

SCHEDULE 3

MODIFICATION OF EUROPEAN PARLIAMENTARY ELECTIONS RULES FOR COMBINED POLLS

PART I

ENGLAND AND WALES

19. For paragraph (1) of rule 45 (the count) substitute:

“(1) The local returning officer shall—

- (a) on receipt of the containers of ballot papers from the returning officer who discharges the functions specified in regulation 98 of the 1986 Regulations and after the time specified in the notice given under rule 44(1) (as substituted by Part I of Schedule 3 to the European Parliamentary Elections Regulations 1999) in the presence of the counting agents open each container;
- (b) where the proceedings on the issue and receipt of postal ballot papers are not taken together with those proceedings at another election under regulation 78 of the 1986 Regulations, as applied by Schedule 2 to the European Parliamentary Elections Regulations 1999, count such of the postal ballot papers as have been duly returned and record the number counted; and
- (c) mix together the postal ballot papers and the ballot papers from all of the containers and count the votes given on them.

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