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STATUTORY INSTRUMENTS

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**1991 No. 1715**

**NORTHERN IRELAND**

**The Local Elections (Northern  
Ireland) (Amendment) Order 1991**

*Made* - - - - *24th July 1991*

*Coming into force* - - *7th August 1991*

At the Court at Buckingham Palace, the 24th day of July 1991

Present,

The Queen's Most Excellent Majesty in Council

Whereas a draft of this Order has been approved by resolution of each House of Parliament:

Now, therefore, Her Majesty, in exercise of the powers conferred by section 38(1)(a) and (4) of the Northern Ireland Constitution Act 1973(1), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

**1.**—(1) This Order may be cited as the Local Elections (Northern Ireland) (Amendment) Order 1991.

(2) This Order extends to Northern Ireland only.

(3) This Order shall come into force on the fourteenth day after the day on which it is made.

**2.** The Local Elections (Variation of Limits of Candidates' Election Expenses) (Northern Ireland) Order 1989(2) is hereby revoked.

**3.** In section 42(1) of the Electoral Law Act (Northern Ireland) 1962 (limit on candidates' election expenses)(3), for the words “£162” and “3.2p” there shall be substituted the words “£184” and “3.6p”, respectively.

**4.**—(1) Schedule 5 (local elections rules)(4) to the Electoral Law Act (Northern Ireland) 1962 shall be amended in accordance with paragraphs (2) and (3) below.

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(1) 1973 c. 36.

(2) S.I. 1989/491.

(3) 1962 c. 14 (N.I.); section 42(1) was amended (so far as material) by the Local Elections (Northern Ireland) Order 1985 (S.I. 1985/454), article 9, and the sums in section 42(1) are as substituted by S.I. 1989/491.

(4) Schedule 5 was substituted by Schedule 1 to the Local Elections (Northern Ireland) Order 1985 (S.I. 1985/454).

(2) After sub-paragraph (f) of rule 34(6)(5) of the rules in that Schedule there shall be added:

“(g) a card made of plastic on which the name and national insurance number of the person to whom it is issued have been embossed and which has been issued by the Department of Health and Social Security or the Department of Social Security”.

(3) Form 6 (elector’s official poll card) in the Appendix of forms in that Schedule shall be amended as follows:

(a) in paragraph (a) of the back of the card, for the words “(but NOT a provisional licence)” there shall be substituted the words “or a Northern Ireland provisional licence”;

(b) after paragraph (d) of the back of the card there shall be inserted the following paragraphs:

“(e) a current British seaman’s card;

(f) a card made of plastic issued by the Department of Health and Social Security or the Department of Social Security with a name and national insurance number embossed on it;”;

(c) the existing paragraph (e) of the back of the card shall be renumbered “(g)”.

5. Paragraph 1 (absent vote at local elections for indefinite period) of Part I of Schedule 2 to the Local Elections (Northern Ireland) Order 1985(6) shall be amended by inserting after paragraph (a) of sub-paragraph (2):

“(aa) if he is no longer resident at his qualifying address or at any other address in the same ward as his qualifying address;”.

6. After paragraph 5 of Part I of Schedule 2 to the Local Elections (Northern Ireland) Order 1985, there shall be inserted the following paragraph:

**“Additional requirement for applicant no longer resident at qualifying address**

**5A.** An application under paragraph (aa) of paragraph 1(2) shall specify the address, if any, at which the applicant is resident at the date of the application.”.

*G. I. de Deney*  
Clerk of the Privy Council

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(5) Sub-paragraph (f) of rule 34(6) was added by paragraph 41(b) of Schedule 1 to the Local Elections (Northern Ireland) (Amendment) Order 1987 (S.I. 1987/168).

(6) S.I. 1985/454; Part I of Schedule 2 was substituted by Schedule 2 to the Local Elections (Northern Ireland) (Amendment) Order 1987 (S.I. 1987/168), to which there are amendments not relevant to this Order.

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order makes miscellaneous amendments to the law relating to local elections in Northern Ireland.

Article 3 increases the maximum amount of a candidate's election expenses at local elections in Northern Ireland. The maximum amount is made up of a fixed sum (expressed in pounds) plus a sum expressed in pence (and fractions of pence) for each entry in the register of electors. Article 2 revokes the Order by which that maximum amount was previously increased.

Article 4(2) varies the list of documents in rule 34(6) of the local elections rules in Schedule 5 to the Electoral Law Act (Northern Ireland) 1962 (as substituted) by making an addition to it. Under rule 34(2) a ballot paper must not be delivered to a voter at a polling station unless he has produced a document on that list to the presiding officer or a clerk. Article 4(3) amends the back of the form of an elector's official poll card to take account of the amendment made by article 4(2). It also makes amendments to take account of the changes made by paragraph 41 of Schedule 1 to the Local Elections (Northern Ireland) (Amendment) Order 1987. The back of the elector's official poll card lists the documents of which one must be produced at a polling station for the voter to be given a ballot paper. Form 7 of the forms set out in the Appendix to the said Schedule 5 (as substituted) provides that the back of the form of a proxy's official poll card is to be the same as the back of an elector's official poll card.

This Order also amends the provisions about the entitlement to an absent vote for an indefinite period at local elections in Northern Ireland in the Local Elections (Northern Ireland) Order 1985 to make provision equivalent to that made for parliamentary elections there by section 1 of the Representation of the People Act 1990 (c. 32) and the Representation of the People (Northern Ireland) (Variation of Specified Documents and Amendment) Regulations 1991 (S.I.1991/1674).

Article 5 makes an amendment to make a person eligible for an absent vote at local elections for an indefinite period if he is no longer resident at his qualifying address or at any other address in the same ward as that of the qualifying address; in spite of the reference to "an indefinite period", the entitlement expires with the register of electors in relation to which the application was made.

Article 6 makes an amendment to require an applicant under the new provision to give the address, if any, at which he is currently resident and thereby enables the Chief Electoral Officer to determine whether or not the new address is in the same ward as the old address.