
Changes to legislation: There are currently no known outstanding effects for the Parliamentary Voting System and Constituencies Act 2011, Cross Heading: Proxies. (See end of Document for details)

SCHEDULES

SCHEDULE 3

ABSENT VOTING IN THE REFERENDUM

PART 2

NORTHERN IRELAND

Proxies

- 17 (1) Subject to what follows, any person is capable of being appointed under this paragraph to vote as proxy for another (the “principal”) in the referendum.
- (2) The principal cannot have more than one person at a time appointed as proxy to vote for him or her in the referendum.
- (3) A person is capable of being appointed to vote as proxy only if—
- (a) the person is not subject to any legal incapacity (age apart) to vote in the referendum in his or her own right, and
 - (b) the person is either a Commonwealth citizen or a citizen of the Republic of Ireland.
- (4) Where the principal applies to the registration officer for the appointment of a proxy under this paragraph, the registration officer must make the appointment if the application meets the requirements prescribed by the 2008 Regulations and the officer is satisfied that the principal is or will be—
- (a) registered in a relevant register, and
 - (b) entitled to vote by proxy in the referendum by virtue of an application under paragraph 15(1) or (5)(b),
- and that the proxy is capable of being, and willing to be, appointed.
- (5) The appointment of a proxy under this paragraph is to be made by means of a proxy paper, in the form set out in Part 3 of this Schedule, issued by the registration officer.
- (6) The appointment may be cancelled by the principal by giving notice to the registration officer and also ceases to be in force on the issue of a proxy paper appointing a different person under this paragraph to vote for the principal in the referendum.
- 18 (1) Subject to what follows, where a relevant proxy appointment is in force, the person appointed is entitled to vote as proxy for the person for whom the appointment was made (the “principal”).
- (2) In sub-paragraph (1) “relevant proxy appointment” means—
- (a) in relation to a principal who is included in the list of proxies by virtue of entry 1 in the table in paragraph 16(3), an appointment under paragraph 17;

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- (b) in relation to a principal who is included in the list of proxies by virtue of entry 2 in that table, the appointment of the person mentioned in column 3 of that entry;
 - (c) in relation to a principal who is included in the list of proxies by virtue of entry 3 in that table, an appointment under section 8 of the 1985 Act for parliamentary elections;
 - (d) in relation to a principal who is a peer included in the list of proxies by virtue of entry 4 in that table, an appointment under paragraph 3 of Schedule 2 to the Local Elections (Northern Ireland) Order;
 - (e) in relation to a principal who is a peer included in the list of proxies by virtue of entry 5 in that table, an appointment under regulation 10 of the European Parliamentary Elections (Northern Ireland) Regulations.
- (3) A person is capable of voting as proxy in the referendum only if—
- (a) the person is not subject to any legal incapacity (age apart) to vote in the referendum in his or her own right, and
 - (b) the person is either a Commonwealth citizen or a citizen of the Republic of Ireland.
- (4) A person is not capable of voting as proxy in the referendum unless on the date of the poll the person has attained the age of 18.
- (5) A person is not entitled to vote as proxy in the referendum on behalf of more than two others of whom that person is not the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild.

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