

Introduction to a referendum

This document is for people and organisations who want to know what a referendum is and the key roles.

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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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Terms and expressions we use

We use 'must' when we refer to a specific legal or regulatory requirement. We use 'should' for items we consider to be minimum good practice, but which are not legal requirements.

You do not have to follow this guidance, but if you do, you will normally be doing enough to comply with the law.

Our approach to enforcement

The Commission regulates political funding and spending in a way that is effective, proportionate and fair. We are committed to providing those we regulate with a clear understanding of their regulatory obligations through our guidance documents and advice service. If you are unsure of how any of the rules apply to you, please call us for advice. We are happy to help, so please get in touch.

We use advice and guidance proactively in order to secure compliance. And we take enforcement action, using our investigatory powers and sanctions, where it is necessary and proportionate to do so in order to meet our enforcement aims and objectives.

If you do not comply with legal or regulatory requirements you or your organisation may be subject to civil or criminal sanctions. You can find more information about the Commission's approach to enforcement at www.electoralcommission.org.uk/party-finance/enforcement

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What is a referendum?

A referendum is a direct vote in which an entire electorate is asked to answer a question on a particular proposal. For example, on 18 September 2014, the people of Scotland were asked to vote in a referendum on whether Scotland should be an independent country. If a referendum is going to take place, legislation will be passed containing the question and the rules on how the referendum is to be run.

There are different types of referendums:

- referendums held under the Political Parties, Elections and Referendums Act 2000 (PPERA referendums)
- referendums held under other law such as the referendum on independence for Scotland 2014
- local government referendums. For example, whether or not to have an elected mayor in your area

Different laws, rules and regulations apply to these types of referendum.

We don't regulate local government referendums. If you want to know more about local government referendums, you should contact your local authority.

In the run up to a referendum, there is a formal campaigning period called the 'referendum period'. During this period, rules on campaigning, spending and finances apply.

We publish a timetable showing the dates and deadlines for each referendum.

After the referendum poll has closed, the votes are counted locally. The local results are then collated and the overall result announced.

Important

This guidance does not apply to local government referendums as we do not regulate them.

The rules

Registered campaigners must comply with the rules on spending, donations and loans. These rules cover most campaigning activity.

Who does what at a referendum?

There are people and organisations who have a role at referendums.

These are:

- voters
- campaigners
- the Electoral Commission
- the Chief Counting Officer
- Counting Officers
- Electoral Registration Officers
- the Media

Voters

Registered voters cast their votes on polling day, or before if they are postal voters, which decides the outcome of the referendum. Voters will be asked to vote on their preferred choice by marking the ballot paper.

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Campaigners

Campaigners will promote one or the other sides of the argument. Anyone can spend up to £10,000 on campaigning during a referendum. Anyone wishing to spend more than £10,000 must register with us. Only certain types of individuals or organisations can register as campaigners.

Once registered, campaigners must comply with the rules on spending, donations and loans under the relevant legislation.

There is usually a lead campaign group for both sides of the debate. The Electoral Commission has responsibility for designating lead campaigners for each side at a referendum. There is a statutory test to apply when assessing applications to be a lead campaigner.

The Electoral Commission

At referendums we are usually responsible for:

- commenting on the wording of the referendum question
- registering campaigners
- regulating campaign spending and donations
- designating lead campaign groups
- reporting on the administration of the referendum
- paying statutory grants to lead campaign groups
- the conduct of the referendum and ensuring the overall accuracy of the result
- publishing registered campaigners' donation, loan and spending returns after the election

The Chief Counting Officer

The Chief Counting Officer is responsible for the conduct of the referendum and ensuring the accuracy of the overall result. At some referendums, the Chief Counting Officer may be able to appoint a deputy, or Regional Counting Officers to assist with them in carrying out their functions.

Counting Officers

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

A Counting Officer has a similar role to a Returning Officer at an election.

Electoral Registration Officers

In Great Britain, Electoral Registration Officers are appointed by local authorities. They are responsible for the electoral register. They also manage applications for postal and proxy voting (absent voting) and produce the lists of absent voters.

In Northern Ireland, the Chief Electoral Officer is responsible for electoral registration.

The media

The role of the media in a referendum is to provide information for the public on the referendum issues and ensure scrutiny and analysis of the process and the campaign arguments. The media also provides a forum for a wide range of referendum viewpoints from across society.

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How we can help

You can find more information in the guidance documents we have suggested in this document, or you can view our full range of guidance and up-to-date resources on our website.

You can contact us on one of the phone numbers or email addresses below. We are here to help, so please get in touch.

Call us on:

- **England:** 0333 103 1928
pef@electoralcommission.org.uk
- **Scotland:** 0333 103 1928
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Visit us at www.electoralcommission.org.uk

We welcome feedback on our guidance – just email us at:
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