

# European Union (Referendum) Bill

---

---

## CONTENTS

- 1 Referendum on the United Kingdom's membership of the European Union
- 2 Entitlement to vote in the referendum
- 3 Conduct of the referendum and further provisions
- 4 Gibraltar
- 5 Expenditure
- 6 Extent and short title

A  
**B I L L**

TO

Make provision for the holding of a referendum in the United Kingdom and Gibraltar on the United Kingdom's membership of the European Union.

**B**E IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

**1 Referendum on the United Kingdom's membership of the European Union**

- (1) A referendum is to be held on the United Kingdom's membership of the European Union.
- (2) The referendum must be held before 31 December 2017.
- (3) The Secretary of State shall by order, and before 31 December 2016, appoint the day on which the referendum is to be held. 5
- (4) The question that is to appear on the ballot papers is—
 

*“Do you think that the United Kingdom should be a member of the European Union?”*
- (5) In Wales, a Welsh version of the question is also to appear on the ballot papers, as provided by order. 10
- (6) An order under this section shall be made by statutory instrument and may not be made unless a draft of the order has been laid before, and approved by a resolution of, each House of Parliament.

**2 Entitlement to vote in the referendum** 15

Those entitled to vote in the referendum are—

- (a) the persons who, on the date of the referendum, would be entitled to vote as electors at a parliamentary election in any constituency,
- (b) the persons who, on that date, are disqualified by reason of being peers from voting as electors at parliamentary elections, and 20

- (c) Commonwealth citizens who, on the date of the referendum, would be entitled to vote in Gibraltar as electors at a European Parliamentary election in the combined electoral region in which Gibraltar is comprised.

### **3 Conduct of the referendum and further provisions** 5

- (1) The Electoral Commission shall publish a report setting out its recommendations for the rules in accordance with which the referendum is to be conducted, further provisions about the referendum and the application to the referendum of provisions relevant to elections.
- (2) The Secretary of State, having regard to the report under subsection (1), shall by order provide for the rules in accordance with which the referendum is to be conducted. 10
- (3) The Secretary of State may by order give effect to further provisions about the referendum and the application to the referendum of provisions relevant to elections as recommended by the Electoral Commission. 15
- (4) An order under this section shall be made by statutory instrument and may not be made unless a draft of the order has been laid before, and approved by a resolution of, each House of Parliament.

### **4 Gibraltar**

- (1) An order under section 3(2) or (3) which extends to Gibraltar may – 20
- (a) provide for conduct to constitute a criminal offence under the law of Gibraltar;
  - (b) extend and apply to Gibraltar, with or without modification, the provisions of any enactment relating to referendums or elections;
  - (c) modify any such enactment so far as it has effect in relation to any part of the United Kingdom; 25
  - (d) modify or apply or incorporate, with or without modification, the provisions of any legislation in force in Gibraltar relating to elections, or referendums.
- (2) The capacity of the Gibraltar legislature to make law in relation to any matter in relation to which provision may be made under section 3 is not affected by the existence of the power conferred by that section. 30
- (3) Subsection (2) is not to be regarded as restricting the operation in relation to law made by the Gibraltar legislature of the Colonial Laws Validity Act 1865 (under which colonial laws are void if repugnant to provision made under an Act of Parliament). 35
- (4) “Enactment”, and “modification” have the same meaning as in the Political Parties, Elections and Referendums Act 2000 (see section 160(1) of that Act).

### **5 Expenditure**

- There shall be paid out of money provided by Parliament – 40
- (a) any expenditure of the Secretary of State in consequence of this Act, and
  - (b) any increase attributable to this Act in the sums which under any other Act are payable out of money so provided.

**6 Extent and short title**

- (1) This Act extends to—
  - (a) England and Wales, Scotland and Northern Ireland; and
  - (b) Gibraltar.
- (2) This Act may be cited as the European Union (Referendum) Act 2013.

5

# European Union (Referendum) Bill

---

---

A

## B I L L

To make provision for the holding of a referendum in the United Kingdom and Gibraltar on the United Kingdom's membership of the European Union.

*Brought from the Commons on 2nd December 2013*

---

*Ordered to be Printed, 2nd December 2013*

---

© Parliamentary copyright House of Lords and House of Commons 2013

*This publication may be reproduced under the terms of the Open Parliament Licence, which is published at [www.parliament.uk/site-information/copyright](http://www.parliament.uk/site-information/copyright).*

PUBLISHED BY AUTHORITY OF THE HOUSE OF LORDS  
LONDON – THE STATIONERY OFFICE LIMITED  
Printed in the United Kingdom by  
The Stationery Office Limited  
£x.xx

HL Bill 63

(xxxxxx)

55/3

xxxbarxxx