

Act on the Conduct of Referendums

2010 No. 91 25 June

Took effect on 2 July 2010. Amended by [Act No. 162/2010](#) (took effect on 1 Jan. 2011), Act No. 23/2011 (took effect on 16 March 2001) and [Act No. 126/2011](#) (took effect on 30 Sept. 2011).

■ **Art. 1** If the Althingi resolves that a general secret referendum is to be held on a particular matter or draft legislation, it shall be held in accordance with this Act. The outcome of such a referendum shall have advisory value.

□ This Act shall also apply to referendums held under the third paragraph of Article 11, Article 26 and the second paragraph of Article 79 of the Constitution.

■ **Art. 2** The right to vote, and electoral registers for use in referendums according to Article 1, shall be the same as for parliamentary elections. Electoral registers shall, however, be based on the residence lists of the National Register three weeks prior to the referendum day.

□ Constituency boundaries shall be the same as they were in the last parliamentary election.

■ **Art. 3** Parliamentary resolutions according to the first paragraph of Article 1 shall, after the National Electoral Commission has made its comments, contain provisions on the wording of the questions to be put to the electorate.

□ Questions shall be clearly presented on the ballot paper, asking whether the voter approves the proposal stated, with two answers to choose from: “Yes” and “No”.

□ In a referendum under the first paragraph of Article 1, the Althingi may decide that the ballot paper shall contain more than question, and that there shall be more answering alternatives, or that they shall be worded differently.

□ [The Ministry]¹⁾ shall determine the wording and presentation of questions on ballot papers in referendums under the third paragraph of Article 11, Article 26 and the second paragraph of Article 79 of the Constitution.

□ [The Minister]²⁾ shall set further rules on the appearance and design of ballot papers.

¹⁾[Act No. 162/2010, Art.201.](#) ²⁾[Act No. 126/2011, Art.531.](#)

■ **Art. 4** A referendum under the first paragraph of Article 1 shall be held not less than three months after, and not more than one year after, the parliamentary resolution has been passed by the Althingi.

□ Referendums shall be held within two months of the approval by the Althingi of a resolution under the third paragraph of Article 11 of the Constitution or the refusal by the President to confirm a bill under Article 26 of the Constitution.

□ Referendums under this Act may be held together with ...¹⁾ parliamentary or

presidential elections. If a referendum is held together with a parliamentary election, the provisions of the second sentence of the first paragraph, and the second paragraph, of Article 2 shall not apply.

¹⁾[Act No. 23/2011, Art. 1.](#)

■ **Art. 5.** The Althingi shall determine the dates of referendums under the first paragraph of Article 1 of this Act and the third paragraph of Article 11 and the second paragraph of Article 79 of the Constitution within the time-frame stated in Article 4. [The Ministry]¹⁾ shall determine the dates of referendums under Article 26 of the Constitution.

□ [The Ministry]¹⁾ shall advertise referendums once in the Official Gazette and three times on the Icelandic National Broadcasting Service at the most opportune time and not later than one month before the referendum. The questions to be put to the electorate shall also be published there.

¹⁾[Act No. 162/2010, Art. 201.](#)

■ **Art. 6** The Althingi shall organise extensive publicity of the matters put to referendums under the first paragraph of Article 1. The Speaker's Committee of the Althingi shall set further rules on the form that publicity is to take.

□ [The Ministry]¹⁾ shall, at the first opportunity, and not later than one week prior to a referendum under Article 26 of the Constitution, send all households in the country off-prints of the legislation that the President has refused to confirm. Recipients' attention shall also be drawn to the fact that the draft legislation, and all documents relating to the treatment it has received, are accessible at a conspicuous place on the Althingi's web page.

¹⁾[Act No. 162/2010, Art. 201](#)

■ **Art. 7** The local and constituency electoral commissions, and the National Electoral Commission, shall be the same as for parliamentary elections.

■ **Art. 8** [The Ministry]¹⁾ shall provide the constituency electoral commissions with ballot papers to be used in the referendum. The constituency electoral commissions shall ensure that they are forwarded to the local electoral commissions in the same way as ballot papers in parliamentary elections.

¹⁾[Act No. 162/2010, Art. 201.](#)

■ **Art. 9** [After the referendum, the local electoral commissions shall without delay send the chairmen of the constituency electoral commissions the ballot boxes, unused ballot papers and spoiled ballot papers in the envelopes specified in the Parliamentary Elections Act. At a previously announced place and time, the constituency electoral commissions shall open the ballot boxes, after which the counting of votes shall proceed in the same way as is laid down in the Parliamentary Elections Act. The Parliamentary Elections Act shall apply regarding

whether ballot papers are considered valid and the handling of disputed ballot papers.

The National Electoral Commission shall appoint agents in each constituency whose function shall be to take account of differing points of view regarding voting, the counting of votes and the resolution of disputes.]¹⁾

¹⁾[Act No. 23/2011, Art. 2.](#)

■ **Art. 10** [When the counting of votes is complete, the constituency electoral commissions shall send the National Electoral Commission a transcript of their records, together with any ballot papers over which there has been a dispute between the agents and the constituency electoral commission. When the National Electoral Commission has received transcripts of the records of all the constituency electoral commissions and the disputed ballot papers, it shall announce, with suitable notice so that the agents will be able to attend, where and when it will meet to rule on the validity of the disputed ballot papers and announce the results of the referendum. When this meeting has been held, the National Electoral Commission shall inform the Ministry of its conclusions.]¹⁾

[The Ministry]²⁾ shall advertise the result of the referendum in the Official Gazette and on Icelandic National Broadcasting Service.

If confirmation of a bill is rejected under Article 26 of the Constitution, the [Ministry]²⁾ shall also publish a special advertisement to this effect in Series A of the Law and Ministerial Gazette not later than two days after the result of the referendum is known.

¹⁾[Act No. 23/2011, Art. 3.](#) ²⁾[Act No. 162/2010, Art. 201.](#)

■ **Art. 11** [For a question or proposal that is put to a referendum to be considered approved, it must receive a majority of the valid votes cast in the referendum.]¹⁾

¹⁾[Act No. 23/2011, Art. 4.](#)

■ **Art. 12.** On matters not covered here, the Parliamentary Elections Act shall apply, as appropriate, regarding the actual referendum, preparations for voting, pre-referendum voting and voting at polling stations.

The electoral commissions shall use the same records books as they use for parliamentary elections.

The provisions of Article 114 and Chapters XIX, XX, XXIV and XXV of the Parliamentary Elections Act shall apply, to the extent appropriate, to referendums under this Act.

■ **Art. 13** [Complaints alleging the invalidity of a referendum (other than criminal charges) shall be submitted to the National Electoral Commission for resolution not later than two days before the meeting provided for in the first paragraph of Article 10.

Flaws in a referendum shall not entail invalidation of the referendum unless there

is reason to believe that they influenced the outcome.]¹⁾

¹⁾[Act No. 23/2011, Art. 5.](#)

■ **Art. 14** This Act takes immediate effect.