

EU Referendum Bill

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Provide for a referendum about the United Kingdom's future relationship with the European Union.

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 The referendum

- (1) A referendum is to be held on the future relationship of the United Kingdom with the European Union.
- (2) The referendum is referred to in this Act as “the EU referendum”.
- (3) The Secretary of State must, by regulations, appoint the day on which the EU referendum is to be held.
- (4) The day appointed under subsection (3)—
 - (a) must be no later than []; and
 - (b) must not be [].
- (5) The following preamble is to appear on the ballot papers before the question—

“The UK Government and the European Union have negotiated terms for the UK to leave the EU, following the vote in the June 2016 referendum. The terms were published on Monday 26 November 2018 with the title “Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community.”
- (6) The following question is to appear on the ballot papers after the preamble—

“Should the United Kingdom remain a member of the European Union or leave the European Union on the negotiated terms?”

EU Referendum Bill

(7) The alternative answers to that question that are to appear on the ballot paper are—

“Remain a member of the European Union”

“Leave the European Union on the negotiated terms”.

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

(a) the following Welsh version of the preamble—

[];

(b) the following Welsh version of the question—

[]; and

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

[].

2 Referendum arrangements

The arrangements set out in the European Union Referendum Act 2015 apply in relation to the EU referendum, but with the modifications set out in the Schedule to this Act.

3 Interpretation

In this Act—

(a) the European Union Referendum Act 2015 is referred to as “the 2015 Act”,

(b) the Political Parties, Elections and Referendums Act 2000 is referred to as “the 2000 Act”, and

(c) “the EU referendum” has the meaning given by section 1(2).

4 Commencement, extent and short title

(1) This Act comes into force on Royal Assent.

(2) This Act extends to the whole of the United Kingdom and to Gibraltar.

(3) This Act may be cited as the EU Referendum Act 2018.

EU Referendum Bill

SCHEDULE

Section 3

MODIFICATIONS OF EU REFERENDUM ACT 2015

Campaign material

1. (1) Section 125 of the 2000 Act (restriction on publication etc. of promotional material by central and local government etc., as applied by the 2015 Act) applies to the EU referendum with the following additional modifications.

(2) The section applies to material only if it—

- (a) puts arguments for or against any particular answer to the question in the referendum, or
- (b) is designed to promote or secure a particular outcome in relation to the question in the referendum.

(3) Section 8 of the 2015 Act (power to modify section 125 of the 2000 Act) does not apply in relation to the EU referendum.

(4) For the purposes of the EU referendum, the relevant period for the purposes of section 125 of the Political Parties, Elections and Referendums Act 2000, applied with modifications by the 2015 Act (restrictions on publication of promotional material)—

- (a) begins with the day after Royal Assent, and
- (b) ends with the date of the referendum;

and the provision made by this sub-paragraph has effect in place of the definition of “relevant period” in section 125(4)(b).

(5) The accounting officer of any person or body to which section 125 applies must certify, immediately after the end of the relevant period (as modified by sub-paragraph (4)) in writing to the Commission that the person or body has complied with the requirements of section 125.

Referendum addresses

2. In the application of section 110 of the 2000 Act (assistance available to designated organisations, as applied by the 2015 Act) to the EU referendum, material may be issued on behalf of a designated organisation in pursuance of a right under Schedule 12 to the 2000 Act only if it carries a prominent statement that it is issued by the designated organisation, using all names by which that organisation is known or carries on its activities.

Joint spending

EU Referendum Bill

3. For the purposes of spending limits in connection with the EU referendum, where a permitted participant (P1) makes a payment or gives any other kind of financial assistance to another person (whether or not a permitted participant) (P2) with a view to P2 incurring expenditure in connection with the referendum, the expenditure shall be treated as expenditure both of P1 and of P2.

Spending returns – timing

4. In the application of section 122(1) of the 2000 Act (delivery of returns to Commission, as applied by the 2015 Act) to the EU referendum, for the words “within six months of the end of the relevant referendum period” substitute “within three months of the end of the relevant referendum period”.

Spending returns – details

5. (1) In the application of section 120(1) of the 2000 Act (returns as to referendum expenses, as applied by the 2015 Act) each referendum return must specify in relation to each item of expenditure—
 - (a) the relevant paragraph in the List of Matters in Part 1 of Schedule 13 to the 2000 Act (qualifying expenses),
 - (b) the precise nature of the expenses incurred (by reference to the details given in each paragraph in the List of Matters), and
 - (c) a clear description of the purpose of the expenditure.
- (2) A responsible person making a return for the purposes of section 120 must—
 - (a) have regard to any guidance issued by the Commission in relation to descriptions for the purposes of sub-paragraph (1)(c), and
 - (b) certify personally that the return satisfies the requirements of section 120 and this paragraph, to the best of the responsible person’s knowledge and belief.

Referendum material - imprint

6. In the application of section 126 of the 2000 Act to the EU referendum (details to appear on referendum material, as applied by the 2015 Act)—
 - (a) for subsections (1)(b), (6) and (7) substitute, in relation to material not falling within section 126(1)(a), the requirement that the following details must be included in the material unless it is not reasonably practicable to include the details—
 - (i) the name and address of the promoter of the material, and
 - (ii) the name and address of the printer of the material, and

EU Referendum Bill

- (b) the section is to be taken as applying to material published wholly or partly in electronic form as to material published as a printed document, for which purpose—
- (i) a reference to the printer is or includes a reference to the publisher,
 - (ii) a reference to address is a reference to contact details, and
 - (iii) material which is confined to a personal expression of opinion, and which does not include arguments or encouragement for others to adopt, support or act in accordance with that opinion, is not to be treated as material published in relation to the EU referendum.
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