

1986 No. 2250

**REPRESENTATION OF THE PEOPLE**

**The European Assembly Elections (Northern Ireland) Regulations  
1986**

*Laid before Parliament in draft*

*Made - - - - - 16th 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 (Northern Ireland) Regulations 1986.

(2) These Regulations shall extend to Northern Ireland only.

*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, 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 Regulations 63 to 95 of, and forms G, H and L in Schedule 2 to, the Regulations of 1986 are not in force, or not in force for all purposes, under Regulation 2(b) of the Regulations of 1986 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.

### *Revocation*

3.—(1) Subject to paragraphs (2), (3) and (4) below, the European Assembly Elections (Northern Ireland) 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 Regulations 3 and 23 to 52 of, and forms E and R in Schedule 3 to, the Representation of the People (Northern Ireland) Regulations 1983(b) the 1984 Regulations shall be revoked when the Regulations referred to above are revoked under Regulation 3(2) of the Regulations of 1986.

(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 (Northern Ireland) 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.

### *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(c);

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(a) S.I. 1984/198.

(b) S.I. 1983/436.

(c) 1983 c. 2.

**“Act of 1985”** means the Representation of the People Act 1985(a);  
**“Assembly constituency”** means the constituency of Northern Ireland;  
**“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;

**“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(b) or section 3 of the Act of 1985 is entitled to vote at an Assembly election in the 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 for parliamentary or, in the case of peers, local electors, and

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

in force within the 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 the Chief Electoral Officer as the electoral registration officer for each parliamentary constituency;

**“Regulations of 1986”** means the Representation of the People (Northern Ireland) Regulations 1986(c);

**“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.

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(a) 1985 c. 50.

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

(c) S.I. 1986/1091.

*Application of certain provisions for Assembly elections*

**5.**—(1) The provisions of the Act of 1983, the Elections (Northern Ireland) Act 1985(a) and the Act of 1985 which are specified in the left-hand column in 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 (4), (5) and (6) below,
- apply for the purposes of an Assembly election.

(2) The provisions of the Regulations of 1986 and the Planning (Control of Advertisements) Regulations (Northern Ireland) 1973(b) 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 (4) to (9) below,
- apply for the purposes of an Assembly election.

(3) Section 72 of the Post Office Act 1969(c) and section 11(3) of the Act of 1983(d) 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; and paragraph (h) of section 35(2) of the Judicature (Northern Ireland) Act 1978(e) shall apply in relation to a petition questioning an Assembly election as it applies in relation to a petition questioning a parliamentary election and as though the reference to sections 120 to 156 of the Act of 1983 was a reference to those sections as applied by these Regulations.

(4) 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 any other provision having effect solely in Great Britain or part of Great Britain, and references in connection therewith, shall be disregarded.

(5) 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;
- (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 the Assembly constituency;
- (c) any reference to a returning officer shall be construed as a reference to that officer at an Assembly election;

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(a) 1985 c. 2.

(b) S.R. & O. (N.I.) 1973 No. 324.

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

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

(e) 1978 c. 23; section 35(2)(h) was amended by paragraph 24 of Schedule 8 to the Act of 1983.

- (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;
- (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).

(6) 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.

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

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

(9) The reference in Regulation 70(2) of the Regulations of 1986, as applied by Schedule 2 to these Regulations, to form D shall be construed as a reference to the form identified by means of the letter D in Schedule 2 to the Regulations of 1986, as amended by Regulation 6 of, and Part I of Schedule 3 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 3 to these Regulations.

*Amendment of proxy forms*

6. Form D in Schedule 2 (form of proxy paper) to the Regulations of 1986 shall be amended in accordance with Part I of Schedule 3 to these Regulations.

Northern Ireland Office.  
16th December 1986.

*Tom King,*  
One of Her Majesty's Principal  
Secretaries of State.

## Regulation 5(1).

## SCHEDULE 1

APPLICATION WITH MODIFICATIONS OF PROVISIONS OF THE  
ACT OF 1983, THE ELECTIONS (NORTHERN IRELAND)  
ACT 1985 AND THE ACT OF 1985

Provision applied and subject matter	Modifications
<b>PART I: ACT OF 1983</b>	
In section 18 (polling districts and places at parliamentary elections), subsections (1), (7) and (9)(a).	
Section 23 (rules for parliamentary elections).	
In section 26 (returning officer: Northern Ireland), subsection (2)(b).	
In section 27 (returning officers generally), subsection (3).	
Section 29 (payments by and to returning officer).	Subsections (1) and (2) shall be omitted.  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,".
Section 30 (taxation of returning officer's account).	Subsection (6) shall be omitted.
Section 49 (effect of registers)(c).	In subsection (2), after the word "electors" there shall be inserted "compiled under the Electoral Law Act (Northern Ireland) 1962(d)".
Section 50 (effect of misdescription).	In paragraph (b) after the word "electors" there shall be inserted "compiled under the Electoral Law Act (Northern Ireland) 1962".
In section 52 (discharge of registration duties) subsections (1) and (5)(e).	In subsection (5) the words from "Subsection" to "but" shall be omitted.

(a) Section 18(7) was amended by paragraph 4(4) of Schedule 4 to the Act of 1985.

(b) Section 26(2) was inserted by paragraph 5 of Schedule 4 to the Act of 1985.

(c) 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.

(d) 1962 c. 14 (N.I.).

(e) Subsection (1) was amended by, and subsection (5) was substituted by, paragraph 12 of Schedule 4 to the Act of 1985.

**SCHEDULE 1 (continued)**

Provision applied and subject matter	Modifications
In section 54 (payment of expenses of registration), subsections (2), (3) and (4) (a).	In subsection (2), after the words "registration expenses" there shall be inserted "(which are the expenses properly incurred by the Chief Electoral Officer in the performance of his functions under this Act)".
Section 56 (registration appeals: England and Wales)(b).	Paragraphs (a) and (d) of subsection (1) and subsection (4A) shall be omitted.
Section 58 (registration appeals: Northern Ireland)(c).	
Section 60 (personation).	
Section 61 (other voting offences)(d).	
Section 63 (breach of official duty)(e).	In subsection (3)(b) after the words "returning officer" there shall be inserted "verifying officer".
Section 65 (tampering with nomination papers, ballot papers etc.)(f).	In subsection (3) after the words "returning officer" there shall be inserted "verifying officer".
Section 66 (requirement of secrecy)(g).	<p>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".</p> <p>After subsection (2), there shall be inserted the following subsection:</p> <p>"(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."</p>

- (a) Section 54 was amended by paragraph 14 of Schedule 4 to the Act of 1985.
- (b) 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.
- (c) Section 58 was amended by paragraph 17 of Schedule 4 to the Act of 1985.
- (d) Section 61 was amended by paragraph 2 of Schedule 2 to the Act of 1985 and subsection (6A) was inserted by section 2(5) of the Elections (Northern Ireland) Act 1985 (c. 2).
- (e) Section 63 was substituted by paragraph 19 of Schedule 4 to the Act of 1985.
- (f) Subsections (3) and (4) of section 65 were substituted by paragraph 2 of Schedule 3 to the Act of 1985.
- (g) Section 66(6) was amended by paragraph 3 of Schedule 3 to the Act of 1985.

**SCHEDULE 1 (continued)**

Provision applied and subject matter	Modifications
Section 67 (appointment of election agent)(a).	
Section 68 (nomination of sub-agent at parliamentary elections)(b).	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)(c).	
Section 70 (effect of default in election agent's appointment)(d).	
Section 72 (making of contracts through election agent).	
Section 73 (payment of expenses through election agent)(e).	
Section 74 (candidate's personal expenses and petty expenses)(f).	
Section 75 (prohibition of expenses not authorised by election agent)(g).	Subsection (4) shall be omitted.
Section 76 (limitation of election expenses)(h).	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 77 (expenses limit for joint candidates at local election).	In subsection (1), for the words "a local government" there shall be substituted "an Assembly".
Section 78 (time for sending in and paying claims)(i).	

- (a) Section 67(4) was amended by paragraph 20 of Schedule 4 to the Act of 1985.
- (b) Section 68(3) was amended by paragraph 21 of Schedule 4 to the Act of 1985.
- (c) Section 69(1)(a) was amended by paragraph 22 of Schedule 4 to the Act of 1985.
- (d) Subsection (3A) of section 70 was inserted by paragraph 23 of Schedule 4 to the Act of 1985.
- (e) Section 73(2) was amended by section 14(1) of the Act of 1985.
- (f) Section 74(1) was amended by section 14(2) of the Act of 1985.
- (g) 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.
- (h) Section 76(3) was repealed by Schedule 5 to the Act of 1985.
- (i) Subsections (1) and (4) of section 78 were amended by paragraph 26 of Schedule 4 to the Act of 1985.



**SCHEDULE 1 (continued)**

Provision applied and subject matter	Modifications
Section 79 (disputed claims)(a).	
Section 80 (election agent's claim).	
Section 81 (return as to election expenses) (b).	
Section 82 (declarations as to election expenses)(c).	
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)(d).	
Section 87 (court's power to require information from election agent or sub-agent) (e).	
Section 88 (publication of time and place for inspection of returns and declarations) (f).	
Section 89 (inspection of returns and declarations)(g).	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)(h).	For subsection (4), there shall be substituted the following subsection: "(4) For the purposes of this section, "elector" means a person— (a) who is registered in any register, as defined by Regulation 4 of the European Assembly Elections (Northern Ireland) Regulations 1986, to be used at the election in the Assembly constituency, or

(a) Subsections (1) and (4) of section 79 were amended by paragraph 26 of Schedule 4 to the Act of 1985.

(b) Section 81 was amended by paragraph 27 of Schedule 4 to the Act of 1985.

(c) Section 82 was amended by paragraph 28 of Schedule 4 to the Act of 1985.

(d) 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.

(e) Section 87(3) was amended by paragraph 31 of Schedule 4 to the Act of 1985.

(f) Section 88 was amended by paragraph 32 of Schedule 4 to the Act of 1985.

(g) Section 89 was amended by paragraph 33 of Schedule 4 to the Act of 1985.

(h) 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.

**SCHEDULE 1 (continued)**

Provision applied and subject matter	Modifications
	<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>
<p>Section 92 (broadcasting from outside United Kingdom).</p>	
<p>Section 93 (broadcasting during elections) (a).</p>	<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>
<p>Section 94 (imitation poll cards)(b).</p>	
<p>Section 97 (disturbances at election meetings).</p>	<p>For subsection (2), there shall be substituted the following subsection:</p> <p>"(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."</p>
<p>Section 98 (premises not affected for rates).</p>	
<p>Section 99 (officials not to act for candidates)(c).</p>	
<p>Section 100 (illegal canvassing by police officers)(d).</p>	

(a) Section 93(3) was added by paragraph 44(2) of Schedule 5 to the Cable and Broadcasting Act 1984 (c. 46).

(b) Section 94 was amended by paragraph 36 of Schedule 4 to the Act of 1985 but the amendments are not relevant to these Regulations.

(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.

**SCHEDULE 1 (continued)**

Provision applied and subject matter	Modifications
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)(a).	
Section 104 ("carriage" in sections 101 to 103)(b).	
Section 105 (access to polling place by sea).	In subsection (1), the word "county" shall be omitted.
Section 106 (false statements as to candidates)(c).	
Section 107 (corrupt withdrawal from candidature).	
Section 108 (premises not to be used as committee rooms)(d).	
Section 109 (payments for exhibition of election notices).	
Section 110 (printer's name and address on election publications)(e).	
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).	

(a) Section 103(2) was repealed by Schedule 5 to the Act of 1985.

(b) Section 104(b) was repealed in part by Schedule 5 to the Act of 1985.

(c) Section 106(4) was repealed by Schedule 5 to the Act of 1985.

(d) Subsection (3) of, and the word "also" in subsection (4) of, section 108 were repealed by Schedule 5 to the Act of 1985.

(e) Section 110(3) was amended by paragraph 6 of Schedule 3 to the Act of 1985.

**SCHEDULE 1 (continued)**

Provision applied and subject matter	Modifications
Section 118 (interpretation of Part II)(a).	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)(b).	
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)(c).	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)(d).	
Section 126 (attendance of House of Commons shorthand writer)(e).	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 for the words "section 125" there shall be substituted "section 124".

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

**SCHEDULE 1 (continued)**

Provision applied and subject matter	Modifications
Section 136 (security for costs)(a).	
Section 137 (petition at issue).	
Section 138 (list of petitions).	In subsection (3), the words from the beginning of the subsection to "local government Act" shall be omitted.
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)(b).	
Section 141 (duty to answer relevant questions)(c).	
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".
Section 146 (special case for determination of High Court).	Subsections (5) and (7) shall be omitted.
Section 147 (withdrawal of petition).	In subsection (2), for the word "Speaker" there shall be substituted "Secretary of State".
Section 148 (evidence required for withdrawal of petition)(d).	
Section 149 (penalty for corrupt withdrawal and breach of section 148)(e).	
Section 150 (substitution of new petitioner).	
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).	

- (a) Section 136 was amended by paragraph 48 of Schedule 4 to the Act of 1985.  
 (b) Section 140 was amended by paragraph 49 of Schedule 4 to the Act of 1985.  
 (c) Subsections (3) and (4) of section 141 were repealed by Schedule 5 to the Act of 1985.  
 (d) Section 148(4)(a) was repealed in part by Schedule 5 to the Act of 1985.  
 (e) 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 153 (withdrawal and substitution of respondents before trial).	<p>In subsection (1), for paragraphs (b) and (c) there shall be substituted the following paragraph:</p> <p style="padding-left: 2em;">“(b) resigns or otherwise ceases to hold the office of representative”.</p> <p>In subsection (3), the words from “and if the petition” to the end of the subsection shall be omitted.</p> <p>In subsection (4), for the word “Speaker” there shall be substituted “Secretary of State”.</p>
Section 154 (costs of petition).	
Section 155 (neglect or refusal to pay costs).	
Section 156 (further provision as to costs) (a).	
Section 157 (appeals and jurisdiction).	<p>For subsection (2), there shall be substituted the following subsection:</p> <p style="padding-left: 2em;">“(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.”.</p>
Section 158 (report as to candidate guilty of a corrupt or illegal practice).	
Section 159 (candidate reported guilty of corrupt or illegal practice).	<p>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”.</p>
Section 160 (persons reported personally guilty of corrupt or illegal practices)(b).	<p>In subsection (4), Regulation 5(5)(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 “House of Commons”, in both places where those words occur, there shall be inserted “or European Assembly”.</p>

(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>In subsection (5), Regulation 5(5)(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 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 174 (mitigation and remission etc.).	
Section 175 (illegal payments etc.)(a).	
Section 176 (time limit for prosecutions)(b).	
Section 178 (prosecution of offences committed outside United Kingdom)(e).	
Section 179 (offences by associations).	
Section 180 (evidence by certificate of holding of elections).	
Section 181 (Director of Public Prosecutions)(d).	
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.
Section 204 (general application to Northern Ireland)(g).	

- (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.  
 (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 subsection (8) was 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.  
 (g) Section 205(1) was amended by paragraph 72 of Schedule 4 to the Act of 1985.



SCHEDULE 1 (*continued*)

Provision applied and subject matter	Modifications		
<p><b>SCHEDULE 1</b> (PARLIAMENTARY ELECTIONS RULES)</p> <p>Rule 1 (Timetable).</p>	<p>For the Timetable there shall be substituted the following provisions:  “TIMETABLE</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <p><i>Proceeding</i></p> <p>Publication of notice of election.</p> <p>Delivery of nomination papers.</p> <p>Delivery of notices of withdrawals of candidature.</p> <p>The making of objections to nomination papers.</p> <p>Publication of statement of persons nominated.</p> </td> <td style="width: 50%; vertical-align: top;"> <p><i>Time</i></p> <p>Not later than the twenty-fifth day before the date of the poll.</p> <p>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.</p> <p>Within the time for the delivery of nomination papers at the election.</p> <p>During the hours allowed for delivery of nomination papers on the last day for their delivery and the hour following; but—</p> <p>(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</p> <p>(b) the foregoing provisions do not apply to objections made in pursuance of rule 15(2) below.</p> <p>At the close of the time for making objections to nomination papers or as soon afterwards as any objections are disposed of.</p> </td> </tr> </table>	<p><i>Proceeding</i></p> <p>Publication of notice of election.</p> <p>Delivery of nomination papers.</p> <p>Delivery of notices of withdrawals of candidature.</p> <p>The making of objections to nomination papers.</p> <p>Publication of statement of persons nominated.</p>	<p><i>Time</i></p> <p>Not later than the twenty-fifth day before the date of the poll.</p> <p>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.</p> <p>Within the time for the delivery of nomination papers at the election.</p> <p>During the hours allowed for delivery of nomination papers on the last day for their delivery and the hour following; but—</p> <p>(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</p> <p>(b) the foregoing provisions do not apply to objections made in pursuance of rule 15(2) below.</p> <p>At the close of the time for making objections to nomination papers or as soon afterwards as any objections are disposed of.</p>
<p><i>Proceeding</i></p> <p>Publication of notice of election.</p> <p>Delivery of nomination papers.</p> <p>Delivery of notices of withdrawals of candidature.</p> <p>The making of objections to nomination papers.</p> <p>Publication of statement of persons nominated.</p>	<p><i>Time</i></p> <p>Not later than the twenty-fifth day before the date of the poll.</p> <p>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.</p> <p>Within the time for the delivery of nomination papers at the election.</p> <p>During the hours allowed for delivery of nomination papers on the last day for their delivery and the hour following; but—</p> <p>(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</p> <p>(b) the foregoing provisions do not apply to objections made in pursuance of rule 15(2) below.</p> <p>At the close of the time for making objections to nomination papers or as soon afterwards as any objections are disposed of.</p>		

**SCHEDULE 1 (continued)**

Provision applied and subject matter	Modifications
<p><b>Rule 2 (computation of time)(a).</b></p> <p><b>Rule 5 (notice of election)(b).</b></p> <p><b>Rule 6 (nomination of candidates).</b></p>	<p><b>Polling.</b> Between the hours of 7 a.m. and 10 p.m. on the day of the poll."</p>
<p><b>Rule 7 (subscription of nomination paper).</b></p>	<p>At the end of the rule, there shall be added the following paragraph:</p> <p>"(4) A nomination paper may consist of a single sheet, or of two or more sheets securely fastened together."</p>
<p><b>Rule 8 (consent to nomination).</b></p>	<p>In paragraph (1), for the word "eight" there shall be substituted "twenty-eight".</p> <p>In paragraph (5), for the words from "than one nomination" to "delivered" there shall be substituted "nomination papers at the same election than there are vacancies to be filled and, if he does, his signature shall be inoperative on any paper other than the papers first delivered up to the number of vacancies".</p> <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>
<p><b>Rule 9 (deposit)(c).</b></p>	<p>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".</p>
<p><b>Rule 10 (place for delivery of nomination papers), paragraph (1).</b></p>	<p>In paragraph (1), for "£500" there shall be substituted "£750".</p>
<p><b>Rule 11 (right to attend nomination).</b></p>	

(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
Rule 12 (decisions as to validity of nomination papers).	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)".
Rule 13 (withdrawal of candidates).	
Rule 14 (publication of statement of persons nominated).	At the end of paragraphs (2) and (4), there shall be inserted the words "as proposer and seconder".
Rule 15 (disqualification by Representation of the People Act 1981).	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)".
Rule 16 (adjournment of nomination proceedings in case of riot).	
Rule 17 (method of election).	In paragraph (1), for the words "than one person standing nominated" there shall be substituted "persons standing nominated than there are representatives to be elected".
Rule 18 (poll to be taken by ballot).	In paragraph (2), for the words "only one person standing nominated, that person" there shall be substituted "a number of persons standing nominated which is equal to, or less than, the number of representatives to be elected, those persons".
Rule 18 (poll to be taken by ballot).	For the words from "result" to the end of the rule, there shall be substituted "votes given to each candidate shall be counted and the result of the poll determined in accordance with rules 44A to 44M of these rules".
Rule 19 (the ballot papers)(a).	
Rule 20 (the official mark).	
Rule 21 (prohibition of disclosure of vote).	
Rule 22 (use of schools and public rooms).	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".

(a) Rule 19(2)(d) was amended by paragraph 76 of Schedule 4 to the Act of 1985.

SCHEDULE 1 (*continued*)

Provision applied and subject matter	Modifications
<p>Rule 23 (notice of poll)(a).</p> <p>Rule 24 (postal ballot papers)(b).</p> <p>Rule 25 (provision of polling stations).</p> <p>Rule 26 (appointment of presiding officers and clerks)(c).</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>After the rule, the following rule shall be added:</p> <p><i>"Appointment of verifying officers and clerks</i></p> <p style="padding-left: 2em;">"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 style="padding-left: 2em;">(2) The returning officer may, if he thinks fit, act as a verifying officer and the provisions of these rules relating to a returning 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 style="padding-left: 2em;">(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>
<p>Rule 28 (issue of official poll cards)(d).</p> <p>Rule 29 (equipment of polling stations)(e).</p>	<p>In paragraph (5) for the words from "the notice" onwards there shall be substituted "the notice set out in the Appendix".</p>

(a) 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.

(b) Rule 24 was amended by paragraph 5 of Schedule 2 to, and paragraph 78 of Schedule 4 to, the Act of 1985.

(c) Rule 26(3) was amended by section 2(2) of the Elections (Northern Ireland) Act 1985 (c. 2).

(d) Rule 28 was amended by section 4(6) of, and paragraph 6 of Schedule 2 to, the Act of 1985.

(e) Rule 29(5) was amended by paragraph 79 of Schedule 4 to the Act of 1985.

SCHEDULE 1 (*continued*)

Provision applied and subject matter	Modifications
Rule 30 (appointment of polling and counting agents).	In paragraph (1)(b), after the words "counting agents to attend at" there shall be inserted "the verification of the ballot paper accounts and".  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".
Rule 31 (notification of requirement of secrecy)(a).	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)".
Rule 32 (admission to polling station).	
Rule 33 (keeping of order in station).	
Rule 34 (sealing of ballot boxes).	
Rule 35 (questions to be put to voters).	In the question in paragraph (1)(a)(i) the word "parliamentary" shall be omitted.
Rule 36 (challenge of voter).	
Rule 37 (voting procedure)(b).	Paragraph (1F) shall be omitted.  For paragraph (2), there shall be substituted: <p style="margin-left: 2em;">“(2) The voter, on receiving the ballot paper, shall forthwith proceed into one of the compartments in the polling station and there shall—</p> <p style="margin-left: 4em;">(a) secretly record his vote by placing on the ballot paper the figure “1” opposite the name of the candidate of his first choice and in addition, if he so wishes, by placing the figure “2” opposite the name of the candidate of his second choice, the figure “3” opposite the candidate of his third choice and so on in the order of his preference;</p>

(a) Rule 31 was substituted by paragraph 80 of Schedule 4 to the Act of 1985.

(b) Paragraph (1) of rule 37 was amended by section 2(3)(a) of the Elections (Northern Ireland) Act 1985 and paragraph 81 of Schedule 4 to the Act of 1985; paragraphs (1A) to (1G) were inserted by section 1(2) of the Elections (Northern Ireland) Act 1985; and paragraph (1E) was amended by Regulation 13 of the Regulations of 1986.

SCHEDULE 1 (*continued*)

Provision applied and subject matter	Modifications
<p>Rule 38 (votes marked by presiding officer)(a).</p> <p>Rule 39 (voting by blind person)(b).</p> <p>Rule 40 (tendered ballot papers)(c).</p> <p>Rule 40A (refusal to deliver ballot paper)(d).</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>(b) fold the paper so that his vote is concealed;</p> <p>(c) show to the presiding officer the back of the paper so as to disclose the official mark; and</p> <p>(d) put the folded paper into the ballot box in the presence of the presiding officer.”.</p> <p>In paragraph (1) for the words “vote to be marked on a ballot paper” there shall be substituted “ballot paper to be marked”.</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><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 the counting agents notice in writing of the time and place at which he will begin such verification.</p>

(a) Paragraph (1) of rule 38 was amended by section 2(3)(b) of the Elections (Northern Ireland) Act 1985 and paragraph (1A) was inserted by section 1(3) of that Act.

(b) Paragraph (2) of rule 39 was amended by section 2(3)(c) of the Elections (Northern Ireland) Act 1985 and paragraph (2A) was inserted by section 1(4) of that Act.

(c) Paragraph (1)(b) of rule 40 was repealed in part by Schedule 5 to the Act of 1985; paragraphs (1A) to (1C) were inserted by section 1(5) of the Elections (Northern Ireland) Act 1985 and paragraphs (5) and (6) were inserted by section 1(6) of that Act.

(d) Rule 40A was inserted by section 2(4) of the Elections (Northern Ireland) Act 1985.

SCHEDULE 1 (*continued*)

Provision applied and subject matter	Modifications
	<p>(2) No person other than—</p> <ul style="list-style-type: none"> <li>(a) the returning officer,</li> <li>(b) the verifying officer and his clerks,</li> <li>(c) the candidates and their spouses,</li> <li>(d) the election agents, and</li> <li>(e) the counting agents,</li> </ul> <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> <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> <ul style="list-style-type: none"> <li>(a) open each ballot box and count and record the number of ballot papers in it and verify each ballot paper account; and</li> <li>(b) count such of the postal ballot papers as have been duly returned and record the number counted.</li> </ul> <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</p>

SCHEDULE 1 (continued)

Provision applied and subject matter	Modifications
<p>Rule 44 (attendance at counting of votes).</p>	<p>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> <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 (9) 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) Paragraph (8) above does 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>



SCHEDULE 1 (continued)

Provision applied and subject matter	Modifications
	<p>(b) in the case of a by-election the close of the poll.”.</p> <p>After rule 44 there shall be inserted the following rules:</p> <p><i>“Interpretation of rules 44B to 44M</i></p> <p>44A. In rules 44B to 44M below—</p> <p>“continuing candidate” means any candidate not deemed to be elected and not excluded;</p> <p>“count” means all the operations involved in the counting of the first preferences recorded for candidates, the transfer of the surpluses of elected candidates, and the transfer of the votes of excluded candidates;</p> <p>“deemed to be elected” means deemed to be elected for the purposes of the counting of votes but without prejudice to the declaration of the result of the poll;</p> <p>“mark” means a figure, a word written in the English language or a mark such as “X”;</p> <p>“non-transferable vote” means a ballot paper—</p> <p>(a) on which no second or subsequent preference is recorded for a continuing candidate, or</p> <p>(b) which is excluded by the returning officer under rule 44G(4) below;</p> <p>“preference” as used in the following contexts has the meaning assigned below—</p> <p>(a) “first preference” means the figure “1” or any mark or word which clearly indicates a first (or only) preference;</p> <p>(b) “next available preference” means a preference which is the second or, as the case may be, subsequent preference recorded in consecutive order for a continuing candidate (any candidate who is deemed to be elected or is excluded thereby being ignored), and</p> <p>(c) in this context, a “second preference” is shown by the figure “2” or any mark or word which</p>

SCHEDULE 1 (*continued*)

Provision applied and subject matter	Modifications
	<p>clearly indicates a second preference, a third preference by the figure "3" or any mark or word which clearly indicates a third preference, and so on;</p> <p>"quota" means the number calculated in accordance with rule 44E below;</p> <p>"surplus" means the number of votes by which the total number of votes for any candidate (whether first preference or transferred votes, or a combination of both) exceeds the quota; but, references in these rules to the transfer of the surplus means the transfer (at a transfer value) of all transferable papers from the candidate who has the surplus;</p> <p>"stage of the count" means—</p> <ul style="list-style-type: none"> <li>(a) the determination of the first preference vote for each candidate; or</li> <li>(b) the transfer of a surplus of a candidate deemed to be elected; or</li> <li>(c) the exclusion of one or more candidates at any given time;</li> </ul> <p>"transferable paper" means a ballot paper on which, following a first preference, a second or subsequent preference is recorded in consecutive numerical order for a continuing candidate;</p> <p>"transferred vote" means a vote derived from a ballot paper on which a second or subsequent preference is recorded for the candidate to whom that paper has been transferred;</p> <p>"transfer value" means the value of a transferred vote calculated in accordance with paragraph (4) or (7) of rule 44F below, as the case may be.</p> <p><i>Preliminary proceedings and conduct of the count</i></p> <p>44B.—(1) Where the verifying officer has made the ballot papers into packets in accordance with rule 43B(8) above, the returning officer shall open all such packets and mix together all the ballot papers received.</p>

SCHEDULE 1 (*continued*)

Provision applied and subject matter	Modifications
	<p>(2) The returning officer, while counting the votes, shall keep the ballot papers with their faces upwards and take all proper precautions for preventing any person from seeing the numbers printed on the back of the papers.</p> <p>(3) The returning officer shall so far as practicable proceed continuously with counting the votes, allowing only time for refreshment, except that he may, in so far as he and the agents agree, exclude the hours between 9 in the evening and 9 on the following morning.</p> <p>For the purposes of this exception the agreement of a candidate or his election agent shall be as effective as the agreement of his counting agents.</p> <p>(4) During the time so excluded the returning officer shall—</p> <p>(a) place the ballot papers and other documents relating to the election under his own seal and the seals of such of the counting agents as desire to affix their seals; and</p> <p>(b) otherwise take proper precautions for the security of the papers and documents.</p> <p><i>Rejected ballot papers</i></p> <p>44C.—(1) Any ballot paper—</p> <p>(a) which does not bear the official mark; or</p> <p>(b) on which the figure “1” standing alone is not placed so as to indicate a first preference for any candidate; or</p> <p>(c) on which the figure “1” standing alone indicating a first preference is set opposite the name of more than one candidate; or</p> <p>(d) on which anything (other than the printed number on the back) is written or marked by which the voter can be identified; or</p> <p>(e) which is unmarked or void for uncertainty,</p> <p>shall be void and not counted, but the ballot paper shall not be void by reason only of carrying the words “one”,</p>

SCHEDULE 1 (*continued*)

Provision applied and subject matter	Modifications
	<p>“two”, “three”, (and so on) or any other mark instead of a figure if, in the opinion of the returning officer, the word or mark clearly indicates a preference or preferences.</p> <p>(2) The returning officer shall endorse “Rejected” on any ballot paper which under this rule is not to be counted and if an election agent objects to his decision shall add to the endorsement the words “rejection objected to”.</p> <p>(3) The returning officer shall prepare a statement showing the number of ballot papers rejected by him under each of sub-paragraphs (a), (b), (c), (d) and (e) of paragraph (1) above and shall, on request, allow any candidate or agent of a candidate to copy such statement.</p> <p>(4) The decision of the returning officer on any question arising in respect of a ballot paper shall be final but shall be subject to review on an election petition.</p> <p><i>First stage</i></p> <p>44D.—(1) The returning officer shall sort the ballot papers into parcels according to the candidates for whom first preference votes are given.</p> <p>(2) The returning officer shall then count the number of first preference votes given on ballot papers for each candidate and shall record those numbers.</p> <p>(3) The returning officer shall also ascertain and record the number of valid ballot papers.</p> <p><i>The quota</i></p> <p>44E.—(1) The returning officer shall divide the number of valid ballot papers by a number exceeding by one the number of representatives to be elected.</p> <p>(2) The result, increased by one, of the division under paragraph (1) above (any fraction being disregarded) shall</p>

SCHEDULE 1 (*continued*)

Provision applied and subject matter	Modifications
	<p>be the number of votes sufficient to secure the election of a candidate (in these rules referred to as "the quota").</p> <p>(4) At any stage of the count a candidate whose total votes equals or exceeds the quota shall be deemed to be elected, except that at an election where there is only one vacancy a candidate shall not be deemed to be elected until the procedure set out in paragraphs (1) to (3) of rule 44H below has been complied with.</p> <p><i>Transfer of votes</i></p> <p>44F.—(1) Where the number of first preference votes for any candidate exceeds the quota, the returning officer shall sort all the ballot papers on which first preference votes are given for that candidate into sub-parcels so that they are grouped—</p> <p>(a) according to the next available preference given on those papers for any continuing candidate, or</p> <p>(b) where no such preference is given, as the sub-parcel of non-transferable votes.</p> <p>(2) The returning officer shall count the number of ballot paper in each parcel referred to in paragraph (1) above.</p> <p>(3) The returning officer shall, in accordance with this rule and rule 44G below, transfer each sub-parcel of ballot papers referred to in sub-paragraph (a) of paragraph (1) above to the candidate for whom the next available preference is given on those papers.</p> <p>(4) The vote on each ballot paper transferred under paragraph (3) above shall be at a value ("the transfer value") which—</p> <p>(a) reduces the value of each vote transferred so that the total value of all such votes does not exceed the surplus, and</p>

SCHEDULE 1 (*continued*)

Provision applied and subject matter	Modifications
	<p>(b) is calculated by dividing the surplus of the candidate from whom the votes are being transferred by the total number of the ballot papers on which those votes are given, the calculation being made to two decimal places (ignoring the remainder if any).</p> <p>(5) Where at the end of any stage of the count involving the transfer of ballot papers, the number of votes for any candidate exceeds the quota, the returning officer shall sort the ballot papers in the sub-parcel of transferred votes which was last received by that candidate into separate sub-parcels so that they are grouped—</p> <p>(a) according to the next available preference given on those papers for any continuing candidate, or</p> <p>(b) where no such preference is given, as the sub-parcel of non-transferable votes.</p> <p>(6) The returning officer shall, in accordance with this rule and rule 44G below, transfer each sub-parcel of ballot papers referred to in sub-paragraph (a) of paragraph (5) above to the candidate for whom the next available preference is given on those papers.</p> <p>(7) The vote on each ballot paper transferred under paragraph (6) shall be at—</p> <p>(a) a transfer value calculated as set out in sub-paragraph (b) of paragraph (4) above, or</p> <p>(b) at the value at which that vote was received by the candidate from whom it is now being transferred,</p> <p>whichever is the less.</p> <p>(8) Each transfer of a surplus constitutes a stage in the count.</p>

SCHEDULE 1 (*continued*)

Provision applied and subject matter	Modifications
	<p>(9) Subject to paragraph (10) below, the returning officer shall proceed to transfer transferable papers until no candidate who is deemed to be elected has a surplus or all the vacancies have been filled.</p> <p>(10) Transferable papers shall not be liable to be transferred where any surplus or surpluses which, at a particular stage of the count, have not already been transferred, are—</p> <p style="margin-left: 2em;">(a) less than the difference between the total vote then credited to the continuing candidate with the lowest recorded vote and the vote of the candidate with the next lowest recorded vote, or</p> <p style="margin-left: 2em;">(b) less than the difference between the total votes of the two or more continuing candidates, credited at that stage of the count with the lowest recorded total numbers of votes and the candidate next above such candidates.</p> <p>(11) This rule shall not apply at an election where there is only one vacancy.</p> <p><i>Supplementary provisions on transfer</i></p> <p>44G.—(1) If, at any stage of the count, two or more candidates have surpluses, the transferable papers of the candidate with the highest surplus shall be transferred first, and if—</p> <p style="margin-left: 2em;">(a) the surpluses determined in respect of two or more candidates are equal, the transferable papers of the candidate who had the highest recorded vote at the earliest preceding stage at which they had unequal votes, shall be transferred first, and</p> <p style="margin-left: 2em;">(b) the votes credited to two or more candidates were equal at all stages of the count, the returning officer shall decide between those candidates by lot and the transferable papers of the candidate on whom the lot falls shall be transferred first.</p>

**SCHEDULE 1 (continued)**

Provision applied and subject matter	Modifications
	<p>(2) The returning officer shall, on each transfer of transferable papers under rule 44F above—</p> <ul style="list-style-type: none"> <li>(a) record the total value of the votes transferred to each candidate;</li> <li>(b) add that value to the previous total of votes recorded for each candidate and record the new total;</li> <li>(c) record as non-transferable votes the difference between the surplus and the total transfer value of transferred votes and add that difference to the previously recorded total of non-transferable votes, and</li> <li>(d) compare— <ul style="list-style-type: none"> <li>(i) the total number of votes then recorded for all of the candidates, together with the total number of non-transferable votes, with</li> <li>(ii) the recorded total of valid first preference votes.</li> </ul> </li> </ul> <p>(3) All ballot papers transferred under rule 44F above or 44H below shall be clearly marked, either individually or as a sub-parcel, so as to indicate the transfer value recorded at that time to each vote on that paper or, as the case may be, all the papers in that sub-parcel.</p> <p>(4) Where a ballot paper is so marked that it is unclear to the returning officer at any stage of the count under rule 44F or 44H for which candidate the next preference is recorded, the returning officer shall treat any vote on that ballot paper as a non-transferable vote; and votes on a ballot paper shall be so treated where, for example, the names of two or more candidates (whether continuing candidates or not) are so marked that, in the opinion of the returning officer, the same order of preference is indicated or the numerical sequence is broken.</p> <p><i>Exclusion of candidates</i></p> <p>44H.—(1) If—</p> <ul style="list-style-type: none"> <li>(a) all transferable papers which under the provisions of rule 44F above (including that rule as</li> </ul>



**SCHEDULE 1 (continued)**

Provision applied and subject matter	Modifications
	<p>applied by paragraph (11) below) and this rule are required to be transferred, have been transferred, and</p> <p>(b) subject to rule 44J below, one or more vacancies remain to be filled,</p> <p>the returning officer shall exclude from the election at that stage the candidate with the then lowest vote (or, where paragraph (12) below applies, the candidates with the then lowest votes).</p> <p>(2) The returning officer shall sort all the ballot papers on which first preference votes are given for the candidate or candidates excluded under paragraph (1) above into two sub-parcels so that they are grouped as—</p> <p>(a) ballot papers on which a next available preference is given, and</p> <p>(b) ballot papers on which no such preference is given (thereby including ballot papers on which preferences are given only for candidates who are deemed to be elected or are excluded).</p> <p>(3) The returning officer shall, in accordance with this rule and rule 44G above, transfer each sub-parcel of ballot papers referred to in sub-paragraph (a) of paragraph (2) above to the candidate for whom the next available preference is given on those papers.</p> <p>(4) The exclusion of a candidate, or of two or more candidates together, constitutes a further stage of the count.</p> <p>(5) If, subject to rule 44J below, one or more vacancies still remain to be filled, the returning officer shall then sort the transferable papers, if any, which had been transferred to any candidate excluded under paragraph (1) above into sub-parcels according to their transfer value.</p> <p>(6) The returning officer shall transfer those papers in the sub-parcel of transferable papers with the highest transfer value to the continuing candidates in accordance with the next available preferences given on those papers (thereby passing over candidates who are deemed to be elected or are excluded).</p>

SCHEDULE 1 (*continued*)

Provision applied and subject matter	Modifications
	<p>(7) The vote on each transferable paper transferred under paragraph (6) above shall be at the value at which that vote was received by the candidate excluded under paragraph (1) above.</p> <p>(8) Any papers on which no next available preferences have been expressed shall be set aside as non-transferable votes.</p> <p>(9) After the returning officer has completed the transfer of the ballot papers in the sub-parcel of ballot papers with the highest transfer value he shall proceed to transfer in the same way the sub-parcel of ballot papers with the next highest value and so on until he has dealt with each sub-parcel of a candidate excluded under paragraph (1) above.</p> <p>(10) The returning officer shall after each stage of the count completed under this rule—</p> <p style="margin-left: 2em;">(a) record—</p> <p style="margin-left: 4em;">(i) the total value of votes, or</p> <p style="margin-left: 4em;">(ii) the total transfer value of votes transferred to each candidate;</p> <p style="margin-left: 2em;">(b) add that total to the previous total of votes recorded for each candidate and record the new total;</p> <p style="margin-left: 2em;">(c) record the value of non-transferable votes and add that value to the previous non-transferable votes total; and</p> <p style="margin-left: 2em;">(d) compare—</p> <p style="margin-left: 4em;">(i) the total number of votes then recorded for each candidate together with the total number of non-transferable votes, with</p> <p style="margin-left: 4em;">(ii) the recorded total of valid first preference votes.</p> <p>(11) If after a transfer of votes under any provision of this rule, a candidate has a surplus, that surplus shall be dealt with in accordance with paragraphs (5) to (10) of rule 44F and rule 44G.</p> <p>(12) Where the total of the votes of the two or more lowest candidates,</p>

**SCHEDULE 1 (continued)**

Provision applied and subject matter	Modifications
	<p>together with any surpluses not transferred, is less than the number of votes credited to the next lowest candidate, the returning officer shall in one operation exclude such two or more candidates.</p> <p>(13) If when a candidate has to be excluded under this rule, two or more candidates each have the same number of votes and are lowest—</p> <p>(a) regard shall be had to the total number of votes credited to those candidates at the earliest stage of the count at which they had an unequal number of votes and the candidate with the lowest number of votes at that stage shall be excluded; and</p> <p>(b) where the number of votes credited to those candidates was equal at all stages, the returning officer shall decide between the candidates by lot and the candidate on whom the lot falls shall be excluded.</p> <p><i>Filling of last vacancies</i></p> <p>44J.—(1) Where the number of continuing candidates is equal to the number of vacancies remaining unfilled the continuing candidates shall thereupon be deemed to be elected.</p> <p>(2) Where only one vacancy remains unfilled and the votes of any one continuing candidate are equal to or greater than the total of votes credited to other continuing candidates together with any surplus not transferred, the candidate shall thereupon be deemed to be elected.</p> <p>(3) Where the last vacancies can be filled under this rule, no further transfer of votes shall be made.</p> <p><i>Re-count</i></p> <p>44K.—(1) The returning officer on completion of each stage of the count shall, before proceeding with the next stage, inform all the candidates and their election agents then present of his intention, subject to a request for a re-count, to proceed to the next stage.</p>

SCHEDULE 1 (*continued*)

Provision applied and subject matter	Modifications
	<p>(2) Before the returning officer so proceeds, any candidate or his election agent may request that a re-count be undertaken of the last completed stage.</p> <p>(3) If a request is made under paragraph (2), the returning officer shall then proceed to carry out the re-count of the last completed stage, but if no such request is made, he shall proceed with the next subsequent stage of the count.</p> <p>(4) The returning officer may also, if he thinks fit, re-count ballot papers either once or more often if he is not satisfied as to the accuracy of any stage.</p> <p>(5) Nothing in this rule shall require the returning officer to re-count the same parcel or sub-parcel more than once.</p> <p>(6) Where as a result of a re-count an error is discovered, the returning officer shall, where necessary, amend any results previously announced by him.</p> <p><i>Order of election of candidates</i></p> <p>44L.—(1) The order in which candidates whose votes equal or exceed the quota are deemed to be elected shall be the order in which their respective surpluses were transferred, or would have been transferred but for rule 44F(10) above.</p> <p>(2) A candidate credited with a number of votes equal to and not greater than the quota shall, for the purposes of this rule, be regarded as having had the smallest surplus at the stage of the count at which he obtained the quota.</p> <p>(3) Where the surpluses of two or more candidates are equal and are not required to be transferred, regard shall be had to the total number of votes credited to such candidates at the earliest stage of the count at which they had an unequal number of votes and the surplus of the candidate who had the greatest number of votes at that stage shall be deemed to be the largest.</p>

SCHEDULE 1 (*continued*)

Provision applied and subject matter	Modifications
<p>Rule 50 (declaration of result).</p>	<p>(4) Where the number of votes credited to two or more candidates were equal at all stages of the count, the returning officer shall decide between them by lot and the candidate on whom the lot falls shall be deemed to have been elected first.</p> <p><i>Decisions of returning officer</i></p> <p>44M. The decision of the returning officer, whether expressed or implied, on any question which arises in relation to the exclusion of any candidate under rule 44H or to any ballot paper or transfer of votes shall be final, but may be reviewed on an election petition.”</p> <p>For paragraph (1) there shall be substituted the following paragraph:</p> <p>“(1) In a contested election, when the result of the poll has been ascertained, the returning officer shall forthwith—</p> <ul style="list-style-type: none"> <li>(a) declare to be elected the candidates who are deemed to be elected under rules 44B to 44M above;</li> <li>(b) notify their names to the Secretary of State;</li> <li>(c) give public notice of— <ul style="list-style-type: none"> <li>(i) the names of those candidates;</li> <li>(ii) the number of first preference votes for each candidate whether elected or not;</li> <li>(iii) any transfer of votes;</li> <li>(iv) the total number of votes for each candidate at each stage of the count at which such transfer took place, and</li> <li>(v) the order in which the successful candidates were elected.”</li> </ul> </li> </ul> <p>In paragraph (2), for the words from “person standing” to the end of the paragraph there shall be substituted “person or persons standing nominated, shall also declare that person or persons elected, and the returning officer shall forthwith notify his or their names to the Secretary of State”.</p>

SCHEDULE 1 (*continued*)

Provision applied and subject matter	Modifications
Rule 53 (return or forfeiture of candidate's deposit) (a)	<p>In paragraph (4), for the words from "after the counting" to the end of the paragraph there shall be substituted "if the number of votes credited to the candidate at any stage of the counting of the votes does not exceed one quarter of the quota".</p> <p>Paragraph (5) shall be omitted.</p>
Rule 54 (sealing up of ballot papers).	<p>In paragraph (2) the words "or of marked copies of the register of electors and lists of proxies" shall be omitted.</p>
In rule 55 (delivery of documents to Clerk of the Crown), paragraph (1).	<p>For the words "then forward to the Clerk of the Crown" there shall be substituted "retain".</p>
Rule 56 (orders for production of documents).	<p>In paragraph (1), for the words "Clerk of the Crown" there shall be substituted "returning officer" and sub-paragraph (i) shall be omitted.</p> <p>In paragraph (2), for the words "Clerk of the Crown's" there shall be substituted "returning officer's".</p> <p>In paragraph (3), the words "House of Commons or" shall be omitted.</p> <p>In paragraphs (6) and (8), for the words "Clerk of the Crown", in each place where they occur, there shall be substituted "returning officer".</p>
Rule 57 (retention and public inspection of documents).	<p>In paragraph (1)—</p> <ul style="list-style-type: none"> <li>(a) for the words "Clerk of the Crown" there shall be substituted "returning officer";</li> <li>(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"; and</li> <li>(c) the words "House of Commons or" shall be omitted.</li> </ul> <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>

(a) Rule 53 was amended by section 13 of, and paragraph 83 of Schedule 4 to, the Act of 1985.

**SCHEDULE 1 (continued)**

Provision applied and subject matter	Modifications
<p>Rule 60 (countermand or abandonment of poll on death of candidate).</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 Secretary of State".</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><b>APPENDIX OF FORMS</b> 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.</p>	<p>The modified form of ballot paper is set out in the Annex to this Appendix.</p>
<p>Directions as to printing the ballot paper.</p>	<p>The modified form of directions as to printing the ballot paper is set out in the Annex to this Appendix.</p>
<p>Form of directions for the guidance of the voters in voting (a).</p>	<p>In paragraph 2 for the words from "Mark a cross" to the end of the paragraph there shall be substituted:</p> <p>"Number the candidates in order of your preference, putting "1" against the candidate of your 1st preference, "2" against your 2nd preference and so on. You should not put the same preference against more than one candidate. You may show your preference for as many or as few candidates as you wish. Put</p>

(a) The form of directions was substituted by paragraph 86 of Schedule 4 to the Act of 1985.

**SCHEDULE 1 (continued)**

Provision applied and subject matter	Modifications
<p>Form of declaration to be made by the companion of a blind voter.</p>	<p>no other mark on the ballot paper, or your vote may not be counted.”.</p> <p>Paragraph 4 shall be omitted and paragraph 5 re-numbered accordingly.</p> <p>After the form there shall be added the following form:</p> <p><i>“Form of notice to be displayed in compartments of polling stations</i></p> <p align="center"><b>REMEMBER USE 1, 2, 3 ETC AT THIS ELECTION</b></p> <p>This is an election by proportional representation. Number the candidates in order of your preference, putting “1” against the candidate of your 1st preference and so on. You should not put the same preference against more than one candidate. You may show your preference for as many or as few candidates as you wish.”.</p>



**SCHEDULE 1 (continued)**

**ANNEX TO APPENDIX OF FORMS**

**Form of ballot paper**

**Form of front of ballot paper**

Counter-  
foil No.

*The counterfoil  
is to have a  
number to  
correspond  
with that on  
the back of  
the ballot paper.*

Mark order of preference in space below	
	<p align="center"><b>BLACK</b> (Joseph Black of 5 Down Street, Bangor, Co. Down. Description)</p>
	<p align="center"><b>BROWN</b> (RUPERT BROWN of 9 Mourne View, Donaghadee, Co. Down. Description)</p>
	<p align="center"><b>BROWN</b> (VERONICA BROWN of 8 Magilligan Drive, Portaferry, Co. Down. Description)</p>
	<p align="center"><b>GOLD</b> (John Gold of 29 Gilford Place, Millisle, Co. Down. Description)</p>
	<p align="center"><b>HAZEL</b> (Horace Hazel of Glen Cottage, Banbridge, Co. Down. Description)</p>
	<p align="center"><b>LIME</b> (Harry Lime of 7 Gortin Mansions, Dromara, Co. Down. Description)</p>
	<p align="center"><b>PLUM</b> (Peter Plum of 3 Strangford Road, Killinchy, Co. Down. Description)</p>
	<p align="center"><b>ROSE</b> (Ruth Rose of 41 Devenish Drive, Ballynahinch, Co. Down. Description)</p>
	<p align="center"><b>SILVER</b> (Anthony Silver of 3 Mourne View, Bangor, Co. Down. Description)</p>
	<p align="center"><b>WRIGHT</b> (Frank Wright of 11 Moira Terrace, Newry, Co. Down. Description)</p>

**SCHEDULE 1 (continued)**

**Form of back of ballot paper**

No .....

Date of Election .....

**Directions as to printing the ballot paper**

1. Nothing is to be printed on the ballot paper except in accordance with these directions.

2. The following arrangements shall be observed in the printing of the front of the ballot paper—

- (a) apart from the instructions “Mark order of preference in space below” in the top left-hand corner no other word or words shall be printed on the ballot paper except the particulars of the candidates;
  - (b) no rule shall be printed on the face except the horizontal rules separating the headings from the particulars of the candidates and the particulars of the candidates from one another and the vertical rule separating those particulars from the spaces on the left side of the paper where the order of preference is to be marked;
  - (c) the whole space between the top and the bottom of the paper shall be equally divided between the candidates by the rules separating their particulars.
3. (a) The front of the ballot paper shall contain the names, addresses and descriptions, if any, of the candidates standing nominated. The names shall be arranged alphabetically in the order of surnames, or if there are two or more candidates bearing the same surname, in alphabetical order of their other names, or if their names are the same, in the alphabetical order of their home addresses or descriptions;
- (b) the surname of each candidate shall be printed in large capitals, and his full name, address and description (as given on the statement of persons nominated) shall be printed underneath in ordinary type;
  - (c) where the surnames of two or more candidates are the same there shall be printed in small capitals the other names of such candidates and if those are the same so much of the descriptions or home addresses of such candidates as will enable the electors to distinguish between them;
  - (d) the list of candidates shall be arranged either in one continuous column or in two or more columns in such manner (without departing from the alphabetical order) as, in the opinion of the returning officer, is best for marking and counting;
  - (e) the ballot papers shall be numbered consecutively on the back and the front of the counterfoil attached to each ballot paper shall bear the same number. The numbers on ballot papers shall be printed in the smallest type compatible with legibility and shall be printed on or about the centre of the paper.

**SCHEDULE 1 (continued)**

Provision applied and subject matter	Modifications
<p><b>SCHEDULE 3 (RETURN AND DECLARATIONS AS TO ELECTION EXPENSES)</b></p>	
<p>Form of return.</p>	
<p>Form of declarations(a).</p>	
<p><b>PART II: THE ELECTIONS (NORTHERN IRELAND) ACT 1985</b></p>	
<p>Section 3 (offences relating to specified documents)(b).</p>	
<p><b>PART III: ACT OF 1985</b></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.</p>
<p>Section 8 (proxies at elections)(c).</p>	<p>In subsection (6) the words "or at both" and "of electors for elections in respect of which the application is made" shall be omitted.</p>
<p>Section 9 (voting as proxy).</p>	<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)".</p>
	<p>In subsection (6), paragraph (a) and the word "and" shall be omitted.</p>

(a) The form of declarations was amended by paragraph 88 of Schedule 4 to the Act of 1985.  
 (b) Section 3(7) was amended by section 25(2) of the Act of 1985.  
 (c) 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>Section 10 (voting at special polling stations in Northern Ireland).</p> <p>Section 11 (manner of voting: supplementary provisions).</p> <p>In section 12 (offences as to declarations etc.), subsections (3) and (4).</p> <p>Section 27 (interpretation).</p> <p>Schedule 1 (special polling stations in Northern Ireland).</p>	<p>In subsections (8) and (9) the words "in respect of elections of the kind in question" shall be omitted.</p> <p>In subsection (10) the words "or both (as the case may be)" and "of the kind in question" shall be omitted.</p> <p>Paragraphs (a) and (c) shall be omitted.</p> <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> <p>In paragraph 3 the words "in respect of a constituency" and "in respect of the constituency" shall be omitted.</p> <p>In paragraph 4(1)(a) before the word "constituency" there shall be inserted "parliamentary".</p> <p>In paragraph 6(1), paragraph (c) and the word "and" preceding it shall be omitted.</p> <p>Paragraph 6(6) shall be omitted.</p> <p>In paragraph 6(7), the words "In any other case," shall be omitted and for the words from "parliamentary" to the end there shall be substituted "rule 44A to 44M of the elections rules (other than rule 44B(1))".</p> <p>In paragraph 7(1) for the words "forward to the Clerk of the Crown for Northern Ireland" there shall be substituted "retain".</p> <p>Paragraph 7(2) shall be omitted.</p> <p>Paragraph 9 shall be omitted.</p> <p>In paragraph 14 after the words "25(1) to (4)" there shall be inserted "and 26A".</p>



APPLICATION AND MODIFICATION OF PROVISIONS OF THE REGULATIONS  
OF 1986 AND THE PLANNING (CONTROL OF ADVERTISEMENTS)  
(NORTHERN IRELAND) REGULATIONS 1973

Provision applied and subject matter	Modifications
<b>REGULATIONS OF 1986</b>	
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 53 (free copies of register etc.).	Paragraph (2)(a) shall be omitted.
Regulation 54 (sale of lists and register).	Paragraph (3) shall be omitted. 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.

**SCHEDULE 2 (continued)**

Provision applied and subject matter	Modifications
Regulation 55 (supply of data).	Paragraph (8) shall be omitted.
Regulation 56 (supply of labels).	Paragraph (5) 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)".
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).	In paragraph (1)(b) after the words "of 1983" there shall be inserted "as applied by Regulation 3 of, and Schedule 1 to, the European Assembly Elections (Northern Ireland) Regulations 1984".
Regulation 74 (record and lists kept under sections 6, 7 and 9 of Act of 1985).	
Regulation 75 (marked register for polling stations).	
Regulation 76 (certificate of employment).	
Regulation 77 (interpretation of Part V).	

**SCHEDULE 2 (continued)**

Provision applied and subject matter	Modifications
Regulation 78 (form of declaration of identity).	
Regulation 79 (persons entitled to be present at issue and receipt of postal ballot papers).	
Regulation 80 (notification of requirement of secrecy).	
Regulation 81 (notice of issue of postal ballot papers).	
Regulation 82 (marking of postal ballot paper etc.).	
Regulation 83 (refusal to issue postal ballot paper).	
Regulation 84 (envelopes).	
Regulation 85 (delivery of postal ballot papers to post office).	
Regulation 86 (provision of postal voters' ballot box).	
Regulation 87 (sealing up of special lists and counterfoils).	
Regulation 88 (spoilt postal ballot paper).	
Regulation 89 (receipt of covering envelope).	
Regulation 90 (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 91 (opening of covering envelopes).	
Regulation 92 (sealing up of rejected votes and declarations of identity).	
Regulation 93 (opening of ballot paper envelopes).	
Regulation 94 (abandoned poll).	



**SCHEDULE 2 (continued)**

Provision applied and subject matter	Modifications
<p><b>Regulation 95 (forwarding of documents).</b></p>	<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 87, 88, 92 or 93 above, subject to the provisions of Regulation 94 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 High Court.”</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 L”.</p>
<p><b>SCHEDULE 2 (FORMS)</b></p> <p><b>Form E (elector’s official poll card).</b></p> <p><b>Form F (proxy’s official poll card).</b></p> <p><b>Form G (certificate of employment).</b></p> <p><b>Form H (declaration of identity).</b></p>	<p>For the words “constituency named above” there shall be substituted “the parliamentary constituency of .....</p> <p>In the instructions to voters on the back of the form, for paragraphs 1 and 2 there shall be substituted:</p> <p>“1. Mark your vote by putting “1” against the candidate of your first choice, “2” against the candidate of your second choice and so on. Do this secretly; if you cannot vote without assistance, the person assisting you must not disclose how you have voted.</p> <p>2. You may show your preference for as many or as few candidates as you wish but you should not show the same preference against more than one candidate. Put no other mark on the ballot paper, or your vote may not be counted.”</p>

SCHEDULE 2 (continued)

Provision applied and subject matter	Modifications
Form J (form of return of expenses required by section 75 of the Act of 1983).	
Form K (form of declaration as to expenses required by section 75 of the Act of 1983).	
Form L (statement as to postal ballot papers).	In note 2 for the words "At the same time as this statement is sent to the Clerk of the Crown for Northern Ireland, a copy" there shall be substituted "This statement".
THE PLANNING (CONTROL OF ADVERTISEMENTS) REGULATIONS (NORTHERN IRELAND) 1973	
Regulation 2 (interpretation).	
Regulation 8 (election notices, statutory advertisements and traffic signs).	

Regulation 6.

SCHEDULE 3

PROXY PAPERS

PART I

AMENDMENT OF FORM OF PROXY PAPERS IN SCHEDULE 2 TO THE REGULATIONS 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) after the word "Constituency ....." there shall be inserted "The European Assembly constituency of Northern Ireland";
- (iii) before the words "[any parliamentary]" there shall be inserted "[the European Assembly election for the above European Assembly constituency]";
- (iv) after the words "[any parliamentary]" there shall be inserted "or European Assembly" and for the words "parliamentary constituency" there shall be substituted "parliamentary and European Assembly constituencies"; and

- (b) in note 2 of the notes to the forms after the words "any parliamentary" there shall be inserted "or European Assembly".

PART II

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

PROXY PAPER

EUROPEAN ASSEMBLY ELECTIONS ACT 1978

The European Assembly constituency of Northern Ireland

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. 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 ward from the elector's former qualifying address. If you are registered for the same ward 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 Northern Ireland. Such elections are conducted in accordance with the single transferable vote system of elections.

These Regulations replace the European Assembly Elections (Northern Ireland) Regulations 1984 ("the 1984 Regulations") 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 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)).

In addition to the amendments made by the Act of 1985 the provisions of the Act of 1983, as applied by Schedule 1 to these Regulations, differ from those provisions as applied by the Regulations of 1984 in that they have also been amended by the Elections (Northern Ireland) Act 1985. Under rule 37(1A) of the elections rules in Schedule 1 to the Act of 1983, as amended and as applied for the purposes of Assembly elections, a ballot paper may not be delivered to a voter unless he has produced a document specified in rule 37(1E). In addition, Schedule 1 to these Regulations applies section 3 of the Elections (Northern Ireland) Act 1985 (which creates offences relating to specified documents) for the purposes of Assembly elections.

Schedule 2 to these Regulations applies provisions in the Representation of the People (Northern Ireland) Regulations 1986 ("the Regulations of 1986"), which include provision supplemental to the new absent voting provisions in the Act of 1985. Where provisions in the Regulations 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)).

Part I of Schedule 3 to these Regulations amends the form of proxy paper prescribed by the Regulations of 1986 so that it can be used for proxies appointed at Assembly elections as well as proxies appointed at parliamentary elections. Part II of Schedule 3 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.

In addition to the changes made necessary by the Act of 1985 and the Regulations 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.