
STATUTORY INSTRUMENTS

1986 No. 2209

REPRESENTATION OF THE PEOPLE

The European Assembly Elections Regulations 1986

Laid before Parliament in draft

Made - - - - 15th December 1986

Coming into operation in accordance with Regulation 2

Whereas a draft of these Regulations has been approved by a resolution of each House of Parliament:

Now, therefore, in exercise of the powers conferred upon me by paragraph 2 of Schedule 1 to the European Assembly Elections Act 1978 (a), I hereby make the following Regulations:—

Citation and extent

1.—(1) These Regulations may be cited as the European Assembly Elections Regulations 1986.

(2) These Regulations shall not extend to Northern Ireland.

Commencement

2.—(1) Subject to paragraphs (2) to (5) below, these Regulations shall come into force on the fourteenth day after the day on which they are made.

(2) These Regulations shall not apply to an election in respect of which the notice of election is published before the fourteenth day after the day on which they are made.

(3) In the provisions applied by Schedule 1 to these Regulations, if—

(a) any amendment of a provision of the Act of 1983 which is made by the Act of 1985 and is brought into force by Articles 3 and 4 of the Representation of the People Act 1985 (Commencement No. 3) Order 1986 (b), and

(b) the provisions of sections 5 to 12 of, and Part II of Schedule 2 to, the Act of 1985 (which are brought into force by those Articles)

are not in force, or not in force for all purposes, under those Articles on the coming into force of these Regulations, they shall come into force for the purposes of these Regulations when they come into force under those Articles.

(4) If paragraph 34 of Schedule 4 to the Act of 1985, which is applied by Schedule 1 to these Regulations, is not in force by virtue of an order under section 29(2) of the Act of 1985 on the coming into force of these Regulations,

(a) 1978 c.10.

(b) S.I. 1986/1080 (C.29).

it shall come into force for the purposes of these Regulations when it comes into force for the purposes of parliamentary elections by virtue of such an order.

(5) In the provisions applied by Schedule 2 to these Regulations, if—

(a) Regulations 63 to 96 of, and forms G, H, J, K and N in Schedule 2 to, the Regulations of 1986, and

(b) Regulations 61 to 94 of, and forms F, G, H, J and M in Schedule 2 to, the Regulations (Scotland) of 1986,

are not in force, or not in force for all purposes, under Regulation 2(b) of the Regulations of 1986 and Regulation 2(b) of the Regulations (Scotland) of 1986, respectively, on the coming into force of these Regulations, they shall come into force for the purposes of these Regulations when they come into force under Regulation 2(b) of the Regulations of 1986 and Regulation 2(b) of the Regulations (Scotland) of 1986, respectively.

Revocation

3.—(1) Subject to paragraphs (2), (3) and (4) below, the European Assembly Elections Regulations 1984 (a) (“the 1984 Regulations”) are hereby revoked.

(2) For the purposes of the application for Assembly elections of any provision of the Act of 1983 specified in Schedule 1 to the 1984 Regulations which was prospectively repealed by Schedule 5 to the Act of 1985 and the repeal is not in force at the time of the coming into force of these Regulations, the 1984 Regulations shall be revoked on 16th February 1987 (when the repeal comes into force under Article 3 of the Representation of the People Act 1985 (Commencement No. 3) Order 1986).

(3) For the purposes of the application for Assembly elections of the following provisions specified in Schedule 2 to the 1984 Regulations, which provisions are—

(a) Regulations 3 and 38 to 67 of, and forms H and X in Schedule 3 to, the Representation of the People Regulations 1983 (b), and

(b) Regulations 3 and 37 to 66 of, and forms H and X in Schedule 3 to, the Representation of the People (Scotland) Regulations 1983 (c),

the 1984 Regulations shall be revoked when the Regulations referred to in sub-paragraphs (a) and (b) above are revoked under Regulation 3(2) of the Regulations of 1986 and Regulation 3(2) of the Regulations (Scotland) of 1986, respectively.

(4) Regulation 4 of, and Schedule 3 to, the 1984 Regulations shall be revoked when the forms in Schedule 3 to the Representation of the People Regulations 1983 and Schedule 3 to the Representation of the People (Scotland) Regulations 1983 which are referred to in Regulation 4(3) of the 1984 Regulations are revoked under Regulation 3(2) of the Regulations of 1986 and Regulation 3(2) of the Regulations (Scotland) of 1986, respectively.

(a) S.I. 1984/137.

(b) S.I. 1983/435.

(c) S.I. 1983/548.

Interpretation

4. Unless the context otherwise requires, in these Regulations and in any provision applied by these Regulations:—

“Act of 1978” means the European Assembly Elections Act 1978;

“Act of 1983” means the Representation of the People Act 1983 (a);

“Act of 1985” means the Representation of the People Act 1985 (b);

“Assembly constituency” has the same meaning as in Regulation 4(1) of the Regulations of 1986;

“Assembly election” has the same meaning as in section 27(1) of the Act of 1985;

“Assembly overseas elector” means a peer who has made an Assembly overseas elector’s declaration and is registered or is entitled to be registered as an elector at an Assembly election in pursuance of it;

“Assembly overseas elector’s declaration” means a declaration made in pursuance of section 2 of the Act of 1985, as applied by Regulation 14 of, and Schedule 3 to, the Regulations of 1986 or Regulation 13 of, and Schedule 3 to, the Regulations (Scotland) of 1986;

“day of the poll” and “date of the poll” mean the day appointed by order under paragraph 3 of Schedule 1 to the Act of 1978 for the holding of an election;

“elections rules” and “parliamentary elections rules” mean the rules in Schedule 1 to the Act of 1983, as applied by Regulation 5 of, and Schedule 1 to, these Regulations;

“elector” means a person who under either paragraph 2(1) of Schedule 1 to the Act of 1978 (c) or section 3 of the Act of 1985 is entitled to vote at an Assembly election in a particular Assembly constituency;

“overseas elector” means a person who has made an overseas elector’s declaration and is registered or entitled to be registered as a parliamentary elector in pursuance of it;

“overseas elector’s declaration” has the meaning given in section 2 of the Act of 1985;

“register” means any part of—

(a) a register of parliamentary or, in the case of peers, local government electors, and

(b) a register under section 3 of the Act of 1985,

in force within a particular Assembly constituency at the time of an Assembly election in that constituency;

“registered”, in relation to an elector, means a person registered in a register;

“registration officer” means an electoral registration officer appointed under section 8 of the Act of 1983;

“Regulations of 1986” means the Representation of the People Regulations 1986 (d);

“Regulations (Scotland) of 1986” means the Representation of the People (Scotland) Regulations 1986 (e);

(a) 1983 c.2.

(b) 1985 c.50.

(c) Paragraph 2(1) was extended by section 3(1) of the Act of 1985.

(d) S.I. 1986/1081.

(e) S.I. 1986/1111.

“representative” means a representative to the European Assembly; and
“verifying officer” means the officer, appointed by the returning officer,
with responsibility for the verification of the ballot paper accounts.

Application of certain provisions for Assembly elections

5.—(1) The provisions of the Act of 1983 and the Act of 1985 which are specified in the left-hand column of Schedule 1 to these Regulations shall, subject to—

- (a) any modifications and exceptions specified in relation to those provisions in the right-hand column of that Schedule, and
- (b) the provisions of paragraphs (6), (7) and (8) below,

apply for the purposes of an Assembly election.

(2) The provisions of the Regulations of 1986 and the Regulations (Scotland) of 1986 which are specified in the left-hand column of Schedule 2 to these Regulations shall, subject to—

- (a) any modifications and exceptions specified in relation to those provisions in the right-hand column of that Schedule, and
- (b) paragraphs (6) to (11) below,

apply for the purposes of an Assembly election.

(3) Section 72 of the Post Office Act 1969 (a) and section 11(3) of the Act of 1983 (b) shall apply in relation to an Assembly election as they apply in relation to a parliamentary election, and as though the reference in section 72 to the Act of 1983 was a reference to that Act as applied by these Regulations.

(4) Part I of Schedule 3 to these Regulations, which sets out with modifications and exceptions Regulation 100 of the Regulations of 1986 (by which the parliamentary elections rules are amended in the circumstances set out in paragraph (1) of that Regulation), shall apply for the purposes of amending those rules, as applied by this Regulation and Schedule 1 to these Regulations, in the circumstances set out in paragraph 1 of that Part.

(5) Part II of Schedule 3 to these Regulations, which sets out with modifications and exceptions Regulation 98 of the Regulations (Scotland) of 1986 (by which the parliamentary elections rules are amended in the circumstances set out in paragraph (1) of that Regulation), shall apply for the purposes of amending those rules, as applied by this Regulation and Schedule 1 to these Regulations in the circumstances set out in paragraph 1 of that Part.

(6) Unless the context otherwise requires, in the provisions applied by Schedules 1 and 2 to these Regulations, any provision relating to a local government election or local government electors and references in connection therewith (including a reference to a petition questioning an election under the local government Act) shall be disregarded.

(7) Unless the context otherwise requires, in the provisions applied by Schedules 1 and 2 to these Regulations—

- (a) any reference to a parliamentary election shall be construed as a reference to an Assembly election and any reference to a general election shall accordingly be construed as a reference to an Assembly general election;

(a) 1969 c.48; section 72 was amended by paragraph 11 of Schedule 8 to the Act of 1983.

(b) Section 11(3) was substituted by paragraph 2 of Schedule 4 to the Act of 1985.

- (b) any reference to a constituency, except the references in section 9 of the Act of 1985 as so applied, shall be construed as a reference to an Assembly constituency;
- (c) any reference to a returning officer shall be construed as a reference to such an officer at an Assembly election;
- (d) any reference to a member in the context of a Member of Parliament shall be construed as a reference to a representative;
- (e) any reference to a parliamentary election petition shall be construed as a reference to an Assembly election petition, except that this construction shall not apply to any reference to the rota for the trial of parliamentary election petitions;
- (f) any reference to a return in the context of a return to the writ of election (and return to Parliament) shall be construed as a reference to the declaration of result made by the returning officer under rule 50 of the elections rules;
- (g) any reference to an overseas elector shall be construed as including a reference to an Assembly overseas elector and any reference to an overseas elector's declaration shall be construed as including a reference to an Assembly overseas elector's declaration;
- (h) any reference to the register of parliamentary electors shall be construed as a reference to the register (as defined by Regulation 4 above).

(8) Unless the context otherwise requires, in the provisions applied by Schedules 1 and 2 to these Regulations, any reference to an enactment or instrument made under an enactment shall be construed as a reference to that enactment or instrument as applied by these Regulations.

(9) Any reference in the Regulations of 1986, except Regulation 70(2), as applied by Schedule 2 to these Regulations, or the Regulations (Scotland) of 1986, except Regulation 68(2), as so applied, to a form identified by means of a letter shall be construed as a reference to the form so identified in Schedule 2 to each of those sets of Regulations, as so applied.

(10) In the forms in Schedule 2 to the Regulations of 1986, as applied by Schedule 2 to these Regulations, and Schedule 2 to the Regulations (Scotland) of 1986, as so applied, for the words "REPRESENTATION OF THE PEOPLE ACTS" there shall be substituted "EUROPEAN ASSEMBLY ELECTIONS ACT 1978".

(11) The reference in Regulation 70(2) of the Regulations of 1986, as applied by Schedule 2 to these Regulations, to form D and the reference in Regulation 68(2) of the Regulations (Scotland) of 1986, as so applied, to form C shall be construed as a reference to the form identified by means of the letter D in Schedule 2 to the Regulations of 1986 and the letter C in Schedule 2 to the Regulations (Scotland) of 1986 respectively, in each case as amended by Regulation 6 of, and Part I of Schedule 4 to, these Regulations, except that in the case of a proxy for an Assembly overseas elector the reference shall be construed as a reference to the form set out in Part II of Schedule 4 to these Regulations.

Amendment of proxy forms

6. Form D of Schedule 2 (form of proxy paper) to the Regulations of 1986 shall be amended in accordance with paragraph 1 of Part I of Schedule 4 to these Regulations and form C of Schedule 2 (form of proxy paper) to the Regulations (Scotland) of 1986 shall be amended in accordance with paragraph 2 of Part I of Schedule 4 to these Regulations.

Discharge of duties of returning officer in England and Wales

7.—(1) In England and Wales, the duties of the returning officer at an Assembly election (except those referred to in paragraph (2) below) shall be discharged, as acting returning officer, by the acting returning officer who, by virtue of section 28(1) of the Act of 1983, would discharge the duties of that returning officer at a parliamentary election.

(2) Paragraph (1) above does not apply to any duties under rule 50 of the elections rules which the returning officer reserves to himself and undertakes to perform in person.

(3) The returning officer shall give to the acting returning officer written notice of any duties which he reserves to himself under paragraph (2) above and that paragraph shall, in the case of any election, apply to the duties (if any) of which notice is so given not later than the day following the last date on which notice of election may be published in accordance with the elections rules, and to no others.

Douglas Hurd,
One of Her Majesty's Principal
Secretaries of State.

Home Office.
15th December 1986.

SCHEDULE 1

Regulation 5(1).

APPLICATION WITH MODIFICATIONS OF PROVISIONS OF THE ACTS OF 1983 AND 1985

Provision applied and subject matter	Modifications
<p>PART I: ACT OF 1983</p>	
<p>In section 18 (polling districts and places at parliamentary elections), subsections (1) and (9).</p>	<p>After subsection (1), there shall be inserted the following subsection:</p>
	<p>“(1A) The polling districts and polling places designated under this section shall be the same as those used or designated for parliamentary elections, except where it appears to those responsible for the designation of parliamentary polling districts and polling places that special circumstances make it desirable for some other polling district or polling place to be designated.”.</p>
<p>Section 23 (rules for parliamentary elections).</p>	
<p>In section 24 (returning officers: England and Wales), subsection (2).</p>	
<p>In section 27 (returning officers generally), subsection (3).</p>	
<p>In section 28 (discharge of returning officer’s functions in England and Wales), subsections (4), (5) and (6) (a) .</p>	<p>In subsection (4), for the words “subsection (1)” there shall be substituted “Regulation 7(1) of the European Assembly Elections Regulations 1986”.</p>
	<p>In subsection (5), the words from “and a district” to the end of the subsection shall be omitted.</p>
<p>Section 29 (payments by and to returning officer).</p>	<p>Subsections (1) and (2) shall be omitted.</p>
	<p>In subsection (5), for the words from the beginning of the subsection to “the Treasury, but” there shall be substituted “On an account for such charges being submitted to the Treasury.”.</p>
<p>Section 30 (taxation of returning officer’s account).</p>	
<p>Section 49 (effect of registers) (b) .</p>	
<p>Section 50 (effect of misdescription).</p>	
<p>Section 52 (discharge of registration duties) (c) .</p>	
<p>Section 54 (payment of expenses of registration) (d) .</p>	

- (a) Section 28(5) was amended by paragraph 6(b) of Schedule 4 to the Act of 1985.
- (b) Subsections (1)(d), (2)(c) and (3) of section 49 were repealed by Schedule 5 to the Act of 1985 and subsection (5) was amended by section 4(4) of that Act.
- (c) Section 52 was amended by paragraph 12 of Schedule 4 to the Act of 1985.
- (d) Section 54 was amended by paragraph 14 of Schedule 4 to the Act of 1985.

SCHEDULE 1 (continued)

Provision applied and subject matter	Modifications
Section 56 (registration appeals: England and Wales) (a).	Paragraphs (a) and (d) of subsection (1) and subsection (4A) shall be omitted.
Section 57 (registration appeals: Scotland).	
Section 60 (personation).	
Section 61 (other voting offences) (b) .	
Section 63 (breach of official duty) (c) .	In subsection (3)(b) after the words "returning officer" there shall be inserted "verifying officer".
Section 65 (tampering with nomination papers, ballot papers etc.) (d) .	In subsection (3) after the words "returning officer" there shall be inserted "verifying officer".
Section 66 (requirement of secrecy) (e) .	In subsection (2), before "counting" in the first and third places where the word occurs there shall be inserted "verification of the ballot paper accounts or the". After subsection (2), there shall be inserted the following subsection: "(2A) No person attending at the verification of the ballot paper accounts or the counting of the votes shall express to any person an opinion based on information obtained at that verification or count as to the likely outcome of that count."
Section 67 (appointment of election agent) (f) .	
Section 68 (nomination of sub-agent at parliamentary elections) (g) .	In subsection (1), the words "In the case of a parliamentary election for a county constituency" shall be omitted.
Section 69 (office of election agent and sub-agent) (h) .	
Section 70 (effect of default in election agent's appointment) (i) .	
Section 72 (making of contracts through election agent).	

- (a) Subsection (1)(b) was amended by paragraph 1 of Schedule 2 to the Act of 1985, subsections (1)(c) and (6) were repealed by Schedule 5 to that Act and subsection (4A) was inserted by paragraph 16(b) of Schedule 4 to that Act.
- (b) Section 61 was amended by paragraph 2 of Schedule 2 to the Act of 1985.
- (c) Section 63 was substituted by paragraph 19 of Schedule 4 to the Act of 1985.
- (d) Subsections (3) and (4) of section 65 were substituted by paragraph 2 of Schedule 3 to the Act of 1985.
- (e) Section 66(6) was amended by paragraph 3 of Schedule 3 to the Act of 1985.
- (f) Section 67(4) was amended by paragraph 20 of Schedule 4 to the Act of 1985.
- (g) Section 68(3) was amended by paragraph 21 of Schedule 4 to the Act of 1985.
- (h) Section 69(1)(a) was amended by paragraph 22 of Schedule 4 to the Act of 1985.
- (i) Subsection (3A) of section 70 was inserted by paragraph 23 of Schedule 4 to the Act of 1985.

SCHEDULE 1 (continued)

Provision applied and subject matter	Modifications
Section 73 (payment of expenses through election agent) (a) .	
Section 74 (candidate's personal expenses and petty expenses) (b) .	
Section 75 (prohibition of expenses not authorised by election agent) (c) .	Subsection (4) shall be omitted.
Section 76 (limitation of election expenses) (d) .	For subsection (2), there shall be substituted the following subsection: “(2) That maximum amount is £8,000 together with an additional 3.5p for every entry in the register of electors to be used at the election (as first published).”.
Section 78 (time for sending in and paying claims) (e) .	
Section 79 (disputed claims) (f) .	
Section 80 (election agent's claim).	
Section 81 (return as to election expenses) (g) .	
Section 82 (declarations as to election expenses) (h) .	
Section 83 (where no return and declarations needed at parliamentary elections).	
Section 84 (penalty for failure as respects return or declarations).	
Section 86 (authorised excuses for failures as to return and declarations) (i) .	
Section 87 (court's power to require information from election agent or sub-agent) (j) .	

- (a) Section 73(2) was amended by section 14(1) of the Act of 1985.
 (b) Section 74(1) was amended by section 14(2) of the Act of 1985.
 (c) The sum in subsection (1) of section 75 was substituted by section 14(3) of the Act of 1985 and paragraph (i) of that subsection was amended by paragraph 44(1) of Schedule 5 to the Cable and Broadcasting Act 1984 (c.46) and subsections (2), (4) and (5) were amended by paragraph 24 of Schedule 4 to the Act of 1985.
 (d) Section 76(3) was repealed by Schedule 5 to the Act of 1985.
 (e) Subsections (1) and (4) of section 78 were amended by paragraph 26 of Schedule 4 to the Act of 1985.
 (f) Subsections (1) and (4) of section 79 were amended by paragraph 26 of Schedule 4 to the Act of 1985.
 (g) Section 81 was amended by paragraph 27 of Schedule 4 to the Act of 1985.
 (h) Section 82 was amended by paragraph 28 of Schedule 4 to the Act of 1985.
 (i) Subsection (1A) of section 86 was inserted by paragraph 30(a) of Schedule 4 to the Act of 1985 and subsection (2) amended by paragraph 30(b) of that Schedule.
 (j) Section 87(3) was amended by paragraph 31 of Schedule 4 to the Act of 1985.

SCHEDULE 1 (continued)

Provision applied and subject matter	Modifications
Section 88 (publication of time and place for inspection of returns and declarations) (a).	
Section 89 (inspection of returns and declarations) (b).	In subsections (1) and (2), for the words "two years", in each place where they occur, there shall be substituted "12 months".
Section 91 (candidate's right to send election address post free) (c).	<p>For subsection (4), there shall be substituted the following subsection:</p> <p>"(4) For the purposes of this section, "elector" means a person—</p> <p>(a) who is registered in any register, as defined by Regulation 4 of the European Assembly Elections Regulations 1986, to be used at the election in the Assembly constituency, or</p> <p>(b) who, pending the publication of such a register, appears in the electors lists for it (as corrected by the registration officer) to be entitled to be so registered,</p> <p>and accordingly includes a person shown in any of those registers or electors lists as below voting age if it appears from those registers or lists that he will be of voting age on the day of the poll, but not otherwise."</p>
Section 92 (broadcasting from outside United Kingdom).	
Section 93 (broadcasting during elections) (d).	<p>For subsection (2), there shall be substituted the following subsection:</p> <p>"(2) For the purposes of subsection (1) above, an Assembly election shall be deemed to be pending for the period beginning with the last date on which notice of election may be published in accordance with the elections rules and ending with the close of the poll."</p>
Section 94 (imitation poll cards) (e).	

- (a) Section 88 was amended by paragraph 32 of Schedule 4 to the Act of 1985.
- (b) Section 89 was amended by paragraph 33 of Schedule 4 to the Act of 1985.
- (c) Paragraph 34 of Schedule 4 to the Act of 1985 sets out a new subsection (1) in substitution for section 91(1), but no order has been made under section 29(2) of the Act of 1985 bringing that paragraph into force.
- (d) Section 93(3) was added by paragraph 44(2) of Schedule 5 to the Cable and Broadcasting Act 1984 (c.46).
- (e) Section 94 was amended by paragraph 36 of Schedule 4 to the Act of 1985 but the amendments are not relevant to these Regulations.

SCHEDULE 1 (continued)

Provision applied and subject matter	Modifications
Section 95 (schools and rooms for parliamentary election meetings) (a) .	In subsection (1), for the words "receipt of the writ" there shall be substituted "the last date on which notice of election may be published in accordance with the elections rules".
Section 97 (disturbances at election meetings) (b) .	For subsection (2), there shall be substituted the following subsection: “(2) This section applies to a political meeting held in any Assembly constituency in connection with an Assembly election between the last date on which notice of election may be published in accordance with the elections rules and the date of the poll.”.
Section 98 (premises not affected for rates).	
Section 99 (officials not to act for candidates) (c) .	
Section 100 (illegal canvassing by police officers) (d) .	
Section 101 (no hiring of vehicles to convey voters).	
Section 102 (no payments for conveyance of voters).	
Section 103 (provisions supplemental to sections 101 and 102) (e) .	
Section 104 ("carriage" in sections 101 to 103) (f) .	
Section 105 (access to polling place by sea).	In subsection (1), the word "county" shall be omitted.
Section 106 (false statements as to candidates) (g) .	
Section 107 (corrupt withdrawal from candidature).	
Section 108 (premises not to be used as committee rooms) (h) .	
Section 109 (payments for exhibition of election notices).	

- (a) Section 95(1) and (4) was amended by paragraph 37 of Schedule 4 to the Act of 1985.
 (b) Section 97(3) was repealed in part in its application to England and Wales by Part I of Schedule 7 to the Police and Criminal Evidence Act 1984 (c.60).
 (c) Section 99(2) was substituted by paragraph 4 of Schedule 3 to the Act of 1985.
 (d) Section 100(2) was amended by paragraph 5 of Schedule 3 to the Act of 1985.
 (e) Section 103(2) was repealed by Schedule 5 to the Act of 1985.
 (f) Section 104(b) was repealed in part by Schedule 5 to the Act of 1985.
 (g) Section 106(4) was repealed by Schedule 5 to the Act of 1985.
 (h) Subsection (3) of, and the word "also" in subsection (4) of, section 108 were repealed by Schedule 5 to the Act of 1985.

SCHEDULE 1 (continued)

Provision applied and subject matter	Modifications
Section 110 (printer's name and address on election publications) (a).	
Section 111 (prohibition of paid canvassers).	
Section 112 (providing money for illegal purposes).	
Section 113 (bribery).	
Section 114 (treating).	
Section 115 (undue influence).	
Section 116 (rights of creditors).	
Section 117 (savings as to parliamentary elections).	
Section 118 (interpretation of Part II) (b).	In the definition of "candidate" for the word "Parliament" there shall be substituted "the European Assembly" and for the words from "day of the issue" to the end of the definition there shall be substituted "date of publication of notice of election".
Section 119 (computation of time for purposes of Part II) (c).	
Section 120 (method of questioning parliamentary election).	
Section 121 (presentation and service of parliamentary election petition).	
Section 122 (time for presentation or amendment of parliamentary election petition) (d).	In subsection (1), for the words from "the return" to the end of the subsection there shall be substituted "the day on which the relevant result was declared in accordance with rule 50 of the elections rules". In subsection (2), for the words "that return" there shall be substituted "that declaration of the result of the election".
Section 123 (constitution of election court and place of trial).	
Section 124 (judges' expenses and reception: England and Wales and Northern Ireland) (e).	
Section 125 (judges' expenses and reception: Scotland) (f).	

- (a) Section 110(3) was amended by paragraph 6 of Schedule 3 to the Act of 1985.
 (b) Section 118 was amended by paragraph 43 of Schedule 4 to the Act of 1985.
 (c) Subsections (2) and (3) of section 119 were substituted by section 19(4) of the Act of 1985.
 (d) Section 122(4) was amended by paragraph 44 of Schedule 4 to the Act of 1985.
 (e) Section 124 was repealed in part by Schedule 5 to the Act of 1985.
 (f) Paragraph (a) of section 125 was repealed by Schedule 5 to the Act of 1985.

SCHEDULE 1 (continued)

Provision applied and subject matter	Modifications
Section 126 (attendance of House of Commons shorthand writer) (a).	In subsection (1), for the words "The shorthand writer of the House of Commons or his deputy" there shall be substituted "A shorthand writer". In subsection (2), for the word "Speaker" there shall be substituted "Secretary of State". In subsection (3) the words "In Scotland" shall be omitted and after the word "under" there shall be inserted "section 124 or".
Section 136 (security for costs) (b).	
Section 137 (petition at issue).	
Section 138 (list of petitions).	
Section 139 (trial of petition).	In subsection (3), for the words from "the acceptance" to the end of the subsection there shall be substituted "that the representative has resigned from the European Assembly".
Section 140 (witnesses) (c).	
Section 141 (duty to answer relevant questions) (d).	
Section 143 (expenses of witnesses).	
Section 144 (conclusion of trial of parliamentary election petition).	In subsections (2), (4) and (6), for the word "Speaker", in each place where it occurs, there shall be substituted "Secretary of State". Subsections (5) and (7) shall be omitted.
Section 146 (special case for determination of High Court).	In subsection (2), for the word "Speaker" there shall be substituted "Secretary of State".
Section 147 (withdrawal of petition).	
Section 148 (evidence required for withdrawal of petition) (e).	
Section 149 (penalty for corrupt withdrawal and breach of section 148) (f).	
Section 150 (substitution of new petitioner).	

- (a) Section 126(3) was repealed in part by Schedule 5 to the Act of 1985 and amended by paragraph 47 of Schedule 4 to that Act.
 (b) Section 136 was amended by paragraph 48 of Schedule 4 to the Act of 1985.
 (c) Section 140 was amended by paragraph 49 of Schedule 4 to the Act of 1985.
 (d) Subsections (3) and (4) of section 141 were repealed by Schedule 5 to the Act of 1985.
 (e) Section 148(4)(a) was repealed in part by Schedule 5 to the Act of 1985.
 (f) Section 149 was amended by paragraph 7 of Schedule 3 to the Act of 1985.

SCHEDULE 1 (continued)

Provision applied and subject matter	Modifications
Section 151 (report on withdrawal).	In subsection (1)(a), for the word "Speaker" there shall be substituted "Secretary of State".
Section 152 (abatement of petition).	In subsection (1), for paragraphs (b) and (c) there shall be substituted the following paragraph: “(b) resigns or otherwise ceases to hold the office of representative”.
Section 153 (withdrawal and substitution of respondents before trial).	In subsection (1), for paragraphs (b) and (c) there shall be substituted the following paragraph: “(b) resigns or otherwise ceases to hold the office of representative”.
Section 154 (costs of petition).	In subsection (3), the words from “and if the petition” to the end of the subsection shall be omitted.
Section 155 (neglect or refusal to pay costs).	In subsection (4), for the word “Speaker” there shall be substituted “Secretary of State”.
Section 156 (further provision as to costs) (a).	For subsection (2), there shall be substituted the following subsection: “(2) Subject to the provisions of this Act and the rules made under it, the principles, practice and rules on which election courts act in dealing with parliamentary election petitions shall be observed, so far as may be, by the High Court and election court in the case of Assembly election petitions.”.
Section 157 (appeals and jurisdiction).	In subsection (2), for the words “House of Commons” there shall be substituted “European Assembly”, and in paragraph (c) for the words “during the Parliament for which the election was held” there shall be substituted “until the next general election of representatives to the European Assembly”.
Section 158 (report as to candidate guilty of a corrupt or illegal practice).	In subsection (4), Regulation 5(7)(a) of these Regulations shall not operate so as to convert “any parliamentary election” to “any Assembly election”; and after the word “parliamentary” there shall be inserted “or Assembly” and after the words
Section 159 (candidate reported guilty of corrupt or illegal practice).	
Section 160 (persons reported personally guilty of corrupt or illegal practices) (b).	

(a) Section 156 was amended by paragraph 51 of Schedule 4 to the Act of 1985.

(b) In section 160, subsection (2) and part of subsection (1) were repealed by Schedule 5 to the Act of 1985 and subsection (3) was substituted by paragraph 52(b) of Schedule 4 to that Act.

SCHEDULE 1 (continued)

Provision applied and subject matter	Modifications
<p>Section 161 (justice of the peace) (a) .</p> <p>Section 162 (member of legal and certain other professions) (b) .</p> <p>Section 163 (holder of licence or certificate under Licensing Acts) (c) .</p> <p>Section 164 (avoidance of election for general corruption etc.) .</p> <p>Section 165 (avoidance of election for employing corrupt agent).</p> <p>Section 166 (votes to be struck off for corrupt or illegal practices).</p> <p>Section 167 (application for relief) (d) .</p> <p>Section 168 (prosecutions for corrupt practices) (e) .</p> <p>Section 169 (prosecutions for illegal practices) (f) .</p> <p>Section 170 (conviction of illegal practice on charge of corrupt practice etc.) .</p> <p>Section 173 (incapacities on conviction of corrupt or illegal practice) (g) .</p> <p>Section 174 (mitigation and remission etc.) .</p>	<p>“House of Commons”, in both places where those words occur, there shall be inserted “or European Assembly”.</p> <p>In subsection (5), Regulation 5(7)(a) of these Regulations shall not operate except in paragraph (a) of the subsection to convert “parliamentary election” to “Assembly election”; and after the words “any parliamentary” there shall be inserted “or Assembly”.</p> <p>In subsection (1), after the words “this Act” there shall be inserted “(as it applies to parliamentary and local government elections and as applied by regulations under the Act of 1978)”.</p>

- (a) Section 161 was repealed in part by Schedule 5 to the Act of 1985 and amended by paragraph 53 of Schedule 4 to that Act.
- (b) Section 162 was repealed in part by Schedule 5 to the Act of 1985 and amended by paragraph 54 of Schedule 4 to that Act.
- (c) Section 163 was repealed in part by Schedule 5 to the Act of 1985 and amended by paragraph 55 of Schedule 4 to that Act.
- (d) Section 167 (1A) was inserted by paragraph 56 of Schedule 4 to the Act of 1985.
- (e) Subsection (1) of section 168 was substituted for subsections (1) to (4) by paragraph 8 of Schedule 3 to the Act of 1985 and subsections (5) and (6) were repealed by Schedule 5 to that Act.
- (f) Section 169 was repealed in part by Schedule 5 to the Act of 1985 and amended by paragraph 9 of Schedule 3 to that Act.
- (g) Section 173(a) was repealed in part by Schedule 5 to the Act of 1985.

SCHEDULE 1 (continued)

Provision applied and subject matter	Modifications
Section 175 (illegal payments etc.). (a).	
Section 176 (time limit for prosecutions) (b).	
Section 178 (prosecution of offences committed outside United Kingdom) (c).	
Section 179 (offences by associations).	
Section 180 (evidence by certificate of holding of elections).	
Section 181 (Director of Public Prosecutions) (d).	
Section 182 (rules of procedure).	
Section 183 (costs).	
Section 184 (service of notices).	
Section 185 (interpretation of Part III).	
Section 186 (computation of time for purposes of Part III).	
Section 200 (public notices, and declarations) (e).	
Section 202 (general provisions as to interpretation) (f).	In subsection (1), the definitions of "elector" and "parliamentary elections rules" shall be omitted.
In section 204 (general application to Scotland), subsections (3), (4), (5), (6) and (8).	

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- (a) Section 175(1) was amended by paragraph 10 of Schedule 3 to the Act of 1985.
 - (b) Section 176 was amended by paragraph 61 of Schedule 4 to the Act of 1985 and paragraph 32 of Schedule 2 to the Law Reform (Miscellaneous Provisions) (Scotland) Act 1985 (c.73).
 - (c) Section 178 was substituted by paragraph 62 of Schedule 4 to the Act of 1985.
 - (d) Subsections (1), (2) and (3) of section 181 were amended by paragraph 63 of Schedule 4 to the Act of 1985; subsection (6) was repealed in part by Schedule 5 to that Act; and subsections (4) and (8) were repealed by Schedule 2 to the Prosecution of Offences Act 1985 (c.23).
 - (e) Section 200(1) was substituted by paragraph 68 of Schedule 4 to the Act of 1985.
 - (f) Section 202(1) was amended by section 4(5) of, and paragraph 3 of Schedule 2 to, the Act of 1985 and repealed in part by Schedule 5 to that Act.

SCHEDULE 1 (continued)

Provision applied and subject matter	Modifications										
<p style="text-align: center;">SCHEDULE 1 (PARLIAMENTARY ELECTIONS RULES)</p> <p>Rule 1 (Timetable).</p>	<p>For the Timetable there shall be substituted the following provisions:</p> <p>“TIMETABLE</p> <table border="0"> <tr> <td style="vertical-align: top;"><i>Proceeding</i></td> <td style="vertical-align: top;"><i>Time</i></td> </tr> <tr> <td>Publication of notice of election.</td> <td>Not later than the twenty-fifth day before the date of the poll.</td> </tr> <tr> <td>Delivery of nomination papers.</td> <td>Between the hours of 10 a.m. and 4 p.m. on any day after the date of the publication of the notice of election but not later than the nineteenth day before the date of the poll.</td> </tr> <tr> <td>Delivery of notices of withdrawals of candidature.</td> <td>Within the time for the delivery of nomination papers at the election.</td> </tr> <tr> <td>The making of objections to nomination papers.</td> <td>During the hours allowed for delivery of nomination papers on the last day for their delivery and the hour following; but— (a) no objection may be made in the afternoon of that last day except to a nomination paper delivered within 24 hours of the last time for its delivery, and in the case of a nomination paper so delivered no objection may be so made to the sufficiency or nature of the particulars of the candidate unless made at or immediately after the time of the delivery of the nomination paper; and</td> </tr> </table>	<i>Proceeding</i>	<i>Time</i>	Publication of notice of election.	Not later than the twenty-fifth day before the date of the poll.	Delivery of nomination papers.	Between the hours of 10 a.m. and 4 p.m. on any day after the date of the publication of the notice of election but not later than the nineteenth day before the date of the poll.	Delivery of notices of withdrawals of candidature.	Within the time for the delivery of nomination papers at the election.	The making of objections to nomination papers.	During the hours allowed for delivery of nomination papers on the last day for their delivery and the hour following; but— (a) no objection may be made in the afternoon of that last day except to a nomination paper delivered within 24 hours of the last time for its delivery, and in the case of a nomination paper so delivered no objection may be so made to the sufficiency or nature of the particulars of the candidate unless made at or immediately after the time of the delivery of the nomination paper; and
<i>Proceeding</i>	<i>Time</i>										
Publication of notice of election.	Not later than the twenty-fifth day before the date of the poll.										
Delivery of nomination papers.	Between the hours of 10 a.m. and 4 p.m. on any day after the date of the publication of the notice of election but not later than the nineteenth day before the date of the poll.										
Delivery of notices of withdrawals of candidature.	Within the time for the delivery of nomination papers at the election.										
The making of objections to nomination papers.	During the hours allowed for delivery of nomination papers on the last day for their delivery and the hour following; but— (a) no objection may be made in the afternoon of that last day except to a nomination paper delivered within 24 hours of the last time for its delivery, and in the case of a nomination paper so delivered no objection may be so made to the sufficiency or nature of the particulars of the candidate unless made at or immediately after the time of the delivery of the nomination paper; and										

SCHEDULE 1 (continued)

Provision applied and subject matter	Modifications
	<p align="right">(b) the foregoing provisions do not apply to objections made in pursuance of rule 15(2) below.</p> <p>Publication of statement of persons nominated. At the close of the time for making objections to nomination papers or as soon afterwards as any objections are disposed of.</p> <p>Polling. Between the hours of 7 a.m. and 10 p.m. on the day of the poll."</p>
Rule 2 (computation of time) (a).	
Rule 5 (notice of election) (b).	
Rule 6 (nomination of candidates).	At the end of the rule, there shall be added the following paragraph:
	<p>“(4) A nomination paper may consist of a single sheet, or of two or more sheets securely fastened together.”.</p>
Rule 7 (subscription of nomination paper).	In paragraph (1), for the word “eight” there shall be substituted “twenty-eight”.
	<p>In paragraph (6), for the definition of “elector” there shall be substituted the following definition:</p> <p>“ “elector” has the same meaning as in section 91(4) of this Act;”.</p>
Rule 8 (consent to nomination).	In paragraph (3)(b), for the words “the House of Commons Disqualification Act 1975” there shall be substituted “paragraph 5 of Schedule 1 to the Act of 1978” and for the words “membership of the House of Commons” there shall be substituted “the office of representative to the European Assembly”.
Rule 9 (deposit) (c).	In paragraph (1), for “£500” there shall be substituted “£750”.
In rule 10 (place for delivery of nomination papers), paragraph (1).	After the word “place” there shall be inserted “in the Assembly constituency”.

(a) Rule 2 was amended by section 19(5) of the Act of 1985.

(b) Rule 5 was amended by paragraph 4 of Schedule 2 to, and paragraph 74 of Schedule 4 to, the Act of 1985.

(c) Rule 9 was amended by section 13 of, and paragraph 75 of Schedule 4 to, the Act of 1985.

SCHEDULE 1 (continued)

Provision applied and subject matter	Modifications
<p>Rule 11 (right to attend nomination).</p> <p>Rule 12 (decisions as to validity of nomination papers).</p>	<p>In paragraph (2)(c), after the words "Act 1981" there shall be inserted "(which applies in respect of the office of representative to the European Assembly by virtue of paragraph 5(1)(a) of Schedule 1 to the Act of 1978)".</p>
<p>Rule 13 (withdrawal of candidates).</p> <p>Rule 14 (publication of statement of persons nominated).</p>	<p>At the end of paragraphs (2) and (4), there shall be inserted the words "as proposer and seconder".</p>
<p>Rule 15 (disqualification by Representation of the People Act 1981).</p>	<p>In paragraph (1), after the words "Act 1981" there shall be inserted "(which applies in respect of the office of representative to the European Assembly by virtue of paragraph 5(1)(a) of Schedule 1 to the Act of 1978)".</p>
<p>Rule 16 (adjournment of nomination proceedings in case of riot).</p>	
<p>Rule 17 (method of election).</p>	
<p>Rule 18 (poll to be taken by ballot).</p>	
<p>Rule 19 (the ballot papers) (a) .</p>	
<p>Rule 20 (the official mark).</p>	
<p>Rule 21 (prohibition of disclosure of vote).</p>	
<p>Rule 22 (use of schools and public rooms).</p>	<p>In paragraphs (1) and (2), after the words "taking the poll" there shall be inserted "counting the votes or verifying the ballot paper accounts, as the case may be".</p>
<p>Rule 23 (notice of poll) (b) .</p>	<p>At the beginning of paragraph (2) there shall be inserted the words "In respect of each parliamentary constituency (or part of such a constituency) contained in the Assembly constituency" and the words "(which may be combined with the statement of persons nominated)" shall be omitted.</p>
<p>Rule 24 (postal ballot papers) (c) .</p>	
<p>Rule 25 (provision of polling stations).</p>	

(a) Rule 19(2)(d) was amended by paragraph 76 of Schedule 4 to the Act of 1985.
 (b) Paragraph (2) of rule 23 was amended by paragraph 77(a) of Schedule 4 to the Act of 1985 and paragraph (3) omitted by paragraph 77(b) of that Schedule.
 (c) Rule 24 was amended by paragraph 5 of Schedule 2 to, and paragraph 78 of Schedule 4 to, the Act of 1985.

SCHEDULE 1 (continued)

Provision applied and subject matter	Modifications
Rule 26 (appointment of presiding officers and clerks).	<p>After the rule, the following rule shall be added:</p> <p><i>“Appointment of verifying officers and clerks</i></p> <p>26A.—(1) The returning officer shall appoint and pay verifying officers to attend at such places as he deems necessary for the verification of the ballot paper accounts and such clerks as may be necessary for the purposes of the verification, but he shall not appoint a person who has been employed by or on behalf of a candidate in or about the election.</p> <p>(2) The returning officer may, if he thinks fit, act as a verifying officer and the provisions of these rules relating to a verifying officer shall apply to a returning officer so acting, with the necessary modifications as to things to be done by the returning officer to the verifying officer or by the verifying officer to the returning officer.</p> <p>(3) A verifying officer may do, by the clerks appointed to assist him, any act which he is required or authorised by these rules to do.”.</p>
Rule 28 (issue of official poll cards) (a) .	
Rule 29 (equipment of polling stations) (b) .	
Rule 30 (appointment of polling and counting agents).	<p>In paragraph (1)(b), after the words “counting agents to attend at” there shall be inserted “the verification of the ballot paper accounts and”.</p> <p>In paragraph (2), after the words “returning officer” there shall be inserted “or, as the case may be, verifying officer” and after the words “the counting” there shall be inserted “or, as the case may be, the verification of the ballot paper accounts”.</p>
Rule 31 (notification of requirement of secrecy) (c) .	<p>In paragraph (b) after the words “attending at” there shall be inserted “the verification of the ballot paper accounts or” and after “(2)” there shall be inserted “(2A)”.</p>
Rule 32 (admission to polling station).	
Rule 33 (keeping of order in station).	

(a) Rule 28 was amended by section 4(6) of, and paragraph 6 of Schedule 2 to, the Act of 1985.
 (b) Rule 29(5) was amended by paragraph 79 of Schedule 4 to the Act of 1985.
 (c) Rule 31 was substituted by paragraph 80 of Schedule 4 to the Act of 1985.

SCHEDULE 1 (continued)

Provision applied and subject matter	Modifications
<p>Rule 34 (sealing of ballot boxes).</p> <p>Rule 35 (questions to be put to voters).</p> <p>Rule 36 (challenge of voter).</p> <p>Rule 37 (voting procedure) (a).</p> <p>Rule 38 (votes marked by presiding officer).</p> <p>Rule 39 (voting by blind persons).</p> <p>Rule 40 (tendered ballot papers) (b).</p> <p>Rule 41 (spoilt ballot papers).</p> <p>Rule 42 (adjournment of poll in case of riot).</p> <p>Rule 43 (procedure on close of poll).</p>	<p>In the question in paragraph (1)(a)(i) the word "parliamentary" shall be omitted.</p> <p>In paragraph (1), for the words "returning officer", in each place where they occur, there shall be substituted "verifying officer".</p> <p>After the rule, there shall be inserted the following rules:</p> <p style="text-align: center;"><i>"Attendance at verification of ballot paper accounts</i></p> <p>43A.—(1) The verifying officer shall make arrangements for the verification of the ballot paper accounts in the presence of the counting agents as soon as practicable after the close of the poll, and shall give to the counting agents notice in writing of the time and place at which he will begin such verification.</p> <p>(2) No person other than—</p> <p style="padding-left: 2em;">(a) the returning officer,</p> <p style="padding-left: 2em;">(b) the verifying officer and his clerks,</p> <p style="padding-left: 2em;">(c) the candidates and their spouses,</p> <p style="padding-left: 2em;">(d) the election agents, and</p> <p style="padding-left: 2em;">(e) the counting agents,</p> <p>may attend the verification of the ballot paper accounts, unless permitted by the verifying officer to attend; and the verifying officer shall not permit a person to attend unless he is satisfied that the efficient verification of the ballot paper accounts will not be impeded.</p>

(a) Rule 37(1)(b) was amended by paragraph 81 of Schedule 4 to the Act of 1985.

(b) Rule 40(1)(b) was repealed in part by Schedule 5 to the Act of 1985.

SCHEDULE 1 (continued)

Provision applied and subject matter	Modifications
	<p>(3) The verifying officer shall allow the counting agents all such reasonable facilities for observing the proceedings, and all such information with respect to them, as he can give them consistent with the orderly conduct of the proceedings and the discharge of his duties in connection with them.</p> <p><i>Procedure at verification of ballot paper accounts</i></p> <p>43B.—(1) The verifying officer shall in the presence of the counting agents—</p> <p>(a) open each ballot box and count and record the number of ballot papers in it and verify each ballot paper account; and</p> <p>(b) count such of the postal ballot papers as have been duly returned and record the number counted.</p> <p>(2) A postal ballot paper shall not be deemed to be duly returned unless it is returned in the proper envelope so as to reach the returning officer before the close of the poll and is accompanied by the declaration of identity duly signed and authenticated.</p> <p>(3) The verifying officer shall not count any tendered ballot paper.</p> <p>(4) The verifying officer, while counting and recording the number of ballot papers, shall keep the ballot papers with their faces downwards.</p> <p>(5) The verifying officer shall verify each ballot paper account by comparing it with the number of ballot papers recorded by him, the unused and spoilt ballot papers in his possession and the tendered votes list (opening and resealing the packets containing the unused and spoilt ballot papers and the tendered votes list) and shall draw up a statement as to the result of the verification, which any counting agent present may copy.</p> <p>(6) The verifying officer shall, subject to the directions of the returning officer, determine the hours during which the procedure under this rule is proceeded with.</p> <p>(7) The verifying officer shall take proper precautions for the security of the ballot papers and documents.</p>

SCHEDULE 1 (continued)

Provision applied and subject matter	Modifications
<p>Rule 44 (attendance at counting of votes).</p>	<p>(8) On completion of the procedure under this rule the verifying officer shall, subject to the directions of the returning officer, make up into packets the ballot papers counted by him, seal them up in containers endorsing on each a description of the area to which the ballot papers relate, and, subject to paragraph (10) below, deliver or cause to be delivered the containers to the returning officer together with a list of them and of the contents of each container and a statement of his verification of the ballot paper accounts.</p> <p>(9) At the same time as the verifying officer delivers, or causes to be delivered, to the returning officer the containers referred to in paragraph (8) above, he shall also deliver, or cause to be delivered, to the returning officer the remaining packets referred to in rule 43(1) of these rules.</p> <p>(10) Paragraphs (8) and (9) above do not apply where the verification of the ballot paper accounts takes place at the same place as the counting of the votes.”.</p> <p>In paragraph (1), for the words “close of the poll” there shall be substituted “material time” and at the end of the paragraph the following shall be added:</p> <p>“For the purposes of this paragraph the “material time” means—</p> <p>(a) in the case of a general election of representatives, the time when the counting of votes becomes permissible under Article 9(2) of the Act referred to in section 8(2)(a) of the Act of 1978 (counting not to begin until close of polling in the member State whose electors are the last to vote within the period referred to in Article 9(1));</p> <p>(b) in the case of a by-election the close of the poll.”.</p>
<p>Rule 45 (the count)(a) .</p>	<p>For paragraphs (1) to (2), there shall be substituted the following paragraph:</p> <p>“(1) Where the verifying officer has made the ballot papers into packets in</p>

(a) Paragraphs (1) and (1A) of rule 45 were substituted by paragraph 82 of Schedule 4 to the Act of 1985.

SCHEDULE 1 (continued)

Provision applied and subject matter	Modifications
<p>Rule 57 (retention and public inspection of documents).</p>	<p>In paragraph (1)—</p> <p>(a) for the words “Clerk of the Crown” there shall be substituted “returning officer”;</p> <p>(b) for the words “forwarded to him in pursuance of these rules by a returning officer” there shall be substituted “to which rule 55(1) of these rules applies”;</p> <p>and</p> <p>(c) the words “the House of Commons or” shall be omitted.</p> <p>In paragraph (2), for the words from “Clerk of the Crown” to the end of the paragraph there shall be substituted “returning officer”.</p> <p>In paragraph (3), for the words “Clerk of the Crown” there shall be substituted “returning officer” and for the words “the Treasury” there shall be substituted “the local authority by which he is employed”.</p>
<p>Rule 60 (countermand or abandonment of poll on death of candidate).</p>	<p>In paragraph (1)—</p> <p>(a) for the words “as if the writ had been received 28 days” there shall be substituted “as if the day appointed by order under paragraph 3 of Schedule 1 to the Act of 1978 was the first Thursday after the expiry of 45 days”;</p> <p>(b) sub-paragraph (b) shall be omitted; and</p> <p>(c) at the end of the paragraph there shall be added the following words “and the period of 45 days shall be calculated in accordance with rule 2 of these rules”.</p> <p>In paragraph (2), after the words “in due course”, in the first place where they occur, there shall be inserted “to the verifying officer”.</p>
<p style="text-align: center;">APPENDIX OF FORMS</p> <p>Form of nomination paper.</p>	<p>For the word “Parliament” there shall be substituted “the European Assembly”; and the nomination paper shall be extended to allow for the signatures of 28 assentors.</p>
<p>Form of ballot paper (a).</p>	

(a) The form of ballot paper was amended by paragraph 84 of Schedule 4 to the Act of 1985.

SCHEDULE 1 (continued)

Provision applied and subject matter	Modifications
<p>Directions as to printing the ballot paper (a) .</p> <p>Form of directions for the guidance of the voters in voting (b) .</p> <p>Form of declaration to be made by the companion of a blind voter.</p> <p>SCHEDULE 3 (RETURN AND DECLARATIONS AS TO ELECTION EXPENSES).</p> <p>Form of return.</p> <p>Form of declarations (c) .</p> <p>SCHEDULE 5 (USE FOR PARLIAMENTARY ELECTION MEETINGS OF ROOMS IN SCHOOL PREMISES AND OF MEETING ROOMS).</p> <p>Paragraph 1.</p> <p>Paragraph 5.</p>	<p>For the word "dissolution" there shall be substituted "general election of representatives" and for the words "those lists" there shall be substituted "the lists of rooms in school premises and of meeting rooms prepared under this Schedule, as it has effect for parliamentary elections".</p>
<p>Paragraph 6.</p> <p>PART II: ACT OF 1985</p> <p>Section 5 (manner of voting at parliamentary and local government elections).</p>	
<p>Section 6 (absent vote at elections for an indefinite period).</p>	<p>In subsection (1) the words "or at both" shall be omitted.</p> <p>In subsection (3) paragraph (a) shall be omitted.</p>
<p>Section 7 (absent vote at a particular election and absent voters list).</p>	<p>In subsection (2) the words "in respect of elections of the kind in question" and "at elections of the kind in question" shall be omitted.</p> <p>In subsection (4) the words "at elections of the kind in question", in both places where they occur, shall be omitted and, at the end, there shall be added the words "and shall supply a copy of those lists to the returning officer".</p>

- (a) The directions as to printing the ballot paper were amended by paragraph 85 of Schedule 4 to the Act of 1985.
- (b) The form of directions was substituted by paragraph 86 of Schedule 4 to the Act of 1985.
- (c) The form of declarations was amended by paragraph 88 of Schedule 4 to the Act of 1985.

SCHEDULE 1 (continued)

Provision applied and subject matter	Modifications
Section 8 (proxies at elections) (a).	In subsection (6) the words "or at both" and "of electors for elections in respect of which the application is made" shall be omitted.
Section 9 (voting as proxy).	<p>In subsection (4) the words "or at both" shall be omitted and after the words "section 2(4) of this Act" there shall be inserted "(including that provision as applied by Regulation 14 of, and Schedule 3 to, the Regulations of 1986 or Regulation 13 of, and Schedule 3 to, the Regulations (Scotland) of 1986)".</p> <p>In subsection (6), paragraph (a) and the word "and" shall be omitted.</p> <p>In subsections (8) and (9) the words "in respect of elections of the kind in question" shall be omitted and at the end of subsection (9) there shall be added the words "and shall supply a copy of that list to the returning officer".</p> <p>In subsection (10) the words "or both (as the case may be)" and "of the kind in question" shall be omitted.</p>
Section 11 (manner of voting: supplementary provision).	Paragraphs (a) and (c) shall be omitted.
In section 12 (offences as to declarations etc.), subsections (3) and (4).	
Section 27 (interpretation).	<p>In subsection (1), the definitions of "Assembly" and "Assembly election" shall be omitted.</p> <p>In subsection (2), the words from "and sections 5, 6" to the end shall be omitted.</p>
In Schedule 2, Part II (transitional provision for absent voters).	<p>In paragraph 9(1) the words "or applications", "or both", "of the kind or kinds in question", in both places where those words occur, and "or at parliamentary and local government elections" shall be omitted.</p> <p>In paragraph 10 —</p> <p>(a) the words "or 32(2)" shall be omitted;</p> <p>(b) for the words "at both parliamentary and local government elections or, as the case may be, at local government elections" there shall be substituted "at Assembly elections", and</p> <p>(c) the words "or both" and "of the kind or kinds in question" shall be omitted.</p>

(a) Section 8(11) was repealed by Part IX of Schedule 27 to the Finance Act 1985 (c.54).

SCHEDULE 1 (continued)

Provision applied and subject matter	Modifications
<p>In Schedule 4, paragraph 34 (substitution of new subsection (1) for section 91(1) of the Act of 1983).</p>	<p>In paragraph 11 the words “or both”, “or applications”, in both places where those words occur and “of the kind or kinds in question”, in both places where those words occur, shall be omitted.</p>

SCHEDULE 2

Regulation 5(2).

APPLICATION AND MODIFICATION OF PROVISIONS OF THE REGULATIONS OF 1986 AND THE REGULATIONS (SCOTLAND) OF 1986

Provision applied and subject matter	Modifications
PART I ENGLAND AND WALES	
REGULATIONS OF 1986	
In Regulation 4 (interpretation), paragraph (1).	The definitions of "Act of 1978", "Act of 1983", "Act of 1985", "Assembly constituency", "Assembly election", "Assembly overseas elector", "Assembly overseas elector's declaration", "British Council employee", "constituency", "Crown servant", "overseas attesting officer", "overseas elector", "register" and "registration officer" shall be omitted.
Regulation 6 (forms).	Paragraph (1)(a) shall be omitted.
Regulation 7 (sending of applications, notices etc.).	
Regulation 8 (publication of documents).	
Regulation 9 (misnomers).	
Regulation 10 (time).	
Regulation 11 (official poll card at parliamentary elections).	
Regulation 12 (return and declaration of election expenses).	
Regulation 13 (interference with notices etc.).	
Regulation 53 (free copies of register etc.).	Paragraph (2)(i) shall be omitted. Paragraphs (4), (5) and (6) shall be omitted.
Regulation 54 (sale of lists and register).	Paragraph (1) shall be omitted. In paragraph (2) after the words "any person" there shall be inserted "mentioned in sub-paragraph (a) below" and sub-paragraph (b) shall be omitted. In paragraph (3) after the words "any person" there shall be inserted "mentioned in sub-paragraph (a) below" and sub-paragraph (b) shall be omitted.
Regulation 55 (supply of data).	Paragraph (9) shall be omitted.
Regulation 56 (supply of labels).	Paragraph (6) shall be omitted.
Regulation 63 (general requirements for applications).	At the end of paragraph (1)(iii) there shall be added the words "(including that provision as applied by Regulation 14 of, and Schedule 3 to, the Regulations of 1986)". Paragraph (2) shall be omitted.

SCHEDULE 2 (continued)

Provision applied and subject matter	Modifications
Regulation 64 (additional requirements for applications on grounds of physical incapacity).	
Regulation 65 (additional requirements for applications based on occupation, service or employment).	
Regulation 66 (additional requirements for applications in respect of a particular election).	
Regulation 67 (additional requirements for applications for appointment of a proxy).	
Regulation 68 (additional requirements for applications by proxies to vote by post at a particular election).	
Regulation 69 (closing date for applications).	
Regulation 70 (grant or refusal of applications).	
Regulation 71 (notice of appeal).	
Regulation 72 (cancellation of proxy appointment).	
Regulation 73 (inquiries by registration officer).	<p>In paragraph (1)(b)—</p> <ul style="list-style-type: none"> (a) the words “or both” and “or applications” shall be omitted; (b) for the words “or paragraph (b)(i), (c), (f) or (g) of section 32(1) of that Act” there shall be substituted the words “as applied by Regulation 3 of, and Schedule 1 to, the European Assembly Elections Regulations 1984”, and (c) the words “of the kind or kinds in question” shall be omitted.
Regulation 74 (records and lists kept under sections 6, 7 and 9 of Act of 1985).	<p>In paragraph (2)(b) the words “or paragraph (b)(i), (f) or (g) of section 32(1) of that Act” shall be omitted.</p>
Regulation 75 (marked register for polling stations).	<p>In paragraph (1) the words “and Regulation 5(1)(a) above” shall be omitted.</p>
Regulation 76 (certificate of employment at a parliamentary election).	
Regulation 77 (interpretation of Part V).	
Regulation 78 (combination of polls).	

SCHEDULE 2 (continued)

Provision applied and subject matter	Modifications
Regulation 79 (form of declaration of identity).	
Regulation 80 (persons entitled to be present at issue and receipt of postal ballot papers).	
Regulation 81 (notification of requirement of secrecy).	
Regulation 82 (notice of issue of postal ballot papers).	
Regulation 83 (marking of postal ballot paper etc.).	
Regulation 84 (refusal to issue postal ballot paper).	
Regulation 85 (envelopes).	
Regulation 86 (delivery of postal ballot papers to post office).	
Regulation 87 (provision of postal voters' ballot box).	
Regulation 88 (sealing up of special lists and counterfoils).	
Regulation 89 (spoilt postal ballot paper).	
Regulation 90 (receipt of covering envelope).	
Regulation 91 (opening of postal voters' ballot box).	<p>In paragraph (7) for the words "counting of the votes under rule 45" there shall be substituted "verification of the ballot paper accounts under rule 43B".</p>
Regulation 92 (opening of covering envelopes).	
Regulation 93 (sealing up of rejected votes and declarations of identity).	
Regulation 94 (opening of ballot paper envelopes).	
Regulation 95 (abandoned poll).	
Regulation 96 (forwarding of documents).	<p>For paragraph (1), there shall be substituted the following paragraph:</p> <p>"(1) The returning officer shall retain for the period of one year after the date of the poll any packets referred to in Regulation 88, 89, 93 or 94 above, subject to the provisions of Regulation 95 above, endorsing on each packet a description of its contents and, after the</p>

SCHEDULE 2 (continued)

Provision applied and subject matter	Modifications
<p>SCHEDULE 2 (FORMS)</p> <p>Form E (elector's official poll card).</p> <p>Form F (proxy's official poll card).</p> <p>Form G (certificate of employment).</p> <p>Form H (declaration of identity referred to in Regulation 79(a)).</p> <p>Form J (declaration of identity referred to in Regulation 79(b)).</p> <p>Form K (declaration of identity referred to in Regulation 79(c)).</p> <p>Form L (form of return of expenses required by section 75 of the Act of 1983).</p> <p>Form M (form of declaration as to expenses required by section 75 of the Act of 1983).</p> <p>Form N (statement as to postal ballot papers).</p>	<p>expiry of that period, cause those packets to be destroyed, unless otherwise directed by order of the High Court.”.</p> <p>In paragraph (3), for the words “forward it at a subsequent date in the manner described in paragraph (1) above” there shall be substituted “retain it and subsequently deal with it in the manner described in paragraph (1) above”.</p> <p>For paragraph (4) there shall be substituted:</p> <p>“(4) Rules 56 and 57 of the elections rules shall apply to the packets to which paragraph (1) above applies.”.</p> <p>In paragraph (5), for the words “A copy of the statement referred to in paragraph (1)(b) above” there shall be substituted “A completed statement in Form N”.</p> <p>For the words “constituency named above” there shall be substituted “the parliamentary constituency of</p> <p>In note 2 for the words “At the same time as this statement is sent to the Clerk of the Crown in Chancery, a copy” there shall be substituted “This statement”.</p>

SCHEDULE 2 (continued)

Provision applied and subject matter	Modifications
PART II SCOTLAND	
REGULATIONS (SCOTLAND) OF 1986	
In Regulation 4 (interpretation), paragraph (1).	The definitions of "Act of 1978", "Act of 1983", "Act of 1985", "Assembly constituency", "Assembly election", "Assembly overseas elector", "Assembly overseas elector's declaration", "British Council employee", "constituency", "Crown servant", "overseas attesting officer", "overseas elector", "register" and "registration officer" shall be omitted.
Regulation 5 (forms).	Paragraph (1)(a) shall be omitted.
Regulation 6 (sending of applications, notices etc.).	
Regulation 7 (publication of documents).	
Regulation 8 (misnomers).	
Regulation 9 (time).	
Regulation 10 (official poll card at parliamentary elections).	
Regulation 11 (return and declaration of election expenses).	
Regulation 12 (interference with notices etc.).	
Regulation 51 (free copies of register etc.).	In paragraph (1) sub-paragraphs (b), (d), (e) and (f) shall be omitted. Paragraph (2) shall be omitted.
Regulation 52 (sale of lists and register).	Paragraph (1) shall be omitted. In paragraph (2) after the words "any person" there shall be inserted "mentioned in sub-paragraph (a) below" and sub-paragraph (b) shall be omitted. In paragraph (3) after the words "any person" there shall be inserted "mentioned in sub-paragraph (a) below" and sub-paragraph (b) shall be omitted.
Regulation 53 (supply of data).	Paragraph (7) shall be omitted.
Regulation 54 (supply of labels).	Paragraph (4) shall be omitted.
Regulation 61 (general requirements for applications).	At the end of paragraph (1)(iii) there shall be added the words "(including that provision as applied by Regulation 13 of, and Schedule 3 to, the Regulations (Scotland) of 1986)". Paragraph (2) shall be omitted.

SCHEDULE 2 (continued)

Provision applied and subject matter	Modifications
Regulation 62 (additional requirements for applications on grounds of physical incapacity).	
Regulation 63 (additional requirements for applications based on occupation, service or employment).	
Regulation 64 (additional requirements for applications in respect of a particular election).	
Regulation 65 (additional requirements for applications for appointment of a proxy).	
Regulation 66 (additional requirements for applications by proxies to vote by post at a particular election).	
Regulation 67 (closing date for applications).	
Regulation 68 (grant or refusal of applications).	
Regulation 69 (notice of appeal).	
Regulation 70 (cancellation of proxy appointment).	
Regulation 71 (inquiries by registration officer).	<p>In paragraph (1)(b):—</p> <ul style="list-style-type: none"> (a) the words “or both”, “or applications” and “or paragraph (b)(i), (c), (f) or (g) of section 32(1)” shall be omitted; (b) after the words “the Act of 1983” there shall be inserted the words “as applied by Regulation 3 of, and Schedule 1 to, the European Assembly Elections Regulations 1984”, and (c) the words “of the kind or kinds in question” shall be omitted. <p>In paragraph (2)(b) the words “or paragraph (b)(i), (f) or (g) of section 32(1)” shall be omitted.</p>
Regulation 72 (records and lists kept under sections 6, 7 and 9 of the Act of 1985).	
Regulation 73 (marked register for polling stations).	
Regulation 74 (certificate of employment at a parliamentary election).	
Regulation 75 (interpretation of Part V).	

SCHEDULE 2 (continued)

Provision applied and subject matter	Modifications
Regulation 76 (combination of polls).	
Regulation 77 (form of declaration of identity).	
Regulation 78 (persons entitled to be present at issue and receipt of postal ballot papers).	
Regulation 79 (notification of requirement of secrecy).	
Regulation 80 (notice of issue of postal ballot papers).	
Regulation 81 (marking of postal ballot paper etc.).	
Regulation 82 (refusal to issue postal ballot paper).	
Regulation 83 (envelopes).	
Regulation 84 (delivery of postal ballot papers to post office).	
Regulation 85 (provision of postal voters' ballot box).	
Regulation 86 (sealing up of special lists and counterfoils).	
Regulation 87 (spoilt postal ballot paper).	
Regulation 88 (receipt of covering envelope).	
Regulation 89 (opening of postal voters' ballot box).	In paragraph (7) for the words "counting of the votes under rule 45" there shall be substituted "verification of the ballot paper accounts under rule 43B".
Regulation 90 (opening of covering envelopes).	
Regulation 91 (sealing up of rejected votes and declarations of identity).	
Regulation 92 (opening of ballot paper envelopes).	
Regulation 93 (abandoned poll).	
Regulation 94 (forwarding of documents).	For paragraph (1), there shall be substituted the following paragraph: "(1) The returning officer shall retain for the period of one year after the date of the poll any packets referred to in Regulation 86, 87, 91 or 92 above,

SCHEDULE 2 (continued)

Provision applied and subject matter	Modifications
<p>SCHEDULE 2 (FORMS)</p> <p>Form D (elector's official poll card).</p> <p>Form E (proxy's official poll card).</p> <p>Form F (certificate of employment).</p> <p>Form G (declaration of identity referred to in Regulation 77(a)).</p> <p>Form H (declaration of identity referred to in Regulation 77(b)).</p> <p>Form J (declaration of identity referred to in Regulation 77(c)).</p> <p>Form K (form of return of expenses required by section 75 of the Representation of the People Act 1983).</p> <p>Form L (form of declaration as to expenses required by section 75 of the Representation of the People Act 1983).</p> <p>Form M (statement as to postal ballot papers).</p>	<p>subject to the provisions of Regulation 93 above, endorsing on each packet a description of its contents and after the expiry of that period, cause those packets to be destroyed, unless otherwise directed by order of the Court of Session".</p> <p>In paragraph (2), for the words "forward it at a subsequent date in the manner described in paragraph (1) above" there shall be substituted "retain it and subsequently deal with it in the manner described in paragraph (1) above".</p> <p>For paragraph (3) there shall be substituted:</p> <p>"(3) Rules 56 and 57 of the elections rules shall apply to the packets to which paragraph (1) above applies."</p> <p>In paragraph (4), for the words "A copy of the statement referred to in paragraph (1)(b) above" there shall be substituted "A completed statement in Form M".</p> <p>For the words "constituency named above" there shall be substituted "the parliamentary constituency of</p> <p>In note 2 for the words "At the same time as this statement is sent to the Clerk of the Crown in Chancery, a copy" there shall be substituted "This statement".</p>

SCHEDULE 3

MODIFICATION OF ASSEMBLY ELECTIONS RULES

PART I

Regulation 5(4).

ENGLAND AND WALES

1. Where the poll at an Assembly election is to be taken together with the poll at a parliamentary or local government election under subsection (1) or (2) of section 15 of the Act of 1985, the elections rules shall have effect subject to the provisions of this Part of this Schedule.

2. At the end of paragraph (2) of rule 19 (the ballot papers) the following subparagraph shall be added:

“(e) shall be of a different colour from that of any ballot papers used at an election the poll for which is taken together with the poll for the Assembly election”.

3. At the end of rule 23 (notice of poll) the following paragraph shall be added:

“(3) The notice published under paragraph (2) shall, in addition:

(a) state that the poll at the Assembly election is to be taken together with the poll at a parliamentary or, as the case may be, local government election;

(b) specify the relevant parliamentary constituency or, as the case may be, local authority and, in the case of a local government election to fill a casual vacancy, the electoral area for which the election is held; and

(c) where the polls are to be taken together in part of the Assembly constituency only, specify that part.”.

4. Rule 26A (appointment of verifying officers and clerks) shall be omitted.

5. At the end of rule 28 (issue of official poll cards) the following paragraph shall be added:

“(5) An official poll card issued under this rule may be combined with an official poll card issued at a parliamentary election or, as the case may be, local government election.”.

6. After paragraph (1) of rule 29 (equipment of polling stations) there shall be inserted the following paragraph:—

“(1A) The same ballot box shall be used for the poll at the Assembly election and the poll at the parliamentary election or, as the case may be, local government election.”.

7. For paragraph (5) of rule 29 there shall be substituted the following paragraph:—

“(5) In every compartment of every polling station there shall be exhibited the notice:

‘ASSEMBLY ELECTION

(*[Specify colour]* ballot paper)
vote for one candidate only.

***PARLIAMENTARY ELECTION**

(*[Specify colour]* ballot paper)
vote for one candidate only.

**[Specify name of council or in the case of the Inner*

London Education Authority, that Authority] **COUNCIL ELECTION**

(*[Specify colour]* ballot paper)

*[vote for no more than candidates.]

*[vote for one candidate only.]

**PUT NO OTHER MARK ON THE BALLOT PAPERS,
OR YOUR VOTE MAY NOT BE COUNTED.**

**Delete as necessary’.*”

8. In paragraph (1)(b) of rule 30 (appointment of polling and counting agents) the words “the verification of the ballot paper accounts and” shall be omitted and in paragraph (2) of that rule the words “or, as the case may be, verifying officer” and “or, as the case may be, the verification of the ballot paper accounts” shall be omitted.

9. At the end of paragraph (3) of rule 30 there shall be added the following:—

“Notices of the appointment of polling agents which are required by this paragraph and paragraphs (4) and (5) below to be given to the returning officer shall be given to that returning officer who discharges the functions specified in Regulation 98 of the Regulations of 1986.”

10. In rule 31(b) (notification of requirement of secrecy) the words “the verification of the ballot paper accounts or” and “(2A)” shall be omitted.

11. In question (ii) in sub-paragraphs (a) and (b) of paragraph (1) of rule 35 (questions to be put to voters) and in the second question in paragraph (2) of that rule, after the words “at this” there shall be inserted the word “Assembly”.

12. At the end of rule 37 (voting procedure) there shall be added the following paragraph:

“(4) The same copy of the register may be used under paragraph (1) above for each election and one mark may be placed in that register under paragraph (1)(d) above to denote that a ballot paper has been received in respect of each election: except that, where a ballot paper has been issued in respect of one election only, a different mark shall be placed in the register so as to identify the election in respect of which the ballot paper was issued.”

13. At the end of paragraph (2) of rule 38 (votes marked by presiding officer) there shall be added:

“The same list may be used for each election and, where it is so used, an entry in that list shall be taken to mean that the ballot papers were so marked in respect of each election, unless the list identifies the election at which the ballot paper was so marked.”

14. At the end of paragraph (4) of rule 39 (voting by blind persons) there shall be added:

“The same list may be used for each election and, where it is so used, an entry in that list shall be taken to mean the votes were so given in respect of each election, unless the list identifies the election at which the vote was so given.”.

15. At the end of paragraph (3) of rule 40 (tendered ballot papers) there shall be added:

“The same list may be used for each election and, where it is so used, an entry in that list shall be taken to mean that tendered ballot papers were marked in respect of each election, unless the list identifies the election at which a tendered ballot paper was marked.”.

16. At the end of paragraph (1) of rule 42 (adjournment of poll in case of riot) there shall be added “who discharges the functions specified in Regulation 98 of the Regulations of 1986”.

17. In paragraph (1) of rule 43 (procedure on close of poll), for the words “verifying officer”, in each place where they occur, there shall be substituted “returning officer” and after that paragraph there shall be inserted the following paragraphs:

“(1A) The contents of the packets referred to in sub-paragraphs (b), (c) and (e) of paragraph (1) above shall not be combined with the contents of packets made under the corresponding rule that applies at a parliamentary election or, as the case may be, local government election; nor shall the statement prepared under paragraph (3) below be so combined.

(1B) References to the returning officer in paragraph (1) above are references to the returning officer who discharges the functions specified in Regulation 98 of the Regulations of 1986.”.

18. Rules 43A (attendance at verification of the ballot paper accounts) and 43B (procedure at verification of the ballot paper accounts) shall be omitted.

19. For paragraph (1) of rule 44 (attendance at counting of votes) there shall be substituted the following paragraph:

“(1) The returning officer shall make arrangements for counting the votes in the presence of the counting agents as soon as practicable after—

(a) at a by-election, the delivery of the ballot papers to him by the returning officer who discharges the functions specified in Regulation 98 of the Regulations of 1986, or

(b) at a general election of representatives, that delivery or the material time, whichever is the later,

and shall give the counting agents notice in writing of the time after which he will begin to count the votes if by then he has received the ballot papers and of the place at which that count will take place.

The “material time” means the time when the counting of votes becomes permissible under Article 9(2) of the Act referred to in section 8(2)(a) of the Act of 1978 (counting not to begin until close of polling in the member State whose electors are the last to vote within the period referred to in Article 9(1)).”.

20. For paragraph (1) of rule 45 (the count) there shall be substituted the following paragraphs:—

“(1) The returning officer shall—

(a) on receipt of the containers of ballot papers from the returning officer who discharges the functions specified in Regulation 98 of the Regulations of 1986 and after the time specified in the notice given under rule 44(1) (as substituted by Part I of Schedule 3 to the European Assembly Elections Regulations 1986) open each container;

- (b) where the proceedings on the issue and receipt of postal ballot papers are not taken together with those proceedings at another election under Regulation 78 of the Regulations of 1986 as applied by Schedule 2 to the European Assembly Elections Regulations 1986, count such of the postal ballot papers as have been duly returned and record the number counted; and
- (c) mix together the postal ballot papers and the ballot papers from all of the containers and count the votes given on them.

(2) A postal ballot paper shall not be deemed to be duly returned unless it is returned in the proper envelope so as to reach the returning officer before the close of the poll and is accompanied by the declaration of identity duly signed and authenticated.”.

21. In paragraph (4) of rule 45 after the word “while” there shall be inserted the words “counting and recording the number of postal ballot papers and”.

22. In rule 55(1) (retention of documents) sub-paragraphs (c) and (e) shall be omitted.

23. In rule 60 (countermand or abandonment of poll on death of candidate):—

(a) at the end of paragraph (1) there shall be added:

“Provided that neither the countermand of the poll at the Assembly election nor the direction that that poll be abandoned shall affect the poll at the parliamentary or, as the case may be, local government election”; and

(b) for paragraph (2) there shall be substituted the following paragraph:

“(2) Where the poll at the Assembly election is abandoned by reason of a candidate’s death, no further ballot papers at that election shall be delivered in any polling station and, at the close of the poll for the parliamentary or, as the case may be, local government election the presiding officer at any polling station shall take the like steps for the delivery to the returning officer of ballot boxes and of ballot papers and other documents as he would be required to do if the poll at the Assembly election had not been abandoned, and the returning officer shall dispose of ballot papers used at the Assembly election and other documents in his possession as he is required to do on the completion in due course of the counting of the votes, but

(a) it shall not be necessary for any Assembly ballot paper account to be prepared or verified; and

(b) the returning officer, having separated the ballot papers relating to the parliamentary election or, as the case may be, local government election shall take no step or further step for the counting of the ballot papers used at the Assembly election or of the votes and shall seal up all those ballot papers, whether the votes on them have been counted or not, and it shall not be necessary to seal up counted and rejected ballot papers in separate packets.”.

24. In the Appendix of forms for the form of directions for the guidance of the voters in voting there shall be substituted—

“Form of directions for the guidance of the voters in voting

GUIDANCE FOR VOTERS AT COMBINED POLLS

1. Make sure the ballot papers you are given are stamped with the official mark.
2. Go to one of the compartments. Mark a cross (X) in the box on the right hand side of each ballot paper opposite the name of each candidate you are voting for.
3. Fold each ballot paper in two. Show the official mark on each ballot paper to the presiding officer, but do not let anyone see your vote. Put each ballot paper in the ballot box and leave the polling station.
4. Vote only for the number of candidates specified on each ballot paper. Put no other mark on the ballot papers, or your votes may not be counted.

5. If by mistake you spoil a ballot paper, show it to the presiding officer and ask for another one.”.
25. In the Appendix of forms, in the form of declaration to be made by the companion of a blind voter:—
 - (a) after the words “election now being held in this Assembly constituency” there shall be inserted the words “and the election now being held in this *parliamentary constituency/*electoral area (**delete whichever is inappropriate*)”, and
 - (b) for the words “said election” in both places where they occur there shall be substituted the words “said elections”.

SCOTLAND

1. Where the poll at an Assembly election is to be taken together with the poll at a parliamentary or local government election under subsection (1) or (2) of section 15 of the Act of 1985, the elections rules shall have effect subject to the provisions of this Part of this Schedule.

2. At the end of paragraph (2) of rule 19 (the ballot papers) the following sub-paragraph shall be added:

“(e) shall be of a different colour from that of any ballot papers used at an election the poll for which is taken together with the poll for the Assembly election”.

3. At the end of rule 23 (notice of poll) the following paragraph shall be added:

“(3) The notice published under paragraph (2) shall, in addition:

- (a) state that the poll at the Assembly election is to be taken together with the poll at a parliamentary or, as the case may be, local government election;
- (b) specify the relevant parliamentary constituency or, as the case may be, local authority and, in the case of a local government election to fill a casual vacancy, the electoral area for which the election is held; and
- (c) where the polls are to be taken together in part of the Assembly constituency only, specify that part.”.

4. Rule 26A (appointment of verifying officers and clerks) shall be omitted.

5. At the end of rule 28 (issue of official poll cards) the following paragraph shall be added:

“(5) An official poll card issued under this rule may be combined with an official poll card issued at a parliamentary election or, as the case may be, local government election.”.

6. After paragraph (1) of rule 29 (equipment of polling stations) there shall be inserted the following paragraph:—

“(1A) The same ballot box shall be used for the poll at the Assembly election and the poll at the parliamentary election or, as the case may be, local government election.”.

7. For paragraph (5) of rule 29 there shall be substituted the following paragraph:—

“(5) In every compartment of every polling station there shall be exhibited the notice:

‘ASSEMBLY ELECTION

(*[Specify colour]* ballot paper)
Vote for one candidate only.

***PARLIAMENTARY ELECTION**

(*[Specify colour]* ballot paper)
Vote for one candidate only.

****[Specify name of council]* COUNCIL ELECTION**

(*[Specify colour]* ballot paper)
Vote for one candidate only.

**PUT NO OTHER MARK ON THE BALLOT PAPERS,
OR YOUR VOTE MAY NOT BE COUNTED.**

**Delete as necessary’.*”.

8. In paragraph (1)(b) of rule 30 (appointment of polling and counting agents) the words "the verification of the ballot paper accounts and" shall be omitted and in paragraph (2) of that rule the words "or, as the case may be, verifying officer" and "or, as the case may be, the verification of the ballot paper accounts" shall be omitted.

9. At the end of paragraph (3) of rule 30 there shall be added the following:—

"Notices of the appointment of polling agents which are required by this paragraph and paragraphs (4) and (5) below to be given to the returning officer shall be given to that returning officer who discharges the functions specified in Regulation 96 of the Regulations (Scotland) of 1986."

10. In rule 31(b) (notification of requirement of secrecy) the words "the verification of the ballot paper accounts or" and "(2A)" shall be omitted.

11. In question (ii) in sub-paragraphs (a) and (b) of paragraph (1) of rule 35 (questions to be put to voters) and in the second question in paragraph (2) of that rule, after the words "at this" there shall be inserted the word "Assembly".

12. At the end of rule 37 (voting procedure) there shall be added the following paragraph:

"(4) The same copy of the register may be used under paragraph (1) above for each election and one mark may be placed in that register under paragraph (1)(d) above to denote that a ballot paper has been received in respect of each election: except that, where a ballot paper has been issued in respect of one election only, a different mark shall be placed in the register so as to identify the election in respect of which the ballot paper was issued."

13. At the end of paragraph (2) of rule 38 (votes marked by presiding officer) there shall be added:

"The same list may be used for each election and, where it is so used, an entry in that list shall be taken to mean that the ballot papers were so marked in respect of each election, unless the list identifies the election at which the ballot paper was so marked."

14. At the end of paragraph (4) of rule 39 (voting by blind persons) there shall be added:

"The same list may be used for each election and, where it is so used, an entry in that list shall be taken to mean the votes were so given in respect of each election, unless the list identifies the election at which the vote was so given."

15. At the end of paragraph (3) of rule 40 (tendered ballot papers) there shall be added:

"The same list may be used for each election and, where it is so used, an entry in that list shall be taken to mean that tendered ballot papers were marked in respect of each election, unless the list identifies the election at which a tendered ballot paper was marked."

16. At the end of paragraph (1) of rule 42 (adjournment of poll in case of riot) there shall be added "who discharges the functions specified in Regulation 96 of the Regulations (Scotland) of 1986".

17. In paragraph (1) of rule 43 (procedure on close of poll), for the words "verifying officer", in each place where they occur, there shall be substituted "returning officer" and after that paragraph there shall be inserted the following paragraphs:

"(1A) The contents of the packets referred to in sub-paragraphs (b), (c) and (e) of paragraph (1) above shall not be combined with the contents of packets made under the corresponding rule that applies at a parliamentary election or, as the case may be, local government election; nor shall the statement prepared under paragraph (3) below be so combined.

(1B) References to the returning officer in paragraph (1) above are references to the returning officer who discharges the functions specified in Regulation 96 of the Regulations (Scotland) of 1986.”.

18. Rules 43A (attendance at verification of the ballot paper accounts) and 43B (procedure at verification of the ballot paper accounts) shall be omitted.

19. For paragraph (1) of rule 44 (attendance at counting of votes) there shall be substituted the following paragraph:

“(1) The returning officer shall make arrangements for counting the votes in the presence of the counting agents as soon as practicable after—

- (a) at a by-election, the delivery of the ballot papers to him by the returning officer who discharges the functions specified in Regulation 96 of the Regulations (Scotland) of 1986, or
- (b) at a general election of representatives, that delivery or the material time, whichever is the later,

and shall give the counting agents notice in writing of the time after which he will begin to count the votes if by then he has received the ballot papers and of the place at which that count will take place.

The “material time” means the time when the counting of votes becomes permissible under Article 9(2) of the Act referred to in section 8(2)(a) of the Act of 1978 (counting not to begin until close of polling in the member State whose electors are the last to vote within the period referred to in Article 9(1)).”.

20. For paragraph (1) of rule 45 (the count) there shall be substituted the following paragraphs:—

“(1) The returning officer shall—

- (a) on receipt of the containers of ballot papers from the returning officer who discharges the functions specified in Regulation 96 of the Regulations (Scotland) of 1986 and after the time specified in the notice given under rule 44(1) (as substituted by Part II of Schedule 3 to the European Assembly Elections Regulations 1986) open each container;
- (b) where the proceedings on the issue and receipt of postal ballot papers are not taken together with those proceedings at another election under Regulation 76 of the Regulations (Scotland) of 1986 as applied by Schedule 2 to the European Assembly Elections Regulations 1986, count such of the postal ballot papers as have been duly returned and record the number counted; and
- (c) mix together the postal ballot papers and the ballot papers from all of the containers and count the votes given on them.

(2) A postal ballot paper shall not be deemed to be duly returned unless it is returned in the proper envelope so as to reach the returning officer before the close of the poll and is accompanied by the declaration of identity duly signed and authenticated.”.

21. In paragraph (4) of rule 45 after the word “while” there shall be inserted the words “counting and recording the number of postal ballot papers and”.

22. In rule 55(1) (retention of documents) sub-paragraphs (c) and (e) shall be omitted.

23. In rule 60 (countermand or abandonment of poll on death of candidate):—

(a) at the end of paragraph (1) there shall be added:

“Provided that neither the countermand of the poll at the Assembly election nor the direction that that poll be abandoned shall affect the poll at the parliamentary or, as the case may be, local government election”; and

(b) for paragraph (2) there shall be substituted the following paragraph:

“(2) Where the poll at the Assembly election is abandoned by reason of a candidate’s death, no further ballot papers at that election shall be delivered in any polling station and, at the close of the poll for the parliamentary or, as the case may be, local government election the presiding officer at any polling station shall take the like steps for the delivery to the returning officer of ballot boxes and of ballot papers and other documents as he would be required to do if the poll at the Assembly election had not been abandoned, and the returning officer shall dispose of ballot papers used at the Assembly election and other documents in his possession as he is required to do on the completion in due course of the counting of the votes, but

- (a) it shall not be necessary for any Assembly ballot paper account to be prepared or verified; and
- (b) the returning officer, having separated the ballot papers relating to the parliamentary election or, as the case may be, local government election shall take no step or further step for the counting of the ballot papers used at the Assembly election or of the votes and shall seal up all those ballot papers, whether the votes on them have been counted or not, and it shall not be necessary to seal up counted and rejected ballot papers in separate packets.”.

24. In the Appendix of forms for the form of directions for the guidance of the voters in voting there shall be substituted—

“Form of directions for the guidance of the voters in voting

GUIDANCE FOR VOTERS AT COMBINED POLLS

1. Make sure the ballot papers you are given are stamped with the official mark.
2. Go to one of the compartments. Mark a cross (X) in the box on the right hand side of each ballot paper opposite the name of each candidate you are voting for.
3. Vote only for the number of candidates specified on each ballot paper. Put no other mark on the ballot papers, or your votes may not be counted.
4. Fold each ballot paper in two. Show the official mark on each ballot paper to the presiding officer, but do not let anyone see your vote. Put each ballot paper in the ballot box and leave the polling station.
5. If by mistake you spoil a ballot paper, show it to the presiding officer and ask for another one.”.

25. In the Appendix of forms, in the form of declaration to be made by the companion of a blind voter:—

- (a) after the words “election now being held in this Assembly constituency” there shall be inserted the words “and the election now being held in this *parliamentary constituency/*electoral area (*delete whichever is inappropriate)”, and
- (b) for the words “said election” in both places where they occur there shall be substituted the words “said elections”.

SCHEDULE 4

PROXY PAPERS

PART I

Regulation 6.

AMENDMENT OF FORM OF PROXY PAPERS IN SCHEDULE 2 TO THE REGULATIONS OF 1986 AND SCHEDULE 2 TO THE REGULATIONS (SCOTLAND) OF 1986

1. In form D (proxy paper) in Schedule 2 to the Regulations of 1986—

(a) in the form:

- (i) after the words “REPRESENTATION OF THE PEOPLE ACTS” there shall be added “EUROPEAN ASSEMBLY ELECTIONS ACT 1978”;
 - (ii) in the space above the words “Name of Proxy” there shall be inserted “European Assembly constituency”;
 - (iii) after the words “*[local government]” there shall be inserted “*[European Assembly]”;
 - (iv) after the words “*[electoral area]” there shall be inserted “*[European Assembly constituency]”; and
 - (v) for the words from “*[any *[parliamentary election]” to “electoral area.]” there shall be substituted “*[any *[parliamentary or European Assembly election] *[parliamentary, European Assembly or local government election] for the above *[parliamentary and European Assembly constituencies] *[parliamentary and European Assembly constituencies and local government electoral area(s)].”;
- (b) in note 2 of the notes to the form after the words “any parliamentary” there shall be inserted “European Assembly” and after the words “at parliamentary” there shall be inserted “and European Assembly”.

2. In form C (proxy paper) in Schedule 2 to the Regulations (Scotland) of 1986—

(a) in the form:

- (i) after the words “REPRESENTATION OF THE PEOPLE ACTS” there shall be added “EUROPEAN ASSEMBLY ELECTIONS ACT 1978”;
 - (ii) in the space above the words “Name of Proxy” there shall be inserted “European Assembly constituency”;
 - (iii) after the words “*[local government]” there shall be inserted “*[European Assembly]”;
 - (iv) after the words “*[electoral area]” there shall be inserted “*[European Assembly constituency]”; and
 - (v) for the words from “*[any *[parliamentary election]” to “electoral area.]” there shall be substituted “*[any *[parliamentary or European Assembly election] *[parliamentary, European Assembly or local government election] for the above *[parliamentary and European Assembly constituencies] *[parliamentary and European Assembly constituencies and local government electoral area(s)].”;
- (b) in note 2 of the notes to the form after the words “any parliamentary” there shall be inserted “European Assembly” and after the words “at parliamentary” there shall be inserted “and European Assembly”.

FORM OF PROXY PAPER FOR A PROXY FOR AN ASSEMBLY OVERSEAS ELECTOR

PROXY PAPER

EUROPEAN ASSEMBLY ELECTIONS ACT 1978

European Assembly constituency

Polling district

Name of proxy

Address

.....

.....

is hereby appointed as proxy for

(Name of elector) who qualifies as an Assembly overseas elector in respect of the above constituency to vote for him/her at *[the European Assembly election for that constituency on (date)]

*[any European Assembly election for that constituency]

*[This proxy appointment is not valid until]

Signature
(Electoral registration officer)

Address

.....

Date

**delete whichever is inappropriate*

YOUR RIGHT TO VOTE AS PROXY

1. This proxy paper gives you the right to vote as proxy on behalf of the elector whose name is given above.

2. Your appointment as proxy may be for a particular European Assembly election only or it may be for an indefinite period. If it is for a particular election, you have the right to vote as proxy only at the election specified in the proxy paper. If it is for an indefinite period, you have the right to vote as proxy at any European Assembly election until the electoral registration officer informs you to the contrary.

3. When the elector applied for you to be appointed as proxy EITHER he or she was asked to state that he or she had consulted you and that you were capable of being and willing to be appointed as proxy OR you signed a statement stating that you were capable of being and willing to be appointed. You are capable of being appointed as proxy if you are at least 18 years old on polling day, a British or other Commonwealth citizen or a citizen of the Republic of Ireland and not for any reason disqualified from voting. If for some reason you are not capable of being, or willing to be, appointed as proxy, please write to the elector asking him to cancel the appointment.

4. You may vote as proxy at the polling station allotted to the elector on whose behalf you are appointed. However, you may not vote as proxy at the same election for more than two electors of whom you are not the husband, wife, parent, grandparent, brother, sister, child or grandchild. Shortly before polling day you will be sent a proxy poll card telling you where the polling station is. You do not need to take either the poll card or this proxy paper to the polling station but you may find it helpful to do so. Remember that the elector may still vote in person. If he or she applies for a ballot paper at the polling station before you do you will not be able to vote as proxy on his or her behalf.

5. If you cannot vote in person at the polling station the electoral registration officer may be able to allow you to vote as proxy by post. [*For use in England and Wales.* If your appointment is for an indefinite period, you may apply to vote by post throughout the period your appointment is in force if you live in a different electoral division (or where there are no electoral divisions, a different parliamentary constituency) from the elector's former qualifying address: or if the addresses are in the same electoral division but in a different parish in England or community in Wales.] [*For use in Scotland.* If your appointment is for an indefinite period, you may apply to vote by post throughout the period your appointment is in force if you live in a different electoral division from the elector's former qualifying address.] If you are registered for the same constituency or electoral area as the elector, you may apply if you are entitled to vote by post or proxy on your own behalf. In addition, you may vote by post at a particular election if the electoral registration officer is satisfied that you cannot reasonably be expected to vote in person at the elector's polling station. But the electoral registration officer cannot allow an application to vote by post at a particular election if he receives it after midday on the thirteenth working day before the poll.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations provide for the conduct of the election of representatives to the European Assembly in England and Wales and Scotland. Such elections are conducted in accordance with the simple majority system of elections.

These Regulations replace the European Assembly Elections Regulations 1984 ("the Regulations of 1984") which are revoked by Regulation 3. These Regulations are necessary in consequence of the Representation of the People Act 1985 ("the Act of 1985") which made extensive changes to the Representation of the People Act 1983 ("the Act of 1983"), in particular changing the entitlement to vote by post or by proxy at parliamentary and local government elections.

Schedule 1 to these Regulations applies for the purposes of Assembly elections the Act of 1983, as amended by the Act of 1985, and the provisions in the Act of 1985 concerning absent voting. Under Article 3 of the Representation of the People Act 1985 (Commencement No. 3) Order 1986, the remaining provisions of the Act of 1985 (including provisions amending the Act of 1983) which are not currently in force (except paragraph 34 of Schedule 4 to the Act of 1985) come into force on 16th February 1987 subject to the transitional provisions in Article 4 of that Order. Under Regulation 2(3) of these Regulations any such provision of the Act of 1985 which is applied for the purposes of Assembly elections by Schedule 1 to these Regulations and which is not in force on the coming into force of these Regulations comes into force for the purposes of European Assembly elections when it comes into force under Articles 3 and 4 of that Order. Those provisions in the Regulations of 1984 which apply the absent voting provisions of the Act of 1983 will be revoked at the same time as the new provisions come into force (Regulation 3(2)).

Schedule 2 to these Regulations applies provisions in the Representation of the People Regulations 1986 ("the Regulations of 1986") and the Representation of the People (Scotland) Regulations 1986 ("the Regulations (Scotland) of 1986"), which include provision supplemental to the new absent voting provisions in the Act of 1985. Where provisions in the Regulations of 1986 and Regulations (Scotland) of 1986 which have been applied by Schedule 2 to these Regulations are not in force on the coming into force of these Regulations, they come into force for the purposes of these Regulations at the same time as they come into force for the purposes of parliamentary elections (Regulation 2(5)).

Schedule 3 sets out Regulation 100 of the Regulations of 1986 and Regulation 98 of the Regulations (Scotland) of 1986, as applied and modified for the purposes of Assembly elections. The provisions, as so applied and modified, amend the elections rules in Schedule 1 to the Act of 1983, as applied and modified for the purposes of Assembly elections by Regulation 5 of, and Schedule 1 to, these Regulations. The provisions in Schedule 3 apply where the poll at an Assembly election is taken together with the poll at a parliamentary or local government election under section 15(1) or (2) of the Act of 1985.

Part I of Schedule 4 to these Regulations amends the form of proxy paper prescribed by the Regulations of 1986 and the Regulations (Scotland) of 1986

so that it can be used for proxies appointed at Assembly elections as well as proxies appointed at parliamentary and local government elections. Part II of Schedule 2 to these Regulations sets out a form of proxy paper for use by the proxy of a peer entitled to vote in pursuance of section 3 of the Act of 1985. Such peers are only entitled to vote at Assembly elections.

The following additional changes of substance have been made apart from the changes made by the Act of 1985 and the Regulations of 1986 and the Regulations (Scotland) of 1986. The deposit required by rule 9 of the elections rules in Schedule 1 to the Act of 1983, as applied by Schedule 1 to these Regulations, has been increased from £600 to £750. These Regulations do not include provision equivalent to Regulation 6 of the Regulations of 1984 whereby in England and Wales applications to vote by post or proxy could, during the election period, be dealt with by the returning officer instead of the registration officer.

