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Make provision for a referendum on any Treaty establishing a Constitution for the European Union; and for connected purposes.

BE 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 proposed Constitution for the European Union

- (1) No treaty establishing a Constitution for the European Union (“the Treaty”) shall be ratified unless its provisions have been agreed to in a referendum.
- (2) A referendum shall be held within six months of the adoption of the Treaty.

2 Referendum question

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- (1) The question to be asked in a referendum held in pursuance of section 1 is:
“Should the United Kingdom be bound by the Treaty establishing a Constitution for the European Union?”

- (2) The following statement must precede the question on the ballot paper: 10

“Parliament has decided that the Government should not ratify the Treaty establishing a Constitution for the European Union unless the people of the United Kingdom have agreed in a referendum that it should do so.”

3 Arrangements for the referendum

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- (1) Those entitled to vote in the referendum shall be persons who, on the date of the referendum, would be entitled to vote as electors in European Parliamentary elections.
- (2) The Secretary of State shall appoint a Chief Counting Officer.
- (3) The Chief Counting Officer shall appoint a counting officer for each parliamentary constituency. 20

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- (4) Each counting officer shall –
- (a) conduct the counting of votes cast in the area for which he is appointed in accordance with regulations, and
 - (b) certify the number of votes cast for and against the proposition.
- (5) The Chief Counting Officer shall certify the total of – 5
- (a) the ballot papers counted, and
 - (b) the votes cast for each proposition,
- for the whole of the United Kingdom.
- (6) The Electoral Commission shall publish a report setting out when and how the referendum shall be conducted, including what information is to be provided to those entitled to vote. 10
- (7) The conduct of the referendum shall follow as closely as possible the provisions of the Representation of the People Acts 1983 to 1993.
- (8) The Secretary of State shall give effect to the provisions contained in a report of the Electoral Commission under subsection (6) by means of regulations. 15
- (9) Regulations under this section shall be made by statutory instrument which shall be subject to approval by each House of Parliament.
- (10) The day chosen for holding the referendum shall be a public holiday.
- 4 Expenditure**
- There shall be paid out of money provided by Parliament – 20*
- (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.*
- 5 Short title**
- This Act may be cited as the Constitution for the European Union (Referendum) Act 2004. 25

Constitution for the European Union (Referendum) Bill

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*Presented by Mr John Maples,
supported by
Mr Frank Field, Mr David Heathcoat-Amory,
Kate Hoey, Mr Peter Lilley, Mr Archie Norman,
Mr George Osborne, Richard Ottaway,
Sir George Young, Mr Edward Garnier,
Mr Andrew Tyrie and Mrs Gillian Shephard.*

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