Yes. During the referendum period, registered campaigners must keep a record of spending on activities intended to bring about a particular outcome in the referendum, such as advertising, unsolicited materials, research, press conferences, rallies and other events. The Commission will monitor spending during the referendum period.

Campaigners must keep invoices and receipts for any item of spending of more than £200. The cost of online campaigning – such as building websites – must also be included.

Registered campaigners must also report items (i.e. leaflets) or services bought before the referendum period but used during it, and the full notional cost of items or services given free of charge or at a non-commercial rate.

Campaigners do not have to include volunteers' time, office rental and bills, expenses met out of public funds (for example, security for VIP visits) or the use of public rooms by lead campaigners in their campaign spending report.

Advertisements by campaigners in the press count towards campaign spending limits and must be included in campaign spending reports. However, news and editorial content appearing in newspapers or on licensed broadcast channels is exempt from campaign spending regulations.

Campaigners must submit campaign spending reports to the Commission within three months of polling day if they spend up to £250,000 and within six months if they spend more than £250,000. The Commission will then publish this information on its website.

Campaigners that spend over £250,000 on campaigning during the referendum period must ensure that their spending report is certified by an independent auditor.

The Commission will issue a penalty notice to campaigners that do not submit their spending report on time.

## Who makes sure that campaigners comply with spending restrictions?

The Commission is responsible for ensuring that campaigners comply with PPERA 2000 as amended by the Parliamentary Voting System and Constituencies Act 2011.

The Commission will assess allegations that a campaigner has breached the law in line with its published policy on the handling of allegations, and may commence a review or investigation where there is reason to believe that a campaigner has broken the law.

From 1 December 2010, the Commission has had access to a new range of powers and sanctions in relation to its role as the regulator of party election and referendum finance. The new sanctions available to the Commission include:

- fixed monetary penalties of £200
- variable monetary penalties of £250 to £20,000
- compliance notices to require a non-compliant individual or organisation to undertake certain action to bring themselves back into compliance
- restoration notices to require the non-compliant individual or organisation to undertake certain actions to restore the position, as far as possible, to the way it would have been before non-compliance occurred
- stop notices to require an individual or organisation to cease an activity that has given rise, or is likely to give rise, to regulatory non-compliance
- enforcement undertakings, where an organisation or individual agrees to undertake specified actions to bring them into compliance or restore the position, as far as possible, to what it would have been had no breach occurred



For more information, see the enforcement section of our website: [www.electoralcommission.org.uk/party-finance/enforcement](http://www.electoralcommission.org.uk/party-finance/enforcement). This includes details of how the Commission handles allegations.

# 5 Campaign materials and broadcasts

## Are there any restrictions in place for public bodies wishing to campaign at the referendum?

The Political Parties, Elections and Referendums Act 2000 (PPERA 2000) places restrictions on the publication of any campaigning material in relation to the referendum by central and local government in the 28-day period ending with the date of the poll.

## What are the rules on political impartiality for television and radio programmes?

There are rules about political impartiality in television and radio programmes. Broadcasters must comply with the editorial guidelines or code relevant to that particular broadcaster.

These rules on political impartiality do not apply to print media.



The BBC's editorial guidelines on broadcasting during a referendum can be found at [www.bbc.co.uk/guidelines/editorialguidelines](http://www.bbc.co.uk/guidelines/editorialguidelines). The Ofcom Broadcasting Code can be found at <http://stakeholders.ofcom.org.uk/broadcasting/broadcast-codes>.

## Do lead campaigners get campaign broadcasts?

PPERA 2000 requires certain broadcasters to carry referendum campaign broadcasts on behalf of lead campaigners. These rules apply to ITV1, Channel 4, Five, talkSPORT, Virgin AM and Classic FM.

The BBC is required to carry broadcasts under its Charter and Agreements. Sky is not required to carry referendum broadcasts but has voluntarily carried political broadcasts in the past.

It is up to the broadcasters in question to determine the length and frequency of the referendum campaign broadcasts they provide to lead campaigners. The broadcasters must have regard to the Electoral Commission's views on the matter.

Campaigners must supply the content of the broadcast and meet the cost of producing the broadcast.



For the latest on the Commission's views on election and referendum broadcasts, please see the Commission's website: [www.electoralcommission.org.uk/about-us/roles-and-responsibilities/party-election-broadcasts](http://www.electoralcommission.org.uk/about-us/roles-and-responsibilities/party-election-broadcasts).

Lead campaigners must include the costs of producing their referendum broadcast in the campaign spending report, but they do not need to include the value of the air time.

### What are imprints?

An 'imprint' is the name and address of the printer and promoter of any campaign material. The purpose of an imprint is so that voters can be clear about the source of campaign information.

All printed campaign materials (i.e. posters, placards and leaflets distributed for the purpose of promoting a particular outcome of the referendum) must include an imprint.

Electronic materials – such as websites or tweets – do not require imprints, but the Commission recommends that they carry them as a matter of good practice.

# 6 Electoral fraud

## What types of electoral offences are there?

There are a number of offences under electoral legislation that can arise during an election or referendum period.



Electoral malpractice under the Representation of the People Act 1983 (as amended) is a criminal offence. The appropriate police force would investigate such allegations.

### **Bribery**

A person is guilty of bribery if they directly or indirectly give any money or procure any office to or for any voter, in order to induce any voter to vote or refrain from voting.

### **Undue influence**

A person is guilty of undue influence if they make use of or threaten to make use of force, violence or restraint, or inflict or threaten to inflict injury, damage, loss or harm, in order to induce or compel any voter to vote or refrain from voting.

### **Secrecy**

Everyone involved in the referendum process should be aware of the secrecy of the ballot under Section 66 of the Representation of the People Act 1983.

### **Personation**

This is where any individual votes as someone else (whether that person is living or dead or is a fictitious person), either by post, or in person at a polling station as an elector, or as a proxy.

### **Multiple voting and proxy voting offences**

There are various offences regarding multiple voting and proxy voting, including voting as an elector or proxy when subject to a legal incapacity to vote, and voting more than once.

### **False registration information**

It is an offence to supply false registration information to an Electoral Registration Officer. It is also an offence to supply false information in connection with an application for a postal or proxy vote.



Further details and the penalties for electoral offences can be found in our guidance created jointly with the Association of Chief Police Officers in England and Wales and the Association of Chief Police Officers in Scotland. This is available at [www.electoralcommission.org.uk/guidance/resources-for-electoral-administrators/integrity-guidance/electoral-events](http://www.electoralcommission.org.uk/guidance/resources-for-electoral-administrators/integrity-guidance/electoral-events).

## What does the Commission do to prevent electoral fraud?

We work closely with Counting Officers, Electoral Registration Officers, campaigners, the police and prosecutors to tackle malpractice. This includes producing guidance and a pocket guide to electoral offences for police officers, postal workers and party workers.

We have also established a network of electoral 'Single Point of Contact' officers in each of the police forces in Great Britain and Northern Ireland.

## What offences does the Electoral Commission investigate?

There are also **expenditure-related offences** – various offences including breaches relating to campaign spending limits, campaign spending reports, party accounting requirements and controls on donations (see Section 4). These can apply to political parties, individuals and other organisations involved in campaigning.

# 7 Registering to vote

## How many people are registered to vote in the UK?

According to the Office for National Statistics, there were 45,420,808 Parliamentary electors registered to vote in the UK as at 1 December 2009.

A 2005 Electoral Commission report – *Understanding electoral registration* – estimated that between 91% and 92% of eligible electors in England and Wales were registered to vote, and that there are a number of groups that are less likely to be registered to vote.

Research by the Commission in eight case study areas across Great Britain in 2010 found that people who have recently moved house, young people and students, those living in rented accommodation and people from certain minority ethnic communities are less likely to be registered to vote.

Separate Electoral Commission and Ministry of Defence research has also found that armed service personnel are less likely to be registered to vote.



The Commission's 2005 report, *Understanding electoral registration*, and 2010 report, *Completeness and accuracy of electoral registers in Great Britain*, are available at [www.electoralcommission.org.uk/publications-and-research/policy-and-research](http://www.electoralcommission.org.uk/publications-and-research/policy-and-research). The most recent registration figures from the Office for National Statistics (broken down by local government area) are available at [www.statistics.gov.uk](http://www.statistics.gov.uk).

## How does someone register to vote in the referendum?

Anyone wishing to register to vote should contact the Electoral Registration Officer at their local authority, or go to [www.aboutmyvote.co.uk](http://www.aboutmyvote.co.uk) and print off a registration form. The Commission will also run a helpline for voters. We will update this handbook with the helpline number when available.

Voters in England and Wales must ensure that the Electoral Registration Officer at their local authority receives their application to register by **midnight on Thursday 14 April 2011** if they wish to vote in the referendum.

Voters in Scotland must ensure that the Electoral Registration Officer at their local authority receives their application to register by **midnight on Friday 15 April 2011**.

Voters in Northern Ireland must ensure that their local area electoral office receives their application to register by **midnight on Thursday 14 April 2011**.

## How do British citizens living abroad register to vote?

British citizens living abroad can register as an 'overseas voter' and vote in UK Parliamentary elections and European Parliamentary elections for 15 years after they were last registered to vote in the UK. They may also vote in the referendum on the voting system of the UK Parliament.

If someone was too young to be included on the electoral register when they left the UK, they can register to vote in the area that their parent or guardian was last registered.

Overseas voters can apply for a postal vote or proxy vote, but will need to consider the timescales involved for a postal ballot pack to reach them and then be returned to the UK. A proxy vote may be more appropriate for many overseas voters.

Postal ballot packs for voters registered to vote in Northern Ireland cannot be sent to an address outside the UK.

## How do members of the armed forces register to vote?

Service personnel and their spouses or civil partners, serving in the UK or overseas, can register either at their UK home address as an ordinary voter or as a 'service voter'. Service voters fill out an armed services declaration, which means that they are required to register only once every five years.

## Can someone register to vote at more than one address?

Yes. A person can register to vote at an address if they are resident at that address. It may be possible to be registered at more than one address, as long as you are resident at each address.

For example, full-time students may be able to register at both their term-time address and their home address. **It is an offence to vote twice in the referendum**, but they may choose which address to vote at.

## Can prisoners register to vote?

As long as they meet the eligibility requirements set out above, remand prisoners can register to vote. At present, a person who has been found guilty of an offence and detained because of their sentence cannot be included on the electoral register and cannot vote.

## Who can see the electoral register?

There are two versions of the electoral register: the 'edited' register and the 'full' register.

Voters can choose to opt out of having their details published on the edited register. Anyone can purchase the edited register from the local electoral registration office for any purpose, including commercial purposes.

All voters are included in the full register. The full register is available to view at each local electoral registration office and anyone can view it under supervision. Copies of the full register cannot be made.

Lead campaigners and registered campaigners are entitled to free copies of the full registers for each local authority in Great Britain, and from the Electoral Office for Northern Ireland. They may not pass on the register, disclose any information in the register or use it for anything other than campaigning purposes.

# 8 Voting

## Who can vote in the referendum?

To vote in the referendum, voters need to be on the electoral register and be:

- 18 years of age or over on 5 May 2011, and
- a British or Irish citizen, or
- a qualifying Commonwealth citizen<sup>1</sup>

## How will voters know what the referendum is about?

The Electoral Commission will send an information booklet on the referendum and scheduled elections to every household in the UK. The booklet will contain information on how to take part in the referendum, as well as explaining the subject of the referendum.

This information will also be on the Commission's website, and there will be a helpline number to call if voters do not receive their booklet.



The text of the booklet has been user-tested and approved by academics and plain-language experts, to ensure that it is clear and accurate. To view a copy of the booklet text, as well as details of the drafting process, go to [www.electoralcommission.org.uk/news-and-media/public-awareness-campaigns/public-information-on-5-May-2011-elections-and-proposed-referendum](http://www.electoralcommission.org.uk/news-and-media/public-awareness-campaigns/public-information-on-5-May-2011-elections-and-proposed-referendum).

It will be for campaigners, political parties, the media and others with an interest in the referendum to provide arguments to voters about the merits of each option in the referendum.

## How do voters vote in person?

Voting at the referendum follows the same process as voting at elections.

Polling stations will be open from 7am to 10pm on Thursday 5 May. Only voters who have been issued with a ballot paper by 10pm will be able to cast their vote.

If voting in person, voters must go to the correct polling station for the area in which they live. Counting Officers will send out poll cards that will tell voters

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<sup>1</sup> A qualifying Commonwealth citizen is one who has leave to remain in the UK or does not require such leave.

where their local polling station is. If voters do not have a poll card, they can contact their local authority to find out where their polling station is. Contact details for each authority are available on [www.aboutmyvote.co.uk](http://www.aboutmyvote.co.uk) or by calling the Commission's helpline.

Voters do not need their poll card to vote, but taking it with them may help speed up the process.

In this referendum, voters should mark their ballot paper with a single 'X' in the box to the right of the option they support (either the 'Yes' or the 'No' option).

## Do voters need to bring ID to the polling station?

Voters do not need ID in Great Britain. Polling station staff will ask a voter to confirm their name and address, but voters do not have to produce identification in order to be issued with a ballot paper.

In Northern Ireland, voters must present photographic identification at their polling station to confirm their identity. Voters must present one of the following to poll staff before they can be issued with a ballot paper:

- a UK, Irish or EU passport
- a photographic Northern Ireland, Great Britain or EEA driving licence
- a Translink Senior Smartpass
- a Translink 60+ Smartpass
- a Translink War Disabled Smartpass
- a Translink Blind Person's Smartpass
- an Electoral Identity Card

## How does someone vote by post or proxy?

In Great Britain, voters can choose to vote by post or proxy if they are unable to, or choose not to, attend the polling station in person on Thursday 5 May. Voters can apply for a postal or proxy vote to vote specifically in the referendum on Thursday 5 May 2011, for a specified period or indefinitely.

Voters must supply certain 'absent vote identifiers' – their date of birth and signature – when applying for a postal vote. Electoral administrators will then check these when the voter casts their vote, to help prevent electoral fraud.

In Northern Ireland, voters can apply for a postal or proxy vote but must provide a valid reason for their application, such as:

- inability to attend due to illness
- blindness or other disability
- absence on the day of poll due to work commitments
- holiday arrangements

Voters can appoint a 'proxy' to vote on their behalf at a polling station or by post. People voting by proxy must tell their proxy which referendum outcome they wish to vote for.

In Great Britain, voters can apply for a postal or proxy vote by contacting their local Electoral Registration Officer or by visiting [www.aboutmyvote.co.uk](http://www.aboutmyvote.co.uk) and printing off an application form. The Commission will also run a helpline for voters. We will update this handbook with the helpline number when available.

In Northern Ireland, voters can apply for a postal or proxy vote by contacting their area electoral office or by visiting [www.eoni.org.uk](http://www.eoni.org.uk).

In Great Britain, the deadline to apply for a postal vote is **5pm on Thursday 14 April 2011**. The deadline to apply for a proxy vote is **5pm on Thursday 21 April 2011**.

In Northern Ireland, the deadline for applying for a postal or proxy vote is **5pm on Monday 11 April 2011**.

### When will voters receive their postal votes?

In Great Britain, Counting Officers cannot send out postal ballot packs until after **5pm on Thursday 14 April 2011**. In Northern Ireland, postal ballot packs cannot be sent out until after **5pm on Monday 11 April 2011**.

Voters must ensure that their postal vote is received back by the Counting Officer by 10pm on polling day. In Great Britain, postal ballot packs can be posted, handed back to the Counting Officer at council offices, or taken to a polling station in the voting area by 10pm on polling day.

In Northern Ireland, postal ballot packs can be posted or returned by hand to the local area electoral office by 10pm on polling day.

### How many people voted in the last UK-wide referendum?

The last UK-wide referendum was the 1975 referendum on the UK's membership of the European Community.

At the 1975 referendum, 25,848,654 valid votes were cast, representing a turnout of 64% of the 40,456,877 registered electorate.

The table below gives turnout figures for other referendums across the UK.<sup>2</sup>

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<sup>2</sup> Figures taken from Colin Rallings and Michael Thrasher, *British Electoral Facts, 1832–2006* (Ashgate Publishing: Farnham, 2007).

## Turnout at referendums in the UK

Referendum	Year	Valid votes	Turnout (%)
Membership of the European Community	1975	25,848,654	64.0
Scottish devolution	1979	2,384,439	63.0
Welsh devolution	1979	1,199,378	58.3
Establishment of a Scottish Parliament <sup>3</sup>	1997	2,386,299	61.9
Establishment of a National Assembly for Wales	1997	1,112,117	50.1
The Good Friday/Belfast Agreement	1998	951,845	81.1
Establishment of a Greater London Authority	1998	1,709,172	34.1
Establishment of a North East Assembly	2004	893,829	47.7

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<sup>3</sup> The referendum on the establishment of a Scottish Parliament (1997) asked voters two questions: one on the establishment of a Scottish Parliament, the other on giving that Parliament tax-varying powers. This figure represents an average turnout for both questions.

# 9 The referendum question

## How was the wording of the question decided?

The Political Parties, Elections and Referendums Act 2000 requires the UK Government to consult the Electoral Commission on the intelligibility of the proposed referendum question. The Government did so in July 2010.

The Commission carried out an assessment (see below) of the question and suggested a redraft to make the question easier to understand for voters across the UK.

The Government accepted the Commission's redrafted version of the question, and this is the version that has been included in the Parliamentary Voting System and Constituencies Act and will be put to voters on 5 May 2011.

## What is the referendum question?

The question to be put to voters on 5 May 2011 will appear on the ballot paper as shown below.

<b>Referendum on the voting system for UK Parliamentary elections</b>	
Vote (X) only once	
At present, the UK uses the 'first past the post' system to elect MPs to the House of Commons. Should the 'alternative vote' system be used instead?	
	Yes
	No

## How did the Electoral Commission assess the question?

The aim of our assessment was to ensure that the question would be easily understandable to voters.

The assessment involved a period of research with people from different backgrounds and different areas of the UK, through focus groups and one-to-one interviews.

This allowed the Commission to gather evidence on whether voters understood the question, and why they found it difficult or easy to understand.

We also sought advice from experts on accessibility and plain language, and talked to campaign groups and other interested parties.



The Commission produced a report on our assessment of the proposed question on 30 September 2010. You can view the report at [www.electoralcommission.org.uk/elections/upcoming-elections-and-referendums/uk/referendum](http://www.electoralcommission.org.uk/elections/upcoming-elections-and-referendums/uk/referendum).

# 10 Counting the votes

## When does the counting of votes begin?

The Chief Counting Officer for the referendum is responsible for ensuring the accuracy of, and certifying, the overall UK result. The Chief Counting Officer's priority is to ensure that the count process delivers an accurate and fair result, and that voters will be able to hear the outcome as soon as it is known.

The Chief Counting Officer has therefore directed local Counting Officers to begin counting at 4pm on the day following the poll (Friday 6 May), when the counts for elections being held across Great Britain on 5 May have been completed.

Referendum staff will open returned postal ballot packs up to and on polling day to check the accompanying absent vote identifiers (the date of birth and signature of the voter). At these opening sessions, the ballot papers must remain face down and elections staff will not count these votes before the close of poll.

## What are the local counting areas for the referendum?

There will be 438 counting areas across the UK. Counting Officers will count the votes on a local authority basis in England, a Scottish Parliamentary constituency basis in Scotland, and a National Assembly for Wales constituency basis in Wales. Northern Ireland will be one counting area, and will not be divided into local and regional counting areas.

These counting areas will sit within 12 regional counting areas, which are the same as the electoral areas for European Parliamentary elections.

## How are the votes counted?

Counting Officers will run the count in each local counting area across the UK. Regional Counting Officers will be responsible for collating these local totals on a regional level.

The first stage of the count involves the verification of all ballot papers. Polling station staff record the number of ballot papers that they issue to voters. Count centre staff then compare this with the number of ballot papers in the ballot boxes that staff deliver to the count centre.

Only after the votes have been verified can counting assistants begin counting these votes.

Campaigners may appoint 'counting agents' to attend each count. Counting agents may observe the counting process on behalf of campaigners, to make

sure that the count is undertaken in the correct manner. For example, counting agents can draw the attention of count staff to doubtful ballot papers or object to the rejection of ballot papers that count staff have identified as doubtful.

The law prohibits counting agents from handling ballot papers. Anyone who attends the count (or any election procedure) must respect the secrecy of the ballot.

Once the local Counting Officer has counted all the votes, they will then send local totals to the Regional Counting Officer. The Regional Counting Officer will then collate them into a regional total.

The Regional Counting Officer will then send their regional result to the Chief Counting Officer, who will work together with the Deputy Chief Counting Officer to collate and announce the regional totals. They will then collate all the regional totals to come up with the UK-wide result. The Chief Counting Officer will then be able to declare the overall result.

## How is the result announced?

Local Counting Officers will declare local totals once the relevant Regional Counting Officer is satisfied that there is an accurate total for their area and directs them to certify the result.

Regional Counting Officers will declare regional totals once the Chief Counting Officer has certified that there is an accurate total for their region.

The Chief Counting Officer will also announce each regional total at the main count centre, the ExCeL centre in London. The Chief Counting Officer is responsible for declaring and certifying the overall result, which she will do once all the regional totals have been certified and collated.

The Commission will display all of the local and regional totals and the UK-wide result on its referendum website – [www.aboutmyvote.co.uk/referendums](http://www.aboutmyvote.co.uk/referendums) – on a real-time basis. This will include the totals for each local counting area, totals for each of the 12 regions and the UK-wide result, as well as other information such as turnout figures.

## Can the media attend the count?

Members of the media must apply to the relevant local or regional Counting Officer for accreditation if they wish to attend a local or regional count, and to the Chief Counting Officer (via the Electoral Commission) if they wish to attend the central collation event run by the Chief Counting Officer in London.

Members of the media should abide by any instructions that the Counting Officers, Deputy Chief Counting Officer, Chief Counting Officer or their staff give to them. Referendum staff do not have to allow members of the media into the counts or the central collation event.

The Commission will be providing information to the media on how to apply for accreditation in advance of the count.

# 11 After the referendum

## Can someone challenge the result of the referendum?

Anyone wishing to challenge the result of the referendum would need to apply to the High Court for permission for a judicial review.

The applicant would have to demonstrate to the Court that they have a sufficient interest (known as 'standing') in the referendum. It is for the Court to determine whether the applicant has standing.

The applicant must apply for permission for a judicial review within six weeks of the certification of the referendum result by the Chief Counting Officer. Only if the Court grants permission would the Court then hear the judicial review.

The applicant would have to challenge a particular decision, act or omission that the applicant claims was unlawful and affected the outcome of the referendum.

## What happens if the challenge is successful?

If the Court rules that a particular decision, act or omission is unlawful, it may order the outcome of the referendum to be set aside or, in some cases, the Court may declare the correct result.

The Court cannot order the referendum to be re-run. If the referendum result were to be set aside, the UK Parliament would need to pass legislation for the referendum to be held again.

## What happens if more people vote 'yes' than 'no'?

The 'alternative vote' system will be used after a review of the UK Parliamentary constituency boundaries is completed. This is due to happen between 2011 and 2013. This review will happen regardless of the outcome of the referendum.

At the end of the review, the UK Parliament will vote on implementing the new boundaries. If they are implemented, the 'alternative vote' system will be used for all future elections to the House of Commons.

# Appendix A

## List of Regional Counting Officers in Great Britain and the Counting Officer for Northern Ireland

<b>Referendum region</b>	<b>Regional Counting Officer</b>
North East	Dave Smith, Sunderland City Council
North West	Sir Howard Bernstein, Manchester City Council
Yorkshire and the Humber	Joanne Roney, Wakefield Council
East Midlands	David Cook, Kettering Borough Council
West Midlands	Stephen Hughes, Birmingham City Council
Eastern	David Monks, Huntingdonshire District Council
London	Barry Quirk, Lewisham Council
South East	Mark Heath, Southampton City Council
South West	Paul Morris, Borough of Poole Council
Scotland	Mary Pitcaithly, Convener of Electoral Management Board for Scotland
Wales	Bryn Parry Jones, Pembrokeshire County Council
Northern Ireland	Graham Shields, Chief Electoral Officer for Northern Ireland

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We are an independent body set up by the UK Parliament. Our aim is integrity and public confidence in the democratic process. We regulate party and election finance and set standards for well-run elections.

## Democracy matters