



House of Commons  
**Monday 7 September 2015**  
**CONSIDERATION OF BILL**

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**EUROPEAN UNION REFERENDUM BILL, AS AMENDED**

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*MANUSCRIPT AMENDMENT TO NEW CLAUSE 10*

Secretary Philip Hammond

**NC10**

To move the following Clause—

**“Power to modify section 125 of the 2000 Act**

- (1) In this section—
  - (a) “section 125” means section 125 of the 2000 Act (restriction on publication etc of promotional material by central and local government etc), as modified by paragraph 26 of Schedule 1, and
  - (b) “section 125(2)” means subsection (2) of section 125 (which prevents material to which section 125 applies from being published by or on behalf of certain persons and bodies during the 28 days ending with the date of the poll).
- (2) The Minister may by regulations make provision modifying section 125, for the purposes of the referendum, so as to exclude from section 125(2) cases where—
  - (a) material is published—
    - (i) in a prescribed way, or
    - (ii) by a communication of a prescribed kind, and
  - (b) such other conditions as may be prescribed are met.
- (3) The communications that may be prescribed under subsection (2)(a)(ii) include, in particular, oral communications and communications with the media.
- (4) Before making any regulations under this section, the Minister must consult the Electoral Commission.
- (5) Consultation carried out before the commencement of this section is as effective for the purposes of subsection (4) as consultation carried out after that commencement.
- (6) In this section—
 

“prescribed” means prescribed by the regulations;

“publish” has the same meaning as in section 125.
- (7) This section does not affect the generality of section 4(1)(c).”

***Member’s explanatory statement***

*This new clause enables the Minister, by regulations, to modify section 125 of the 2000 Act to exclude material published in a way, or by a kind of communication, specified in the regulations,*

**European Union Referendum Bill, *continued***

*subject to any conditions in the regulations. Any regulations will be subject to the affirmative resolution procedure.*

As an Amendment to Secretary Philip Hammond's proposed New Clause (*Power to modify section 125 of the 2000 Act*) (NC10):—

Mr Bernard Jenkin  
Paul Flynn  
Mrs Cheryl Gillan  
Kate Hoey  
Mr David Jones  
Mr Andrew Turner

Kelvin Hopkins

Gerald Jones

(a)

After subsection 5 insert—

“(5A) Any regulations under subsection (2) must be made not less than four months before the date of the referendum.”

***Member's explanatory statement***

*The purpose of the amendment is to ensure that the “purdah” arrangements that govern ministerial and official announcements, visits and publicity are made at least four months before the date of the referendum.*

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