
Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

SCHEDULES

SCHEDULE 8

COMBINATION OF POLLS: NORTHERN IRELAND

PART 1

PROVISION ABOUT COMBINATION

DISPOSAL OF DOCUMENTS ETC

Retention of certain documents by Chief Electoral Officer

- 38 (1) Where—
- (a) a combined list is prepared as mentioned in paragraph 7(2), 8(2), 16(1) or 22(1),
 - (b) the same copy of the register of electors is used as mentioned in paragraph 21(1),
 - (c) a single list is used as mentioned in paragraph 24(1), 26(1), 27(1) or 28(1), or
 - (d) a declaration made by the companion of a voter with disabilities (within the meaning of paragraph 25) relates to the referendum or Assembly election as well as a local election,
- rules 50(1)(b) and 52 of the referendum rules apply to those documents (and rule 58(1) of the Local Elections Rules has effect as if any reference to those documents were omitted).
- (2) Where a combined list is prepared as mentioned in paragraph 7(2), 8(2) or 16(1), rule 59 of the Local Elections Rules, so far as it relates to corresponding number lists, has effect as if references to the proper officer of the council were to the Chief Electoral Officer.
- (3) Rule 56(8) of the Assembly Elections Rules and rule 59(7) of the Local Elections Rules each have effect as if for “by this rule provided” there were substituted “provided by this rule (or a court order)”.
- 39 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 rule 50(1)(b) of the referendum rules as applied by paragraph 38 above;
 - (b) as if references to the proper officer included references to the Chief Electoral Officer.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

Countermand or abandonment of poll

- 40 (1) Where—
- (a) under rule 60 or 63 of the Assembly Elections Rules notice of the poll at an Assembly election is countermanded or it is directed that the poll be abandoned, or
 - (b) under rule 61 or 63 of the Local Elections Rules notice of the poll at a local election is countermanded or it is directed that the poll be abandoned,
- the countermand or direction does not affect the poll for the other election or the poll for the referendum.
- (2) If the poll for a relevant election is abandoned because of a candidate's death—
- (a) no further ballot papers at that election must be delivered in any polling station;
 - (b) at the close of the other polls the presiding officer must comply with the requirements of rule 43 of the Assembly Elections Rules (where the abandoned poll was the poll for the Assembly election) or rule 41 of the Local Elections Rules (where the abandoned poll was the poll for the local election) as if the poll for the relevant election had not been abandoned;
 - (c) the Chief Electoral Officer must dispose of the ballot papers used at the abandoned election and other documents in the officer's possession as the officer would have been required to do on the completion of the counting of the votes.
- (3) In a case falling within sub-paragraph (2)—
- (a) a ballot paper account for the abandoned election need not be prepared or verified;
 - (b) the Chief Electoral Officer, having separated the ballot papers relating to the referendum and each relevant election, must take no further step for the counting of the ballot papers used at the abandoned election or for the counting of the votes;
 - (c) the Chief Electoral Officer must seal up the ballot papers used at the abandoned election whether the votes on them have been counted or not;
 - (d) it is not necessary to seal up counted and rejected ballot papers used at the abandoned election in separate packets.
- (4) This paragraph applies instead of—
- (a) rule 65(1) to (6) of the Assembly Elections Rules;
 - (b) rule 64(1) to (6) of the Local Elections Rules.