

Status: This version of this part contains provisions that are prospective.

Changes to legislation: Representation of the People Act 1985, Part II is up to date with all changes known to be in force on or before 04 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

PROSPECTIVE

SCHEDULE 1

SPECIAL POLLING STATIONS IN NORTHERN IRELAND

Modifications etc. (not altering text)

C1 Sch. 1 applied with modifications (N.I.) by S.I. 1986/2250, regs. 2, 3, 5, Sch. 1 Pt. III

PART II

RULES RELATING TO SPECIAL POLLING STATIONS

- 2 The following paragraphs in this Part of this Schedule shall have effect for all purposes as additional rules in Schedule 1 to the principal Act.
- 3 The official mark on the ballot paper of those voting in respect of a constituency at a special polling station—
- (a) shall be different from the official mark on the ballot papers of those voting at the same election in respect of the constituency at polling stations allotted to them under the parliamentary elections rules, and
 - (b) shall be kept secret;
- and an interval of seven years shall intervene between the use of the same official mark on ballot papers of those voting at special polling stations.
- 4 (1) The electoral officer shall provide each presiding officer at a special polling station with a list (in this Schedule referred to as “the special polling list”) of those electors to whom the special polling station has been allotted, showing for each elector—
- (a) the constituency in respect of which he is or appears from the electors lists concerned to be entitled to be registered, and
 - (b) his electoral number.
- (2) Rule 7(6) of the parliamentary elections rules applies for the purposes of this paragraph.
- 5 (1) The electoral officer may, after such consultation as appears to him to be desirable, appoint persons (including candidates and their election agents) to attend special polling stations as observers, and each appointment of an observer—
- (a) shall be made in writing, and
 - (b) shall indicate the polling station or polling stations to which he is assigned.
- (2) References in this Schedule to observers are references to observers appointed under this paragraph.

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- 6 (1) When the electoral officer has received the ballot boxes and packets from all the special polling stations, he shall in the presence of each candidate wishing to attend or (if a candidate so chooses) his agent—
- (a) open each ballot box and count and record the number of ballot papers in it,
 - (b) verify each ballot paper account, and
 - (c) in the case of a general election or two or more by-elections, sort the ballot papers into separate packets for each constituency.
- (2) The electoral officer shall give notice in writing to the candidates of the time and place at which he will begin to count the ballot papers under this paragraph, and no person other than the candidates or (where they so choose) their agents may be present unless permitted by the electoral officer.
- (3) A person not entitled to attend at the counting of ballot papers under this paragraph shall not be permitted to do so unless the electoral officer—
- (a) is satisfied that the efficient counting of the ballot papers will not be impeded, and
 - (b) has either consulted the candidates or, as the case may be, their agents or thought it impracticable to do so.
- (4) The electoral officer shall give to the candidates or, as the case may be, their agents all such reasonable facilities for overseeing the proceedings, and all such information with respect to them, as he can give them consistently with the orderly conduct of the proceedings and the discharge of his duties in connection with them.
- (5) The electoral officer shall verify each ballot paper account by comparing it with the number of ballot papers recorded by him, and the unused and spoilt ballot papers in his possession and the tendered votes list (opening and resealing the packets containing unused and spoilt ballot papers) and shall draw up a statement as to the result of the verification, which any candidate or, as the case may be, his agent may copy.
- (6) In the case of a general election or two or more by-elections, each packet of ballot papers for a constituency, accompanied by a statement of the number of ballot papers, shall be sent to the place where the votes for that constituency are to be counted and the votes given on the ballot papers may, when—
- (a) in the presence of the counting agents appointed under rule 30 of the parliamentary elections rules, the number of ballot papers in the packet has been counted and compared with the statement, and
 - (b) those ballot papers have been mixed with the ballot papers from at least one ballot box not used at a special polling station,
- be counted in accordance with the parliamentary elections rules (other than rule 45(1), (1A) and (5)).
- (7) In any other case, the votes given on any ballot papers counted under this paragraph may, when they have been mixed with the ballot papers from at least one ballot box not used at a special polling station, be counted in accordance with the parliamentary elections rules (other than rule 45(1), (1A) and (5)).
- (8) References in this paragraph to a candidate's agent are references to his election agent or to his counting agent appointed under rule 30 of the parliamentary elections rules to attend at the counting of the votes.

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- 7 (1) On the completion of the counting at a contested election, the electoral officer shall, in relation to votes cast at special polling stations, forward to the Clerk of the Crown for Northern Ireland—
- (a) the ballot paper accounts and the statements of rejected ballot papers and of the result of the verification of the ballot paper accounts,
 - (b) the tendered votes list, the list of votes marked by the presiding officer and the related statements,
 - (c) the packets of counterfoils, and
 - (d) the special polling lists,
- endorsing on each packet a description of its contents and the date of the election to which they relate.
- (2) ^{F1}

Textual Amendments

F1 Sch. 1 para. 7(2) repealed (1.7.2008) by Electoral Administration Act 2006 (c. 22), ss. 10, 11, 18, 20, 47, 61, 74, 77, Sch. 1 para. 135(3), Sch. 2; S.I. 2008/1316, arts. 2(3), 5(f)(iv)(g)(ii)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 15(1)(d)(e) inserted by [2012 c. 11 s. 2\(2\)\(b\)](#)
- s. 15(3ZA) inserted by [2012 c. 11 s. 2\(4\)](#)