



# House of Commons

**Monday 7 September 2015**

## **CONSIDERATION OF BILL**

*New Amendments handed in are marked thus ★*

☆ *Amendments which will comply with the required notice period at their next appearance*

### **EUROPEAN UNION REFERENDUM BILL, AS AMENDED**

#### **NOTE**

**This document includes all amendments tabled to date and includes any withdrawn amendments at the end. The amendments have been arranged in accordance with the European Union Referendum Bill Programme (No. 2) Motion to be proposed by Secretary Philip Hammond.**

*NEW CLAUSES, NEW SCHEDULES AND AMENDMENTS RELATING TO THE APPLICATION TO THE REFERENDUM OF SECTION 125 OF THE POLITICAL PARTIES, ELECTIONS AND REFERENDUMS ACT 2000 OR TO THE SUBJECT MATTER OF THAT SECTION*

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

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

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

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Ms Harriet Harman  
 Hilary Benn  
 Ms Rosie Winterton  
 Mr Pat McFadden  
 Heidi Alexander

NC5

To move the following Clause—

**“Restriction on publication etc. of promotional material by central and local government etc.**

- (1) This section applies to any material which—
  - (a) provides general information about the referendum;
  - (b) deals with any of the issues raised by the question on which the referendum is being held;
  - (c) puts any arguments for or against the proposition that the United Kingdom should remain a member of the European Union; or
  - (d) is designed to encourage voting at the referendum.
- (2) Subject to subsection (3), no material to which this section applies shall be published during the relevant period by or on behalf of—
  - (a) any Minister of the Crown, government department or local authority; or
  - (b) any other person or body whose expenses are defrayed wholly or mainly out of public funds or by any local authority.
- (3) Subsection (2) does not apply to—
  - (a) material made available to persons in response to specific requests for information or to persons specifically seeking access to it;

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

- (b) anything done by or on behalf of the Electoral Commission or a person or body designated under section 108 (designation of organisations to whom assistance is available) of the 2000 Act;
  - (c) the publication of information relating to the holding of the poll; or
  - (d) the issue of press notices;
- and subsection (2)(b) shall not be taken as applying to the British Broadcasting Corporation or Sianel Pedwar Cymru.
- (4) In this section—
- (a) “publish” means make available to the public at large, or any section of the public, in whatever form and by whatever means (and “publication” shall be construed accordingly);
  - (b) “the relevant period”, in relation to the referendum, means the period of 28 days ending with the date of the poll.”

***Member’s explanatory statement***

*This new Clause replicates section 125 of the Political Parties, Elections and Referendums Act 2000, and applies it directly to the EU Referendum. It is supplemented by New Clause 6 on Exemptions to prohibition on publication of promotional material by central and local government etc. (No.2). Amendment 4 removes from the Bill the disapplication of section 125 of the 2000 Act.*

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Ms Harriet Harman  
 Hilary Benn  
 Ms Rosie Winterton  
 Mr Pat McFadden  
 Heidi Alexander

NC6

To move the following Clause—

**“Exemptions to prohibition on publication of promotional material by central and local government etc. (No.2)**

- 5 (1) For the purposes of the referendum the Secretary of State may, by regulations, specify materials that he or she intends or expects to publish in the relevant period to be exempted from the prohibitions on the publication of materials under section (*Restriction on publication etc. of promotional material by central and local government etc.*).
- (2) Any materials listed in regulations made under this section will not be subject to the prohibitions on publication under section 125 of the 2000 Act.
- 10 (3) In this section “the relevant period”, in relation to the referendum, means the period of 28 days ending with the date of the poll.”

***Member’s explanatory statement***

*This gender-neutral new clause permits the Government to specify material that they intend or expect to publish in the “purdah” period for the referendum that would be exempted from the prohibition on publication of promotional material contained in section 125 of the Political Parties, Elections and Referendums Act 2000, which Amendment 4 would apply to the EU Referendum. The material would have to be specified in regulations exercisable by statutory instrument, which under clause 6 of this bill must be laid before and approved by a resolution of each House of Parliament.*

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

As an Amendment to Ms Harriet Harman's proposed New Clause (*Exemptions to prohibition on publication of promotional material by central and local government etc. (No. 2)*) (NC6):—

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

Kelvin Hopkins  
Mr Steve Baker  
Mr Graham Brady  
Sir Edward Leigh  
Mr Peter Bone  
Dr Julian Lewis

Gerald Jones  
Mr David Nuttall  
Mrs Anne Main  
Mr John Baron  
Tim Loughton  
Mr Christopher Chope

Sir William Cash  
Nadine Dorries  
John Redwood  
Stephen McPartland  
Zac Goldsmith

(a)

Line 11, at end add—

- “(4) Before laying any regulations under subsection (1) the Government shall seek the advice of the Electoral Commission on the subject of the proposed regulation.
- (5) Any advice given by the Electoral Commission under this section shall be published by the time the regulation is laid.
- (6) Any regulations under subsection (1) must be made not less than four months before the date of the referendum.”

***Member's explanatory statement***

*The Electoral Commission gives advice to the Government about proposed referendums. The proposed subsections (4) and (5) would reinforce this role in respect of regulations made under this section. Subsection (6) sets a time limit to ensure stable “purdah” arrangements are in place in advance of the start of referendum campaign.*

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Alex Salmond  
Stephen Gethins  
Ms Tasmina Ahmed-Sheikh  
Patrick Grady  
Stuart Blair Donaldson  
Caroline Lucas

11

Clause 10, page 5, line 28, at end insert—

- “(1A) (a) Section 1 will come into effect after a resolution has been passed by both Houses approving arrangements for a purdah period covering a period of five weeks before the referendum date.

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

- (b) arrangements for a purdah period will include—
  - (i) restrictions on material that can be published by the government, public bodies and the EU institutions; and
  - (ii) measures to determine breaches of purdah and penalties for such a breach.”

***Member’s explanatory statement***

*The referendum provision of the Bill could only come into effect after arrangements for purdah had been approved by both Houses of Parliament.*

Secretary Philip Hammond

53

Schedule 1, page 19, line 23, leave out paragraph 26 and insert—

- “26 (1) Section 125 of the 2000 Act (restriction on publication etc of promotional material by central and local government etc) has effect for the purposes of the referendum with the following modifications (which clarify the effect of certain provisions of that section and apply it to public bodies in Gibraltar).
- (2) Subsection (1) has effect for the purposes of the referendum as if for paragraphs (a) to (d) there were substituted—
  - “(a) provides general information about the referendum,
  - (b) directly addresses the question of whether the United Kingdom should remain a member of the European Union or leave the European Union (however that question is worded in the material),
  - (c) contains any statement or claim that—
    - (i) a particular outcome in the referendum, or
    - (ii) the United Kingdom’s remaining a member of the European Union or leaving the European Union, would have particular consequences or might have such consequences, or
  - (d) is designed to encourage voting in the referendum.”
- (3) Subsection (2) has effect for those purposes as if after paragraph (a) there were inserted—
  - “(aa) the Government of Gibraltar or any Gibraltar government department; or”.
- (4) Subsection (3) has effect for those purposes as if—
  - (a) for paragraph (b) there were substituted—
    - “(b) anything done by or on behalf of the Electoral Commission or a permitted participant designated under section 108 (designation of permitted participants to whom assistance is available);”, and
  - (b) after “Sianel Pedwar Cymru” there were inserted “or the Gibraltar Broadcasting Corporation”.
- (5) Subsection (4) has effect for those purposes as if after paragraph (a) there were inserted—
  - “(aa) “the referendum” means the referendum under section 1 of the European Union Referendum Act 2015;”.

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

- (6) For the purposes of the referendum the following subsection is to be treated as inserted after subsection (4)—

“(5) A reference in this section to expenses being defrayed wholly or mainly out of public funds includes those expenses being defrayed wholly or mainly by means of—

- (a) payments out of—
- (i) the Gibraltar consolidated fund; or
  - (ii) monies voted by the Gibraltar Parliament; or
- (b) payments by the Government of Gibraltar or any Gibraltar government department.”

***Member’s explanatory statement***

*This amendment applies section 125 of the 2000 Act with modifications which: clarify that the prohibition relates to material which is directly relevant to the referendum; apply section 125 to Gibraltar; and add an express reference to the Electoral Commission as a body to which the section does not apply.*

Sir William Cash  
Mr Steve Baker  
Dr Julian Lewis  
Mr Christopher Chope  
Mr Owen Paterson

78

Schedule 1, page 19, line 23, leave out paragraph 26 and insert—

- “26 (1) Section 125 of the 2000 Act (restriction of publication etc of promotional material by central and local government etc) applies in relation to the referendum during the referendum period with the following modification.
- (2) Section 125 (2) (a) of the 2000 Act has effect for the purposes of the referendum as if, after “Crown”, there were inserted “including ministers in the Scottish Government, the Welsh Government, the Northern Ireland Executive and Her Majesty’s Government of Gibraltar”.

***Member’s explanatory statement***

*The purpose of the amendment is to apply the “purdah” arrangements that govern ministerial and official announcements, visits and publicity during general elections to the campaign period before the referendum.*

Ms Harriet Harman  
Hilary Benn  
Ms Rosie Winterton  
Mr Pat McFadden  
Heidi Alexander

4

Schedule 1, page 19, line 23, leave out paragraph 26

***Member’s explanatory statement***

*The purpose of the amendment is to apply the “purdah” arrangements that govern ministerial and official announcements, visits and publicity during general elections to the campaign period before the referendum. The amendment should be read in conjunction with New Clause 5 (Restriction on publication etc of promotional material by central and local government etc) and New Clause 6 (Exemptions to prohibition on publication of promotional material by central and local government etc (No.2)).*

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European Union Referendum Bill, *continued*

NEW CLAUSES AND NEW SCHEDULES RELATING TO THE SUBJECT MATTER OF CLAUSE 2; AMENDMENTS TO CLAUSE 2; REMAINING PROCEEDINGS ON CONSIDERATION

Mike Gapes

20

Clause 2, page 2, line 2, leave out “parliamentary” and insert “local government”

***Member’s explanatory statement***

*This amendment is intended to allow citizens of any EU country who are resident in the UK to vote in the referendum.*

Ms Harriet Harman  
Hilary Benn  
Ms Rosie Winterton  
Mr Pat McFadden  
Heidi Alexander

17

Clause 2, page 2, line 2, at end insert “and persons who would be so entitled except for the fact that they will be aged 16 or 17 on the date on which the referendum is to be held.”

***Member’s explanatory statement***

*This amendment would entitle British citizens, qualifying Commonwealth citizens and citizens of the Republic of Ireland aged 16 and 17 to vote in the referendum.*

Secretary Philip Hammond

24

Clause 2, page 2, line 13, leave out paragraph (c) and insert—

“(c) the persons who, on the date of the referendum—

- (i) would be entitled to vote in Gibraltar as electors at a European Parliamentary election in the combined electoral region in which Gibraltar is comprised, and
- (ii) fall within subsection (1A).

(1A) A person falls within this subsection if the person is either—

- (a) a Commonwealth citizen, or
- (b) a citizen of the Republic of Ireland.”

***Member’s explanatory statement***

*This amendment includes within the category of persons entitled to vote in the referendum citizens of the Republic of Ireland who would be entitled to vote in Gibraltar at a European Parliamentary election.*

Ms Harriet Harman  
Hilary Benn  
Ms Rosie Winterton  
Mr Pat McFadden  
Heidi Alexander

18

Clause 2, page 2, line 13, after “Commonwealth citizens”, insert “or citizens of the Republic of Ireland”

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 European Union Referendum Bill, *continued*

Ms Harriet Harman  
 Hilary Benn  
 Ms Rosie Winterton  
 Mr Pat McFadden  
 Heidi Alexander

19

Clause 2, page 2, line 16, at end insert “and persons who would be so entitled except for the fact that they will be aged 16 or 17 on the date on which the referendum is to be held.”

***Member’s explanatory statement***

*This amendment would entitle Commonwealth citizens aged 16 and 17 who would be entitled to vote in Gibraltar for elections to the European Parliament to vote in the referendum.*

Alex Salmond  
 Stephen Gethins  
 Ms Tasmina Ahmed-Sheikh  
 Patrick Grady  
 Stuart Blair Donaldson  
 Caroline Lucas

Andrew Rosindell

7

Clause 2, page 2, line 16, at end insert—

“(d) the persons who on the date of the referendum would be entitled to vote in a European parliamentary election by virtue of the European Parliamentary Elections (Franchise of Relevant Citizens of the Union) Regulations 2001 (S.I. 2001/1184) (citizens of the European Union other than Commonwealth and Republic of Ireland citizens).”

***Member’s explanatory statement***

*This amendment would extend the franchise to EU nationals who would be entitled to vote in EU parliamentary elections in the UK.*

Alex Salmond  
 Stephen Gethins  
 Ms Tasmina Ahmed-Sheikh  
 Patrick Grady  
 Stuart Blair Donaldson  
 Caroline Lucas

Andrew Rosindell

8

Clause 2, page 2, line 16, at end insert—

“(1A) In subsection 1(a), “persons” include individuals who are aged 16 or 17 and would otherwise meet the conditions to be entitled to vote as electors in a parliamentary election.”

***Member’s explanatory statement***

*This amendment would extend the franchise to 16 and 17 year olds.*

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European Union Referendum Bill, *continued*

Alex Salmond  
 Stephen Gethins  
 Ms Tasmina Ahmed-Sheikh  
 Patrick Grady  
 Stuart Blair Donaldson  
 Caroline Lucas

9

Clause 2, page 2, line 20, at end insert—

- “(3) (a) In subsection 1(a) “a parliamentary election” includes elections to the Scottish Parliament,  
 (b) a person resident in England, Wales, Northern Ireland or Gibraltar who, if resident in Scotland, met the conditions for inclusion in the electoral register for Scottish elections, will be entitled to vote in the referendum.”

***Member’s explanatory statement***

*This amendment would extend the vote to 16 and 17 years olds and EU nationals.*

Alex Salmond  
 Stephen Gethins  
 Ms Tasmina Ahmed-Sheikh  
 Patrick Grady  
 Stuart Blair Donaldson  
 Caroline Lucas

10

Clause 2, page 2, line 20, at end insert—

- “(3) In subsection 1(a) “a parliamentary election” includes elections to the Scottish Parliament.”

***Member’s explanatory statement***

*This amendment would extend the vote to 16 and 17 years olds and EU nationals in Scotland.*

Mike Gapes

21

Clause 2, page 2, line 20, at end add—

- “(3) Notwithstanding the provisions of the Representation of the People Act 1983, as amended, or of any other statute, a British citizen resident overseas in a country within the European Union will be eligible—  
 (a) to register to vote, and  
 (b) to vote in the referendum,  
 irrespective of the length of time that the citizen has been resident overseas.”

***Member’s explanatory statement***

*This amendment is intended to allow British citizens resident in other EU countries to vote in the referendum.*

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 European Union Referendum Bill, *continued*

Sir William Cash  
 Mr Owen Paterson  
 Mr Steve Baker  
 Mr Nigel Dodds  
 Mr Jacob Rees-Mogg  
 Kelvin Hopkins

Jim Shannon  
 Graham Stringer  
 Sir Gerald Howarth  
 Mr Christopher Chope

Mr Richard Bacon  
 Richard Drax  
 Mr Andrew Turner  
 Andrew Rosindell

Mr Bernard Jenkin  
 Kate Hoey  
 Dr Julian Lewis

NC1

To move the following Clause—

**“Impartiality of broadcasters**

- (1) Notwithstanding any enactment or legal instrument, before the start of the referendum period the Secretary of State shall by regulations make provision to ensure the impartiality of broadcasters during the referendum period.
- (2) Regulations made under this section must include provision for the appointment by the Secretary of State of a referendum broadcasting adjudicator.
- (3) Regulations made under this section must require the referendum broadcasting adjudicator
  - (a) to draw up and publish guidance applicable to the referendum to ensure the impartiality of broadcasters during the referendum period, notwithstanding any relevant guidance currently in force or in draft; and
  - (b) to make arrangements by which any allegations of breach of the guidance on impartiality can be referred to and determined by the adjudicator and where an allegation, in the adjudicator’s view, is vexatious or frivolous to dismiss the allegation.
- (4) Guidance published under subsection (3)(a) shall apply to—
  - (a) the holder of a licence under the Broadcasting Act 1990 or 1996 and
  - (b) the British Broadcasting Corporation.
- (5) Regulations made under this section shall require the referendum broadcasting adjudicator within one day of receipt of an allegation that a broadcaster has breached the guidance on impartiality to determine whether the guidance has been breached and publish its determination and, where a breach has taken place, to require the broadcaster to remedy the breach within one day.
- (6) Regulations made under this section are to be made by statutory instrument which is subject to annulment in pursuance of a resolution of either House of Parliament.”

***Member’s explanatory statement***

*The intention of this amendment is to ensure impartiality of television and radio broadcasters during the referendum campaign and to allow for swift adjudication where an allegation of bias is made.*

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European Union Referendum Bill, *continued*

Alex Salmond  
Stephen Gethins  
Ms Tasmina Ahmed-Sheikh  
Patrick Grady  
Stuart Blair Donaldson  
Caroline Lucas

NC3

To move the following Clause—

**“Declaration of intent for withdrawal from the EU**

The Secretary of State will present to Parliament a declaration of intent for withdrawal from the European Union if—

- (a) a majority of total votes cast in the referendum in the United Kingdom are against the United Kingdom remaining a member of the European Union, and
- (b) a majority of the votes cast in the referendum in each of England, Scotland, Wales and Northern Ireland are against the United Kingdom remaining a member of the European Union.”

***Member’s explanatory statement***

*This amendment would require the Secretary of State to present to Parliament a declaration of intent to withdraw from the EU only on the basis of a double-majority covering the whole UK and each of the four constituent nations of the UK*

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Philip Davies  
Mr David Nuttall

NC4

To move the following Clause—

**“Referendum result**

In the event that the referendum result is in favour of the United Kingdom leaving the European Union—

- (a) notice of withdrawal under Article 50 of the Treaty of Lisbon must be served by the Government on the European Council within 28 days of the referendum;
  - (b) withdrawal must be completed within two years of serving notice as per (1) above; and
  - (c) there shall not be another referendum on the United Kingdom’s membership of the European Union before withdrawal from the European Union has been completed.”
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**European Union Referendum Bill, *continued***

Hywel Williams

NC7

To move the following Clause—

**“Protection of structural funds in the event of withdrawal from the European Union**

The Secretary of State may not appoint a date for the referendum under section 1(2) before a scheme has been laid before each House of Parliament for the continued provision of funding by Her Majesty’s Government to those regions of the UK that qualify for European Union structural funds, to be equivalent in timescale and conditions as the European Union structural funds available at the date of the referendum.”

***Member’s explanatory statement***

*The purpose of this Clause is to ensure that, in the event of withdrawal from the European Union, additional funds will be provided by the UK Government to those regions of the UK that qualify for structural funds, in the same timescales and under the same conditions as the European Union structural funds.*

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Hywel Williams

NC8

To move the following Clause—

**“Return of Powers**

The Secretary of State may not appoint a date for the referendum under section 1(2) before a scheme has been laid before each House of Parliament for the further devolution of legislative competence to the National Assembly of Wales, the Northern Ireland Assembly and the Scottish Parliament in relation to matters currently subject to European Union Regulations or Directives.”

***Member’s explanatory statement***

*The purpose of this Clause is to ensure that, in the event of any powers being returned to the United Kingdom that were previously held by the European Union as a result of the referendum or any agreement, a report be published on which of these powers should most appropriately be given to the devolved governments (and those powers subsequently transferred).*

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Hywel Williams

NC9

To move the following Clause—

**“Protection of the Farming Community**

The Secretary of State may not appoint a date for the referendum under section 1(2) before a scheme has been laid before each House of Parliament for the continued provision of funding by Her Majesty’s Government to the devolved administrations in Northern Ireland, Scotland and Wales equivalent to the support

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

provided in promotion of agriculture by the Common Agricultural Policy as at the date of the referendum.”

***Member’s explanatory statement***

*The purpose of this Clause is to ensure that, in the event of the UK Government withdrawing from the European Union, funding which would have been made available to each constituent part of the UK through membership of the Common Agricultural Policy is provided to each government for use as it sees most appropriate (in promotion of agriculture).*

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Sir William Cash  
 Dr Julian Lewis  
 Mr Christopher Chope  
 Andrew Rosindell

**NC11**

To move the following Clause—

**“Limit of the expenditure of registered political parties**

- (1) Notwithstanding Schedule 14 of the 2000 Act and any other enactment, for the purposes of the referendum there will be a cumulative limit on the expenditure which political parties registered under Part II of the 2000 Act can spend cumulatively on campaigning during the referendum.
- (2) For the purpose of subsection (1) the cumulative limit is £14,000,000.
- (3) Each political party’s share of the cumulative limit shall be determined in proportion to its share of the total votes cast at the general election that took place on 7 May 2015.
- (4) On the basis set out at subsection (3) the Electoral Commission shall calculate and notify each political party of its share of the cumulative limit.
- (5) No registered political party shall spend any money in respect of the referendum campaign until the notification required at subsection (4) has been issued.
- (6) Each political party is responsible for its own expenditure and must not breach the limit notified by the Electoral Commission in respect of its own expenditure.”

***Member’s explanatory statement***

*The purpose of this amendment is to impose an expenditure limit on the cumulative total amount that political parties can spend during the referendum campaign.*

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Sir William Cash  
 Dr Julian Lewis  
 Mr Steve Baker  
 Mr Christopher Chope  
 Andrew Rosindell

**NC12**

To move the following Clause—

**“Course of action in the event of the result of the Referendum that the UK leave the EU**

Notwithstanding the European Communities Act 1972, the Vienna Convention on the Law of Treaties and Article 50 of the Treaty of Lisbon, in the event that

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

the outcome of the referendum is that the United Kingdom should not remain a member of the European Union the United Kingdom may determine its own course of action on its own terms and the means by which it shall achieve the course of action.”

***Member’s explanatory statement***

*The purpose of the clause is to ensure that, if the outcome of the referendum is that the UK should not remain a member of the EU, the UK can determine how to leave the EU.*

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Alex Salmond  
 Stephen Gethins  
 Ms Tasmina Ahmed-Sheikh  
 Patrick Grady  
 Stuart Blair Donaldson  
 Caroline Lucas

5

Clause 1, page 1, line 9, at end insert “or a date within three months before or after May 5.”

***Member’s explanatory statement***

*This would ensure the referendum vote could not be held on a day three months before or after the date of the Scottish, Welsh and Northern Irish elections.*

Secretary Philip Hammond  
 Philip Davies  
 Mr David Nuttall

12

Clause 1, page 1, line 9, at end insert “and  
 (c) must not be 4 May 2017.”

Alex Salmond  
 Stephen Gethins  
 Ms Tasmina Ahmed-Sheikh  
 Patrick Grady  
 Stuart Blair Donaldson  
 Caroline Lucas

6

Clause 1, page 1, line 9, at end insert—  
 “(c) must not be the same day as local government elections in England, Scotland, Wales or Northern Ireland.”

***Member’s explanatory statement***

*This amendment would ensure the referendum vote could not be held on the same day as local government elections.*

European Union Referendum Bill, *continued*

Ms Harriet Harman  
Hilary Benn  
Ms Rosie Winterton  
Mr Pat McFadden  
Heidi Alexander

15

Clause 1, page 1, line 9, at end insert—

“(c) must not coincide with local or mayoral elections planned for 4 May 2017.”

**Member’s explanatory statement**

*This amendment would rule out holding the referendum on the same day as the 2017 local elections.*

Secretary Philip Hammond

23

Clause 1, page 1, line 10, leave out subsections (4) and (5) and insert—

“(4) The question that is to appear on the ballot papers is—

*“Should the United Kingdom remain a member of the European Union or leave the European Union?”*

(5) The alternative answers to that question that are to appear on the ballot papers are—

*“Remain a member of the European Union*

*Leave the European Union”.*

(6) In Wales, there must also appear on the ballot papers—

(a) the following Welsh version of the question—

*“A ddylai’r Deyrnas Unedig aros yn aelod o’r Undeb Ewropeaidd neu adael yr Undeb Ewropeaidd?”* and

(b) the following Welsh versions of the alternative answers—

*“Aros yn aelod o’r Undeb Ewropeaidd*

*Gadael yr Undeb Ewropeaidd”.*”

**Member’s explanatory statement**

*This amendment changes the English and Welsh versions of the referendum question in line with the advice of the Electoral Commission. It also puts the alternative answers to the question recommended by the Electoral Commission onto the face of the Bill.*

Philip Davies  
Mr David Nuttall

13

Clause 1, page 1, line 11, at end insert “or leave the European Union?”

Philip Davies  
Mr David Nuttall

14

Clause 1, page 1, leave out line 14 and insert—

*“A ddylai’r Deyrnas Unedig bara i fod yn aelod o’r Undeb Ewropeaidd neu adael yr Undeb Ewropeaidd?”*

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 European Union Referendum Bill, *continued*

Ms Harriet Harman  
 Hilary Benn  
 Ms Rosie Winterton  
 Mr Pat McFadden  
 Heidi Alexander

16

Clause 1, page 1, line 14, at end insert—

“(6) At least 10 weeks before the date on which the referendum is to be held the Government shall publish a White Paper outlining the terms of any renegotiation between the United Kingdom and the European Union and the consequences for the United Kingdom of leaving the European Union.”

***Member’s explanatory statement***

*This amendment requires the Government to produce a white paper on the results of the Government’s renegotiation with the EU and the consequences for Britain of leaving the EU.*

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Secretary Philip Hammond

25

Clause 5, page 3, line 23, leave out from “existence” to end of line 24 and insert “of—

(a) section 4, or

(b) anything in any other provision of this Act which enables particular provision to be made under section 4,

and in this Act “Gibraltar conduct law” means any provision of law made in and for Gibraltar which corresponds to any provision that has been or could be made for any part of the United Kingdom by regulations under section 4.”

***Member’s explanatory statement***

*This amendment clarifies that the existence of the Minister’s powers to make regulations governing the conduct of the referendum does not affect the capacity of the Gibraltar legislature to make law governing the conduct of the referendum in Gibraltar.*

Secretary Philip Hammond

26

Clause 5, page 3, line 26, leave out “regulations made under such a power” and insert “Gibraltar conduct law”

***Member’s explanatory statement***

*This amendment confirms that the relationship between the Bill (and any regulations made under the Bill that extend to Gibraltar) and any Gibraltar law about the conduct of the referendum will be governed by the usual rules about laws extending to Gibraltar.*

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Secretary Philip Hammond

27

Clause 6, page 3, line 35, leave out subsection (3) and insert—

“(3) Subsection (2) does not apply to a statutory instrument containing only regulations within subsection (3A).

(3A) Regulations within this subsection are any of the following—

(a) regulations under section 10;

(b) regulations under paragraph 6C of Schedule 1;

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

(c) regulations made by the Minister under paragraph 12 of Schedule 3.

(3B) A statutory instrument containing only regulations under paragraph 6C of Schedule 1 (or only such regulations and other regulations within subsection (3A)) is subject to annulment in pursuance of a resolution of either House of Parliament.”

***Member’s explanatory statement***

*This amendment ensures that regulations that only prescribe the start of the period for applications under the 2000 Act for designation as a lead campaigner are subject to the negative resolution procedure.*

Secretary Philip Hammond

28

Clause 6, page 3, line 40, at end insert—

“( ) Section 26 of the Welsh Language Act 1993 (power to prescribe Welsh forms) applies in relation to regulations under this Act as it applies in relation to Acts of Parliament.”

***Member’s explanatory statement***

*The effect of this amendment is that if a statutory instrument is made prescribing Welsh forms for use in the referendum under the powers in the Welsh Language Act 1993, the instrument will only need to be laid before Parliament after being made.*

Sir William Cash  
Mr Owen Paterson  
Mr Steve Baker  
Mr Nigel Dodds  
Mr Jacob Rees-Mogg  
Kelvin Hopkins

Jim Shannon  
Graham Stringer  
Sir Gerald Howarth  
Andrew Rosindell

Mr Richard Bacon  
Richard Drax  
Mr Andrew Turner

Mr Bernard Jenkin  
Kate Hoey  
Dr Julian Lewis

3

Clause 6, page 3, line 40, at end insert—

“(5) Regulations made under this Act or the 2000 Act in respect of the referendum must be made and come into force not less than six months before the start of the referendum period.”

***Member’s explanatory statement***

*The purpose of the amendment is to ensure the legislative framework for the referendum is clear at least six months before it is required to be implemented or complied with.*

Secretary Philip Hammond

29

Clause 8, page 4, line 32, at end insert—

““Gibraltar conduct law” has the meaning given by section 5(2);”

***Member’s explanatory statement***

*This amendment inserts a definition of “Gibraltar conduct law” into the list of defined terms for the Bill.*

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 European Union Referendum Bill, *continued*

Secretary Philip Hammond

30

Clause 8, page 4, line 45, at end insert—

““registered party” and “minor party” have the same meaning as in the 2000 Act (see section 160(1) of that Act);”

**Member’s explanatory statement**

*This amendment adds definitions of “registered party” and “minor party” to the Bill. The definitions are the same as those used in the 2000 Act.*

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Sir William Cash  
Mr Owen Paterson  
Mr Steve Baker  
Mr Nigel Dodds  
Mr Jacob Rees-Mogg  
Kelvin Hopkins

Jim Shannon  
Graham Stringer  
Sir Gerald Howarth  
Andrew Rosindell

Mr Richard Bacon  
Richard Drax  
Mr Andrew Turner

Mr Bernard Jenkin  
Kate Hoey  
Dr Julian Lewis

Schedule 1, page 6, line 6, after second “period”, insert “of not less than 16 weeks”

**Member’s explanatory statement**

*The purpose of the amendment is to ensure that the referendum period lasts for at least 16 weeks.*

Secretary Philip Hammond

31

Schedule 1, page 6, line 21, leave out “(b) to (g)” insert “(b) and (d) to (g)”

**Member’s explanatory statement**

*This amendment ensures that registered Gibraltar political parties are not covered by more than one provision of section 105 of the 2000 Act (which sets out who are permitted participants for the purposes of the referendum).*

Secretary Philip Hammond

32

Schedule 1, page 8, line 36, leave out sub-paragraph (6) and insert—

“(6) In this paragraph “treasurer” has the same meaning as in the 2000 Act (see section 160(1) of that Act), and section 25(6) of that Act (references to the treasurer to be read in certain cases as references to the campaigns officer) applies for the purposes of this paragraph as it applies for the purposes of Part 7 of that Act.”

**Member’s explanatory statement**

*This amendment ensures that campaign officers for registered political parties cannot be responsible for compliance for two or more permitted participants.*

Secretary Philip Hammond

33

Schedule 1, page 8, line 37, at end insert—

*“Unincorporated associations with offensive etc names*

6A (1) This paragraph applies to a notification which, in relation to the referendum, is given to the Electoral Commission under section 106(3) of the 2000 Act by an

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

unincorporated association falling within section 54(2)(h) or 54(2A)(g) of that Act.

- (2) A notification to which this paragraph applies is not to be treated for the purposes of section 105 or 107 of the 2000 Act as having been given unless the Electoral Commission have accepted the notification.
- (3) As soon as reasonably practicable after receiving a notification to which this paragraph applies the Electoral Commission must decide whether or not to accept the notification, and they must accept it unless in their opinion the name of the association—
  - (a) is obscene or offensive, or
  - (b) includes words the publication of which would be likely to amount to the commission of an offence.
- (4) As soon as reasonably practicable after deciding whether to accept the notification the Electoral Commission must give written notice to the association—
  - (a) stating whether they accept the notification, and
  - (b) if their decision is not to accept the notification, giving the reasons for that decision.

6B (1) Where—

- (a) a permitted participant is an unincorporated association falling within section 54(2)(h) or 54(2A)(g) of the 2000 Act,
- (b) the Electoral Commission is notified under section 106(5) of that Act of a change of name of the association, and
- (c) in the opinion of the Electoral Commission the new name is obscene or offensive or includes words the publication of which would be likely to amount to the commission of an offence,

the Electoral Commission does not have to enter the new name in the register under section 107 of that Act.

- (2) If the Electoral Commission decide under this paragraph not to enter the new name of an unincorporated association in that register, the Electoral Commission—
  - (a) must as soon as reasonably practicable give written notice to the association of that decision and the reasons for it, and
  - (b) in any case where they are required to make available for public inspection a document that uses the association’s new name, may replace that name in the document with the name that appears on the register in respect of the association.
- (3) The fact that the association’s new name is not entered in the register does not cause the association to cease to be a permitted participant.”

***Member’s explanatory statement***

*This amendment enables the Electoral Commission to reject a permitted participant notification given by an unincorporated association with an obscene, offensive or criminal name or a change of name notification given by an unincorporated association that is a permitted participant if the new name is obscene, offensive or criminal.*

Secretary Philip Hammond

34

Schedule 1, page 8, line 37, at end insert—

*“Applying to become a designated organisation: period for making application*

- 6C Subsections (2), (3) and (6) of section 109 of the 2000 Act (application by organisation for designation) have effect for the purposes of the referendum as if the reference in subsection (2)(b) of that section to the first day of the

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

referendum period were a reference to the day prescribed under this paragraph by regulations made by the Minister.”

***Member’s explanatory statement***

*This amendment enables the start of the period for applications under section 109 of the 2000 Act for designation as a lead campaigner under section 108 of that Act to be prescribed in regulations made by the Minister.*

Secretary Philip Hammond

35

Schedule 1, page 9, line 11, after first “of” insert “Gibraltar”

***Member’s explanatory statement***

*This amendment inserts a reference to “Gibraltar public funds” into a provision that allows designated organisations to hold public referendum meetings in schools wholly or partly funded out of Gibraltar public funds.*

Secretary Philip Hammond

36

Schedule 1, page 9, line 12, at end insert—

“( ) Paragraph 2 has effect for those purposes as if after sub-paragraph (7) there were inserted—

“(7A) A reference in this paragraph to an expense being payable out of “Gibraltar public funds” is to the expense being payable by means of—

(a) payments out of—

(i) the Gibraltar consolidated fund, or

(ii) monies voted by the Gibraltar Parliament, or

(b) payments by the Government of Gibraltar or any Gibraltar government department.”

***Member’s explanatory statement***

*This amendment sets out the meaning of references to expenses being payable out of “Gibraltar public funds” for the purposes of paragraph 2 of Schedule 12 to the 2000 Act.*

Secretary Philip Hammond

37

Schedule 1, page 9, line 20, leave out sub-paragraph (5)

***Member’s explanatory statement***

*This amendment omits a provision that is no longer necessary as a consequence of Gibraltar public funds being defined.*

Secretary Philip Hammond

38

Schedule 1, page 9, line 27, leave out sub-paragraphs (2) and (3) and insert—

“(2) Regulations under section 4 may—

(a) confer functions on a referendum agent appointed under this paragraph;

(b) make further provision (additional to the provision in paragraphs 10 and 11) in connection with referendum agents.”

***Member’s explanatory statement***

*This amendment removes the limitation that referendum agents have only the functions conferred on them by regulations under section 4 and so enables functions to be conferred on referendum agents by Gibraltar conduct law.*

European Union Referendum Bill, *continued*

Secretary Philip Hammond

39

Schedule 1, page 10, line 32, at end insert—

“12A(1) In section 117(5) of the 2000 Act (certain expenditure incurred before the referendum period treated as incurred during that period), the reference to any time before the beginning of the referendum period is to be read for the purposes of the referendum as including any time before the commencement of this Schedule.

(2) This paragraph has effect in relation to section 117(5) of the 2000 Act as it applies for the purposes of section 117 of that Act and as applied by any provision of that Act or of this Schedule.”

***Member’s explanatory statement***

*This amendment ensures that referendum expenses incurred before the commencement of Schedule 1 to the Bill are, for the purposes of the 2000 Act, treated in the same way as other expenses incurred before the beginning of the referendum period.*

Secretary Philip Hammond

40

Schedule 1, page 11, line 16, leave out sub-paragraphs (2) and (3) and insert—

“(2) The expenses mentioned in sub-paragraph (1)(a) are to be treated for the purposes of—

(a) section 117 of the 2000 Act, and

(b) section 118 of and Schedule 14 to that Act,

as having also been incurred during the referendum period by or on behalf of the other individual or body (or, as the case may be, each of the other individuals or bodies) mentioned in sub-paragraph (1)(b)(ii); but this is subject to sub-paragraph (5).”

***Member’s explanatory statement***

*This amendment has the effect that, where referendum expenses are incurred by two or more persons acting in concert, for the purposes of the provisions of the 2000 Act that impose restrictions on expenses, the expenses of each person are generally to be treated as also incurred by the others.*

Secretary Philip Hammond

41

Schedule 1, page 11, line 28, leave out sub-paragraph (5) and insert—

“(5) But if any of the individuals or bodies in question (“the persons involved”) is or becomes a designated organisation, the following referendum expenses are to be treated for the purposes of sections 117 and 118 of and Schedule 14 to the 2000 Act as having been incurred during the referendum period by or on behalf of the designated body only—

(a) any referendum expenses incurred during the referendum period by or on behalf of the designated organisation;

(b) where any of the other persons involved is a permitted participant, any referendum expenses incurred during the referendum period by or on behalf of that permitted participant;

(c) where any of the other persons involved is an individual or body which is not a permitted participant but is below the expenses threshold, any referendum expenses incurred during the referendum period by or on behalf of that individual or body.

(5A) For the purposes of this paragraph an individual or body is “below the expenses threshold” if the total of the referendum expenses incurred during the

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

referendum period by or on behalf of the individual or body does not exceed £10,000.”

**Member’s explanatory statement**

*This amendment ensures that where a person incurs referendum expenses while acting in concert with a designated organisation those expenses are treated as incurred by the designated organisation only. This does not apply if the person is not a permitted participant but exceeds the expenses threshold above which registration as a permitted participant is required.*

Secretary Philip Hammond

42

Schedule 1, page 11, line 31, leave out sub-paragraphs (6) to (8) and insert—

“(6) For the purposes of this paragraph—

- (a) section 112 of the 2000 Act (notional referendum expenses) applies as it applies for the purposes of Part 7 of that Act,
  - (b) section 113(3) of the 2000 Act (expenses incurred in contravention of section 113(1)) applies as it applies for the purposes of sections 117 to 123 of that Act, and
  - (c) subsections (5) and (6) of section 117 of the 2000 Act (certain expenditure incurred before the referendum period) apply as they apply for the purposes of that section.
- (7) In this paragraph any reference to referendum expenses incurred by or on behalf of a designated organisation, or a permitted participant, during the referendum period includes referendum expenses incurred during that period before the person by or on whose behalf the expenses were incurred became a designated organisation or, as the case may be, permitted participant.”

**Member’s explanatory statement**

*This amendment ensures that, for the purposes of the provisions of the Bill about parties acting in concert, references to referendum expenses have the same meaning as in provisions of the 2000 Act relating to referendum expenses.*

Secretary Philip Hammond

43

Schedule 1, page 11, line 39, at end insert—

“14A(1) Section 120 of the 2000 Act (returns in respect of referendum expenses and donations) has effect for the purposes of the referendum with the following modifications (as well as with the modification in paragraph 2(1) of Schedule 2 to this Act).

- (2) Subsection (2) has effect for the purposes of the referendum as if the “and” after paragraph (c) were omitted and as if after paragraph (c) there were inserted—

“(ca) a declaration under subsection (4A);

(cb) a declaration under subsection (4B); and”.

- (3) Subsection (4) has effect for those purposes as if for “(2)” there were substituted “(2)(a) to (c)”.

- (4) For the purposes of the referendum the following subsections are to be treated as inserted after subsection (4)—

“(4A) For the purposes of subsection (2)(ca), a declaration under this subsection is a declaration of—

- (a) whether there are any referendum expenses, incurred by or on behalf of an individual or body other than the permitted participant to which the return under this section relates, that must under paragraph 14 of Schedule 1 to the European Union Referendum Act 2015 be treated as having been incurred

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

- during the referendum period by or on behalf of the permitted participant; and
- (b) if so, in the case of each individual or body concerned, its name and the amount of referendum expenses incurred by or on its behalf that must be treated as mentioned in paragraph (a).
- (4B) For the purposes of subsection (2)(cb), a declaration under this subsection is a declaration of—
- (a) whether there are any referendum expenses incurred by or on behalf of the permitted participant that must under paragraph 14 of Schedule 1 to the European Union Referendum Act 2015 be treated as having been incurred during the referendum period by or on behalf of another individual or body; and
- (b) if so, in the case of each such individual or body, its name and the amount of referendum expenses incurred by or on behalf of the permitted participant that must be treated as having been incurred during the referendum period by or on behalf of that individual or body.
- (4C) The reference in subsection (4B) to referendum expenses incurred by or on behalf of the permitted participant includes referendum expenses incurred before the person by or on whose behalf the expenses were incurred became a permitted participant.
- (4D) Any reference in subsection (4A) or (4B) to referendum expenses that must be treated under paragraph 14 of Schedule 1 to the European Union Referendum Act 2015 as having been incurred during the referendum period by or on behalf of a particular person includes—
- (a) referendum expenses that under that paragraph must be treated as having been incurred by or on behalf of that person only; and
- (b) referendum expenses that, under that paragraph, must be treated as having also been incurred by or on behalf of that person.
- (4E) Any reference in subsection (4A)(b) or (4B)(b) to the name of an individual or body is to be read, where the individual or body is a permitted participant, as a reference to the name under which that permitted participant is registered in the register under section 107.””

***Member's explanatory statement***

*This amendment requires a permitted participant to include in its referendum expenses return declarations as to expenses treated under the Bill as having been incurred by the permitted participant or as having been incurred by another individual or body.*

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 European Union Referendum Bill, *continued*

Mr Steve Baker  
 Dr Julian Lewis  
 Mr Christopher Chope  
 Andrew Rosindell

22

Schedule 1, page 12, line 23, at end insert—

“(3) Notwithstanding the European Communities Act 1972, an EU institution (within the meaning of article 13(1) of the Treaty on European Union) may not incur referendum expenses during the referendum period.”

***Member’s explanatory statement***

*This amendment would prevent the EU institutions, including the Commission, from direct campaigning in the referendum, whether under the guise of EU law or otherwise.*

Secretary Philip Hammond

44

Schedule 1, page 12, line 23, at end insert—

*“Permissible donors: donations to registered parties other than minor parties*

16A (1) This paragraph applies in relation to a donation received by a permitted participant if—

- (a) the permitted participant is a registered party that is not a minor party,
  - (b) the donation is received from a person (“the donor”) who in relation to that donation is not a permissible donor for the purposes of Part 4 of the 2000 Act by virtue of section 54 of that Act,
  - (c) the donor is a person within sub-paragraph (3), and
  - (d) the donation is received by the party within the referendum period.
- (2) In relation to that donation, the donor is to be regarded for the purposes of Part 4 of the 2000 Act as a permissible donor.
- (3) The persons within this sub-paragraph are—
- (a) a Gibraltar elector;
  - (b) a body falling within any of paragraphs (b) to (g) of section 54(2A) of the 2000 Act;
  - (c) a body incorporated by Royal Charter which does not fall within section 54(2) of that Act;
  - (d) a charitable incorporated organisation within the meaning of Part 11 of the Charities Act 2011 or Part 11 of the Charities Act (Northern Ireland) 2008;
  - (e) a Scottish charitable incorporated organisation within the meaning of Chapter 7 of Part 1 of the Charities and Trustee Investment (Scotland) Act 2005 (asp 10);
  - (f) a partnership constituted under the law of Scotland which carries on business in the United Kingdom.
- (4) In this paragraph—
- (a) “donation” has the same meaning as in section 54 of the 2000 Act (see section 50 of that Act);
  - (b) “Gibraltar elector” has the same meaning as in the 2000 Act (see section 160(1) of that Act).

16B Where paragraph 16A applies in relation to a donation received by a permitted participant, paragraph 2 of Schedule 6 to the 2000 Act (details to be given in donation reports) has effect as if—

- (a) in sub-paragraph (1)(a) for “(10)” there were substituted “(10C)”, and

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

(b) the following sub-paragraphs were inserted after sub-paragraph (10)—

“(10A) In the case of a body within paragraph 16A(3)(c) of Schedule 1 to the European Union Referendum Act 2015 (body incorporated by Royal Charter) the report must give—

- (a) the name of the body; and
- (b) the address of its main office in the United Kingdom.

(10B) In the case of a body within paragraph 16A(3)(d) or (e) of that Schedule (charitable incorporated organisation) the report must give—

- (a) the name of the body; and
- (b) the address of its principal office.

(10C) In the case of a body within paragraph 16A(3)(f) of that Schedule (Scottish partnership) the report must give—

- (a) the name of the body; and
- (b) the address of its main office in the United Kingdom.””

***Member’s explanatory statement***

*This amendment ensures that registered political parties (other than minor parties) that are permitted participants are able to receive donations from Gibraltar electors and bodies, Royal Charter bodies, charitable incorporated organisations and Scottish partnerships. This brings the rules for such parties into line with other permitted participants.*

Secretary Philip Hammond

45

Schedule 1, page 12, line 24, at end insert—

“16C(1) Paragraph 1 of Schedule 15 to the 2000 Act (control of donations to permitted participants: operation and interpretation of Schedule) has effect for the purposes of the referendum as if the following sub-paragraphs were substituted for sub-paragraph (6)—

“(6) In relation to donations received by a permitted participant other than a designated organisation—

- (a) references to a permissible donor falling within section 54(2), and
- (b) references to a person within paragraph 6(1A) of this Schedule,

do not include a registered party and do not include a political party which is not a registered party but is established in Gibraltar.

In this sub-paragraph “designated organisation” has the meaning given by section 110(5).

(7) Sub-paragraph (6) applies also to references to a permissible donor, and references to a person within paragraph 6(1A) of this Schedule, in sections 56 and 61 as applied by paragraphs 7 and 8 of this Schedule.””

***Member’s explanatory statement***

*This amendment ensures that Gibraltar political parties that are not registered under Part 2 of the 2000 Act may not make donations to permitted participants, except designated organisations. This brings the position of unregistered Gibraltar parties into line with registered parties.*

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

Secretary Philip Hammond

46

Schedule 1, page 13, line 11, at end insert—

“( ) For the purposes of the referendum the following sub-paragraph is to be treated as inserted after sub-paragraph (8)—

“(9) In relation to a relevant donation in the form of a bequest sub-paragraph (1A)(a) is to be read as referring to an individual who was, at any time within the period of five years ending with the date of the individual’s death, a Gibraltar elector.””

***Member’s explanatory statement***

*This amendment ensures that donations to permitted participants in the form of bequests from individuals who were, at any time in the five years preceding their death, registered in the Gibraltar register are treated as donations from permissible donors. This matches the position as regards bequests from individuals who were registered in a UK electoral register.*

Sir William Cash  
Mr Owen Paterson  
Mr Steve Baker  
Mr Nigel Dodds  
Mr Jacob Rees-Mogg  
Kelvin Hopkins

Jim Shannon  
Graham Stringer  
Sir Gerald Howarth

Mr Richard Bacon  
Richard Drax  
Mr Andrew Turner

Mr Bernard Jenkin  
Kate Hoey  
Andrew Rosindell

2

Schedule 1, page 13, line 11, at end add—

“(6) For the purposes of paragraph 6 of Schedule 15 of the 2000 Act a permitted participant must not accept a relevant donation, irrespective of whether or not it meets the requirements of the 2000 Act and this Act, if the donation is funded directly or indirectly in whole or part from moneys, resources or support disbursed or allocated by or at the direction of the European Commission, its agencies or any related European institution to the donor or via other parties to the donor.”

5

***Member’s explanatory statement***

*The purpose of the amendment is to ensure that no funds or support provided directly or indirectly by European Union bodies have a bearing on the outcome of the referendum.*

As an Amendment to Sir William Cash’s proposed Amendment (No. 2):—

Mr Steve Baker  
Dr Julian Lewis  
Mr Christopher Chope

(a)

Line 2, after “(6)” insert “Notwithstanding the European Communities Act 1972,”

***Member’s explanatory statement***

*This amendment would ensure that amendment 2 takes effect as intended. It would make clear a permitted participant could not accept donations paid by EU institutions under the authority of EU law.*

European Union Referendum Bill, *continued*

Secretary Philip Hammond

47

Schedule 1, page 13, line 18, at end insert—

*“Evasion of restrictions on donations*

18A Paragraph 8 of Schedule 15 to the 2000 Act (application of section 61 of the 2000 Act) has effect for the purposes of the referendum as if for paragraph (c) (and the “and” preceding it) there were substituted—

“(c) any reference to a permissible donor included a person within paragraph 6(1A) above; and

(d) any reference to the treasurer of a registered party were, in relation to a permitted participant, a reference to the responsible person.”

***Member’s explanatory statement***

*This amendment has the effect that arrangements for facilitating the making of donations to permitted participants by persons who are permitted to make the donations are not unlawful.*

Secretary Philip Hammond

48

Schedule 1, page 16, line 26, at end insert—

“(11) In—

(a) section 113(3) (treatment of expenses incurred in contravention of section 113(1)), and

(b) section 118(4) and (5) (treatment of certain expenses incurred before referendum period or before becoming permitted participant),

the references to, respectively, sections 117 to 123 and sections 120 to 123 include references to this section.”

***Member’s explanatory statement***

*This amendment ensures that in the new section 124A treated as inserted in the 2000 Act by the Bill, references to referendum expenses incurred by a permitted participant during the referendum period will be construed consistently with references in section 120 of that Act.*

Secretary Philip Hammond

49

Schedule 1, page 16, line 26, at end insert—

“(2) Nothing in subsection (10) of the section treated as inserted by this paragraph (read with section 9 of this Act) is to be taken to mean that Schedule 19C to the 2000 Act extends or applies to Gibraltar for the purposes of the referendum.”

***Member’s explanatory statement***

*This amendment makes clear that Schedule 19C to the 2000 Act does not extend or apply to Gibraltar (despite that Schedule being referred to in a provision that extends to Gibraltar).*

Secretary Philip Hammond

50

Schedule 1, page 16, line 27, at end insert—

“( ) In this paragraph references to a permitted participant are to a permitted participant which either is not a registered party or is a minor party.”

***Member’s explanatory statement***

*This amendment ensures that the requirement that permitted participants report donations during the referendum period does not apply to registered parties (other than minor parties). Registered parties (other than minor parties) are subject to separate donation reporting requirements under the 2000 Act.*

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

Secretary Philip Hammond

51

Schedule 1, page 18, line 16, leave out sub-paragraph (14) and insert—

“(14) Section 161 of the 2000 Act (interpretation: donations) applies for the purposes of this paragraph as it applies for the purposes of the provisions of that Act relating to donations.”

***Member’s explanatory statement***

*This amendment ensures that the provisions of the Bill relating to the reporting of donations during the referendum period will be construed in accordance with all of the relevant provisions in the 2000 Act about the interpretation of references to donations.*

Secretary Philip Hammond

52

Schedule 1, page 19, line 21, at end insert—

“25A Section 149(2) to (5) and (7) of the 2000 Act (inspection of Commission’s documents) apply in relation to reports and documents which the Electoral Commission are required to make available for public inspection under paragraph 25 as they apply to the documents which the Electoral Commission are required to make available for public inspection by virtue of the provisions of the 2000 Act mentioned in section 149(6) of that Act.”

***Member’s explanatory statement***

*This amendment ensures that provisions in the 2000 Act about inspection of registers and documents kept by the Electoral Commission apply to permitted participants’ donations reports delivered to the Commission, and available for public inspection, under Schedule 1 to the Bill.*

Secretary Philip Hammond

54

Schedule 1, page 20, line 5, at end insert—

“( ) In section 148 of the 2000 Act (general offences), the references in each of subsections (1) to (3) to any of the provisions of that Act include any of the provisions of this Schedule.”

***Member’s explanatory statement***

*This amendment ensures that the offences in section 148 of the 2000 Act, which include failure to supply information required for the purposes of that Act, apply also where information is required for the purposes of Schedule 1 to the Bill.*

Secretary Philip Hammond

55

Schedule 1, page 20, line 10, leave out sub-paragraphs (3) and (4) and insert—

“(3) In paragraphs 3 to 5 of Schedule 19B to the 2000 Act (powers of Electoral Commission in relation to suspected offences or contraventions)—

- (a) the references to an offence under that Act include an offence under this Schedule, and
- (b) the references to a restriction or other requirement imposed by or by virtue of that Act include a requirement or restriction imposed by or by virtue of this Schedule.

(4) Schedule 19C to the 2000 Act (civil sanctions), and any order under Part 5 of that Schedule, have effect as if any reference in that Schedule to an offence under the 2000 Act, or to a prescribed offence under that Act, included a reference to an offence under paragraph 23(9) of this Schedule.

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

- (5) Nothing in sub-paragraph (3) or (4) (read with section 9) is to be taken to mean that Schedule 19B or 19C of the 2000 Act extends or applies to Gibraltar for the purposes of the referendum.”

***Member’s explanatory statement***

*This amendment ensures that the Electoral Commission’s investigatory powers apply to contraventions under Schedule 1, that the Electoral Commission may impose civil penalties for an offence of failing to report donations, and that Schedules 19B and 19C to the 2000 Act do not extend or apply to Gibraltar.*

Secretary Philip Hammond

56

Schedule 2, page 23, line 21, leave out from “organisation,” to end of line 23 and insert “references in this Schedule to a qualifying person do not include—

- (a) a registered party, or
- (b) a political party which is not a registered party but is established in Gibraltar,

and sub-paragraph (2)(a) and (c) have effect subject to this sub-paragraph.”

***Member’s explanatory statement***

*This amendment ensures that Gibraltar political parties that are not registered under Part 2 of the 2000 Act may not enter into loans or other regulated transactions with permitted participants, except designated organisations. This brings the position of unregistered Gibraltar parties into line with registered parties.*

Secretary Philip Hammond

57

Schedule 2, page 28, line 36, at end insert—

- “(2) A reference in paragraph 8 or 9 to entering into a regulated transaction of a description mentioned in paragraph 2(1) or (2) to which a non-qualifying person is also a party includes receiving an amount of money under a regulated transaction of a description mentioned in paragraph 2(1) or (2) at a time when a person who is also a party to the transaction (and who was a qualifying person when the transaction was entered into) has ceased to be a qualifying person.
- (3) It is a defence for a person charged with an offence under paragraph 8 by virtue of sub-paragraph (2) to prove that the person took all reasonable steps, as soon as practicable, to repay the money received as mentioned in sub-paragraph (2).
- (4) Where a person is charged with an offence under paragraph 8(3) by virtue of sub-paragraph (2), paragraph 8(4) does not apply.
- (5) In relation to a case where paragraph 9(1)(a) to (c), (2)(a) to (c) or (3)(a) to (c) apply by reason of sub-paragraph (2), the reference in paragraph 9(1)(d), (2)(d) or (3)(d) to any money received by virtue of the transaction is to be read as a reference to any money so received after the party in question ceased to be a qualifying person.”

***Member’s explanatory statement***

*This amendment ensures that it is an offence for a permitted participant knowingly to receive money under a loan or other regulated transaction from a person who has ceased to be a qualifying person, or to fail to repay money received under a loan or other regulated transaction from a person who has ceased to be a qualifying person after becoming aware that person has so ceased.*

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

Secretary Philip Hammond

58

Schedule 2, page 30, line 33, leave out “any” and insert “the modifications mentioned in sub-paragraph (1A) and any other”

***Member’s explanatory statement***

*This amendment introduces a modification of a provision of the 2000 Act specifying information that must be included in statements of regulated transactions submitted to the Electoral Commission by permitted participants.*

Secretary Philip Hammond

59

Schedule 2, page 30, line 34, at end insert—

“(1A) In relation to the statement—

- (a) paragraph 5(4) of Schedule 6A has effect as if the reference to the relevant date for the transaction determined in accordance with paragraph 8 of that Schedule were a reference to the relevant date for the transaction determined in accordance with paragraph 8(1) of that Schedule, and
- (b) paragraph 8(1) of that Schedule has effect as if—
  - (i) the reference to a quarterly report were a reference to the statement,
  - (ii) the reference to section 71M(4)(a) or (7)(a) were a reference to paragraph 15(3)(a) of this Schedule, and
  - (iii) the reference to section 71M(4)(b) or (7)(b) were a reference to paragraph 15(3)(b) of this Schedule.”

***Member’s explanatory statement***

*This amendment modifies a provision of the 2000 Act requiring the relevant date of transactions to be included in statements of regulated transactions submitted by permitted participants to ensure that the provision applies as intended to transactions regulated by new Schedule 15A to the 2000 Act inserted by Schedule 2 to the Bill.*

Secretary Philip Hammond

60

Schedule 2, page 33, line 39, at end insert—

“(5A) Paragraph 1 of Schedule 19A to the 2000 Act (requirement to notify Commission of certain political contributions) has effect in relation to the referendum as if—

- (a) in sub-paragraph (2) after paragraph (f) there were inserted—
  - “(fa) it makes a loan of money to a permitted participant, or discharges (to any extent) a liability of a permitted participant, in pursuance of a regulated transaction (within the meaning of Schedule 15A);”, and
- (b) in sub-paragraph (5)(e) for “sub-paragraph (2)(b) or (d)” there were substituted “sub-paragraph (2)(b), (d) or (fa)”.

***Member’s explanatory statement***

*This amendment ensures that loans to, or discharges of liability of, permitted participants by unincorporated associations are treated as political contributions for the purposes of the provisions of the 2000 Act that require unincorporated associations to report to the Electoral Commission certain political contributions they make and, where they make such contributions, certain gifts they receive.*

European Union Referendum Bill, *continued*

Secretary Philip Hammond

61

Schedule 2, page 33, line 43, at end insert—

- “( ) Nothing in sub-paragraph (5A) or (6) (read with section 9) is to be taken to mean that Schedule 19A or 19C of the 2000 Act extends or applies to Gibraltar for the purposes of the referendum.”

***Member’s explanatory statement***

*This amendment makes clear that Schedules 19A and 19C to the 2000 Act do not extend or apply to Gibraltar (despite those Schedules being referred to in a provision that extends to Gibraltar).*

Secretary Philip Hammond

62

Schedule 2, page 33, line 45, leave out paragraph 3 and insert—

- “3 (1) In this paragraph and paragraph 3A “Schedule 15A” means the Schedule treated as inserted by paragraph 1.
- (2) The following provisions of Schedule 15A—
- (a) paragraphs 1 and 3, and
  - (b) Parts 4 and 5, except paragraph 17(b),
- apply to a relevant varied transaction as they apply to a regulated transaction within the meaning of Schedule 15A.
- (3) Accordingly, any reference to a regulated transaction in a provision of the 2000 Act modified by paragraph 2 of this Schedule includes a relevant varied transaction.
- (4) For the purposes of this paragraph and paragraph 3A a transaction is a “relevant varied transaction” if—
- (a) the transaction was entered into, before or after the commencement of this Schedule, by a person who after entering into the transaction became a permitted participant,
  - (b) the transaction would have been a regulated transaction within the meaning given by paragraph 2 of Schedule 15A if at the time when that person entered into the transaction—
    - (i) that person had been a permitted participant, and
    - (ii) the use condition mentioned in paragraph 2(5) of Schedule 15A had been satisfied (if it was not in fact satisfied at the time the transaction was entered into),
  - (c) at a time after the commencement of this Schedule, and after that person became a permitted participant, the terms of that transaction were varied so as to increase the amount of money or benefit to which the permitted participant is entitled in consequence of the transaction, and
  - (d) at the time of that variation, the permitted participant intends to use any money or benefit obtained in consequence of the transaction for meeting referendum expenses incurred by or on behalf of the permitted participant.
- (5) For the purposes of sub-paragraph (4)(d) it is immaterial whether only part of the money or benefit is intended to be used as mentioned there.
- (6) In this paragraph “permitted participant” has the same meaning as it has in Schedule 15A (see paragraph 1(2) of that Schedule).
- (7) In sub-paragraph (4)—
- (a) the reference in paragraph (a) to a person who after entering into the transaction became a permitted participant includes an officer, member, trustee or agent of any such person, and

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

- (b) in relation to a case where such an officer, member, trustee or agent entered into the transaction, the references in paragraphs (b)(i) and (c) to “that person” are to be read as references to the person for whom the person who entered into the agreement is an officer, member, trustee or agent.

3A Paragraphs 4 to 7 and Part 3 of Schedule 15A do not apply to a relevant varied transaction (or to any other transaction which was entered into before the commencement of this Schedule or before a party to the transaction became a permitted participant).”

***Member’s explanatory statement***

*This amendment provides for the reporting requirements of new Schedule 15A to the 2000 Act to apply to certain transactions entered into before a person becomes a permitted participant that are varied after they become a permitted participant to increase the amount of money under the transaction.*

Secretary Philip Hammond

63

Schedule 2, page 34, line 8, at end insert—

- “( ) In this paragraph references to a permitted participant are to a permitted participant which either is not a registered party or is a minor party.”

***Member’s explanatory statement***

*This amendment ensures that the requirement that permitted participants report loans and other regulated transactions during the referendum period does not apply to registered parties (other than minor parties). Registered parties (other than minor parties) are subject to separate requirements to report loans and other regulated transactions under the 2000 Act.*

Secretary Philip Hammond

64

Schedule 2, page 37, line 7, at end insert—

- “6A Section 149(2) to (5) and (7) of the 2000 Act (inspection of Commission’s documents) apply in relation to reports and documents which the Electoral Commission are required to make available for public inspection under paragraph 6 as they apply to the documents which the Electoral Commission are required to make available for public inspection by virtue of the provisions of the 2000 Act mentioned in section 149(6) of that Act.”

***Member’s explanatory statement***

*This amendment ensures that provisions in the 2000 Act about inspection of registers and documents kept by the Electoral Commission apply to permitted participants’ regulated transaction reports delivered to the Commission, and available for public inspection, under Schedule 2 to the Bill.*

Secretary Philip Hammond

65

Schedule 2, page 37, line 12, at end insert—

- “( ) In section 148 of the 2000 Act (general offences), the references in each of subsections (1) to (3) to any of the provisions of that Act include any of the provisions of this Schedule.”

***Member’s explanatory statement***

*This amendment ensures that the offences in section 148 of the 2000 Act, which include failure to supply information required for the purposes of that Act, apply also where information is required for the purposes of Schedule 2 to the Bill.*

European Union Referendum Bill, *continued*

Secretary Philip Hammond

66

Schedule 2, page 37, line 17, leave out sub-paragraphs (3) and (4) and insert—

“(3) In paragraphs 3 to 5 of Schedule 19B to the 2000 Act (powers of Electoral Commission in relation to suspected offences or contraventions)—

- (a) the references to an offence under that Act include an offence under this Schedule, and
- (b) the references to a restriction or other requirement imposed by or by virtue of that Act include a requirement or restriction imposed by or by virtue of this Schedule.

(4) Schedule 19C to the 2000 Act (civil sanctions), and any order under Part 5 of that Schedule, have effect as if any reference in that Schedule to an offence under the 2000 Act, or to a prescribed offence under that Act, included a reference to an offence under paragraph 4(9) of this Schedule.

(5) Nothing in sub-paragraph (3) or (4) (read with section 9) is to be taken to mean that Schedule 19B or 19C of the 2000 Act extends or applies to Gibraltar for the purposes of the referendum.”

**Member’s explanatory statement**

*This amendment ensures that the Electoral Commission’s investigatory powers apply to contraventions under Schedule 2, that the Electoral Commission may impose civil penalties for an offence of failing to report certain transactions and that Schedules 19B and 19C to the 2000 Act do not extend or apply to Gibraltar.*

Secretary Philip Hammond

67

Schedule 3, page 37, line 24, at end insert—

*“Interpretation*

A1 In this Schedule a reference to functions includes functions conferred by any provision of law made in and for Gibraltar.”

**Member’s explanatory statement**

*This amendment makes it clear that a reference to a function in Schedule 3 includes functions under Gibraltar law (as well as functions under the law of the United Kingdom).*

Secretary Philip Hammond

68

Schedule 3, page 39, line 1, at end insert “and Gibraltar”

**Member’s explanatory statement**

*This amendment renames (for the purposes of the referendum) the South West region as the South West and Gibraltar region.*

Secretary Philip Hammond

69

Schedule 3, page 39, line 6, leave out sub-paragraph (2) and insert—

“(2) Where—

- (a) a region mentioned in sub-paragraph (1) (a “listed region”), and
- (b) a region mentioned in the Table in Schedule 1 to the European Parliamentary Elections Act 2002 (an “electoral region”),

have the same name, the listed region comprises the areas specified in relation to that electoral region in that Table as they are for the time being.

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

- (3) The South West and Gibraltar region mentioned in sub-paragraph (1) comprises the areas specified in relation to the South West region in that Table as they are for the time being.
- (4) In determining for the purposes of sub-paragraph (2) or (3) what the areas are that are specified in that Table, paragraph 2(2) of Schedule 1 to the European Parliamentary Elections Act 2002 is to be ignored.”

***Member’s explanatory statement***

*This amendment renames (for the purposes of the referendum) the South West region as the South West and Gibraltar region.*

Secretary Philip Hammond

70

Schedule 3, page 39, line 34, at end insert “and Gibraltar”

***Member’s explanatory statement***

*This amendment renames (for the purposes of the referendum) the South West region as the South West and Gibraltar region.*

Secretary Philip Hammond

71

Schedule 3, page 39, line 37, at end insert “as counting officer or as Regional Counting Officer (as the case may be)”

***Member’s explanatory statement***

*This amendment makes it clear that the duty of the Government of Gibraltar under this paragraph to provide officers to assist the Clerk to the Gibraltar Parliament is limited to assistance in carrying out his functions as counting officer (and not in carrying out his wider functions).*

Secretary Philip Hammond

72

Schedule 3, page 39, line 44, leave out “provided by and under this Act” and insert “provided—

- (a) by and under this Act, and
- (b) in the case of the Chief Counting Officer, the Regional Counting Officer (if any) appointed for the South West and Gibraltar region and the counting officer for the Gibraltar voting area, by Gibraltar conduct law.”

***Member’s explanatory statement***

*This amendment ensures that the Chief Counting Officer, Regional Counting Officer for the South West and Gibraltar Region and counting officer for the Gibraltar voting area must do whatever is necessary to conduct the referendum in accordance with Gibraltar conduct law (as well as in accordance with the Act and regulations made under the Act).*

Secretary Philip Hammond

73

Schedule 3, page 40, line 8, after “regulations” insert “or Gibraltar conduct law (as the case may be)”.

***Member’s explanatory statement***

*This amendment ensures that the counting officer for the Gibraltar voting area is responsible for any matters specified in Gibraltar conduct law (as well as any matters specified in conduct regulations made by a UK Minister that extend to Gibraltar).*

European Union Referendum Bill, *continued*

Secretary Philip Hammond

74

Schedule 3, page 41, leave out lines 19 to 36 and insert—

- “(b) is not in accordance with any requirements applicable to the referendum imposed as described in sub-paragraph (4) or otherwise.
- (2) A re-count of votes in reliance on sub-paragraph (1) may only be conducted in the circumstances (if any) specified in conduct regulations or Gibraltar conduct law (as the case may be).
- (3) For the purposes of this paragraph each of the following is a “relevant person”—
  - (a) a registration officer;
  - (b) the European electoral registration officer for Gibraltar (within the meaning of section 14 of the European Parliament (Representation) Act 2003);
  - (c) a clerk of, or a person providing goods or services to, the Regional Counting Officer or the counting officer;
  - (d) any person designated by conduct regulations or Gibraltar conduct law as a relevant person for the purposes of this sub-paragraph;
  - (e) a deputy or assistant of—
    - (i) the Regional Counting Officer or the counting officer, or
    - (ii) a person mentioned in paragraph (a), (b), (c) or (d).
- (4) For the purposes of sub-paragraph (1)(b) requirements are imposed as described in this sub-paragraph if they are imposed—
  - (a) by or under this Act, or
  - (b) in the case of the Regional Counting Officer (if any) appointed for the South West and Gibraltar region, the counting officer for the Gibraltar voting area or a Gibraltar relevant person, by any provision of law made in and for Gibraltar.
- (5) For the purposes of sub-paragraph (4)(b) each of the following relevant persons is a “Gibraltar relevant person”—
  - (a) the European electoral registration officer for Gibraltar (within the meaning of section 14 of the European Parliament (Representation) Act 2003);
  - (b) a clerk of the Regional Counting Officer (if any) appointed for the South West and Gibraltar region;
  - (c) a person providing goods or services to the Regional Counting Officer (if any) appointed for the South West and Gibraltar region or to the counting officer for the Gibraltar voting area;
  - (d) any person designated by conduct regulations or Gibraltar conduct law as a relevant person for the purposes of this sub-paragraph;
  - (e) a deputy or assistant of—
    - (i) the Regional Counting Officer (if any) appointed for the South West and Gibraltar region or the counting officer for the Gibraltar voting area, or
    - (ii) a person mentioned in paragraph (a), (b), (c) or (d).
- (6) For the purposes of sub-paragraph (3)(e) and (5)(e) a person (“A”) is an assistant of another person (“P”) if—
  - (a) A is appointed to assist P, or
  - (b) in the course of employment A is assisting P,

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

in connection with any function in relation to the referendum.”

***Member’s explanatory statement***

*This amendment ensures that paragraph 8 of Schedule 3 to the Bill (correction of procedural errors by Regional Counting Officers and counting officers) works as intended in Gibraltar.*

Secretary Philip Hammond

75

Schedule 3, page 41, line 38, after “Act” insert “or Gibraltar conduct law”.

***Member’s explanatory statement***

*This amendment ensures that the requirements which are set out about how public notices must be given also apply to public notices which are required by Gibraltar conduct law.*

Secretary Philip Hammond

76

Schedule 3, page 42, line 12, leave out sub-paragraph (4) and insert—

“(4) The reference in sub-paragraph (3) to those entitled to vote in the referendum who did so includes any persons entitled to vote who conduct regulations or Gibraltar conduct law provides are to be treated for the purposes of sub-paragraph (3) as having voted.”

***Member’s explanatory statement***

*This amendment recognises that Gibraltar conduct law (as well as conduct regulations made by a UK Minister) may specify who is to be treated as having voted in the referendum (for the purposes of the Electoral Commission publishing estimates of turnout for the referendum in England, Wales, Scotland, Northern Ireland and Gibraltar).*

Secretary Philip Hammond

77

Schedule 3, page 42, line 32, at end insert—

“( ) A reference in this paragraph to “a registration officer” includes the European electoral registration officer for Gibraltar (within the meaning of section 14 of the European Parliament (Representation) Act 2003).”

***Member’s explanatory statement***

*This amendment ensures that the Gibraltar registration officer (like other registration officers) is required to take appropriate steps to encourage participation in the referendum.*

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ORDER OF THE HOUSE [9 JUNE 2015]

That the following provisions shall apply to the European Union Referendum Bill:

*Committal*

1. The Bill shall be committed to a Committee of the whole House.

*Proceedings in Committee*

2. Proceedings in Committee of the whole House shall be taken in two days.
3. The proceedings shall be taken on the days shown in the first column of the following Table and in the order so shown.
4. The proceedings shall (so far as not previously concluded) be brought to a conclusion at the times specified in the second column of the Table.

European Union Referendum Bill, *continued*

TABLE

<i>Proceedings</i>	<i>Time for conclusion of proceedings</i>
First day	
Clause 1; new Clauses and new Schedules relating to the subject matter of Clause 1	Three hours after the commencement of proceedings on the Bill on the first day.
Clause 3; Schedules 1 to 3; new Clauses and new Schedules relating to the subject matter of Clause 3 and Schedules 1 to 3	The moment of interruption on the first day
Second day	
Clause 2; new Clauses and new Schedules relating to the subject matter of Clause 2; Clause 5; new Clauses and new Schedules relating to the subject matter of Clause 5	Four hours after the commencement of proceedings on the Bill on the second day
Clauses 4 and 6 to 11; remaining new Clauses; remaining new Schedules; remaining proceedings on the Bill	The moment of interruption on the second day

*Consideration and Third Reading*

5. Any proceedings on Consideration shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which those proceedings are commenced.
6. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.

*Programming committee*

7. Standing Order No 83B (Programming committees) shall not apply to proceedings in Committee of the whole House, to any proceedings on Consideration or to proceedings on Third Reading.
8. Any other proceedings on the Bill (including any proceedings on consideration of Lords Amendments or on any further messages from the Lords) may be programmed.

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EUROPEAN UNION REFERENDUM BILL (PROGRAMME) (NO. 2)

Secretary Philip Hammond

That the Order of 9 June 2015 (European Union Referendum Bill (Programme)) be varied as follows.

1. Paragraphs (5) and (6) of the Order shall be omitted.
2. Proceedings on Consideration shall be taken in the order shown in the first column of the following Table.
3. The proceedings shall (so far as not previously concluded) be brought to a conclusion at the times specified in the second column of the Table.

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

<i>Proceedings</i>	<i>Time for conclusion of proceedings</i>
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New Clauses, new Schedules and amendments relating to the application to the referendum of section 125 of the Political Parties, Elections and Referendums Act 2000 or to the subject matter of that section	Two and a half hours after the commencement of proceedings on Consideration
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New Clauses and new Schedules relating to the subject matter of clause 2; amendments to clause 2; remaining proceedings on Consideration	Five hours after the commencement of proceedings on Consideration
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4. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion six hours after the commencement of proceedings on Consideration.

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**NOTICES WITHDRAWN**

*The following Notices were withdrawn on 2 September:*

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