STATUTORY INSTRUMENTS

2016 No. 220

REFERENDUMS, WALES
REPRESENTATION OF THE PEOPLE, WALES

The European Union Referendum (Welsh Forms) Order 2016

Made - - - - *25th February 2016*

Laid before Parliament *26th February 2016*

Coming into force in accordance with article 1

The Chancellor of the Duchy of Lancaster(**1**) makes the following Order in exercise of the powers conferred by sections 26(2) (as applied by section 9(6) of the European Union Referendum Act 2015(**2**)) and 27(4) of the Welsh Language Act 1993(**3**):

Citation and commencement

1. This Order may be cited as the European Union Referendum (Welsh Forms) Order 2016 and comes into force on the day after the day on which it is laid before Parliament.

Interpretation

2. In this Order—

"the Conduct Regulations" means the European Union Referendum (Conduct) Regulations 2016(**4**) and, except in article 4(3), a reference to a numbered regulation is a reference to the regulation of that number in those Regulations;

"the referendum" means the referendum under section 1 of the European Union Referendum Act 2015.

(**1**) "The appropriate Minister" for the purposes of section 26(2) of the Welsh Language Act 1993 includes a Minister other than the Secretary of State who is responsible for the execution of provisions in Wales (section 27(4)(a)). Under section 4(1) of the European Union Referendum Act 2015 (c. 36), "the Minister" is responsible for making regulations prescribing, amongst other things, forms and forms of words for use at the referendum. Under section 11(1) of that Act, "the Minister" means the Secretary of State or the Chancellor of the Duchy of Lancaster.
(**2**) 2015 c. 36.
(**3**) 1993 c. 38.
(**4**) S.I. 2016/219.

Welsh versions of prescribed forms or forms of words

3. A form or form of words in Schedule 1 specified in Column 1 of the following table may be used in Wales at the referendum in place of the corresponding form or form of words in the Conduct Regulations specified in Column 2.

Column 1	*Column 2*
Welsh form or form of words in Schedule 1	*Corresponding form or form or words in the Conduct Regulations*
Form 1	Form prescribed by regulation 26(4)(b) (Form 16 – Form of certificate of employment)
Form of words 2	Form of words prescribed by regulation 29(1) (Questions to be put to voters)
Form 3	Form prescribed by regulation 36(5)(a) (Form 18 – Form of declaration made by the companion of a voter or proxy with disabilities)

Welsh and English versions of prescribed forms or forms of words

4.—(1) The following form of words must be used in Wales at the referendum in place of the form of words prescribed by regulation 22(8) (notice to be exhibited in every compartment of every polling station)—

> "Put a cross [X] in one box only. Put no other mark on the ballot paper, or your vote may not be counted.
>
> Rhowch groes [X] mewn un blwch yn unig. Peidiwch â rhoi unrhyw farc arall ar y papur pleidleisio, neu efallai na fydd eich pleidlais yn cael ei chyfrif.".

(2) The following form of words must be used in Wales at the referendum in place of the form of words prescribed by section 199B(6)(a) of the Representation of the People Act 1983 (words to be printed on sample ballot paper)(**5**)—

> "Put a cross [X] in one box only.
>
> Rhowch groes [X] mewn un blwch yn unig.".

(3) Form 10 in Schedule 2 must be used in Wales at the referendum in place of the form prescribed by regulation 91(1)(b) of the Representation of the People (England and Wales) Regulations 2001 ("Form K")(**6**).

(4) A form in Schedule 2 specified in Column 1 of the following table must be used in Wales at the referendum in place of the corresponding form in the Conduct Regulations specified in Column 2.

Column 1	*Column 2*
Welsh and English form in Schedule 2	*Corresponding form in the Conduct Regulations*
Form 1	Form prescribed by regulation 10(1) (Form 1 – Form of ballot paper)
Form 2	Form prescribed by regulation 11(2) (Form 2 – Form of corresponding number list)

(**5**) 1983 c. 2. Section 199B was inserted by section 36 of the Electoral Administration Act 2006 (c. 22). Section 199B is applied for the purposes of the referendum by paragraph 45 of Schedule 1 to the Conduct Regulations.

(**6**) S.I. 2001/341. There are amendments to these Regulations and, in particular, regulation 91(1)(b) that are not relevant to this Order. Regulation 91(1)(b) is applied for the purposes of the referendum by paragraph 48 of Schedule 3 to the Conduct Regulations. Form K is modified for the purposes of the referendum by paragraph 65 of Schedule 3 to the Conduct Regulations.

Column 1	*Column 2*
Welsh and English form in Schedule 2	*Corresponding form in the Conduct Regulations*
Form 3	Form prescribed by regulation 17(1)(b) (Form 3 – Form of postal voting statement)
Form 4	Form prescribed by regulation 20(5)(a) (Form 5 – Form of official poll card)
Form 5	Form prescribed by regulation 20(5)(b) (Form 6 – Form of official postal poll card)
Form 6	Form prescribed by regulation 20(5)(c) (Form 7 – Form of official proxy poll card)
Form 7	Form prescribed by regulation 20(5)(d) (Form 8 – Form of official proxy postal poll card)
Form 8	Form prescribed by regulation 22(3) (Form 13 – Form of corresponding number list for use in polling stations)
Form 9	Form prescribed by regulation 22(7) (Form 14 – Form of directions for the guidance of voters in voting)
Form 11	Form prescribed by regulation 64(5) (Form 20 – Form of proxy paper)

John Penrose
Minister for Constitutional Reform
Cabinet Office

25th February 2016

SCHEDULE 1 Article 3

WELSH VERSIONS OF PRESCRIBED FORMS OR FORMS OF WORDS

Form 1 – Form of certificate of employment (Welsh)

Tystysgrif Cyflogaeth

Refferendwm ar aelodaeth y Deyrnas Unedig o'r Undeb Ewropeaidd

Dyddiad y refferendwm *[diwrnod] [dyddiad] [mis] [blwyddyn]*

Ardal bleidleisio *[nodwch enw'r ardal]*

Mae gan yr unigolyn a enwir isod hawl i bleidleisio mewn unrhyw orsaf bleidleisio yn yr ardal bleidleisio uchod ar ôl cyflwyno ac ildio'r dystysgrif hon i'r Swyddog Llywyddu.

Yr wyf yn datgan na ellir disgwyl yn rhesymol i _____ (enw'r etholwr)

sef rhif * _____ ar y gofrestr o etholwyr ar gyfer yr ardal bleidleisio a nodir uchod, fynd i'r orsaf bleidleisio a glustnodwyd iddynt yn y refferendwm hwn oherwydd ei gyflogaeth/chyflogaeth ar y dyddiad uchod at ddiben sy'n gysylltiedig â'r refferendwm hwn:

– fel cwnstabl**
– fel Swyddog Cymorth Cymunedol yr Heddlu**
– gennyf i (Mae hyn yn berthnasol i staff y Swyddog Cyfrif yn unig)**

Llofnod_____ Swyddog Cyfrif/Swyddog Heddlu *(Arolygydd neu uwch)***

Dyddiad _____

* Mae rhif yr etholwr ar y cerdyn pleidleisio a anfonwyd atynt yn fuan ar ôl cyhoeddi'r refferendwm, neu gallwch ei gadarnhau drwy gysylltu â'r Swyddog Cofrestru Etholiadol.

**Yr unigolyn sy'n cwblhau'r ffurflen i ddileu pa un bynnag sy'n amherthnasol.

Form of words 2 – Questions to be put to voters (Welsh)

Cwestiynau i bleidleiswyr

Unigolyn sy'n gwneud cais am bapur pleidleisio	*Cwestiynau*
1 Unigolyn sy'n gwneud cais fel etholwr	(a) "Ai chi yw'r unigolyn sydd wedi'i gofrestru ar y gofrestr etholwyr ganlynol (*darllenwch y cofnod cyfan o'r gofrestr*)?" [R]
	(b) "A ydych chi eisoes wedi pleidleisio yn y refferendwm ar aelodaeth y Deyrnas Unedig o'r Undeb Ewropeaidd, yma neu rywle arall, ac eithrio fel dirprwy i unigolyn arall?" [R]
2 Unigolyn sy'n gwneud cais fel dirprwy	(a) "Ai chi yw'r unigolyn y mae ei enw yn ymddangos fel A B ar y rhestr o ddirprwyon ar gyfer y refferendwm ar aelodaeth y Deyrnas Unedig o'r Undeb Ewropeaidd, fel unigolyn sydd â hawl i bleidleisio fel dirprwy ar ran C D?" [R]
	(b) "A ydych chi eisoes wedi pleidleisio yn y refferendwm ar aelodaeth y Deyrnas Unedig o'r Undeb Ewropeaidd, yma neu rywle arall fel dirprwy ar gyfer C D?" [R]
	(c) "A ydych chi'n briod, partner sifil, rhiant, nain/taid/mam-gu/tad-cu, brawd/chwaer, plentyn neu'n ŵyr/wyres C D?" [R]
3 Unigolyn sy'n gwneud cais yng Nghymru a Lloegr neu'r Alban fel dirprwy i etholwr â chofnod dienw (yn hytrach na'r cwestiynau yng nghofnod 2)	(a) "Ai chi yw'r unigolyn sydd â hawl i bleidleisio fel dirprwy ar ran yr etholwr y mae eu rhif ar y gofrestr etholwyr fel a ganlyn (*darllenwch y rhif oddi ar y gofrestr*)?" [R]
	(b) "A ydych chi eisoes wedi pleidleisio yn y refferendwm ar aelodaeth y Deyrnas Unedig o'r Undeb Ewropeaidd yma neu rywle arall, fel dirprwy ar ran yr etholwr y mae eu rhif ar y gofrestr etholwyr fel a ganlyn (*darllenwch y rhif oddi ar y gofrestr*)?" [R]
	(c) "A ydych chi'n briod, partner sifil, rhiant, nain/taid/mam-gu/tad-cu, brawd/chwaer, plentyn neu'n ŵyr/wyres i'r unigolyn y mae eu rhif ar y gofrestr etholwyr fel a