

## SCHEDULES

### SCHEDULE 5

#### COMBINATION OF POLLS: ENGLAND

#### PART 1

##### PROVISION ABOUT COMBINATION

##### DISPOSAL OF DOCUMENTS ETC

##### *Packets of documents*

- 47 (1) The counting officer may not open the sealed packets of—
- (a) the completed corresponding number lists for a relevant election, or
  - (b) marked copies of the register of electors (including any marked copy notices issued under section 13B(3B) or (3D) of the 1983 Act), and lists of proxies, for a relevant election.
- (2) The following provisions have effect as if paragraph (3) were omitted—
- (a) rule 51 of the Local Elections (Combination of Polls) Rules;
  - (b) rule 51 of the Parish Elections (Combination of Polls) Rules;
  - (c) rule 44 of the Local Referendums (Combination of Polls) Rules;
  - (d) rule 56 of the Mayoral Elections (Combination of Polls) Rules.

##### *Delivery and retention of documents*

- 48 (1) Rules 50(1)(a) and 52 of the referendum rules apply to the specified documents.
- (2) The specified documents are those specified in sub-paragraphs (c), (d) and (f) of paragraph (1) of—
- (a) rule 52 of the Local Elections (Combination of Polls) Rules;
  - (b) rule 52 of the Parish Elections (Combination of Polls) Rules;
  - (c) rule 45 of the Local Referendums (Combination of Polls) Rules;
  - (d) rule 57 of the Mayoral Elections (Combination of Polls) Rules.
- (3) Except for the purposes of this paragraph, those rules have effect as if they did not include a reference to the specified documents (and as if paragraph (2) were omitted).
- (4) Regulation 116(1) of the Representation of the People (England and Wales) Regulations 2001 (S.I. 2001/341) has effect in relation to a relevant election as if the reference to documents forwarded under rule 55(1)(e) of the elections rules were to documents forwarded under rule 50(1)(a) of the referendum rules as applied by this paragraph.

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**Changes to legislation:** There are currently no known outstanding effects for the Parliamentary Voting System and Constituencies Act 2011, Disposal of documents etc. (See end of Document for details)

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- (5) Nothing in this paragraph prevents the following provisions from applying to the specified documents—
- (a) rule 53 of the Local Elections (Combination of Polls) Rules;
  - (b) rule 53 of the Parish Elections (Combination of Polls) Rules;
  - (c) rule 46 of the Local Referendums (Combination of Polls) Rules;
  - (d) rule 58 of the Mayoral Elections (Combination of Polls) Rules.
- (6) Each of the following provisions has effect as if for “by this rule provided” there were substituted “ provided by this rule (or a court order) ”
- (a) rule 53(8) of the Local Elections (Combination of Polls) Rules;
  - (b) rule 53(8) of the Parish Elections (Combination of Polls) Rules;
  - (c) rule 46(9) of the Local Referendums (Combination of Polls) Rules;
  - (d) rule 58(9) of the Mayoral Elections (Combination of Polls) Rules.
- (7) Rule 45(1) of the Local Referendums (Combination of Polls) Rules has effect as if the words “Where” and “is the relevant returning or counting officer, he” were omitted.

*Countermand or abandonment of poll on death of candidate*

- 49 (1) The following provisions have effect as if they were modified in accordance with sub-paragraphs (2) and (3)—
- (a) rule 55 of the Local Elections (Combination of Polls) Rules;
  - (b) rule 55 of the Parish Elections (Combination of Polls) Rules;
  - (c) rule 60 of the Mayoral Elections (Combination of Polls) Rules.
- (2) In paragraph (4), for “returning officer” substitute “ relevant counting officer ”.
- (3) In paragraph (7), for the words from the beginning to “further step” substitute “ Once the ballot papers relating to each relevant election or referendum have been separated, no step or further step may be taken ”.

**Changes to legislation:**

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