



Elections (Northern Ireland) Act 1985

1985 CHAPTER 2

Parliamentary elections

2 Further provisions.

(1) Schedule 1 to the 1983 Act shall be further amended as mentioned in subsections (2) to (4).

^{F1}(2)

(3) The following minor amendments shall be made—

- (a) in rule 37(1) for “A” there shall be substituted “ Subject to paragraphs (1A) to (1G) below, a ”;
- (b) in rule 38(1) for “The” there shall be substituted “ Subject to paragraph (1A) below, the ”;
- (c) in rule 39(2) for “If” there shall be substituted “ Subject to paragraph (2A) below, if”.

(4) After rule 40 there shall be inserted—

“40A Refusal to deliver ballot paper

(1) This rule applies where a presiding officer refuses to deliver a ballot paper under paragraph (1C) of rule 37 (including that paragraph as applied by rule 38, 39 or 40).

(2) The refusal shall be subject to review on an election petition but, subject to that, shall be final and shall not be questioned in any proceeding whatsoever.”

(5) The following shall be inserted after section 61(6)

of the 1983 Act (voting offences)—

“(6A) Where a person is alleged to have committed an offence under subsection (2) (a)(i) or (3)(a)(i) above by voting on a second or subsequent occasion at a parliamentary election, he shall not be deemed by virtue of subsection (6)

Changes to legislation: There are currently no known outstanding effects for the Elections (Northern Ireland) Act 1985, Section 2. (See end of Document for details)

above to have voted by applying on a previous occasion for a ballot paper for the purpose of voting in person unless he then marked a tendered ballot paper under rule 40(1C) of the parliamentary election rules.”

Textual Amendments

F1 S. 2(2) repealed (16.1.2023) by Elections Act 2022 (c. 37), s. 67(1), **Sch. 1 para. 40**, **Sch. 2 para. 14(a)**; S.I. 2022/1401, **reg. 2(d)(xvi)(e)**

Modifications etc. (not altering text)

C1 S. 2(3)(b)(c) extended (E.W.S.) (16.1.2023) by Elections Act 2022 (c. 37), s. 67(1), **Sch. 1 para. 34**; S.I. 2022/1401, **reg. 2(d)(xv)** (with **reg. 3(1)**)

Changes to legislation:

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