



# Elections (Northern Ireland) Act 1985

## 1985 CHAPTER 2

### *Parliamentary elections*

#### **1 Voters to produce specified documents.**

(1) In the Representation of the <sup>M1</sup>People Act 1983 (“the 1983 Act”) Schedule 1 (parliamentary elections rules) shall be amended as follows.

(2) The following shall be inserted after rule 37(1)

(ballot paper to be delivered to voter on application)—

“(1A) A ballot paper shall not be delivered to a voter unless he has produced a specified document to the presiding officer or a clerk.

(1B) Where a voter produces a specified document, the presiding officer or clerk to whom it is produced shall deliver a ballot paper to the voter unless the officer or clerk decides that the document raises a reasonable doubt as to whether the voter is the elector or proxy he represents himself to be.

(1C) Where a voter produces a specified document to a presiding officer and he so decides, he shall refuse to deliver a ballot paper to the voter.

(1D) Where a voter produces a specified document to a clerk and he so decides, he shall refer the matter and produce the document to the presiding officer who shall proceed as if the document had been produced to him in the first place.

(1E) For the purposes of this rule a specified document is one which for the time being falls within the following list:—

(a) a current licence to drive a motor vehicle granted under Part III of the Road Traffic Act 1972 [<sup>F1</sup>or Part III of the Road Traffic Act 1988](excluding a provisional licence), or under Article 12 of the Road Traffic (Northern Ireland) Order 1981 or any corresponding enactment for the time being in force;

(b) a current passport issued by the Government of the United Kingdom or by the Government of the Republic of Ireland;

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- (c) a current book for the payment of allowances, benefits or pensions issued by the Department of Health and Social Services for Northern Ireland;
- (d) a medical card issued by the Northern Ireland Central Services Agency for the Health and Social Services;
- (e) a certified copy, or extract, of an entry of marriage issued by a Registrar General, where the voter producing the copy or extract is a woman married within the period of two years ending with the day of the poll concerned.

In sub-paragraph (e) above “a Registrar General” means the Registrar General for England and Wales, the Registrar General of Births, Deaths and Marriages for Scotland or the Registrar General for Northern Ireland.

- (1F) Regulations may make provision varying the list in paragraph (1E) above (whether by adding or deleting documents or varying any description of document).
- (1G) References in this rule to producing a document are to producing it for inspection.”

(3) The following shall be inserted after rule 38(1)

(incapacitated voter’s vote to be marked on ballot paper on application)—

“(1A) Paragraphs (1A) to (1G) of rule 37 shall apply in the case of a voter who applies under paragraph (1) above as they apply in the case of a voter who applies under rule 37(1), but reading references to delivering a ballot paper to a voter as references to causing a voter’s vote to be marked on a ballot paper.”

(4) The following shall be inserted after rule 39(2)

(blind voter to be allowed assistance of companion on application)—

“(2A) Paragraphs (1A) to (1G) of rule 37 shall apply in the case of a voter who applies under paragraph (1) above as they apply in the case of a voter who applies under rule 37(1), but reading references to delivering a ballot paper to a voter as references to granting a voter’s application.”

(5) The following shall be inserted after rule 40(1)

(person entitled to mark tendered ballot paper after another has voted)—

“(1A) Paragraphs (1A) to (1G) of rule 37 shall apply in the case of a person who seeks to mark a tendered ballot paper under paragraph (1) above as they apply in the case of a voter who applies for a ballot paper under rule 37(1).

(1B) Paragraph (1C) below applies where a presiding officer refuses to deliver a ballot paper to a person under paragraph (1C) of rule 37 (including that paragraph as applied by rule 38 or 39 or this rule).

(1C) The person shall, on satisfactorily answering the questions permitted by law to be asked at the poll, nevertheless be entitled, subject to the following provisions of this rule, to mark a ballot paper (in these rules referred to as “a tendered ballot paper”) in the same manner as any other voter.”

(6) The following shall be inserted after rule 40(4)—

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- “(5) A person who marks a tendered ballot paper under paragraph (1C) above shall sign the paper, unless it was marked after an application was refused under rule 38 or 39.
- (6) A paper which is required to be signed under paragraph (5) above and is not so signed shall be void.”

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**Textual Amendments**

**F1** Words inserted by Road Traffic (Consequential Provisions) Act 1988 (c. 54, SIF 107:1), s. 4 Sch. 3 para. 28

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**Marginal Citations**

**M1** 1983 c. 2.

**Changes to legislation:**

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