

SCHEDULES

SCHEDULE 8

COMBINATION OF POLLS: NORTHERN IRELAND

PART 2

POSTAL VOTING

Retention of documents

- 50 (1) This paragraph applies where the Chief Electoral Officer decides that the proceedings on the issue and receipt of postal ballot papers in respect of the referendum and the relevant elections are to be taken together.
- (2) The Chief Electoral Officer must—
- (a) endorse on each of the specified packets a description of its contents, the date of the poll and the name of the area to which the packet relates;
 - (b) complete a statement as to postal ballot papers in relation to each poll;
 - (c) retain the packets and statements.
- (3) The specified packets—
- (a) in relation to the referendum and the Assembly election, are the packets made up under regulations 79, 81(5) and 89 of the 2008 Regulations;
 - (b) in relation to a local election, are—
 - (i) the packets, made up under paragraph 11 of Part 3 of Schedule 2 to the Local Elections Order, of any combined lists produced by virtue of paragraph 7 or 23 above;
 - (ii) the packets made up under paragraphs 12 and 17C of that Part.
- (4) A statement as to postal ballot papers—
- (a) in the case of the referendum and the Assembly election, must be in the form set out in Form N in Schedule 3 to the 2008 Regulations;
 - (b) in the case of a local election, must be in the form set out in Form 2 in Part 3 of Schedule 2 to the Local Elections Order.
- (5) Where—
- (a) any covering envelopes are received by the Chief Electoral Officer after the close of the poll,
 - (b) any envelopes addressed to postal voters are returned as undelivered too late, or
 - (c) any spoilt postal ballot papers for the referendum or Assembly election are returned too late to enable other postal ballot papers to be issued,

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the Chief Electoral Officer must seal those envelopes or postal ballot papers up in a separate packet, endorse the packet as mentioned in sub-paragraph (2)(a) and retain the packet.

- (6) A copy of the completed statements as to postal ballot papers for the referendum and for the Assembly election must be provided to the Electoral Commission.
- (7) The following rules apply to any packet or document retained under this paragraph—
 - (a) rules 51 and 52 of the referendum rules;
 - (b) rule 56 of the Assembly Elections Rules;
 - (c) rule 59 of the Local Elections Rules.
- (8) In its application by virtue of sub-paragraph (7)(c), rule 59 of the Local Elections Rules has effect as if references to the proper officer of the council were to the Chief Electoral Officer.
- (9) This paragraph applies instead of regulation 91 of the 2008 Regulations.
- (10) Paragraph 19 of Part 3 of Schedule 2 to the Local Elections Order has effect as if—
 - (a) in sub-paragraph (1), the reference to packets did not include the packets mentioned in sub-paragraph (3)(b) above;
 - (b) in sub-paragraph (2), the references to envelopes were omitted.
- (11) Regulation 115(1) of the 2008 Regulations has effect in relation to an Assembly election as if the reference to documents retained under rule 57(1A) of the elections rules included a reference to documents retained under this paragraph that relate to the Assembly election.
- (12) Schedule 3 to the Local Elections (Northern Ireland) Order 2010 has effect—
 - (a) as if, in the definition of “the marked register or lists” in paragraph 1(1), the reference to documents retained under rule 60 of the Local Elections Rules included a reference to documents retained under this paragraph that relate to the local election;
 - (b) as if references to the proper officer included references to the Chief Electoral Officer.