

SCHEDULE 4

Article 15(7)

Combination of Polls

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Signature
Explanatory Note

PART I GENERAL

Returning officers and polling stations

1.—(1) Where the polls at an ordinary Assembly election and an ordinary local government election are taken together under article 15(1)—

- (a) those functions of the returning officer at the local government election which are specified in paragraph 2 shall be discharged by the constituency returning officer for an Assembly constituency for such part of the local government area as is situated in the constituency, and
- (b) only polling stations used for the ordinary Assembly election shall be used for the local government election.

(2) Subject to sub-paragraph (4) where the polls at an Assembly and a local government election for related areas (within the meaning of article 15(3)) are taken together under article 15(2)—

- (a) the returning officers for those elections shall decide which returning officer shall discharge in the area in which the polls are combined (“the combined area”) those functions of the other which are specified in paragraph 2, and
- (b) the only polling stations which shall be used in the combined area at such elections are the polling stations used at the election for which the returning officer who discharges the functions referred to in paragraph (a) acts as returning officer.

(3) Where by virtue of sub-paragraph (2)(a) functions in respect of another election fall to be discharged by a regional returning officer, he in turn shall delegate the discharge of those functions to the constituency returning officer for an Assembly constituency that is wholly or partly situated in the combined area in relation to such part of the combined area as is situated in the Assembly constituency: and where functions are so delegated subsequent references in this Part to the returning officer who discharges the functions specified in paragraph 2 are to be treated as references to such a constituency returning officer.

(4) Where the polls at an ordinary Assembly election and a local government election for related areas are taken together under article 15(2), sub-paragraph (1)(a) and (b) shall apply.

Functions at combined polls

2.—(1) The functions referred to in paragraph 1 above are the functions conferred or imposed—

- (a) in the case of an Assembly election, by Schedule 5 and which are specified in sub-paragraph (2), and
- (b) in the case of a local government election which is not a mayoral election, by those rules in the rules made under section 36 of the 1983 Act which correspond to the provisions specified in sub-paragraph (2), or
- (c) in the case of a local government election which is a mayoral election, by those rules made under section 44 of the Local Government Act 2000 (1) which correspond to the priorities specified in sub-paragraph (2),

(1) 2000 c. 22.

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and where the proceedings on the issue and receipt of postal ballot papers at two or more elections are taken together under paragraph 2 of Schedule 3, the functions conferred or imposed by that Schedule and by Part V of the 1986 Regulations.

(2) The functions referred to in sub-paragraph (1) are those functions in Schedule 5 conferred or imposed by—

- (a) paragraph 29(2) and (3) (notice of situation of polling stations etc),
- (b) where the proceedings on the issue and receipt of postal ballot papers at two or more elections are taken together under paragraph 2 of Schedule 3, paragraph 30 of Schedule 5 (postal ballot papers),
- (c) paragraph 31 (provision of polling stations),
- (d) paragraph 32(1) and (3) (appointment of presiding officers and clerks) to the extent that the paragraph concerns the appointment of presiding officers and clerks to assist them,
- (e) paragraph 34 (equipment of polling stations),
- (f) paragraph 36(a) (notification of requirement of secrecy at polling station),
- (g) paragraph 37(4) (signature of certificate as to employment),
- (h) paragraph 38(2)(b) (authorisation to order removal from polling station), and
 - (i) sub-paragraphs (1), (1A), (2), (11) and (12) (as substituted by paragraph 18 of this Schedule) of paragraph 50 (the count) and sub-paragraph (8) of paragraph 50.

Modification of provisions about expenses in this Order and the 1983 Act

3.—(1) Where those functions of a returning officer at an election which are specified in paragraph 2 are discharged by the returning officer at another election under paragraph 1, references to the returning officer or his charges or expenditure—

- (a) in article 21(1) to (4), (7), (9) and (10) (payments by and to returning officer),
- (b) in article 22 (taxation of returning officer's account), and
- (c) in section 36(4) and (5A) of the 1983 Act⁽²⁾ (expenses at local elections),

shall, to the extent that such functions are so discharged, be construed as references to the returning officer who discharges those functions and his charges or expenditure in respect of those functions.

(2) The reference in section 36(6) of the 1983 Act to the returning officer or person acting as returning officer requesting an advance in respect of his expenses shall, to the extent that those expenses relate to the functions specified in paragraph 2, include a reference to the returning officer who under paragraph 1 discharges those functions at the local government election.

(3) In relation to elections the polls at which are taken together under article 15(1) or (2), the Assembly may under article 21(1) include special provision for services properly rendered, or expenses properly incurred, in respect of the discharge of functions specified in paragraph 2, and in respect of the remuneration of presiding officers and clerks, by the returning officer who discharges those functions by virtue of paragraph 1.

(4) In relation to elections the polls at which are taken together under article 15(1) or (2), a county or county borough council may, in fixing a scale under—

- (a) section 36(4) of the 1983 Act (fixing a scale at an election to the council etc), or
- (b) section 36(5A) of that Act (fixing a scale at an election for a community within the area of the council etc),

(2) Subsection (5A) was added by the Local Government (Wales) Act 1994 (c. 19), Schedule 16.

include special provision for expenses incurred in respect of the discharge of functions specified in paragraph 2, and in respect of the remuneration of presiding officers and clerks, by the returning officer who discharges those functions by virtue of paragraph 1.

PART II

MODIFICATIONS TO SCHEDULE 5 TO APPLY WHERE THE POLL AT AN ASSEMBLY ELECTION IS TAKEN TOGETHER WITH A POLL AT A LOCAL GOVERNMENT ELECTION UNDER ARTICLE 15 (1) OR (2)

Modifications to Schedule 5: general provision

4. Where the poll at an Assembly election is taken with the poll at a local government election under article 15(1) or (2), Schedule 5 shall have effect subject to the modifications set out in the remaining paragraphs of this Part.

Paragraph 25 of Schedule 5 (colour of ballot papers)

5. At the end of paragraph 25 of Schedule 5 there shall be added—

“But the ballot paper to be used at an Assembly election shall be of a different colour from that of any ballot paper to be used at a local government election the poll for which is taken together with the poll for the Assembly election.”.

Paragraph 29 of Schedule 5 (notice of poll)

6. At the end of paragraph 29 of Schedule 5 there shall be added—

“(5) Where the poll at an Assembly election is taken together with a poll at a local government election the notice published under sub-paragraph (2) or (3) shall—

- (a) state that the poll at the Assembly election is to be taken together with the poll at a local government election,
- (b) specify the relevant local authority and, in the case of a local government election which is not a mayoral election to fill a casual vacancy, the electoral area for which the election is held, and
- (c) where the polls are to be taken together in part of an Assembly constituency only, specify that part.”.

Paragraph 33 of Schedule 5 (issue of official poll cards)

7. At the end of paragraph 33 of Schedule 5 there shall be added—

“(9) Where a poll at an Assembly election is taken together with a poll at a local government election an official poll card issued under this paragraph may be combined with an official poll card issued at the local government election.”.

Paragraph 34 of Schedule 5 (equipment of polling stations)

8.—(1) After paragraph 34(14) of Schedule 5 there shall be inserted—

“(14A) Where the poll at an Assembly election is taken together with a poll at a local government election the same ballot box shall be used for the receipt of ballot papers in respect of votes given at each election.”.

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(2) After paragraph 34(7) of Schedule 5 there shall be inserted—

“(7A) Where a poll at an Assembly election is taken together with a poll at a local government election, the notice in the form set out in English and Welsh in the Appendix, giving directions for the guidance of the voters in voting, shall be printed in conspicuous characters and exhibited inside and outside every polling station.”.

(3) For paragraph 34(15) and (16) of Schedule 5 there shall be substituted—

“(15) Where the poll at an Assembly election is taken together with a poll at a local government election in every compartment of every polling station there shall be exhibited the notice—

(a) in respect of a constituency election—

“Vote for one candidate only on the constituency ballot paper coloured [*colour of ballot paper*]. Put no other mark on the ballot paper or your vote may not be counted.

Pleidleisiwch dros un ymgeisydd yn unig ar y papur pleidleisio etholaeth lliw [*lliw'r papur pleidleisio*]. Peidiwch â rhoi unrhyw farc arall ar y papur pleidleisio, neu fe all na chaiff eich pleidlais ei chyfrif.”,

(b) in respect of a regional election—

“Vote once only on the regional ballot paper coloured [*colour of ballot paper*]. Put no other mark on the ballot paper or your vote may not be counted.

Pleidleisiwch unwaith yn unig ar y papur pleidleisio rhanbarthol lliw [*lliw'r papur pleidleisio*]. Peidiwch â rhoi unrhyw farc arall ar y papur pleidleisio, neu fe all na chaiff eich pleidlais ei chyfrif.”, and

(c) in respect of a local government election which is not a mayoral election—

(i) where there is more than one candidate to be returned for an electoral area—

“Vote for no more than candidates on the local government ballot paper coloured [*colour of ballot paper*]. Put no other marks on the ballot paper or your votes may not be counted.

Peidiwch â phleidleisio dros fwy na(g) o ymgeiswyr ar y papur pleidleisio llywodraeth leol lliw [*lliw'r papur pleidleisio*]. Peidiwch â rhoi unrhyw farciau eraill ar y papur pleidleisio, neu fe all na chaiff eich pleidleisiau eu cyfrif.”, or

(ii) where there is one candidate to be returned for an electoral area—

“Vote for no more than one candidate on the local government ballot paper coloured [*colour of ballot paper*]. Put no other mark on the ballot paper or your vote may not be counted.

Peidiwch â phleidleisio dros fwy nag un ymgeisydd ar y papur pleidleisio llywodraeth leol lliw [*lliw'r papur pleidleisio*]. Peidiwch â rhoi unrhyw farc arall ar y papur pleidleisio, neu fe all na chaiff eich pleidlais ei chyfrif.”.

(d) in respect of a local government election which is a mayoral election —

“[*Vote for one candidate only*] [*Vote once for your first choice and once for your second choice*] on the mayoral ballot paper coloured [*colour of ballot paper*]. Put no other mark on the ballot paper or your vote may not be counted.”

“[*Pleidleisiwch dros un ymgeisydd yn unig*] [*Pleidleisiwch unwaith dros eich dewisiad cyntaf ac unwaith dros eich ail ddewisiad*] ar y papur pleidleisio maerol lliw [*lliw'r papur pleidleisio*]. Peidiwch â rhoi unrhyw farc arall ar y papur pleidleisio, neu fe all na chaiff eich pleidlais ei chyfrif.””

Paragraph 35 of Schedule 5 (appointment of polling and counting agents)

9. After paragraph 35(7) of Schedule 5 there shall be inserted—

“(7A) Where the poll at an Assembly election is taken together with a poll at a local government election notices of the appointment of polling agents which are required by sub-paragraphs (5), (6) and (7) to be given to the returning officer shall be given to the returning officer who discharges the functions specified in paragraph 2 of Schedule 4.”.

Paragraph 40 of Schedule 5 (questions to be put to voters)

10.—(1) In the questions in paragraph 40(1)(a)(i) and (ii) and (3)(a)(i) and (ii) of Schedule 5, before “election” there shall be inserted “Assembly”.

(2) In the questions in paragraph 40(1)(b)(i) and (ii) and (3)(b)(i) and (ii) of Schedule 5, after “yr etholiad hwn” there shall be inserted “i'r Cynulliad”.

Paragraph 42 of Schedule 5 (voting procedure)

11. At the end of paragraph 42 of Schedule 5 there shall be added—

“(5) Where the poll at an Assembly election is taken together with a poll at a local government election the same copy of the register of electors may be used under sub-paragraph (1) for each election and one mark may be placed in that register under sub-paragraph (1)(d) or in the list of proxies under sub-paragraph (1)(e) to denote that a ballot paper has been received in respect of each election; except that, where a ballot paper has been issued in respect of one election only, a different mark shall be placed in the register or, as the case may be, list so as to identify the election in respect of which the ballot paper was issued.”.

Paragraph 43 of Schedule 5 (votes marked by presiding officer)

12. At the end of paragraph 43 of Schedule 5 there shall be added—

“(5) Where the poll at an Assembly election is taken together with a poll at a local government election the same list of votes marked by the presiding officer may be used for each election and, where it is so used, an entry in that list shall be taken to mean that the ballot papers were so marked in respect of each election, unless the list identifies the election at which the ballot paper was so marked.”.

Paragraph 44 of Schedule 5 (voting by voters with disabilities)

13. At the end of paragraph 44 of Schedule 5 there shall be added—

“(9) Where the poll at an Assembly election is taken together with a poll at a local government election the same list of voters with disabilities assisted by companions may be used for each election and, where it is so used, an entry in that list shall be taken to mean the votes were so given in respect of each election, unless the list identifies the election at which the vote was so given.”.

Paragraph 45 of Schedule 5 (tendered ballot papers)

14. At the end of paragraph 45 of Schedule 5 there shall be added—

“(6) Where the poll at an Assembly election is taken together with a poll at a local government election the same tendered votes list may be used for each election and, where it is so used, an entry in that list shall be taken to mean that tendered ballot papers were so marked in respect of each election, unless the list identifies the election at which a tendered ballot paper was so marked.”.

Paragraph 47 of Schedule 5 (adjournment of poll in case of riot)

15. After paragraph 47(1) of Schedule 5 there shall be inserted—

“(1A) Where the poll at an Assembly election is taken together with a poll at a local government election, and the returning officer who discharges the functions specified in paragraph 2 of Schedule 4 is not a constituency returning officer, the notice required to be given under sub-paragraph (1)(b) or (c) shall also be given to the first mentioned returning officer.”.

Paragraph 48 of Schedule 5 (procedure on close of poll)

16.—(1) After paragraph 48(1) of Schedule 5 there shall be inserted—

“(1A) Where sub-paragraph (1) applies and the poll is taken together with a poll at a local government election the contents of the packets referred to in sub-paragraph (1)(b) to (e) and (g) to (i) shall not be combined with the contents of packets made under the corresponding rule that applies at a local government election; nor shall the statement prepared under sub-paragraph (4) be so combined.”.

(2) After paragraph 48(2) of Schedule 5 there shall be inserted—

“(2A) Where sub-paragraph (2) applies and the poll is taken together with a poll at a local government election—

- (a) the contents of the packets referred to in sub-paragraph (2)(b), (c), (e) and (f) shall not be combined with the contents of packets made under the corresponding rule that applies at a local government election; nor shall the statement prepared under sub-paragraph (4) be so combined, and
- (b) references to the constituency returning officer in sub-paragraph (3) are references to the returning officer who discharges the functions specified in paragraph 2 of Schedule 4.”.

Paragraph 49 of Schedule 5 (time of, and attendance at, counting of votes)

17.—(1) In paragraph 49 of Schedule 5, for “paragraph 50(1)” (in each place) there shall be substituted “paragraph 50(1A)”.

(2) After paragraph 49(2) of Schedule 5 there shall be inserted—

“(2A) Where the poll at an Assembly election is taken together with a poll at a local government election and a constituency returning officer at the Assembly election does not discharge the functions specified in paragraph 2 of Schedule 4 (so that sub-paragraph (1) does not apply), the constituency returning officer shall make arrangements for counting the votes in the presence of the counting agents after the delivery of the ballot papers to him by the returning officer who does discharge those functions, and he shall also give to the counting agents notice in writing of the time and place he will begin to count the votes if he has by then received the ballot papers,

(2B) At a regional election notice under sub-paragraph (2A) shall also be given to the regional returning officer.”.

(3) In paragraph 49(8), before “the efficient” there shall be inserted “the efficient separating of the ballot papers or, as the case may be,”.

Paragraph 50 of Schedule 5 (the count)

18.—(1) For paragraphs 50(1) and (2) of Schedule 5 there shall be substituted—

“(1) This sub-paragraph applies where—

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- (a) voters at an ordinary election are entitled to give two votes in an Assembly constituency,
 - (b) the polls at the Assembly elections are taken together with a poll at a local government election in the Assembly constituency, and
 - (c) the constituency returning officer for the Assembly constituency discharges the functions specified in paragraph 2 of Schedule 4.
- (1A) Where sub-paragraph (1) applies the constituency returning officer shall—
- (a) in the presence of the counting agents appointed for the purposes of the Assembly elections open each ballot box and record separately the number of ballot papers in those boxes for each election,
 - (b) in the presence of the election agents appointed for the purposes of the Assembly elections verify each ballot paper account,
 - (c) count such of the postal ballot papers as have been duly returned and record separately the number counted at each election,
 - (d) separate the ballot papers relating to each election,
 - (e) make up into packets the ballot papers for each election other than the Assembly elections and seal them up in separate containers endorsing on each a description of the area to which the ballot papers relate,
 - (f) deliver, or cause to be delivered, to the returning officer at the election to which the ballot papers relate—
 - (i) those containers, together with a list of them and of the contents of each, and
 - (ii) the ballot paper accounts together with a copy of the statement as to the result of their verification in respect of that election, and
 - (g) at the same time deliver, or cause to be delivered, to that officer packets that so relate containing,—
 - (i) the unused and spoiled ballot papers,
 - (ii) the tendered ballot papers, and
 - (iii) the counterfoils of the used ballot papers and the certificates as to employment on duty on the day of the poll.
- (2) The proceedings described in sub-paragraph (1A) may be undertaken at a different place (or at different places) than a place at which the votes at an Assembly election are counted; but if the power is so exercised sub-paragraph (3) does not apply with respect to the ballot papers and other documents relating to the local government election.
- (2A) Where a constituency returning officer at an Assembly election does not discharge the functions specified in paragraph 2 of Schedule 4 he shall—
- (a) on receipt of containers from the returning officer who does discharge those functions, and after the time specified in the notice given under paragraph 49(2A), 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 paragraph 2 of Schedule 3, 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;
- and sub-paragraph (8) shall not apply to these proceedings.”.

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(2) In paragraph 50(3) and (4) of Schedule 5, for “sub-paragraph (1)” there shall be substituted “sub-paragraph (1A)”.

(3) In paragraph 50(3) of Schedule 5 after “the power” there shall be inserted “referred to in sub-paragraph (2)”.

(4) For paragraph 50(11) to (13) of Schedule 5 there shall be substituted—

“(11) Where the poll at an Assembly election is taken together with a poll at a local government election and sub-paragraph (1) or (2A) does not apply—

(a) sub-paragraph (12) shall apply, and

(b) “each election” in sub-paragraphs (3)(a) and (4) shall be construed as “the Assembly election”,

(12) Sub-paragraphs (1A) and (2) shall apply save that the reference to sub-paragraph (1) shall be construed as a reference to this sub-paragraph and the references to Assembly elections in sub-paragraph (1A) shall be construed as references to the Assembly election; and references in this paragraph and paragraph 49 to sub-paragraph (1A) include references to that sub-paragraph where it applies by virtue of this sub-paragraph.”.

Paragraph 62 of Schedule 5 (delivery of documents to the Assembly)

19. After paragraph 62(2) of Schedule 5 there shall be inserted—

“(2A) Where the poll at an Assembly election is taken together with a poll at a local government election and a constituency returning officer does not discharge the functions specified in paragraph 2 of Schedule 4, sub-paragraph (2) shall have effect as if paragraphs (c) and (f) were omitted.”.

Paragraph 65 of Schedule 5 (countermand or abandonment of poll etc on death of candidate)

20.—(1) After sub-paragraph (9) there shall be inserted—

“(9A) Where the poll at an Assembly election is taken together with a poll at a local government election and the poll at the Assembly election is abandoned by reason of a candidate’s death (and sub-paragraph (9) does not apply) the steps required by the presiding officer at such a polling station by sub-paragraph (8) shall take place at the close of poll; and in sub-paragraph (8)—

(a) references to the constituency returning officer shall be construed as references to the returning officer who discharges the functions specified in paragraph 2 of Schedule 4, and

(b) “having separated the ballot papers relating to the local government election,” shall be construed as having been inserted after “constituency returning officer,” in paragraph (b).”.

(2) At the end of paragraph 65 of Schedule 5 there shall be added—

“(11) Where the poll at an Assembly election is taken together with a poll at a local government election neither the countermand of the notice of the poll at the Assembly election nor the direction that that poll be abandoned under this paragraph shall affect the poll at the local government election.”.

Appendix of forms in Schedule 5 (form of directions for the guidance of the voters in voting)

21. In the Appendix of forms in Schedule 5, after the form of directions for the guidance of the voters in voting referred to in paragraph 34(6) and (7) of Schedule 5 there shall be inserted—

“Paragraph 34(7A)

Form of directions for the guidance of voters in voting referred to in paragraph 34(7A)

Guidance for Voters

1. When you are given a ballot paper make sure it is stamped with the official mark.
2. Go to one of the compartments. Each ballot paper tells you how many times you may vote on that paper. Do not vote for more than that number. Mark your choice(s) with a cross (x). Put no other mark on the ballot paper, or your vote may not be counted.
3. Fold the ballot papers in two. Show the official mark to the presiding officer, but do not let anyone see your vote. Put the ballot papers in the ballot box and leave the polling station.
4. If by mistake you spoil a ballot paper, show it to the presiding officer and ask for another one.

Cyfarwyddyd i Bleidleiswyr

1. Pan roir papur pleidleisio i chi gwnewch yn siwr iddo gael ei stampio â'r marc swyddogol.
2. Ewch i un o'r cabanau. Mae pob papur pleidleisio yn dweud wrthyhch sawl gwaith y cewch bleidleisio ar y papur hwnnw. Peidiwch â phleidleisio dros fwy na'r nifer hwnnw. Marciwch eich dewis(iadau) â chroes (#). Peidiwch â rhoi unrhyw farc arall ar y papur pleidleisio, neu fe all na chaiff eich pleidlais ei chyfrif.
3. Plygwch y papurau pleidleisio yn ddau. Dangoswch y marc swyddogol i'r swyddog llywyddu, ond peidiwch â gadael i neb weld eich pleidlais. Rhowch y papurau pleidleisio yn y blwch pleidleisiau a mynd allan o'r orsaf bleidleisio.
4. Os bydd i chi drwy gamgymeriad ddifetha papur pleidleisio, dangoswch ef i'r swyddog llywyddu a gofyn am un arall.”

Appendix of forms in Schedule 5 (form of declaration to be made by the companion of a voter with disabilities)

22.—(1) In the Appendix of forms of Schedule 5, the form of declaration to be made by the companion of a voter with disabilities shall be amended in accordance with sub-paragraphs (2) and (3).

(2) In that part of the form in English for “the Assembly election now being held in this [constituency] [and] [electoral region]” there shall be substituted “the elections now being held in this Assembly constituency [, Assembly electoral region] and , in the case of a local government election which is not a mayoral election, [name of electoral area for which election is held and name of local government area] or, in the case of a local government election which is a mayoral election, [name of local government area]”.

(3) In that part of the form in Welsh for “yn etholiad y Cynulliad a gynhelir yn awr yn yr [etholaeth hon] [a'r] [rhanbarth etholiadol hwn]” there shall be substituted “yr etholiadau a gynhelir yn awr yn yr etholaeth Gynulliad hon [, y rhanbarth etholiadol Cynulliad hwn] ac , yn achos etholiad llywodraeth leol nad yw yn etholiad maerol, [enw'r ardal etholiadol y cynhelir yr etholiad hwn ar ei chyfer ac enw'r ardal llywodraeth leol] neu, yn achos etholiad llywodraeth leol sydd yn etholiad maerol, [enw'r ardal llywodraeth leol]”.

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PART III

MODIFICATIONS TO ELECTION RULES TO APPLY WHERE THE POLL AT AN ELECTION OF COUNTY OR COUNTY BOROUGH COUNCILLORS IS TAKEN TOGETHER WITH A POLL AT AN ASSEMBLY ELECTION UNDER ARTICLE 15(1) OR (2)

Modifications to principal area election rules: general provision

23.—(1) Where the poll at an election of county or county borough councillors is taken together with the poll at an Assembly election under article 15(1) or (2), Schedule 2 to the Local Elections (Principal Areas) 1986⁽³⁾ (rules for conduct of election of councillors of a principal area) shall have effect subject to the modifications set out in to the remaining paragraphs of this Part.

(2) In this Part the rules in that Schedule referred to in sub-paragraph (1) are referred to as the principal area election rules.

Rule 1 of principal area election rules (timetable)

24. In rule 1 of this principal area election rules, in the entry relating to polling, for “8 in the morning and 9” there shall be substituted “7 in the morning and 10”.

Rule 14 of principal area election rules (the ballot papers)

25.—(1) At the end of rule 14(2) of the principal area election rules there shall be inserted—

“(e) shall be of a different colour from that of any ballot papers used at an Assembly election and any local government election the polls at which are taken together with the poll at the principal area election.”.

(2) At the end of rule 14 of the principal area election rules there shall be added—

“(4) References to an Assembly election in paragraph (2)(e) and elsewhere in these rules refer to an election to the National Assembly for Wales; and references to an Assembly election (and to a poll at such an election) include a reference to Assembly elections (and to polls at such elections) where the context so requires.”.

Rule 18 of principal area election rules (notice of poll)

26. At the end of rule 18 of the principal area election rules there shall be added—

“(4) The notice published under paragraph (3) shall:

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

Rule 22 of principal area election rules (issue of official poll cards)

27. At the end of rule 22 there shall be added—

(3) S.I.1986/2209.

“(5) An official poll card issued under this rule may be combined with the official poll card issued at an Assembly election and any other local government election.”.

Rule 23 of principal area election rules (equipment of polling stations)

28.—(1) After rule 23(1) of the principal area election rules there shall be inserted—

“(1A) The same ballot box shall be used for the poll at the principal area election and at the polls at the Assembly election and any other local government election.”.

(2) For rule 23(5) of the principal area election rules(4) there shall be substituted—

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

(a) in respect of a local government election—

(i) where there is more than one candidate to be returned for an electoral area—

“Vote for no more than candidates on the local government ballot paper coloured [*colour of ballot paper*]. Put no other marks on the ballot paper or your votes may not be counted.

Peidiwch â phleidleisio dros fwy nag o ymgeiswyr ar y papur pleidleisio llywodraeth leol lliw [*lliw'r papur pleidleisio*]. Peidiwch â rhoi unrhyw farciau eraill ar y papur pleidleisio, neu fe all na chaiff eich pleidleisiau eu cyfrif.”, or

(ii) where there is one candidate to be returned for an electoral area—

“Vote for no more than one candidate on the local government ballot paper coloured [*colour of ballot paper*]. Put no other mark on the ballot paper or your vote may not be counted.

Peidiwch â phleidleisio dros fwy nag un ymgeisydd ar y papur pleidleisio llywodraeth leol lliw [*lliw'r papur pleidleisio*]. Peidiwch â rhoi unrhyw farc arall ar y papur pleidleisio, neu fe all na chaiff eich pleidlais ei chyfrif.”,

(b) in respect of an Assembly election for an Assembly constituency—

“Vote for one candidate only on the constituency ballot paper coloured [*colour of ballot paper*]. Put no other mark on the ballot paper or your vote may not be counted.

Pleidleiswch dros un ymgeisydd yn unig ar y papur pleidleisio etholaeth lliw [*lliw'r papur pleidleisio*]. Peidiwch â rhoi unrhyw farc arall ar y papur pleidleisio, neu fe all na chaiff eich pleidlais ei chyfrif.”, and

(c) in respect of an Assembly election for an Assembly electoral region—

“Vote once only on the regional ballot paper coloured [*colour of ballot paper*]. Put no other mark on the ballot paper or your vote may not be counted.

Pleidleiswch unwaith yn unig ar y papur pleidleisio rhanbarthol lliw [*lliw'r papur pleidleisio*]. Peidiwch â rhoi unrhyw farc arall ar y papur pleidleisio, neu fe all na chaiff eich pleidlais ei chyfrif.”.

Rule 24 of principal area election rules (appointment of polling and counting agents)

29. At the end of rule 24(5) of the principal area election rules there shall be added—

“Notices of the appointment of polling agents which are required by this paragraph and paragraphs (6) and (7) to be given to the returning officer shall be given to that returning officer who discharges the functions specified in paragraph 2 of Schedule 4 to the National Assembly for Wales (Representation of the People) Order 2003.”.

(4) Rule 23(5) was amended by S.I. 1987/261.

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Rule 29 of principal area election rules (questions to be put to voters)

30.—(1) In question (ii) in rule 29(1)(a) and (b) of the principal area election rules, and in the second question of rule 29(2), after “this election” there shall be inserted “for this [*county] [*county borough] (**delete whichever is inapplicable*)”.

(2) In the equivalent questions in Welsh set out in Part I of the Schedule to the Local Elections (Principal Areas) (Welsh Forms) Order 1987(5) after, “yn yr etholiad presennol” and “yn yr etholiad hwn” (in both places) there shall be inserted “ar gyfer [*y sir] [*y fwrdeistref sirol] hon (**dileer pa un bynnag sy'n anghymwys*)”.

Rule 31 of principal area election rules (voting procedure)

31. At the end of rule 31 of the principal area election rules there shall be added—

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

Rule 32 of principal area election rules (votes marked by presiding officer)

32. At the end of rule 32(2) of the principal area election rules there shall be added—

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

Rule 33 of principal area election rules (voting by blind persons)

33. At the end of rule 33(4) of the principal area election rules there shall be added—

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

Rule 34 of principal area election rules (tendered ballot papers)

34. At the end of paragraph 34(3) of the principal area election rules there shall be added—

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

Rule 36 of principal area election rules (adjournment of poll in case of riot)

35. In rule 36(1) of the principal area election rules, after “returning officer” there shall be inserted “who discharges the functions specified in paragraph 2 of Schedule 4 to the National Assembly for Wales (Representation of the People) Order 2003”.

Rule 37 of principal area election rules (procedure on close of poll)

36. After rule 37(1) of the principal area election rules there shall be inserted—

(5) S.I. 1987/562.

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“(1A) The contents of the packets referred to in paragraph (1)(b), (c) and (e) shall not be combined with the contents of the packets made under the corresponding provisions that apply to an Assembly election and any other local government election; nor shall the statement prepared under paragraph (3) below be so combined.

(1B) References to the returning officer in paragraph (1) are references to the returning officer who discharges the functions specified in paragraph 2 of Schedule 4 to the National Assembly for Wales (Representation of the People) Order 2003.”.

Rule 38 of principal area election rules (attendance at counting of votes)

37.—(1) For rule 38(1) of the principal area election rules there shall be substituted—

“(1) Where the returning officer at the principal area election discharges the functions specified in paragraph 2 of Schedule 4 to the National Assembly for Wales (Representation of the People) Order 2003, he shall make arrangements for discharging the functions under rule 39(1) (as substituted by Schedule 4 to the National Assembly for Wales (Representation of the People) Order 2003) in the presence of the counting agents appointed for the purposes of the principal area election as soon as practicable after the close of the poll and for thereafter counting the votes at the election in the presence of those agents; and he shall give to those counting agents notice in writing of the time and place at which he will begin to discharge the functions under rule 39(1) (as so substituted).

(1A) Where the returning officer at the principal area election does not discharge the functions specified in paragraph 2 of Schedule 4 to the National Assembly for Wales (Representation of the People) Order 2003, he shall make arrangements for counting the votes in the presence of the counting agents as soon as practicable after the delivery of the ballot papers to him by the returning officer who does discharge those functions, and shall give to the counting agents notice in writing of the time after which he will begin to count the votes if by then he has received the ballot papers and of the place at which that count will take place.”.

(2) In rule 38(2) before “at the counting of the votes” there shall be inserted “at the proceedings under rule 39(1) (as so substituted) or”.

(3) In rule 38(3) before “counting of the votes” in the first place where they occur, there shall be inserted “proceedings under rule 39(1) (as so substituted) or the” and before “the efficient” there shall be inserted “the efficient separating of the ballot papers or, as the case may be,”.

Rule 39 of principal area election rules (the count)

38. For rule 39(1) and (2) of the principal area election rules there shall be substituted—

“(1) Where the returning officer at the principal area election discharges the functions specified in paragraph 2 of Schedule 4 to the National Assembly for Wales (Representation of the People) Order 2003, he shall—

- (a) in the presence of the counting agents appointed for the purposes of the principal area election open each ballot box and record separately the number of ballot papers used in each election,
- (b) in the presence of the counting agents appointed for the purposes of the principal area election verify each ballot paper account,
- (c) count such of the postal ballot papers as have been duly returned and record separately the number counted at each election,
- (d) separate the ballot papers relating to each election,

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- (e) make up into packets the ballot papers for each election other than the principal area election and seal them up in separate containers endorsing on each a description of the area to which the ballot papers relate,
 - (f) deliver, or cause to be delivered, to the returning officer for the election to which the ballot papers relate (or, in the case of a regional election, to the constituency returning officer for the Assembly constituency in which the votes were given on those ballot papers)—
 - (i) those containers, together with a list of them and of the contents of each, and
 - (ii) the ballot paper accounts together with a copy of the statement as to the result of their verification in respect of that election, and
 - (g) at the same time deliver, or cause to be delivered, to that officer packets that so relate containing—
 - (i) the unused and spoilt ballot papers,
 - (ii) the tendered ballot papers,
 - (iii) the counterfoils of the used ballot papers, and
 - (iv) the certificates as to employment on duty on the day of the poll,but in the case of a local government election the separate packets relating to that election referred to in paragraphs (iii) and (iv) shall be combined.
- (2) After completion of the proceedings under paragraph (1), the returning officer shall mix together all of the ballot papers used at the principal area and count the votes given on them.
- (2A) Where the returning officer at the principal area election does not discharge the functions specified in paragraph 2 of Schedule 4 to the National Assembly for Wales (Representation of the People) Order 2003, he shall—
- (a) on receipt of containers from the returning officer who does discharge those functions, and after the time specified in the notice given under rule 38(1A) (as substituted by Schedule 4 to the National Assembly for Wales (Representation of the People) Order 2003), 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 paragraph 2 of Schedule 3 to the National Assembly for Wales (Representation of the People) Order 2003, 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.
- Paragraph (6) does not apply to these proceedings.”.

Rule 46 of principal area election rules (delivery of documents)

39. At the end of rule 46(1) of the principal area election rules(6) there shall be added—

“At an election where the returning officer does not discharge the functions specified in paragraph 2 of Schedule 4 to the National Assembly for Wales (Representation of the People) Order 2003, this paragraph shall have effect as if sub-paragraphs (c) and (e) were omitted.”.

(6) Rule 46(1) was amended by S.I. 1990/158.

Rule 49 of principal area election rules (countermand or abandonment of poll on death of candidate)

- 40.**—(1) At the end of rule 49(1) of the principal area election rules(7)) there shall be added—
- “Provided that neither the countermand of the notice of the poll at the principal area election nor the direction that that poll be abandoned shall affect the poll at the Assembly election and any other local government election.”.
- (2) For rule 49(2) of the principal area election rules there shall be substituted—
- “(2) Where the poll at the principal area election is abandoned by reason of a candidate’s death, no further ballot papers shall be delivered in any polling station and, at the close of the poll for the Assembly election and any other local government election, the presiding officer shall take the like steps for the delivery to the returning officer of ballot boxes and of ballot papers and other documents as he would be required to do if the poll at the principal area election had not been abandoned, and the returning officer shall dispose of ballot papers used at the principal area election as he is required to do on the completion in due course of the counting of the votes, but—
- (a) it shall not be necessary for any ballot paper account at that election to be prepared or verified, and
 - (b) the returning officer, having separated the ballot papers relating to the Assembly election and any other local government election, shall take no step or further step for the counting of the ballot papers used at the principal area election or of the votes and shall seal up all of those ballot papers, whether the votes on them have been counted or not, and it shall not be necessary to seal up counted and rejected ballot papers in separate packets.”.

Appendix of forms to principal area election rules (declaration of identity)

- 41.**—(1) In the Appendix of forms to the principal area election rules, for the form of declaration of identity(8)) there shall be substituted—
- “(a) the form set out in sub-paragraph (2) where the proceedings on the issue and receipt of postal ballot papers at the principal area election are taken together with those proceedings at an Assembly election under paragraph 2 of Schedule 3 to the National Assembly for Wales (Representation of the People) Order 2003, and
- (b) the form set out in sub-paragraph (3) where those proceedings are not taken together.”
- (2) The following form shall be substituted where sub-paragraph (1)(a) applies—

(7) Rule 49 was amended by S.I. 1990/158.

(8) This form was amended by S.I. 1987/261.

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Front of Form

Representation of the People Acts

National Assembly for Wales

Ballot paper nos:

I hereby declare that I am the person to whom the ballot papers numbered as above were sent.

Voter's signature:

The voter, who is personally known to me, has signed this declaration in my presence.

Witness's signature:

Name of witness:

(WRITE CLEARLY)

Address of witness:

(WRITE CLEARLY)

.....

See Instructions on the Back of this Form

Back of form

Instructions to the Voter

1. You must sign this declaration of identity in the presence of a person known to you. That person should then sign this declaration as a witness, adding his or her name and address. Without this the declaration will be invalid.
2. You have a ballot paper for each election. The ballot paper tells you how many times you may vote on that paper. Do not vote for more than that number.
3. Mark your choices with a cross (x). Put no other mark on the ballot paper, or your vote may not be counted. Do this secretly. If you cannot vote without assistance, the person assisting you must not disclose how you have voted.
4. Put the ballot papers in the small envelope marked 'A' and seal it. Then put the envelope marked 'A' together with the declaration of identity, in the larger envelope marked 'B'. Return it without delay. The ballot papers, in order to be counted, must be received by the returning officer not later than the close of the poll.
5. If you receive more than one ballot paper for *the same election*, remember that it is illegal to vote more than once (otherwise than as proxy) at *the same election*.
6. At these elections you cannot vote in person at a polling station, even if you receive an official poll card.
7. If you inadvertently spoil any postal ballot paper, you can apply to the returning officer for a new one. If you do this you **MUST RETURN ALL OF THE POSTAL BALLOT PAPERS YOU HAVE RECEIVED**, together with the spoiled ballot paper. In addition, in your application for fresh postal ballot papers you **MUST RETURN** in your own envelope, the declaration of identity and the envelopes marked 'A' and 'B'. Remember that there is little time available if fresh postal ballot papers are to be issued and counted.

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Wyneb y Ffurflen

Deddfau Cynrychiolaeth y Bobl

Cynulliad Cenedlaethol Cymru

Rhifau'r papurau pleidleisio:

Yr wyf drwy hyn yn datgan mai fi yw'r person yr anfonwyd iddo/iddi'r papurau pleidleisio â'r rhifau uchod.

Llofnod y pleidleisiwr:

Mae'r pleidleisiwr, a adnabyddir gennyf yn bersonol, wedi llofnodi'r datganiad hwn yn fy mhresenoldeb.

Llofnod y tyst:

Enw'r tyst:

(YSGRIFENNWCH YN GLIR)

Cyfeiriad y tyst:

(YSGRIFENNWCH YN GLIR)

.

Gweler y Cyfarwyddiadau ar Gefn y Ffurflen hon

Cefn y ffurflen

Cyfarwyddiadau i'r Pleidleisiwr

1. Rhaid i chi lofnodi'r datganiad hwn ynglŷn ag adnabyddiaeth ym mhresenoldeb person sy'n adnabyddus i chi. Dylai'r person hwnnw lofnodi'r datganiad hwn fel tyst, gan ychwanegu ei (h)enw a'i gyfeirad/chyfeiriad. Heb hynny bydd y datganiad yn annilys.
2. Bydd gennych bapur pleidleisio ar gyfer pob etholiad. Mae'r papur pleidleisio'n dweud wrthy'ch sawl gwaith y cewch bleidleisio ar y papur hwnnw. Peidiwch â phleidleisio dros fwy na'r nifer hwnnw.
3. Marciwch eich dewisiadau â chroes (x). Peidiwch â rhoi unrhyw farc arall ar y papur pleidleisio, neu fe all na chaiff eich pleidlais ei chyfrif. Gwnewch hyn yn gyfrinachol. Os na allwch bleidleisio heb gymorth, rhaid i'r person sy'n eich cynorthwyo beidio â datgelu sut y gwnaethoch bleidleisio.
4. Rhowch y papurau pleidleisio yn yr amlen fach a farciwyd ag 'A' a'i selio. Yna rhowch yr amlen a farciwyd ag 'A' ynghyd â'r datganiad ynglŷn ag adnabyddiaeth yn yr amlen fwyaf a farciwyd â 'B'. Dychwelwch hi ar unwaith. Er mwyn cael eu cyfrif, rhaid i'r papurau pleidleisio gyrraedd y swyddog canlyniadau cyn i'r pleidleisio ddod i ben.
5. Os cewch fwy nag un papur pleidleisio ar gyfer yr un etholiad, cofiwch ei bod yn anghyfreithlon pleidleisio fwy nag unwaith (ac eithrio fel dirprwy) yn yr un etholiad.
6. Yn yr etholiadau hyn, ni allwch bleidleisio'n bersonol mewn gorsaf bleidleisio, hyd yn oed os cewch gerdyn pleidleisio swyddogol.
7. Os bydd i chi drwy amryfusedd ddifetha unrhyw bapur pleidleisio drwy'r post, gallwch wneud cais i'r swyddog canlyniadau am un arall. Os gwnewch hynny, RHAI D CH I DDYCHWELYD POB PAPUR PLEIDLEISIO DRWY'R POST YR YDYCH WEDI'I DDERBYN, ynghyd â'r papur pleidleisio a ddifethwyd. Yn ychwanegol, yn eich cais am bapurau pleidleisio newydd drwy'r post RHAI D CH I DDYCHWELYD, yn eich amlen eich hun, y datganiad ynglŷn ag adnabyddiaeth a'r amlenni a farciwyd ag 'A' a 'B'. Cofiwch nad oes fawr o amser ar gael os yw papurau pleidleisio newydd i gael eu dosbarthu a'u cyfrif.

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(3) The following form shall be substituted where sub-paragraph (1)(b) applies—
Front of form

Representation of the People Acts

To be returned with the [insert colour of ballot paper] coloured ballot paper.

[Insert colour of ballot paper] coloured ballot paper No.:

I hereby declare that I am the person to whom the [insert colour of ballot paper] coloured ballot paper numbered as above was sent.

Voter's signature:

The voter, who is personally known to me, has signed this declaration in my presence.

Witness's signature:

Name of witness:

(WRITE CLEARLY)

Address of witness:

(WRITE CLEARLY)

.

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See Instructions on the Back of this Form

Back of form

Instructions to the Voter

1. This declaration of identity relates to the ballot paper for the local government election only. You must sign this declaration of identity in the presence of a person known to you. *You are required to do this even if you have already signed a similar declaration of identity in respect of another election to be held on the same day.* The person known to you should then sign this declaration as a witness, adding his or her name and address. Without this the declaration will be invalid.

2. The local government election ballot paper tells you how many times you may vote on that paper. Mark your choice(s) with a cross (x). Put no other mark on the ballot paper or your vote may not be counted. Do this secretly. If you cannot vote without assistance, the person assisting you must not disclose how you have voted.

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3. Different colours are used for the ballot papers for each election. The ballot paper coloured [insert colour] is used for the local government election. The ballot paper coloured [insert colour] is used for the [insert description of other election]. There is one smaller envelope marked “A” in which the local government ballot paper is to be inserted and another envelope marked “A” in which the ballot paper for the [insert description of other election] is to be inserted. Accompanying each envelope marked “A” is a declaration of identity and covering envelope (the larger envelope marked ‘B’). The covering envelope and declaration of identity for a particular ballot paper are those which refer to the colour of that ballot paper. It is important that you use the correct envelopes and declaration of identity, otherwise your vote may not be counted. You may find it helpful to sort the documents into separate sets consisting of ballot papers, ballot paper envelopes, declarations of identity and covering envelopes. Then proceed as follows—

- (a) place the ballot papers in the correct smaller envelopes and seal them;
- (b) put those envelopes, together with the correct declarations of identity, in the correct covering envelopes and seal them;
- (c) return the covering envelopes without delay. Ballot papers must be received by the returning officer not later than the close of the poll.

4. If you receive more than one ballot paper for *the same election*, remember that it is illegal to vote more than once (otherwise than as proxy) at *the same election*.

5. At this local government election you cannot vote in person at a polling station, even if you receive an official poll card.

6. If you inadvertently spoil the local government election postal ballot paper, you can apply to the returning officer for new one. With your application you must return, in your own envelope, the spoiled ballot paper, the declaration of identity and the envelopes marked ‘A’ and ‘B’. Remember that there is little time available if a fresh postal ballot paper is to be issued and counted.

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Wyneb y Ffurflen

Cynulliad Cenedlaethol Cymru

I'w ddychwelyd gyda'r papur pleidleisio lliw [nodwch liw'r papur pleidleisio]

Papur pleidleisio lliw [nodwch liw'r papur pleidleisio] rhif:

Yr wyf drwy hyn yn datgan mai fi yw'r person yr anfonwyd iddo/iddi'r papur pleidleisio lliw [nodwch liw'r papur pleidleisio] â'r rhif uchod.

Llofnod y pleidleisiwr:

Mae'r pleidleisiwr, a adnabyddir gennyf yn bersonol, wedi llofnodi'r datganiad hwn yn fy mhresenoldeb.

Llofnod y tyst:

Enw'r tyst:

(YSGRIFENNWCH YN GLIR)

Cyfeiriad y tyst:

(YSGRIFENNWCH YN GLIR)

.
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Gweler y Cyfarwyddiadau ar Gefn y Ffurflen hon

Cefn y ffurflen

Cyfarwyddiadau i'r Pleidleisiwr

1. Mae'r datganiad hwn ynglŷn ag adnabyddiaeth yn berthnasol i'r papur pleidleisio ar gyfer yr etholiad llywodraeth leol yn unig. Rhaid i chi lofnodi'r datganiad hwn ynglŷn ag adnabyddiaeth ym mhresenoldeb person sy'n adnabyddus i chi. *Mae'n ofynnol i chi wneud hyn hyd yn oed os ydych wedi llofnodi datganiad tebyg ynglŷn ag adnabyddiaeth eisoes mewn perthynas ag etholiad arall a gynhelir ar yr un diwrnod.* Dylai'r person a adnabyddir gennych lofnodi'r datganiad hwn fel tyst, gan ychwanegu ei (h)enw a'i gyfeiriad/chyfeirad. Heb hynny bydd y datganiad yn annilys.

2. Mae papur pleidleisio'r etholiad llywodraeth leol yn dweud wrthyfych sawl gwaith y cewch pleidleisio ar y papur hwnnw. Marciwch eich dewis(iadau) â chroes (x). Peidiwch â rhoi unrhyw farc arall ar y papur pleidleisio neu fe all na chaiff eich pleidlais ei chyfrif. Gwnewch hyn yn gyfrinachol. Os na allwch bleidleisio heb gymorth, rhaid i'r person sy'n eich cynorthwyo beidio â datgelu sut y gwnaethoch bleidleisio.

3. Defnyddir lliwiau gwahanol ar gyfer y papurau pleidleisio yn y ddau etholiad. Defnyddir papur pleidleisio lliw [nodwch y lliw] ar gyfer yr etholiad llywodraeth leol. Defnyddir papur pleidleisio lliw [nodwch y lliw] ar gyfer [nodwch ddisgrifiad o'r etholiad arall]. Ceir un amlen fach a farciwyd ag "A" y mae'r papur pleidleisio llywodraeth leol i'w roi ynddi ac amlen arall a farciwyd ag "A" y mae'r papur pleidleisio ar gyfer [rhodwch ddisgrifiad o'r etholiad arall] i'w roi ynddi. Gyda phob amlen a farciwyd ag "A", ceir datganiad ynglŷn ag adnabyddiaeth a phrif amlen (yr amlen fwyaf a farciwyd â "B"). Y brif amlen a'r datganiad ynglŷn ag adnabyddiaeth ar gyfer papur pleidleisio penodol yw'r rhai sy'n cyfeirio at *liw'r* papur pleidleisio hwnnw. Mae'n bwysig eich bod yn defnyddio'r amlenni a'r datganiadau cywir ynglŷn ag adnabyddiaeth, neu fe all na chaiff eich pleidlais ei chyfrif. Hwyrach y bydd yn ddefnyddiol i chi ddsbarthu'r dogfennau yn setiau gwahanol, yn cynnwys papurau pleidleisio, amlenni papurau pleidleisio, datganiadau ynglŷn ag adnabyddiaeth a phrif amlenni. Yna, ewch ymlaen fel a ganlyn—

- (a) rhodwch y papurau pleidleisio yn yr amlenni bach cywir a'u selio;
- (b) rhodwch yr amlenni hyn, gyda'r datganiadau cywir ynglŷn ag adnabyddiaeth, yn y prif amlenni cywir, a'u selio;
- (c) dychwelwch y prif amlenni ar unwaith. Rhaid i'r papurau pleidleisio gyrraedd y swyddog canlyniadau cyn i'r pleidleisio ddod i ben.

4. Os cewch fwy nag un papur pleidleisio *ar gyfer yr un etholiad*, cofiwch ei bod yn anghyfreithlon pleidleisio fwy nag unwaith (ac eithrio fel dirprwy) yn yr *un etholiad*.

5. Yn yr etholiad llywodraeth leol hwn, ni allwch bleidleisio'n bersonol mewn gorsaf bleidleisio, hyd yn oed os cewch gerdyn pleidleisio swyddogol.

6. Os bydd i chi drwy amryfusedd ddifetha'r papur pleidleisio drwy'r post ar gyfer yr etholiad llywodraeth leol, gallwch wneud cais i'r swyddog canlyniadau am un arall. Gyda'ch cais, rhaid i chi ddychwelyd, yn eich amlen eich hun, y papur pleidleisio a ddifethwyd, y datganiad ynglŷn ag adnabyddiaeth a'r amlenni a farciwyd ag "A" a "B". Cofiwch nad oes fawr o amser ar ôl os yw papur pleidleisio newydd i gael ei ddsbarthu a'i gyfrif.

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Appendix of forms to principal area election rules (directions for the guidance of the voters in voting)

42. In the Appendix of forms to the principal area election rules, for the form of directions for the guidance of the voters in voting⁽⁹⁾ there shall be substituted the same form of directions as is set out in paragraph 21.

Appendix of forms to principal area election rules (declaration to be made by the companion of a blind voter)

43.—(1) In the Appendix of forms in the principal area election rules, in the form of declaration to be made by the companion of a blind voter—

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

(2) In the equivalent declaration in Welsh set out in Part I, in the Schedule to the Local Elections (Principal Areas) (Welsh Forms) Order 1987⁽¹⁰⁾—

- (a) after “yn yr adran etholiadol hon” there shall be inserted “a’r etholiad a gynhelir yn awr yn [* yr etholaeth Gynulliad hon] [* y] [* rhanbarth etholiadol Cynulliad hwn] (**dileer pa un bynnag sy’n anghymwys*)”, and
- (b) for “etholiad a enwyd” (in both places) there shall be substituted “etholiadau a enwyd”.

PART IV

MODIFICATIONS TO ELECTION RULES TO APPLY WHERE THE POLL AT AN ELECTION OF COMMUNITY COUNCILLORS IS TAKEN TOGETHER WITH THE POLL AT AN ASSEMBLY ELECTION UNDER ARTICLE 15(1) OR (2)

Modifications to community election rules: general provision

44.—(1) Where the poll at an election of community councillors is taken together with the poll at an Assembly election under article 15(1) or (2), Schedule 2 to the Local Elections (Parish and Communities) Rules 1986⁽¹¹⁾ (rules for conduct of election of councillors of a community or parish) shall have effect subject to the modifications set out in the remaining paragraphs of this Part.

(2) In this Part the rules in that Schedule referred to in sub-paragraph (1) are referred to as the community election rules.

Rule 1 of community election rules (timetable)

45. In rule 1 of the community election rules, in the entry relating to polling, for “8 in the morning and 9” there shall be substituted “7 in the morning and 10”.

⁽⁹⁾ This form was amended by S.I. 1987/261.

⁽¹⁰⁾ S.I. 1987/562.

⁽¹¹⁾ S.I. 1986/2215.

Rule 14 of community election rules (the ballot papers)

- 46.—(1) At the end of rule 14(2) of the community election rules there shall be added—
- “(e) shall be of a different colour from that of any ballot papers used at an Assembly election and any local government election the polls at which are taken together with the poll at the community election.”.
- (2) At the end of rule 14 of the community election rules there shall be added—
- “(4) References to an Assembly election in paragraph (2)(e) and elsewhere in these rules refer to an election to the National Assembly for Wales; and references to an Assembly election (and to a poll at such an election) include a reference to Assembly elections (and to polls at such elections) where the context so requires.”.

Rule 18 of community election rules (notice of poll)

47. At the end of rule 18 of the community election rules there shall be added—
- “(4) The notice published under paragraph (3) shall:
- (a) state that the poll at the community election is to be taken together with the poll at an Assembly election and any other local government election,
- (b) specify the Assembly constituency or electoral region and any relevant local authority and, in the case of an election to fill a casual vacancy, the electoral area for which the other election is held, and
- (c) where the polls are to be taken together in part of the local government area only, specify that part.”.

Rule 22 of community election rules (issue of official poll cards)

48. At the end of rule 22 to the community election rules there shall be added—
- “(6) An official poll card issued under this rule may be combined with the official poll card issued at an Assembly election and any other local government election.”.

Rule 23 of community election rules (equipment of polling stations)

- 49.—(1) After rule 23(1) of the community election rules there shall be inserted—
- “(1A) The same ballot box shall be used for the poll at the community election and at the polls at the Assembly election and any other local government election.”.
- (2) For rule 23(5) of the community election rules(12) there shall be substituted—
- “(5) In every compartment of every polling station there shall be exhibited the notice—
- (a) in respect of a local government election—
- (i) where there is more than one candidate to be returned for an electoral area—
- “Vote for no more than candidates on the local government ballot paper coloured [*colour of ballot paper*]. Put no other marks on the ballot paper or your votes may not be counted.
- Peidiwch â phleidleisio dros fwy nag o ymgeiswyr ar y papur pleidleisio llywodraeth leol lliw *lliw'r papur pleidleisio*. Peidiwch â rhoi unrhyw farcian eraill ar y papur pleidleisio, neu fe all na chaiff eich pleidlais ei chyfrif.”, or
- (ii) where there is one candidate to be returned for an electoral area—

(12) Rule 23(5) was amended by S.I. 1987/260.

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“Vote for no more than one candidate on the local government ballot paper coloured [*colour of ballot paper*]. Put no other mark on the ballot paper or your vote may not be counted.

Peidiwch â phleidleisio dros fwy nag un ymgeisydd ar y papur pleidleisio llywodraeth leol lliw [*lliw'r papur pleidleisio*]. Peidiwch â rhoi unrhyw farc arall ar y papur pleidleisio, neu fe all na chaiffeich pleidlais ei chyfrif.”,

(b) in respect of an Assembly election for an Assembly constituency—

“Vote for one candidate only on the constituency ballot paper coloured [*colour of ballot paper*]. Put no other mark on the ballot paper or your vote may not be counted.

Pleidleiswch dros un ymgeisydd yn unig ar y papur pleidleisio etholaeth lliw [*lliw'r papur pleidleisio*]. Peidiwch â rhoi unrhyw farc arall ar y papur pleidleisio, neu fe all na chaiff eich pleidlais ei chyfrif.”, and

(c) in respect of an Assembly election for an Assembly electoral region—

“Vote once only on the regional ballot paper coloured [*colour of ballot paper*]. Put no other mark on the ballot paper or your vote may not be counted.

Pleidleiswch unwaith yn unig ar y papur pleidleisio rhanbarthol lliw [*lliw'r papur pleidleisio*]. Peidiwch â rhoi unrhyw farc arall ar y papur pleidleisio, ne fe all na chaiff eich pleidlais ei chyfrif.””.

Rule 24 of community election rules (appointment of polling and counting agents)

50. At the end of rule 24(5) of the community election rules there shall be inserted—

“Notices of the appointment of polling agents which are required by this paragraph and paragraph (6) to be given to the returning officer shall be given to that returning officer who discharges the functions specified in paragraph 2 of Schedule 4 to the National Assembly for Wales (Representation of the People) Order 2003.”.

Rule 29 of community election rules (questions to be put to voters)

51.—(1) In question (ii) in rule 29(1)(a) and (b) of the community election rules, and in the second question of rule 29(2), after “this election” there shall be inserted “for this community”.

(2) In the equivalent questions in Welsh set out in Part I of the Schedule to the Local Elections (Communities) (Welsh Forms) Order 1987(13), after “yn yr etholiad presennol” and “yn yr etholiad hwn” (in both places) there shall be inserted “ar gyfer y gymuned hon”.

Rule 31 of community election rules (voting procedure)

52. At the end of rule 31 of the community election rules there shall be added—

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

Rule 32 of community election rules (votes marked by presiding officer)

53. At the end of rule 32(2) of the community election rules there shall be added—

(13) S.I. 1987/561.

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

Rule 33 of community election rules (voting by blind persons)

54. At the end of rule 33(4) of the community election rules there shall be added—

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

Rule 34 of community election rules (tendered ballot papers)

55. At the end of rule 34(3) of the community election rules there shall be added—

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

Rule 36 of community election rules (adjournment of poll in case of riot)

56. In rule 36(1) of the community election rules, after “returning officer” there shall be inserted “who discharges the functions specified in paragraph 2 of Schedule 4 to the National Assembly for Wales (Representation of the People) Order 2003”.

Rule 37 of community election rules (procedure on close of poll)

57. After rule 37(1) of the community election rules there shall be inserted—

“(1A) The contents of the packets referred to in paragraph (1)(b), (c) and (e) shall not be combined with the contents of the packets made under the corresponding provisions that apply at an Assembly election and any other local government election; nor shall the statement prepared under paragraph (3) below be so combined.

(1B) References to the returning officer in paragraph (1) are references to the returning officer who discharges the functions specified in paragraph 2 of Schedule 4 to the National Assembly for Wales (Representation of the People) Order 2003.”.

Rule 38 of community election rules (attendance at counting of votes)

58.—(1) For rule 38(1) of the community election rules there shall be substituted—

“(1) Where the returning officer at the community election discharges the functions specified in paragraph 2 of Schedule 4 to the National Assembly for Wales (Representation of the People) Order 2003, he shall make arrangements for discharging the functions under rule 39(1) (as substituted by Schedule 4 to the National Assembly for Wales (Representation of the People) Order 2003) in the presence of the counting agents appointed for the purposes of the community election as soon as practicable after the close of the poll and for thereafter counting the votes at that election in the presence of those agents; and he shall give to those counting agents notice in writing of the time and place at which he will begin to discharge the functions under rule 39(1) (as so substituted).

(1A) Where the returning officer at the community election does not discharge the functions specified in paragraph 2 of Schedule 4 to the National Assembly for Wales (Representation of the People) Order 2003, he shall make arrangements for counting the votes in the presence of the counting agents as soon as practicable after the delivery of the ballot papers to him by the returning officer who does discharge those functions, and shall

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

(2) In rule 38(2) of the community election rules before “at the counting of the votes” there shall be inserted “at the proceedings under rule 39(1) (as so substituted) or”.

(3) In rule 38(3) of the community election rules before “counting of the votes” in the first place where they occur, there shall be inserted “proceedings under rule 39(1) (as so substituted) or the” and before “the efficient” there shall be inserted “the efficient separating of the ballot papers or, as the case may be,”.

Rule 39 of community election rules (the count)

59. For rule 39(1) and (2) of the community election rules there shall be substituted—

“(1) Where the returning officer at the community election discharges the functions specified in paragraph 2 of Schedule 4 to the National Assembly for Wales (Representation of the People) Order 2003, he shall—

- (a) in the presence of the counting agents appointed for the purposes of the community election open each ballot box and record separately the number of ballot papers used in each election,
- (b) in the presence of the counting agents appointed for the purposes of the community election verify each ballot paper account,
- (c) count such of the postal ballot papers as have been duly returned and record separately the number counted at each election,
- (d) separate the ballot papers relating to each election,
- (e) make up into packets the ballot papers for each election other than the community election and seal them up in separate containers endorsing on each a description of the area to which the ballot papers relate,
- (f) deliver, or cause to be delivered, to the returning officer for the election to which the ballot papers relate (or, in the case of a regional election, to the constituency returning officer for the Assembly constituency in which the votes were given on those ballot papers)—
 - (i) those containers, together with a list of them and of the contents of each, and
 - (ii) the ballot paper accounts together with a copy of the statement as to the result of their verification in respect of that election, and
- (g) at the same time deliver, or cause to be delivered, to that officer packets that so relate containing—
 - (i) the unused and spoilt ballot papers,
 - (ii) the tendered ballot papers,
 - (iii) the counterfoils of the used ballot papers, and
 - (iv) the certificates as to employment on duty on the day of the poll,but in the case of a local government election the separate packets relating to that election referred to in paragraphs (iii) and (iv) shall be combined.

(2) After completion of the proceedings under paragraph (1), the returning officer shall mix together all of the ballot papers used at the community election and count the votes given on them.

(2A) Where the returning officer at the community election does not discharge the functions specified in paragraph 2 of Schedule 4 to the National Assembly for Wales (Representation of the People) Order 2003, he shall—

- (a) on receipt of containers from the returning officer who does discharge those functions, and after the time specified in the notice given under rule 38(1A) (as substituted by Schedule 4 to the National Assembly for Wales (Representation of the People) Order 2003), 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 paragraph 2 of Schedule 3 to the National Assembly for Wales (Representation of the People) Order 2003, 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.

Paragraph (6) does not apply to these proceedings.”.

Rule 46 of community election rules (delivery of documents)

60. At the end of rule 46 of the community election rules⁽¹⁴⁾ there shall be added—

“At an election where the returning officer does not discharge the functions specified in paragraph 2 of Schedule 4 to the National Assembly for Wales (Representation of the People) Order 2003, this paragraph shall have effect as if sub-paragraphs (c) and (e) were omitted.”.

Rule 49 of community election rules (countermand or abandonment of poll on death of candidate)

61.—(1) At the end of rule 49(1) of the community election rules there shall be added—

“Provided that neither the countermand of the notice of the poll at the community election nor the direction that that poll be abandoned shall affect the poll at the Assembly election and any other local government election.”.

(2) For rule 49(2) of the community election rules there shall be substituted—

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

- (a) it shall not be necessary for any ballot paper account at that election to be prepared or verified, and
- (b) the returning officer having separated the ballot papers relating to the Assembly election and any other local government election, shall take no step or further step for the counting of the ballot papers used at the community election or of the votes and shall seal up all of those ballot papers, whether the votes on them have

(14) Rule 46 was amended by S.I. [1998/585](#).

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been counted or not, and it shall not be necessary to seal up counted and rejected ballot papers in separate packets.”.

Appendix of forms to community election rules (declaration of identity)

62.—(1) In the Appendix of forms to the community election rules, for the form of declaration of identity⁽¹⁵⁾ there shall be substituted—

- “(a) the form set out in paragraph 41(2) where the proceedings on the issue and receipt of postal ballot papers at the community election are taken together with those proceedings at an Assembly election under paragraph 2 of Schedule 3 to the National Assembly for Wales (Representation of the People) Order 2003, and
- (b) the form set out in paragraph 41(3) where those proceedings are not taken together.”

Appendix of forms to community election rules (directions for the guidance of the voters in voting)

63. In the Appendix of forms to the community election rules, for the form of directions for the guidance of the voters in voting⁽¹⁶⁾ there shall be substituted the same form of directions as is set out in paragraph 21.

Appendix of forms to community election rules (declaration to be made by the companion of a blind voter)

64.—(1) In the Appendix of forms to the community election rules, in the form of declaration to be made by the companion of a blind voter—

- (a) after “election now being held in this electoral area” there shall be inserted “and the election now being held in this [*Assembly constituency] [*Assembly electoral region] (*delete whichever is inapplicable*)”, and
- (b) for “said election” (in both places) there shall be substituted “said elections”.

(2) In the equivalent declaration in Welsh set out in Part I in the Schedule to the Local Elections (Communities) (Welsh Forms) Order 1987⁽¹⁷⁾—

- (a) after “yn yr adran etholiadol hon” there shall be inserted “a'r etholiad a gynhelir yn awr yn [* yr etholaeth Gynulliad honi [* y] [* rhanbarth etholiadol Cynulliad hwn] (** dileer pa un bynnag sy'n anghymwys*)”, and
- (b) for “etholiad a enwyd” (in both places) there shall be substituted “etholiadau a enwyd”.

⁽¹⁵⁾ This form was amended by S.I. 1987/260 and S.I. 1990/157.

⁽¹⁶⁾ This form was amended by S.I. 1987/260.

⁽¹⁷⁾ S.I. 1987/561.