

SCHEDULE 1

Regulation 3(1)

The Mayoral Elections Rules

CONTENTS

PART 1

General provisions

1. Citation
2. Interpretation

PART 2

Provisions as to time

3. Timetable
4. Computation of time

PART 3

Stages common to contested and uncontested elections

5. Notice of Election
6. Nomination of candidates
7. Nomination papers: name of registered political party
8. Subscription of nomination paper
9. Consent to nomination
10. Deposits
11. Decisions as to validity of nomination papers
12. Publication of statement of persons nominated
13. Inspection of nomination papers and consent to nomination
14. Correction of minor errors
15. Withdrawal of candidature
16. Method of election

PART 4

Contested elections

17. Poll to be taken by ballot
18. The ballot papers
19. The corresponding number list
20. The official mark
21. Prohibition of disclosure of vote
22. Use of schools and public rooms
23. Notice of poll
24. Postal ballot papers
25. Provision of polling stations
26. Appointment of presiding officers and polling clerks
27. Issue of official poll cards
28. Equipment of polling stations

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29. Appointment of polling and counting agents
30. Notification of requirement of secrecy
31. Return of postal ballot papers
32. Admission to polling station
33. Keeping of order in station
34. Sealing of ballot boxes
35. Questions to be put to voters
36. Challenge of voter
37. Voting procedure
38. Votes marked by presiding officer
39. Voting by persons with disabilities
40. Tendered ballot papers - circumstances where available
41. Tendered ballot papers - general provisions
42. Spoilt ballot papers
43. Correction of errors on day of poll
44. Adjournment of poll in case of riot
45. Procedure on close of poll
46. Attendance at the count
47. The first count
48. Rejected ballot papers
49. Decisions on ballot papers
50. Re-count
51. Procedure at conclusion of first count

PART 5

Further provision: more than two candidates

52. The count of second preference votes
53. The calculation of total votes and resolution of equality

PART 6

Final proceedings in contested and uncontested elections

54. Declaration of result
55. Return or forfeiture of candidate's deposit

PART 7

Disposal of documents

56. Sealing up of ballot papers
57. Delivery and retention of documents
58. Orders for production of documents
59. Retention of documents

PART 8

Death of candidate

60. Countermand or abandonment of poll on death of a candidate

APPENDIX OF —
FORMS

Forms

Signature

Explanatory Note

PART 1

General provisions

Citation

1. These Rules may be cited as the Mayoral Elections Rules.

Interpretation

- 2.—(1) In these Rules, “the Appendix” means the Appendix to these Rules.
(2) Other expressions used both in these Rules and in the 1983 Act (as it applies to local government elections), except for those defined in regulation 2 or modified by regulation 3, shall have the same meaning in these Rules as they have in that Act.

PART 2

Provisions as to time

Timetable

3. The proceedings at the election shall be conducted in accordance with the following Timetable:

<i>Proceeding</i>	<i>Time</i>
Publication of notice of election	Not later than the twenty-fifth day before the day of election
Delivery of nomination papers	Not later than noon on the nineteenth day before the day of election
Publication of statement as to persons nominated	Not later than noon on the seventeenth day before the day of election
Delivery of notices of withdrawal of candidature	Not later than noon on the sixteenth day before the day of election
Notice of poll	Not later than the sixth day before the day of election
Polling	Between the hours of 7 in the morning and 10 at night on the day of election

Computation of time

- 4.—(1) In computing any period of time for the purposes of the Timetable—
 - (a) a Saturday or Sunday,
 - (b) Christmas Eve, Christmas Day, Good Friday or a bank holiday, or
 - (c) a day appointed for public thanksgiving or mourning,

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shall be disregarded, and any such day shall not be treated as a day for the purpose of any proceedings up to the completion of the poll nor shall the returning officer be obliged to proceed with the counting of the votes on such a day.

(2) In this rule, “bank holiday” means a day which is a bank holiday under the Banking and Financial Dealings Act 1971(1) in England and Wales.

PART 3

Stages common to contested and uncontested elections

Notice of Election

5.—(1) The returning officer must publish notice of the election stating—

- (a) the place and times at which nomination papers are to be delivered, and
- (b) the date of the poll in the event of a contest,

and the notice must state that forms of nomination papers may be obtained at that place and those times.

(2) The notice of election must also state the arrangements which apply for the payment of the deposit required by rule 10 to be made by means of the electronic transfer of funds.

(3) The notice of election must state the date by which—

- (a) applications to vote by post or by proxy, and
- (b) other applications and notices about postal or proxy voting,

must reach the returning officer in order that they may be effective for the election.

Nomination of candidates

6.—(1) Each candidate must be nominated by a separate nomination paper.

(2) A nomination paper must be in the appropriate form in the Appendix or a form to the like effect and shall be delivered at the place fixed for the purpose by the returning officer, which shall be at the offices of the council of the county, county borough, district or London borough in which the electoral area wholly or mainly lies.

(3) A nomination paper must state the candidate’s—

- (a) full names,
- (b) home address, in full, and
- (c) if desired, description,

and the surname must be placed first in the list of names.

(4) If a candidate commonly uses—

- (a) a surname which is different from any other surname he has, or
- (b) a forename which is different from any other forename he has,

the nomination paper may state the commonly used surname or forename in addition to the other name.

(5) The description (if any) can only be—

- (a) one authorised as mentioned in rule 7(1) or (3); or

(1) 1971 c.80.

- (b) the word “Independent”.

Nomination papers: name of registered political party

7.—(1) A nomination paper may not include a description of a candidate which is likely to lead electors to associate the candidate with a registered political party unless the party is a qualifying party in relation to the electoral area and the description is authorised by a certificate—

- (a) issued by or on behalf of the registered nominating officer of the party, and
- (b) received by the returning officer before the last time for the delivery of nomination papers set out in the Timetable in rule 3.

(2) In paragraph (1) an authorised description may be either—

- (a) the name of the party registered under section 28 of the Political Parties, Elections and Referendums Act 2000(2), or
- (b) a description of the party registered under section 28A(3) of that Act.

(3) A nomination paper may not include a description of a candidate which is likely to lead electors to associate the candidate with two or more registered political parties unless the parties are each qualifying parties in relation to the electoral area and the description is a registered description authorised by a certificate—

- (a) issued by or on behalf of the registered nominating officer of each of the parties, and
- (b) received by the returning officer before the last time for the delivery of nomination papers set out in the Timetable in rule 3.

(4) For the purposes of paragraph (3), a description is a registered description if it is a description registered for use by the parties under section 28B of the Political Parties, Elections and Referendums Act 2000(4).

(5) A person shall be guilty of a corrupt practice if he fraudulently purports to be authorised to issue a certificate under paragraph (1) or (3) on behalf of a registered political party’s nominating officer.

(6) For the purposes of the application of this rule in relation to an election—

- (a) “registered political party” means a party which was registered under Part 2 of the Political Parties, Elections and Referendums Act 2000 on the day (“the relevant day”) which is two days before the last day for the delivery of nomination papers at that election;
- (b) a registered political party is a qualifying party in relation to an electoral area if the electoral area is in England or Wales and the party was on the relevant day registered in respect of that part of Great Britain in the Great Britain register maintained under that Part of that Act.

(7) For the purposes of paragraph (6)(a), any day falling within rule 4(1) must be disregarded.

Subscription of nomination paper

8.—(1) The nomination paper must be subscribed by two electors as proposer and seconder, and by twenty-eight other electors as assenting to the nomination.

(2) Where a nomination paper has the signatures of more than the required number of persons as proposing, seconding or assenting to the nomination of a candidate, the signature or signatures (up

(2) Section 28 of the Political Parties, Elections and Referendums Act 2000 (c.41) was amended by S.I. 2004/366 and by section 48 of the Electoral Administration Act 2006 (c.22).

(3) Section 28A of the Political Parties, Elections and Referendums Act 2000 (c.41) was inserted by section 49(1) of the Electoral Administration Act 2006 (c.22).

(4) Section 28B of the Political Parties, Elections and Referendums Act 2000 (c.41) was inserted by section 49(1) of the Electoral Administration Act 2006 (c.22).

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to the required number) appearing first on the paper in each category must be taken into account to the exclusion of any others in that category.

- (3) The nomination paper must give the electoral number of each person subscribing it.
- (4) The returning officer—
 - (a) must supply any elector with as many forms of nomination paper and forms of consent to nomination as may be required at the place and during the time for delivery of nomination papers, and
 - (b) must at any elector's request prepare a nomination paper for signature,

but it is not necessary for a nomination or consent to nomination to be on a form supplied by the returning officer.

- (5) In this rule “elector”—
 - (a) means a person who is registered in the register of local government electors for the electoral area in question on the last day for the publication of notice of the election; and
 - (b) includes a person then shown in the register as below voting age if (but only if) it appears from the register that he will be of voting age on the day fixed for the poll.

(6) But, in this rule, “elector” does not include a person who has an anonymous entry in the register.

Consent to nomination

9. A person shall not be validly nominated unless his consent to nomination—
 - (a) is given in writing, on or within one month before the last day for the delivery of nomination papers,
 - (b) is in the appropriate form in the Appendix or a form to the like effect, and includes a copy of section 80 of the Local Government Act 1972 and section 79 of the Local Government Act 2000,
 - (c) is attested by one witness, and
 - (d) is delivered at the place and within the time for the delivery of nomination papers.

Deposits

10.—(1) A person shall not be validly nominated unless the sum of £500 is deposited by him or on his behalf, with the returning officer at the place and within the time for delivery of nomination papers.

- (2) The deposit may be made either—
 - (a) by the deposit of any legal tender, or
 - (b) by means of a banker's draft, or
 - (c) with the returning officer's consent, in any other manner (including by means of a debit or credit card or the electronic transfer of funds),

but the returning officer may refuse to accept a deposit sought to be made by means of a banker's draft if he does not know that the drawer carries on business as a banker in the United Kingdom.

(3) Where the deposit is made on behalf of the candidate, the person making the deposit must at the time he makes it give his name and address to the returning officer (unless they have previously been given to him under section 67 (appointment of election agent) of the 1983 Act).

Decisions as to validity of nomination papers

11.—(1) Where a nomination paper and the candidate's consent to nomination are delivered in accordance with these Rules, the candidate shall be deemed to stand nominated unless and until—

- (a) the returning officer decides that the nomination paper is invalid, or
- (b) proof is given to the returning officer's satisfaction of the candidate's death, or
- (c) the candidate withdraws.

(2) The returning officer is entitled to hold the nomination paper of a person invalid only on one of the following grounds—

- (a) that the particulars of the candidate or of the persons subscribing the paper are not as required by law; and
- (b) that the paper is not subscribed as so required.

(3) Subject to paragraph (4), the returning officer must, as soon as practicable after each nomination paper has been delivered, examine it and decide whether the candidate has been validly nominated.

(4) If in the returning officer's opinion a nomination paper breaks rule 7(1) or (3), he must give a decision to that effect—

- (a) as soon as practicable after the delivery of the nomination paper, and
- (b) in any event, before the end of the period of 24 hours starting with the last time for delivery of nomination papers set out in the Timetable in rule 3.

(5) Where the returning officer decides that a nomination paper is invalid, he must endorse and sign on the paper the fact and the reasons for his decision.

(6) The returning officer must send notice of his decision that a nomination paper is valid or invalid to each candidate at his home address as given in his nomination paper.

(7) The returning officer's decision that a nomination paper is valid shall be final and shall not be questioned in any proceeding whatsoever.

(8) Subject to paragraph (7), nothing in this rule prevents the validity of a nomination being questioned on an election petition.

Publication of statement of persons nominated

12.—(1) The returning officer must prepare and publish a statement showing the persons who have been and stand nominated and any other persons who have been nominated, with the reason why they no longer stand nominated.

(2) The statement must show the names, addresses and descriptions of the persons nominated as given in their nomination papers.

(3) If a person's nomination paper gives a commonly used surname or forename in addition to another name, the statement must show the person's commonly used surname or forename (as the case may be) instead of any other name.

(4) Paragraph (3) does not apply if the returning officer thinks—

- (a) that the use of the person's commonly used name may be likely to mislead or confuse electors, or
- (b) that the commonly used name is obscene or offensive.

(5) If paragraph (4) applies, the returning officer must give notice in writing to the candidate of his reasons for refusing to allow the use of a commonly used name.

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(6) The statement must show the persons standing nominated arranged alphabetically in the order of their surnames, and if there are two or more of them with the same surname, of their other names.

(7) In the case of a person nominated by more than one nomination paper, the returning officer must take the particulars required by the foregoing provisions of this rule from such one of the papers as the candidate (or the returning officer in default of the candidate) may select.

Inspection of nomination papers and consent to nomination

13. During ordinary office hours on any day, other than a day specified in rule 4(1), after the latest time for delivery of nomination papers and before the date of the poll, any person may inspect and take copies of, or extracts from, nomination papers and consents to nomination.

Correction of minor errors

14.—(1) A returning officer may, if he thinks fit, at any time before the publication under rule 12 of the statement of persons nominated, correct minor errors in a nomination paper.

(2) Errors which may be corrected include—

- (a) errors as to a person's electoral number;
- (b) obvious errors of spelling in relation to the details of a candidate.

(3) Anything done by a returning officer in pursuance of this rule shall not be questioned in any proceedings other than proceedings on an election petition.

(4) A returning officer must have regard to any guidance issued by the Electoral Commission for the purposes of this rule.

Withdrawal of candidature

15.—(1) A candidate may withdraw his candidature by notice of withdrawal—

- (a) signed by him and attested by one witness, and
- (b) delivered to the returning officer at the place for delivery of nomination papers.

(2) Where a candidate is outside the United Kingdom, a notice of withdrawal signed by his proposer and accompanied by a written declaration also so signed of the candidate's absence from the United Kingdom shall be of the same effect as a notice of withdrawal signed by the candidate; but where the candidate stands nominated by more than one nomination paper a notice of withdrawal under this paragraph shall be effective if, and only if—

- (a) it and the accompanying declaration are signed by all the proposers except any who is, and is stated in that declaration to be, outside the United Kingdom; or
- (b) it is accompanied, in addition to that declaration, by a written statement signed by the candidate that the proposer giving the notice is authorised to do so on the candidate's behalf during his absence from the United Kingdom.

Method of election

16. If, after any withdrawals under rule 15—

- (a) more than two candidates remain validly nominated, a poll shall be taken in accordance with Parts 4 and 5 of these Rules;
- (b) only two candidates remain validly nominated, a poll shall be taken in accordance with Part 4;
- (c) only one candidate remains validly nominated, that person shall be declared to be elected in accordance with Part 6.

PART 4

Contested elections

Poll to be taken by ballot

17. The votes at the poll shall be given by ballot.

The ballot papers

18.—(1) The ballot of every person entitled to a vote at the election shall consist of a ballot paper.

(2) The persons remaining validly nominated for election to the office of mayor, after any withdrawals, and no others, shall be entitled to have their names inserted in the ballot paper at that election.

(3) Every ballot paper must be in the appropriate form, and must be printed in accordance with the appropriate directions set out in the Appendix, and—

- (a) must contain the names and other particulars of the candidates as shown in the statement of persons nominated;
- (b) must be capable of being folded up; and
- (c) must have a number and other unique identifying mark printed on the back.

(4) If a candidate who is the subject of a party's authorisation under rule 7(1) so requests, the ballot paper must contain, against the candidate's particulars, the party's registered emblem (or, as the case may be, one of the party's registered emblems).

(5) The candidate's request under paragraph (4) must—

- (a) be made in writing to the returning officer, and
- (b) be received by him before the last time for the delivery of nomination papers set out in the Timetable in rule 3.

(6) The order of the names in the ballot paper must be the same as in the statement of persons nominated.

The corresponding number list

19.—(1) The returning officer must prepare a list containing the numbers and other unique identifying marks of all of the ballot papers to be issued by him in pursuance of rule 24 or provided by him in pursuance of rule 28.

(2) The list must be in the appropriate form in the Appendix or a form to like effect.

The official mark

20.—(1) Every ballot paper must contain an appropriate security marking (the official mark).

(2) The official mark must be kept secret, and an interval of not less than five years shall intervene between the use of the same official mark at an election (of whatever description) for the same county, county borough, district or London borough, as the case may be.

(3) The returning officer may use a different official mark for different purposes at the same election.

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Prohibition of disclosure of vote

21. No person who has voted at the election shall, in any legal proceeding to question the election, be required to state for whom he has voted.

Use of schools and public rooms

22.—(1) The returning officer may use, free of charge, for the purpose of taking the poll or counting the votes—

- (a) a room in a school maintained or assisted by a local education authority or a school in respect of which grants are made out of moneys provided by Parliament to the person or body of persons responsible for the management of the school;
- (b) a room the expense of maintaining which is met by any local authority.

(2) The use of a room in an unoccupied hereditament for that purpose or those purposes does not render a person liable to any payment by way of council tax or non-domestic rate in respect of that hereditament and any day on which it is so used.

(3) The returning officer must make good any damage done to, and defray any expense incurred by the persons having control over, any such room as is mentioned in paragraph (1) by reason of its being used for the purpose of taking the poll or counting the votes.

Notice of poll

23.—(1) The returning officer must publish notice of the poll stating—

- (a) the day and hours fixed for the poll;
- (b) the particulars of each candidate remaining validly nominated (the names and other particulars of the candidates, and the order of the candidates' names being the same as in the statement of persons nominated); and
- (c) the names of all persons signing a candidate's nomination paper.

(2) Where a candidate is nominated by more than one nomination paper, the nomination paper referred to in paragraph (1)(c) must be that from which the names and other particulars of the candidate shown in the statement of persons nominated are taken.

(3) The returning officer must, not later than the time of the publication of the notice of the poll, also give public notice of—

- (a) the situation of each polling station; and
- (b) the description of voters entitled to vote there,

and he must as soon as practicable after giving such a notice give a copy of it to each of the election agents.

Postal ballot papers

24.—(1) The returning officer must, in accordance with regulations made under the 1983 Act⁽⁵⁾, issue to those entitled to vote by post a ballot paper and a postal voting statement in the appropriate form in the Appendix, or a form to the like effect, together with such envelopes for their return as may be prescribed by such regulations.

(2) The returning officer must also issue to those entitled to vote by post such information as he thinks appropriate about how to obtain—

(5) See the Representation of the People (England and Wales) Regulations 2001 [S.I. 2001/341](#) as amended by [S.I. 2002/1871](#), [2006/752](#) and [S.I. 2006/2910](#).

- (a) translations into languages other than English of any directions to or guidance for voters sent with the ballot paper;
 - (b) a translation into Braille of such directions or guidance;
 - (c) graphical representations of such directions or guidance;
 - (d) the directions or guidance in any other form (including any audible form).
- (3) The postal voting statement must include provision for the form to be signed and for stating the date of birth of the elector or proxy (as the case may be).
- (4) In the case of a ballot paper issued to a person at an address in the United Kingdom, the returning officer must ensure that the return of the ballot paper and postal voting statement is free of charge to the voter.

Provision of polling stations

- 25.**—(1) The returning officer must provide a sufficient number of polling stations and, subject to the following provisions of this rule, must allot the electors to the polling stations in such manner as he thinks most convenient.
- (2) One or more polling stations may be provided in the same room.
- (3) The polling station allotted to electors from any parliamentary polling district wholly or partly within the electoral area must, in the absence of special circumstances, be in the parliamentary polling place for that district, unless that place is outside the electoral area.
- (4) The returning officer must provide each polling station with such number of compartments as may be necessary in which the voters can mark their votes screened from observation.

Appointment of presiding officers and polling clerks

- 26.**—(1) The returning officer must appoint and pay a presiding officer to attend at each polling station and such clerks as may be necessary for the purposes of the election, but he must not appoint any person who has been employed by or on behalf of a candidate in or about the election.
- (2) The returning officer may, if he thinks fit, preside at a polling station and the provisions of these Rules relating to a presiding officer shall apply to a returning officer so presiding with the necessary modifications as to things to be done by the returning officer to the presiding officer or by the presiding officer to the returning officer.
- (3) A presiding officer may do, by the clerks appointed to assist him, any act (including the asking of questions) which he is required or authorised by these Rules to do at a polling station except order the arrest, exclusion or removal of any person from the polling station.

Issue of official poll cards

- 27.**—(1) The returning officer must as soon as practicable after the publication of the notice of the election send to electors and their proxies an official poll card.
- (2) An elector's official poll card must be sent or delivered to his qualifying address, and a proxy's to his address as shown in the list of proxies.
- (3) The official poll card must be in the appropriate form in the Appendix, or a form to the like effect, and must set out—
- (a) the name of the local authority to which the election relates;
 - (b) that the election is a mayoral election;
 - (c) the elector's name, qualifying address and number on the register;
 - (d) the date and hours of the poll and the situation of the elector's polling station;

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(e) such other information as the returning officer thinks appropriate, and different information may be provided in pursuance of sub-paragraph (e) to different electors or descriptions of elector.

(4) In the case of an elector with an anonymous entry, instead of containing the matter mentioned in paragraph (3)(c), the poll card must contain such matter as is specified in the appropriate form in the Appendix.

(5) Paragraph (5) of rule 8 shall apply for the interpretation of this rule.

Equipment of polling stations

28.—(1) The returning officer must provide each presiding officer with such number of ballot boxes and ballot papers as in the returning officer's opinion may be necessary.

(2) Every ballot box must be so constructed that the ballot papers can be put in it, but cannot be withdrawn from it, without the box being unlocked or, where the box has no lock, the seal being broken.

(3) The returning officer must provide each polling station with—

- (a) materials to enable voters to mark the ballot papers;
- (b) copies of the register of electors for the electoral area or such part of it as contains the names of the electors allotted to the station;
- (c) the parts of any special lists prepared for the election corresponding to the register of electors for the electoral area or the part of it provided under sub-paragraph (b);
- (d) a list consisting of that part of the list prepared under rule 19 which contains the numbers (but not the other unique identifying marks) corresponding to those on the ballot papers provided to the presiding officer of the polling station.

(4) The reference in paragraph (3)(b) to the copies of the register of electors includes a reference to copies of any notices issued under section 13B(3B) or (3D) of the 1983 Act⁽⁶⁾ in respect of alterations to the register.

(5) The returning officer must also provide each polling station with—

- (a) at least one large version of the ballot paper which must be displayed inside the polling station for the assistance of voters who are partially sighted; and
- (b) a device of such description as is set out in paragraph (8) for enabling voters who are blind or partially sighted to vote without any need for assistance from the presiding officer or any companion (within the meaning of rule 39(1)).

(6) A notice in the appropriate form in the Appendix giving directions for the guidance of voters in voting, must be printed in conspicuous characters and exhibited inside and outside every polling station.

(7) The returning officer may also provide copies of the notice mentioned in paragraph (6) in Braille or translated into languages other than English as he considers appropriate, provided that these notices are accurate reproductions in Braille or that other language of that notice.

(8) The device referred to in paragraph (5)(b) must—

- (a) allow a ballot paper to be inserted into and removed from, or attached to and detached from, the device easily and without damage to the paper;
- (b) hold the ballot paper firmly in place during use; and

⁽⁶⁾ Section 13B of the 1983 Act was inserted by paragraph 3 of Schedule 2 to the Representation of the People Act 2000 (c.2) and amended by section 11(3) of the Electoral Administration Act 2006 (c.22). Subsections (3B) and (3D) of section 13B were inserted by section 11(4) of the Electoral Administration Act 2006 (c.22).

- (c) provide suitable means for the voter to—
 - (i) identify the spaces on the ballot paper on which he may mark his vote; and
 - (ii) identify the candidate to which each such space refers; and
 - (iii) mark his vote on the space he has chosen.

Appointment of polling and counting agents

29.—(1) Subject to paragraphs (3), (4) and (5), before the commencement of the poll each candidate may appoint—

- (a) polling agents to attend at polling stations for the purpose of detecting personation; and
- (b) counting agents to attend at the counting of the votes.

(2) The same person may be appointed as a polling agent or counting agent by more than one candidate.

(3) Not more than four polling agents, or such greater number as the returning officer may by notice allow, shall be permitted to attend at any particular polling station.

(4) If the number of such agents appointed to attend at a particular polling station exceeds the allowed number, the returning officer must determine which agents are permitted to attend by lot, and only the agents on whom the lot falls shall be deemed to have been duly appointed.

(5) The returning officer may limit the number of counting agents, but in doing so must ensure that—

- (a) the number is the same in the case of each candidate; and
- (b) the number allowed to a candidate must not (except in special circumstances) be less than the number obtained by dividing the number of clerks employed on the counting by the number of candidates.

(6) For the purposes of the calculations required by paragraph (5), a counting agent appointed for more than one candidate is a separate agent for each of the candidates for whom he has been appointed.

(7) Notice in writing of the appointment, stating the names and addresses of the persons appointed, must be given by the candidate to the returning officer and must be so given not later than the fifth day (disregarding any referred to in rule 4 (1)) before the day of the poll.

(8) If an agent dies, or becomes incapable of acting, the candidate may appoint another person in his place, and must forthwith give to the returning officer notice in writing of the name and address of that other person.

(9) Any appointment for a candidate authorised by this rule may be made and the notice of appointment given to the returning officer by the candidate's election agent, instead of by the candidate.

(10) In the following provisions of these Rules references to polling agents and counting agents shall be taken as references to agents—

- (a) whose appointments have been duly made and notified; and
- (b) where the number of agents is restricted, who are within the permitted numbers.

(11) Any notice required to be given to a counting agent by the returning officer may be delivered at, or sent by post to, the address stated in the notice of appointment.

(12) A candidate may himself do any act or thing which any polling or counting agent of his, if appointed, would have been authorised to do, or may assist his agent in doing any such act or thing.

(13) A candidate's election agent may do or assist in doing anything which the candidate's polling or counting agent is authorised to do; and anything required or authorised by these Rules to be done

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in the presence of the polling or counting agent may be done in the presence of a candidate's election agent instead of his polling agent or counting agent.

(14) Where by these Rules any act or thing is required or authorised to be done in the presence of the polling or counting agent, the non-attendance of any agent or agents at the time and place appointed for the purpose shall not, if the act or thing is otherwise duly done, invalidate the act or thing done.

Notification of requirement of secrecy

30. The returning officer must make such arrangements as he thinks fit to ensure that—

- (a) every person attending at a polling station (otherwise than for the purpose of voting or assisting a voter with disabilities to vote or as a constable on duty there) has been given a copy in writing of the provisions of subsections (1), (3) and (6) of section 66(7) of the 1983 Act; and
- (b) every person attending at the counting of the votes (other than any constable on duty at the counting) has been given a copy in writing of the provisions of subsections (2) and (6) of that section.

Return of postal ballot papers

31.—(1) Where—

- (a) a postal vote has been returned in respect of a person who is entered on the postal voters list, or
- (b) a proxy postal vote has been returned in respect of a proxy who is entered on the proxy postal voters list,

the returning officer must mark the list in the manner prescribed by regulations made under the 1983 Act(8).

(2) Rule 47(4) does not apply for the purpose of determining whether, for the purposes of this rule, a postal vote or a proxy postal vote is returned.

Admission to polling station

32.—(1) The presiding officer must exclude all persons from the polling station except—

- (a) voters;
- (b) persons under the age of 18 who accompany voters to the polling station;
- (c) the candidates and their election agents;
- (d) the polling agents appointed to attend at the polling station;
- (e) the clerks appointed to attend at the polling station;
- (f) persons who are entitled to attend by virtue of any of sections 6A to 6D of the Political Parties, Elections and Referendums Act 2000(9);
- (g) the constables on duty; and
- (h) the companions of voters with disabilities.

(7) Subsections (1), (2) and (3) of section 66 of the 1983 Act were amended by paragraphs 69, 82, 86(b) and 96 of Schedule 1 to the Electoral Administration Act 2006 (c.22); subsection (6) was amended by paragraph 3 of Schedule 3 to the Representation of the People Act 1985 (c.50).

(8) See regulation 84A of the Representation of the People (England and Wales) Regulations 2001 S.I. 2001/341 as amended by S.I. 2006/2910.

(9) Sections 6A to 6F of the Political Parties, Elections and Referendums Act 2000 (c.41) were inserted by section 29 of the Electoral Administration Act 2006 (c.22).

(2) The presiding officer must regulate the total number of voters and persons under the age of 18 who accompany them to be admitted to the polling station at the same time.

(3) Not more than one polling agent shall be admitted at the same time to a polling station on behalf of the same candidate.

(4) A constable or person employed by a returning officer must not be admitted to vote in person elsewhere than at his own polling station allotted to him under these Rules, except on production and surrender of a certificate as to his employment which must be in the appropriate form in the Appendix, or a form to the like effect, and signed by an officer of police of or above the rank of inspector or by the returning officer, as the case may be.

(5) Any certificate surrendered under this rule must forthwith be cancelled.

Keeping of order in station

33.—(1) It is the presiding officer's duty to keep order at his polling station.

(2) If a person misconducts himself in a polling station, or fails to obey the presiding officer's lawful orders, he may immediately, by the presiding officer's order, be removed from the polling station—

(a) by a constable in or near that station, or

(b) by any other person authorised in writing by the returning officer to remove him,

and the person so removed shall not, without the presiding officer's permission, again enter the polling station during the day.

(3) Any person so removed may, if charged with the commission in the polling station of an offence, be dealt with as a person taken into custody by a constable for an offence without a warrant.

(4) The powers conferred by this rule must not be exercised so as to prevent a voter who is otherwise entitled to vote at a polling station from having an opportunity of voting at that station.

Sealing of ballot boxes

34. Immediately before the commencement of the poll, the presiding officer must—

(a) show the ballot box, empty, to such persons, if any, as are present in the polling station, so that they may see that the box is empty;

(b) lock up the box (if it has a lock);

(c) place his seal—

(i) on the lock; or

(ii) where the ballot box has no lock, on the box,

in such a manner as to prevent its being opened without breaking the seal;

(d) place the box in his view for the receipt of ballot papers; and

(e) keep the box locked and sealed or, as the case may be, sealed.

Questions to be put to voters

35.—(1) At the time of the application for a ballot paper (but not afterwards), the questions specified in the second column of the following Table—

(a) may be put by the presiding officer to a person applying for a ballot paper who is mentioned in the first column, and

(b) must be put if the letter "R" appears after the question and the candidate or his election or polling agent requires the question to be put:

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<i>Q. No.</i>	<i>Person applying for ballot paper</i>	<i>Question</i>
1	A person applying as an elector	<p>(a) — Are you the person registered in the register of local government electors for this election as follows?</p> <p><i>read the whole entry from the register</i> [R]</p> <p>(b) — Have you already voted [here or elsewhere] at this election otherwise than as proxy for some other person? [R]</p>
2	A person applying as proxy	<p>(a) — Are you the person whose name appears as A.B. in the list of proxies for this election as entitled to vote as proxy on behalf of C.D.? [R]</p> <p>(b) — Have you already voted [here or elsewhere] at this election as proxy on behalf of C.D.? [R]</p> <p>(c) — Are you the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild of C.D.? [R]</p>
3	A person applying as proxy for an elector with an anonymous entry (instead of the questions at entry 2)	<p>(a) — Are you the person entitled to vote as proxy on behalf of the elector whose number on the register of electors is (<i>read out the number</i>)? [R]</p> <p>(b) — Have you already voted [here or elsewhere] as proxy on behalf of the elector whose number on the register of electors is (<i>read out the number</i>)? [R]</p> <p>(c) — Are you the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild of the person whose number on the register of electors is (<i>read out the number</i>)? [R]</p>
4	A person applying as proxy if the question at entry 2(c) or 3(c) is not answered in the affirmative	Have you already voted at this election on behalf of two persons of whom you are not the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild? [R]
5	A person applying as an elector in relation to whom there is an entry in the postal voters list	<p>(a) — Did you apply to vote by post?</p> <p>(b) — Why have you not voted by post?</p>
6	A person applying as proxy who is named in the proxy postal voters list	<p>(a) — Did you apply to vote by post as proxy?</p> <p>(b) — Why have you not voted by post as proxy?</p>

(2) In the case of an elector in respect of whom a notice has been issued under section 13B(3B) or (3D) of the 1983 Act, the references in the questions at entries 1(a) and 3(a), (b) and (c) to reading from the register shall be taken as references to reading from the notice issued under section 13B(3B) or (3D) of the 1983 Act.

(3) A ballot paper must not be delivered to any person required to answer any of the above questions unless he has answered each question satisfactorily.

(4) Except as authorised by this rule, no inquiry shall be permitted as to the right of any person to vote.

Challenge of voter

36. A person must not be prevented from voting by reason only that—

- (a) a candidate or his election or polling agent declares that he has reasonable cause to believe that the person has committed an offence of personation, or
- (b) the person is arrested on the grounds that he is suspected of committing or of being about to commit such an offence.

Voting procedure

37.—(1) A ballot paper must be delivered to a voter who applies for one, and immediately before delivery—

- (a) the number and (unless paragraph (2) applies) name of the elector as stated in the copy of the register of electors must be called out;
- (b) the number of the elector must be marked on the list mentioned in rule 28(3)(d) beside the number of the ballot paper to be issued to him;
- (c) a mark must be placed in the copy of the register of electors against the number of the elector to note that a ballot paper has been received but without showing the particular ballot paper which has been received; and
- (d) in the case of a person applying for a ballot paper as proxy, a mark must also be placed against his name in the list of proxies.

(2) In the case of an elector who has an anonymous entry, he must show the presiding officer his official poll card and only his number shall be called out in pursuance of paragraph (1)(a).

(3) In the case of an elector who is added to the register in pursuance of a notice issued under section 13B(3B) or (3D) of the 1983 Act, paragraph (1) is modified as follows—

- (a) in sub-paragraph (a), for “copy of the register of electors” substitute “copy of the notice issued under section 13B(3B) or (3D) of the 1983 Act”;
- (b) in sub-paragraph (c), for “in the register of electors” substitute “on the copy of the notice issued under section 13B(3B) or (3D) of the 1983 Act”.

(4) The voter, on receiving the ballot paper, must forthwith proceed into one of the compartments in the polling station and there secretly mark his paper and fold it up so as to conceal his vote, and must then show to the presiding officer the back of the paper, so as to disclose the number and other unique identifying mark, and put the ballot paper so folded up into the ballot box in the presiding officer’s presence.

(5) The voter must vote without undue delay, and must leave the polling station as soon as he has put his ballot paper into the ballot box.

Votes marked by presiding officer

38.—(1) The presiding officer, on the application of a voter—

- (a) who is incapacitated by blindness or other disability from voting in the manner directed by these Rules, or
- (b) who declares orally that he is unable to read,

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must, in the presence of the polling agents, cause the voter's vote to be marked on a ballot paper in the manner directed by the voter, and the ballot paper to be placed in the ballot box.

(2) The name and number on the register of electors of every voter whose vote is marked in pursuance of this rule, and the reason why it is so marked, must be entered on a list (in these Rules called "the list of votes marked by the presiding officer").

(3) In the case of a person voting as proxy for an elector, the number to be entered together with the voter's name shall be the elector's number.

(4) In the case of a person in respect of whom a notice has been issued under section 13B(3B) or (3D) of the 1983 Act⁽¹⁰⁾, paragraph (2) applies as if for "on the register of electors of every voter" there were substituted "relating to every voter in respect of whom a notice has been issued under section 13B(3B) or (3D) of the 1983 Act".

Voting by persons with disabilities

39.—(1) If a voter makes an application to the presiding officer to be allowed, on the ground of—

- (a) blindness or other disability, or
- (b) inability to read,

to vote with the assistance of another person by whom he is accompanied (in these Rules referred to as "the companion"), the presiding officer must require the voter to declare, orally or in writing, whether he is so incapacitated by his blindness or other disability, or by his inability to read, as to be unable to vote without assistance.

(2) If the presiding officer—

- (a) is satisfied that the voter is so incapacitated, and
- (b) is also satisfied by a written declaration made by the companion (in these Rules referred to as "the declaration made by the companion of a voter with disabilities") that the companion—
 - (i) is a qualified person within the meaning of this rule; and
 - (ii) has not previously assisted more than one voter with disabilities to vote at the election,

the presiding officer must grant the application, and then anything which is by these Rules required to be done to or by that voter in connection with the giving of his vote may be done to, or with the assistance of, the companion.

(3) For the purposes of these Rules—

- (a) a person is a voter with disabilities if he has made such a declaration as is mentioned in paragraph (1); and
- (b) a person shall be qualified to assist a voter with disabilities to vote if that person is either—
 - (i) a person who is entitled to vote as an elector at the election; or
 - (ii) the father, mother, brother, sister, spouse, civil partner, son or daughter of the voter and has attained the age of 18 years.

(4) Subject to paragraph (5), the name and number in the register of electors of every voter whose vote is given in accordance with this rule and the name and address of the companion must be entered on a list (in these Rules referred to as "the list of voters with disabilities assisted by companions").

⁽¹⁰⁾ Section 13B of the 1983 Act was inserted by paragraph 3 of Schedule 2 to the Representation of the People Act 2000 (c.2) and amended by section 11(3) of the Electoral Administration Act 2006 (c.22). Subsections (3B) and (3D) of section 13B were inserted by section 11(4) of the Electoral Administration Act 2006 (c.22).

(5) In the case of a person voting as proxy for an elector, the number to be entered together with the voter's name shall be the elector's number.

(6) In the case of a person in respect of whom a notice has been issued under section 13B(3B) or (3D) of the 1983 Act, paragraph (4) applies as if for "in the register of electors of every voter" there were substituted "relating to every voter in respect of whom a notice has been issued under section 13B(3B) or (3D) of the 1983 Act".

(7) The declaration made by the companion of a voter with disabilities—

- (a) must be in the appropriate form in the Appendix or a form to the like effect,
- (b) must be made before the presiding officer at the time when the voter applies to vote with the assistance of the companion, and
- (c) must forthwith be given to the presiding officer who must attest and retain it.

(8) No fee or other payment shall be charged in respect of the declaration.

Tendered ballot papers - circumstances where available

40.—(1) If a person, representing himself to be—

- (a) a particular elector named on the register and not named in the absent voters list, or
- (b) a particular person named in the list of proxies as proxy for an elector and not entitled to vote by post as proxy,

applies for a ballot paper after another person has voted in person either as the elector or his proxy, the applicant shall, on satisfactorily answering the questions permitted by law to be asked at the poll, be entitled, subject to the provisions of rule 41, to mark a ballot paper (in these Rules referred to as "a tendered ballot paper") in the same manner as any other voter.

(2) Paragraph (4) applies if—

- (a) a person applies for a ballot paper representing himself to be a particular elector named on the register,
- (b) he is also named in the postal voters list, and
- (c) he claims that he did not make an application to vote by post at the election.

(3) Paragraph (4) also applies if—

- (a) a person applies for a ballot paper representing himself to be a particular person named as a proxy in the list of proxies,
- (b) he is also named in the proxy postal voters list, and
- (c) he claims that he did not make an application to vote by post as proxy.

(4) The person shall, on satisfactorily answering the questions permitted by law to be asked at the poll, be entitled, subject to the provisions of rule 41, to mark a ballot paper (in these Rules referred to as a "tendered ballot paper") in the same manner as any other voter.

(5) Paragraph (6) applies if, before the close of the poll but after the last time at which a person may apply for a replacement postal ballot paper, a person represents himself to be—

- (a) a particular elector named on the register who is also named in the postal voters list, or
- (b) a particular person named as a proxy in the list of proxies and who is also named in the proxy postal voters list,

and claims that he has lost or has not received his postal ballot paper.

(6) The person shall, on satisfactorily answering the questions permitted by law to be asked at the poll, be entitled, subject to the provisions of rule 41, to mark a ballot paper (in these Rules referred to as a "tendered ballot paper") in the same manner as any other voter.

Tendered ballot papers-general provisions

41.—(1) A tendered ballot paper must—

- (a) be of a colour differing from that of the other ballot papers;
- (b) instead of being put into the ballot box, be given to the presiding officer and endorsed by him with the name of the voter and his number in the register of electors, and set aside in a separate packet.

(2) The name of the voter and his number in the register of electors must be entered on a list (in these Rules referred to as the “tendered votes list”).

(3) In the case of a person voting as proxy for an elector, the number to be endorsed or entered together with the voter’s name shall be the number of that elector.

(4) In the case of an elector who has an anonymous entry, this rule and rule 40 apply subject to the following modifications—

- (a) in paragraphs (1)(b) and (2) above, the references to the name of the voter shall be ignored;
- (b) otherwise, a reference to a person named on a register or list shall be construed as a reference to a person whose number appears in the register or list (as the case may be).

(5) In the case of a person in respect of whom a notice has been issued under section 13B(3B) or (3D) of the 1983 Act, this rule and rule 40 shall apply as if—

- (a) in rule 40(1)(a), (2)(a) and (5)(a), for “named on the register” there were substituted “in respect of whom a notice under section 13B(3B) or (3D) of the 1983 Act has been issued”;
- (b) in paragraph (1)(b) of this rule for “his number in the register of electors” there were substituted “the number relating to him on a notice issued under section 13B(3B) or (3D) of the 1983 Act”;
- (c) in paragraph (2) of this rule, for “his number in the register of electors” there were substituted “the number relating to him on a notice issued under section 13B(3B) or (3D) of the 1983 Act”.

Spoilt ballot papers

42. A voter who has inadvertently dealt with his ballot paper in such manner that it cannot be conveniently used as a ballot paper may, on delivering it to the presiding officer and proving to his satisfaction the fact of the inadvertence, obtain another ballot paper in the place of the ballot paper so delivered (in these Rules referred to as “a spoilt ballot paper”), and the spoilt ballot paper must be immediately cancelled.

Correction of errors on day of poll

43. The presiding officer must keep a list of persons to whom ballot papers are delivered in consequence of an alteration to the register made by virtue of section 13B(3B) or (3D) of the 1983 Act which takes effect on the day of the poll.

Adjournment of poll in case of riot

44.—(1) Where the proceedings at any polling station are interrupted or obstructed by riot or open violence, the presiding officer must adjourn the proceedings till the following day and must forthwith give notice to the returning officer.

(2) Where the poll is adjourned at any polling station—

- (a) the hours of polling on the day to which it is adjourned must be the same as for the original day; and

- (b) references in these Rules to the close of the poll shall be construed accordingly.

Procedure on close of poll

45.—(1) As soon as practicable after the close of the poll, the presiding officer must, in the presence of the polling agents, make up into separate packets, sealed with his own seal and the seals of such polling agents as desire to affix their seals—

- (a) each ballot box in use at the station, sealed so as to prevent the introduction of additional ballot papers and unopened, but with the key, if any, attached,
- (b) the unused and spoiled ballot papers placed together,
- (c) the tendered ballot papers,
- (d) the marked copies of the register of electors (including any marked copy notices issued under section 13B(3B) or (3D) of the 1983 Act) and of the list of proxies,
- (e) the lists prepared under rule 19 including the parts which were completed in accordance with rule 37(1)(b) (together referred to in these Rules as “the completed corresponding number lists”),
- (f) the certificates as to employment on duty on the day of the poll,
- (g) the tendered votes list, the list of voters with disabilities assisted by companions, the list of votes marked by the presiding officer, a statement of the number of voters whose votes are so marked by the presiding officer under the heads “disability” and “unable to read”, the list maintained under rule 43 (correction of errors on day of poll), and the declarations made by the companions of voters with disabilities,

and must deliver the packets or cause them to be delivered to the returning officer to be taken charge of by him; but if the packets are not delivered by the presiding officer personally to the returning officer, the arrangements for their delivery shall require the returning officer’s approval.

(2) The marked copies of the register of electors and of the list of proxies must be in one packet but must not be in the same packet as the completed corresponding number lists or the certificates as to employment on duty on the day of the poll.

(3) The packets must be accompanied by a statement (in these Rules referred to as “the ballot paper account”) made by the presiding officer showing the number of ballot papers entrusted to him, and accounting for them under the heads—

- (a) ballot papers issued and not otherwise accounted for,
- (b) unused ballot papers,
- (c) spoiled ballot papers and
- (d) tendered ballot papers.

Attendance at the count

46.—(1) The returning officer must make arrangements for counting the votes in the presence of the counting agents as soon as practicable after the close of the poll, and must give to the counting agents notice in writing of the time and place—

- (a) at which he will begin to count the votes; and
 - (b) at which he will begin any count of the second preference votes.
- (2) No person other than—
- (a) the returning officer and his clerks,
 - (b) the candidates and one other person chosen by each of them,

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- (c) the election agents,
- (d) the counting agents,
- (e) persons who are entitled to attend by virtue of any of sections 6A to 6D of the Political Parties, Elections and Referendums Act 2000,

may be present at the counting of the votes, unless permitted by the returning officer to attend.

(3) A person not entitled to attend at the counting of the votes shall not be permitted to do so by the returning officer unless he—

- (a) is satisfied that the efficient counting of the votes will not be impeded; and
- (b) has either consulted the election agents or thought it impracticable to do so.

(4) The returning officer must give the counting agents all such reasonable facilities for overseeing the proceedings, and all such information with respect to them, as he can give them consistently with the orderly conduct of the proceedings and the discharge of his duties in connection with them.

(5) In particular, where the votes are counted by sorting the ballot papers according to the candidate for whom the vote is given and then counting the number of ballot papers for each candidate, the counting agents shall be entitled to satisfy themselves that the ballot papers are correctly sorted.

The first count

47.—(1) The returning officer must—

- (a) in the presence of the counting agents open each ballot box and count and record the number of ballot papers in it;
- (b) in the presence of the election agents verify each ballot paper account; and
- (c) count such of the postal ballot papers as have been duly returned and record the number counted.

(2) The returning officer must not count the votes given on any ballot papers until—

- (a) in the case of postal ballot papers, they have been mixed with the ballot papers from at least one ballot box, and
- (b) in the case of ballot papers from a ballot box, they have been mixed with the ballot papers from at least one other ballot box.

(3) The returning officer shall then—

- (a) where the election is contested by more than two candidates, count the first preference votes given on them;
- (b) where the election is contested by only two candidates, count the votes given on them.

(4) A postal ballot paper must not be taken to be duly returned unless—

- (a) it is returned in the manner set out in paragraph (5) and reaches the returning officer or any polling station in the electoral area in question before the close of the poll; and
- (b) the postal voting statement, duly signed, is also returned in the manner set out in paragraph (5) and reaches him or such a polling station before that time;
- (c) the postal voting statement also states the date of birth of the elector or proxy (as the case may be), and

- (d) in a case where steps for verifying the date of birth and signature of an elector or proxy have been prescribed by regulations made under the 1983 Act(11), the returning officer (having taken such steps) verifies the date of birth and signature of the elector or proxy (as the case may be).
- (5) The manner in which any postal ballot paper or postal voting statement may be returned—
 - (a) to the returning officer, is by hand or by post;
 - (b) to a polling station, is by hand.
- (6) The returning officer must not count any tendered ballot paper.
- (7) The returning officer, while counting and recording the number of ballot papers and counting the votes, must keep the ballot papers with their faces upwards and take all proper precautions for preventing any person from seeing the numbers or other unique identifying marks printed on the back of the papers.
- (8) The returning officer must verify each ballot paper account by comparing it with the number of ballot papers recorded by him, and 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 must draw up a statement as to the result of the verification, which any election agent may copy.
- (9) The returning officer must so far as practicable proceed continuously with counting the votes, allowing only time for refreshment, except that he may exclude the hours between 7 in the evening and 9 on the following morning.
- (10) During the time so excluded the returning officer must—
 - (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
 - (b) otherwise take proper precautions for the security of the papers and documents.

Rejected ballot papers

- 48.**—(1) Any ballot paper—
- (a) which does not bear the official mark, or
 - (b) on which more than one first preference vote is given, or
 - (c) on which anything is written or marked by which the voter can be identified except the printed number and other unique identifying mark on the back, or
 - (d) which is unmarked or void for uncertainty as to the first preference vote,
- shall, subject to paragraph (2), be void and not counted.
- (2) A ballot paper on which the vote is marked—
- (a) elsewhere than in the proper place, or
 - (b) otherwise than by means of a cross, or
 - (c) by more than one mark,
- shall not for such reason be deemed to be void if—
- (i) at an election at which more than two candidates remain validly nominated, an intention that a vote shall be given, by way of a first preference vote, for not more than one of the candidates clearly appears; or

(11) See regulations 85 and 85A of the Representation of the People (England and Wales) Regulations 2001 (S.I. 2001/341), which were inserted by S.I. 2006/2910.

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(ii) at any other election, an intention that a vote shall be for one only of the candidates clearly appears,

and (in either case) the way the paper is marked does not itself identify the voter and it is not shown that he can be identified by it.

(3) A ballot paper which is not otherwise void and on which not more than one first preference vote is marked (whether or not a second preference vote is marked) shall be valid as respects that vote, and counted accordingly.

(4) The returning officer must endorse the word “rejected” on any ballot paper which under this rule is not to be counted, and shall add to the endorsement the words “rejection objected to” if any objection is made to his decision by a counting agent.

(5) The returning officer must draw up a statement showing the number of ballot papers rejected, under the several heads of—

- (a) want of official mark;
- (b) voting for more than one candidate as to the first preference vote;
- (c) writing or mark by which the voter could be identified; and
- (d) unmarked or void for uncertainty as to the first preference vote.

(6) In the case of an election where only two candidates remain validly nominated, this rule is to apply as if—

- (a) in paragraph (1)(b), for “first preference vote” there were substituted “vote”;
- (b) in paragraphs (1)(d), (5)(b) and (d), the words “as to the first preference vote” were omitted;
- (c) paragraph (3) were omitted.

Decisions on ballot papers

49. 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.

Re-count

50.—(1) A candidate or his election agent may, if present when the counting or any re-count of the votes or, as the case may be, the first preference votes, is completed, require the returning officer to have the votes re-counted or again re-counted but the returning officer may refuse to do so if in his opinion the request is unreasonable.

(2) No step shall be taken on the completion of the counting or any re-count of votes, or as the case may be, the first preference votes, until the candidates and election agents present at its completion have been given a reasonable opportunity to exercise the right conferred by this rule.

Procedure at conclusion of first count

51.—(1) As soon as practicable after the conclusion of the first count (including any re-count), the returning officer must draw up a statement showing—

- (a) the total number of ballot papers used;
- (b) the total number of rejected ballot papers;
- (c) at an election contested by more than two candidates—
 - (i) the number of first preference votes given for each candidate; and
 - (ii) the total number of first preference votes given; and

- (d) at an election contested by only two candidates, the number of votes given for each candidate.
- (2) As soon as practicable after completion of the statement, the returning officer must—
 - (a) inform such of the candidates and their election agents as are then present of the contents of the statements prepared in accordance with rule 48(5) and paragraph (1) of this rule; and
 - (b) give public notice of the contents of those statements.
- (3) Where an election is contested by more than two candidates, the returning officer must—
 - (a) if paragraph 2 of Schedule 2 to the 2000 Act applies (candidate with overall majority of first preference votes), make the declaration required by rule 54(1); or
 - (b) if paragraph 3 of that Schedule applies, count the second preference votes at the time and place notified in writing to the counting agents.
- (4) Where—
 - (a) an election is contested by only two candidates; and
 - (b) the total number of votes for each of them is unequal,the person to be returned as the elected mayor is the candidate to whom the majority of the votes is given.
- (5) Where—
 - (a) an election is contested by only two candidates; and
 - (b) the total number of votes given for each of them is equal,the returning officer shall decide by lot which of them is to be returned as the elected mayor.
- (6) In a case to which paragraph (4) or (5) applies, the declaration of the person to be returned as the elected mayor shall be made in accordance with rule 54.

PART 5

Further provision: more than two candidates

The count of second preference votes

52.—(1) The returning officer must count the number of second preference votes for each of the candidates remaining in the contest given by voters who did not give their first preference vote to any of those candidates.

(2) A ballot paper which is not otherwise void and on which not more than one second preference vote is marked shall be valid as respects that vote and shall be counted accordingly if, but only if, a valid first preference vote has also been marked.

(3) Rules 46(2) to (5), 47(6), (7), (9) and (10), 48 (except paragraph (3)) and 50 (except the words “the votes, or as the case may be,” in both paragraphs where they appear) shall apply in relation to the count of second preference votes as they apply in relation to the count of first preference votes as if references to first preference votes were references to second preference votes.

(4) The returning officer shall not be required to re-examine any decision taken under rule 49.

The calculation of total votes and resolution of equality

53.—(1) The returning officer must comply with paragraph 3(6) of Schedule 2 to the 2000 Act.

(2) The returning officer must then draw up a statement showing—

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- (a) the total number of first preference votes given for each candidate,
 - (b) the total number of second preference votes given for each of the candidates remaining in the contest after the count of the first preference votes,
 - (c) the total number of votes given for each of those candidates, and
 - (d) the number of ballot papers that were—
 - (i) valid as respects a first preference vote given for a candidate who did not remain in the contest after the count of the first preference votes; and
 - (ii) rejected for the purposes of the count of second preference votes on the ground that they were unmarked or void for uncertainty as to the second preference vote.
- (3) As soon as practicable after completion of the statement, the returning officer must provide such of the election agents for those candidates who remain in the contest as are then present with a copy of the statement, and shall give them a reasonable opportunity to satisfy themselves as to the accuracy of the calculation.
- (4) If, after the second preference votes have been counted, the total number of votes given for two or more candidates remaining in the contest is equal, the person to be returned as the elected mayor is the person whom the returning officer decides, in accordance with paragraph 3(8) of Schedule 2 to the 2000 Act, is to be returned as the elected mayor.

PART 6

Final proceedings in contested and uncontested elections

Declaration of result

- 54.—(1) The returning officer must declare the elected mayor to be the candidate who, in accordance with section 42(2) of the 2000 Act or, as the case may be, Schedule 2 to that Act, is to be returned as the elected mayor at that election.
- (2) The returning officer must give public notice of—
 - (a) the name of the successful candidate,
 - (b) the total number of first preference votes given for each candidate,
 - (c) the number of rejected ballot papers at the election under each head shown in the statement of rejected ballot papers (rule 48(5)), and
 - (d) if second preference votes were counted—
 - (i) the total number of second preference votes given for each of the candidates remaining in the contest after the count of the first preference votes, and
 - (ii) the number of ballot papers rejected for the purposes of the count of second preference votes on the ground that they were unmarked or void for uncertainty as to the second preference vote.
 - (3) In an uncontested election, the returning officer must as soon as practicable after the latest time for the delivery of notices of withdrawals of candidature—
 - (a) declare to be elected the person remaining validly nominated;
 - (b) give public notice of the name of the person declared to be elected.
 - (4) The returning officer must inform the proper officer of the local authority concerned of the result of the election.

Return or forfeiture of candidate's deposit

55.—(1) Unless forfeited in accordance with paragraph (5), the deposit made under rule 10 of these Rules shall be returned to the person making it or his personal representative.

(2) Subject to paragraph (4), the deposit shall be returned not later than the next day after that on which the result of the election is declared.

(3) For the purposes of paragraph (2)—

- (a) a day shall be disregarded if it would be disregarded under rule 4 in computing any period of time for the purpose of the timetable for a mayoral election; and
- (b) the deposit shall be treated as being returned on a day if a cheque for the amount of the deposit is posted on that day.

(4) If the candidate is not shown as standing nominated in the statement of persons nominated, or if proof of his death has been given to the returning officer before the conclusion of the first count, the deposit shall be returned as soon as practicable after the publication of the statement or after his death, as the case may be.

(5) Where a poll is taken, if, after the conclusion of the first count, the candidate is found not to have polled more than one-twentieth of the total number of first preference votes polled by all the candidates, the deposit shall be forfeited to the local authority of the electoral areas concerned.

PART 7

Disposal of documents

Sealing up of ballot papers

56.—(1) On the completion of the counting at a contested election the returning officer must seal up in separate packets the counted and rejected ballot papers, including ballot papers rejected in part.

(2) The returning officer must not open the sealed packets of—

- (a) tendered ballot papers,
- (b) the completed corresponding number lists,
- (c) certificates as to employment on duty on the day of the poll, or
- (d) marked copies of the register of electors (including any marked copy notices issued under section 13B(3B) or (3D) of the 1983 Act) and lists of proxies.

Delivery and retention of documents

57. The returning officer must then forward to the relevant registration officer of the local authority concerned the following documents—

- (a) the packets of ballot papers in his possession,
- (b) the ballot paper accounts and the statements of rejected ballot papers and of the result of the verification of the ballot paper accounts,
- (c) the tendered votes lists, the lists of voters with disabilities assisted by companions, the lists of votes marked by the presiding officer and the related statements, the lists maintained under rule 43 and the declarations made by the companions of voters with disabilities,
- (d) the packets of the completed corresponding number lists,
- (e) the packets of certificates as to employment on duty on the day of the poll,

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- (f) the packets containing marked copies of registers (including any marked copy notices issued under section 13B(3B) or (3D) of the 1983 Act) and of the postal voters list, of the lists of proxies and of the proxy postal voters list,

endorsing on each packet a description of its contents, the date of the election to which they relate and the name of the electoral area for which the election was held.

Orders for production of documents

58.—(1) An order—

- (a) for the inspection or production of any rejected ballot papers, including ballot papers rejected in part, in the custody of the relevant registration officer; or
- (b) for the opening of a sealed packet of the completed corresponding number lists or certificates as to employment on duty on the day of the poll or for the inspection of any counted ballot papers in his custody,

may be made by a county court, if the court is satisfied by evidence on oath that the order is required for the purpose of instituting or maintaining a prosecution for an offence in relation to ballot papers, or for the purpose of an election petition.

(2) An order for the opening of a sealed packet of completed corresponding number lists or of certificates as to employment on duty on the day of the poll or for the inspection of any counted ballot papers in the custody of the relevant registration officer may be made by an election court.

(3) An order under this rule may be made subject to such conditions as to—

- (a) persons,
- (b) time,
- (c) place and mode of inspection,
- (d) production or opening,

as the court making the order may think expedient.

(4) In making and carrying into effect an order for the opening of a packet of completed corresponding number lists or of certificates as to employment on duty on the day of the poll or for the inspection of counted ballot papers, care must be taken that the way in which the vote of any particular elector has been given shall not be disclosed until it has been proved—

- (i) that his vote was given; and
- (ii) that the vote has been declared by a competent court to be invalid.

(5) An appeal lies to the High Court from any order of a county court under this rule.

(6) Any power given under this rule to a county court may be exercised by any judge of the court otherwise than in open court.

(7) Where an order is made for the production by the relevant registration officer of any document in his possession relating to any specified election—

- (a) the production by him or his agent of the document ordered in such manner as may be directed by that order shall be conclusive evidence that the document relates to the specified election; and
- (b) any endorsement on any packet of ballot papers so produced shall be prima facie evidence that the ballot papers are what they are stated to be by the endorsement.

(8) The production from proper custody of—

- (a) a ballot paper purporting to have been used at any election, and

- (b) a completed corresponding number list with a number marked in writing beside the number of the ballot paper,

shall be prima facie evidence that the elector whose vote was given by that ballot paper was the person whose entry in the register of electors or on a notice issued under section 13B(3B) or (3D) of the 1983 Act at the time of the election contained the same number as the number written as mentioned in sub-paragraph (b) of this paragraph.

(9) Save as by this rule provided, no person shall be allowed to inspect any rejected or counted ballot papers in the possession of the relevant registration officer or open any sealed packets of completed corresponding number lists or of certificates as to employment on duty on the day of the poll.

Retention of documents

59. The relevant registration officer must retain for one year all documents relating to an election forwarded to him in pursuance of these Rules by a returning officer, and then, unless otherwise directed by an order of a county court, the Crown Court, a magistrates' court or an election court, must cause them to be destroyed.

PART 8

Death of candidate

Countermand or abandonment of poll on death of a candidate

60.—(1) If at a contested election proof is given to the returning officer's satisfaction before the result of the election is declared that one of the persons named or to be named as candidate in the ballot papers has died, then the returning officer must countermand notice of the poll or, if polling has begun, direct that the poll be abandoned, and the provisions of subsections (1) and (5) of section 39 of the 1983 Act⁽¹²⁾ apply in respect of any vacancy which remains unfilled.

(2) Subject to paragraph (4), where the poll is abandoned by reason of a candidate's death no further ballot papers shall be issued, and the presiding officer at any polling station must take the like steps (so far as not already taken) for the delivery to the returning officer of ballot boxes and ballot papers and other documents as he is required to take on the close of the poll in due course.

(3) The returning officer must dispose of ballot papers and other documents in his possession as he is required to do on the completion in due course of the counting of the votes, subject to paragraphs (4) and (5).

(4) It is not necessary for any ballot paper account to be prepared or verified.

(5) The returning officer must seal up all the ballot papers, whether the votes on them have been counted or not, and it is not necessary to seal up counted and rejected ballot papers in separate packets.

(6) The provisions of these Rules as to the inspection, production, retention and destruction of ballot papers and other documents relating to a poll at an election apply to any such documents relating to a poll abandoned by reason of a candidate's death subject to paragraphs (7) and (8).

(7) Ballot papers on which the votes were neither counted nor rejected must be treated as counted ballot papers.

(8) No order is to be made for—

⁽¹²⁾ Subsection (1) of section 39 was amended by the Local Government Act 1985 (c.51), Schedule 17, and the Representation of the People Act 1985 (c.50), section 19(2).

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- (a) the inspection or production of any ballot papers, or
 - (b) for the opening of a sealed packet of the completed corresponding number lists or certificates as to employment on duty on the day of the poll,
- unless the order is made by a court with reference to a prosecution.

APPENDIX OF FORMS

Notes: In this Appendix any reference to a numbered rule is a reference to the rule of that number in the Mayoral Elections Rules.

The forms contained in this Appendix may be adapted so far as circumstances require.

Forms

Form 1: Nomination paper

Form 2: Candidate's consent to nomination

Form 3: Ballot paper (two candidates)

Form 4: Ballot paper (three or more candidates)

Form 5: Corresponding Number List L1

Form 6: Corresponding Number List L2

Form 7: Postal Voting Statement

Form 8: Elector's official poll card

Form 9: Official postal poll card

Form 10: Official proxy poll card

Form 11: Official proxy postal poll card

Form 12: Directions for guidance of voters

Form 13: Certificate of employment

Form 14: Declaration to be made by the companion of a voter with disabilities.

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Form 1

**Form of Nomination Paper
(for use at local authority mayoral elections)**

Office Use Only

Date delivered	Time delivered	Initials
----------------	----------------	----------

ELECTION OF MAYOR for the
 *county/district/London borough/county borough of
 *delete whichever is inappropriate

Date of election

We, the undersigned, being local government electors for the said [electoral area] do hereby nominate the person whose name appears below as a candidate at the Mayoral election.

Candidate's surname	Other forenames in full	Commonly used surname (if any)	Commonly used forenames (if any)	Description (if any) use no more than six words	Home Address in full

Mr/Ms/Miss/Ms/Cdr/Other

Signature	Print Name	Electoral Number	
		Polling District	Number
Proposer
Secunder
We, the undersigned being local government electors for the said [electoral area], do hereby assent to the foregoing nomination			
Signature			
1			
2			
3			
4			
5			
6			
7			
8			
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10			
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NOTES

1. The attention of candidates and electors is drawn to the rules for filling up nomination papers and other provisions relating to nomination papers contained in rules in Schedule 1 to the Local Authorities (Mayoral Elections) (England and Wales) Regulations 2007.
2. Where a candidate is commonly known by some title they may be described by their title as if it were their surname.
3. Where a candidate commonly uses a name which is different from any other name they have, the commonly used name may also appear on the nomination paper, but if it does so, the commonly used name (instead of any other name) will appear on the ballot paper.
4. But the ballot paper will show the other name if the returning officer thinks
 - (a) that the use of the commonly used name may be likely to mislead or confuse electors, or
 - (b) that the commonly used name is obscene or offensive.
5. The description, if any, can only be
 - (a) one certified as an authorised or registered description as mentioned in rule 7 of the election rules, or
 - (b) the word "Independent".
6. In this form "elector"
 - (a) means a person whose name is registered in the register of local government electors for the electoral area in question on the last day for the publication of notice of election; and
 - (b) includes a person then shown in the register as below voting age if (but only if) it appears from the register that he will be of voting age on the day fixed for the poll.
7. However, a person who has an anonymous entry in the register of local government electors cannot nominate a candidate for election.

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Form 2

Form of Candidate's Consent to Nomination (for use at local authority mayoral elections)

Front of form

Date of election

I (name in full).....

Of (home address in full).....

hereby consent to my nomination as a candidate for election as the elected mayor for the *county/district/London borough/county borough of *delete whichever is inappropriate

I declare that on the day of my nomination I am qualified and that, if there is a poll on the day of election, I will be qualified to be so elected by virtue of being on that day or those days a qualifying Commonwealth citizen, a citizen of the Republic of Ireland or a citizen of another Member State of the European Community, who has attained the age of 18 years and that

* (a) I am registered as a local government elector for the area of the *county/district/London borough/county borough named above in respect of(qualifying address in full) and my electoral number (see Note below) is.....; or

* (b) I have during the whole of the 12 months preceding that day or those days occupied as owner or tenant of the following land or other premises in the area [description and address of land or premises]; or

* (c) my principal or only place of work during those 12 months has been in that county/district/London borough/county borough at [give address of place of work and, where appropriate, name of employer]; or

* (d) I have during the whole of those 12 months resided in that area at(give address in full) *Delete whichever is inappropriate

I declare that to the best of my knowledge and belief I am not disqualified for being elected by reason of any disqualification set out in section 80 of the Local Government Act 1972 or any decision made under section 79 of the Local Government Act 2000 (copies of which are printed overleaf), and I do not hold a politically restricted post, within the meaning of Part 1 of the Local Government and Housing Act 1989, under a local authority, within the meaning of that Part.

Date of birth

Signature

Date of consent

Signed in my presence

Signature of witness

Name and address of witness (WRITE CLEARLY)

NOTES

- 1. A person's electoral number is his number in the register to be used at the election (including the distinctive letter of the parliamentary polling district in which he is registered).
2. A candidate who is qualified by more than one qualification may complete any of those that may apply.

Back of form

Set out section 80 of the Local Government Act 1972 and section 79 of the Local Government Act 2000 (as amended from time to time).

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Form 3

Ballot paper (two candidates)

Form of Front of Ballot Paper

Election of Mayor

Vote for ONE candidate only

1	BASWRA Paresh Baswra 2 The Cottages, Anytown XY8 9JG Cream Party	[space for registered emblem, if any]	
2	CRANLEY Alana Cranley 4 The Walk, Anytown XY9 5JJ Purple Party	[space for registered emblem, if any]	

Form of Back of Ballot Paper

Number

Other Unique Identifying Mark

Election of mayor for the

*(county/district/London borough/county borough) of

on 20 ..

**Delete whichever is inappropriate*

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**Directions as to Printing the Ballot Paper
(for use at local authority mayoral elections)**

1. Nothing is to be printed on the ballot paper except in accordance with these directions.
2. So far as practicable, the following arrangements shall be observed in the printing of the ballot paper:-
 - (a) no word shall be printed on the face except the heading "Election of Mayor", the direction "Vote for ONE candidate only", the particulars of the candidates and words forming part of emblems;
 - (b) no rule shall be printed on the face except the horizontal rule separating the direction mentioned in paragraph (a) above from the particulars of the candidates and the horizontal rule separating the particulars of the candidates from one another and the horizontal rule beneath the particulars of the second candidate and the vertical rules separating those particulars from the numbers on the left-hand side and the spaces on the right where the vote is to be marked;
 - (c) the whole space between the top and bottom of the paper shall be equally divided between the direction mentioned in paragraph (a) above and each of the candidates by the horizontal rules mentioned in paragraph (b) above.
3. The word "ONE" in the direction mentioned in paragraph 2(a) above shall be printed in upper case.
4. The surname of each candidate shall in both cases be printed by itself in large capitals, and their full particulars shall be set out below it and shall be printed in ordinary type except that small capitals shall be used –
 - (a) if the surname is the same as another candidate's, for their other names; and
 - (b) if the other names are also the same as the other candidate's, either for their home address or for his description unless each of them is the same as that of another candidate with the same surname and other names.
5. Where an emblem is to be printed against a candidate's particulars –
 - (a) it shall be printed between the candidate's particulars and the vertical rule separating the candidate's particulars from the spaces where the vote is to be marked; and
 - (b) its size as printed shall not exceed two centimetres square.
6. The number and other unique identifying mark shall be printed on the back of the ballot paper.

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Form 4

Ballot paper (three or more candidates)

Form of Front of Ballot Paper

Election of Mayor

Vote ONCE [X] in Column One for your First Choice
Vote ONCE [X] in Column Two for your Second Choice

			Column One (First Choice)	Column Two (Second Choice)
1	BASWRA Paresh Baswra 2 The Cottages, Anytown XY5 9JG Liberal Democrat			
2	CRANLEY Alana Cranley The Grange, Anytown XY7 5JJ Green Party			
3	EDGBASTON Richard Edgbaston 6 The Heath, Anytown XY4 0BH The Common Good Party			
4	GUNNIL-WALKER Roger Gunnil-Walker 33 The Lane, Anytown XY6 3GD The Labour Party Candidate			
5	SMITH CATHERINE ANGELINA Smith 21 The Grove, Anytown XY2 5JP Independent			
6	SMITH KEITH JAMES Smith 3 The Road, Anytown XY3 4JN The Conservative Party Candidate			

Form of Back of Ballot Paper

Number
 Other Unique Identifying Mark
 Election of mayor for the
 *(county/district/London borough/county borough) of
 on 20 ..
**Delete whichever is inappropriate*

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

**Directions as to Printing the Ballot Paper
(for use at local authority mayoral elections)**

1. Nothing is to be printed on the ballot paper except in accordance with these directions.
2. So far as practicable, the following arrangements shall be observed in the printing of the ballot paper:-
 - (a) no word shall be printed on the face except the heading "Election of Mayor", the direction "Vote ONCE [X] in Column One for your First Choice, "Vote ONCE [X] in Column Two for your Second Choice", the indications "Column One (First Choice)" and "Column Two (Second Choice)", the particulars of the candidates and words forming part of emblems;
 - (b) no rule shall be printed on the face except the horizontal rule separating the direction mentioned in paragraph (a) above from the particulars of the candidates and the horizontal rules separating the particulars of the candidates from one another and the vertical rules separating those particulars from the numbers on the left-hand side and the spaces on the right where the vote is to be marked and the vertical rule separating the columns in which the first and second preference votes are to be marked;
 - (c) the whole space between the top and bottom of the paper shall be equally divided between the direction mentioned in paragraph (a) above and each of the candidates by the horizontal rules mentioned in paragraph (b) above.

Nothing in paragraph 2 prohibits the face of the ballot paper containing more than one column of numbers, candidates' particulars and spaces where the vote is to be marked. If the returning officer thinks it is appropriate for the ballot paper to be printed with more than one column, in such a case, each column must be separated by a double vertical rule.

3. The word "ONCE", in both places, in the direction mentioned in paragraph 2(a) above shall be printed in upper case.
4. The surname of each candidate shall in all cases be printed by itself in large capitals, and their full particulars shall be set out below it and shall be printed in ordinary type except that small capitals shall be used –
 - (a) if the surname is the same as another candidate's, for their other names; and
 - (b) if the other names are also the same as the other candidate's, either for their home address or for his description unless each of them is the same as that of another candidate with the same surname and other names.
5. Where an emblem is to be printed against a candidate's particulars –
 - (a) it shall be printed between the candidate's particulars and the vertical rule separating the candidate's particulars from the spaces where the vote is to be marked; and
 - (b) its size as printed shall not exceed two centimetres square.
6. The number and other unique identifying mark shall be printed on the back of the ballot paper.

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Form 6
Corresponding Number List – L2 (to be used in polling stations at a mayoral election taken alone)
Electoral Area:
Date of Poll:
Polling Station:
Sheet No.:

Ballot Paper Number	Elector Number

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Form 7

Form of Postal Voting Statement
(for use at local authority mayoral elections)

Postal Voting Statement

*Voter's name: Ballot paper No.
*(Returning Officer to insert name but omit where ballot papers sent to an anonymous elector)
[other identifying mark]

You must provide your [# signature and] date of birth. If you do not, the postal voting statement will be invalid and your vote will not be counted.

I AM THE PERSON THE BALLOT PAPER NUMBERED ABOVE WAS SENT TO

Date of birth

D	D	M	M	Y	Y	Y	Y
---	---	---	---	---	---	---	---

 (voter's date of birth)

#Signature

Signature Here

 (voter's signature)
IMPORTANT – Keep signature within border

*(Returning Officer to omit where a person has been granted a waiver)

Electoral fraud is a crime. You must not vote using a ballot paper that is not addressed to you or interfere with another voter's ballot paper.

PLEASE READ INSTRUCTIONS TO THE VOTER

Issued by the Returning Officer

INSTRUCTIONS TO THE VOTER

Complete the ballot paper yourself and in private. If you need help contact the Returning Officer's staff as shown below

[contact details for assistance
include address as appropriate]

- 1 You must provide your [# signature and] date of birth. If you do not, the postal voting statement will be invalid and your vote will not be counted.
2. [Vote for ONE candidate only] [Vote ONCE (X) in Column One for your First Choice candidate and Vote ONCE (X) in Column Two for your Second Choice candidate]. Do not mark your ballot paper in any other way or your vote(s) may not be counted.
3. Mark a cross [X] in the box on the right hand side of the ballot paper opposite the name(s) of the candidate(s) you are voting for.
4. If you need help voting, the person helping you must not tell anyone how you voted.
5. Put the ballot paper in the small envelope marked **A** and seal it.
6. Complete the postal voting statement by signing it, and providing your date of birth.
7. Then put the envelope marked **A** together with the postal voting statement in the larger envelope marked **B**. Return it straightaway.
8. After receiving this postal vote, you cannot vote in person at a polling station at this election.
9. If you accidentally spoil your ballot paper, you can apply to the Returning Officer for a replacement before 5 p.m. on [day/date of poll]. You must return the spoiled ballot paper,

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the postal voting statement, and the envelopes marked **A** and **B**. Make sure you contact the Returning Officer as soon as possible.

! Your ballot paper and the postal voting statement must be received by the Returning Officer by 10 p.m. on [day/date of poll]. You can deliver your completed postal vote to any polling station in your electoral area on polling day.

Electoral fraud is a crime. You must not vote using a ballot paper that is not addressed to you or interfere with another voter's ballot paper.

It is illegal to vote more than once (unless you are appointed as a proxy for another elector) at the same election.

#(Returning Officer to omit where a person has been granted a waiver)

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OFFICIAL POLL CARD Form 8 (to be sent to an elector voting in person) <i>Front of card</i>	
OFFICIAL POLL CARD	
Council: Electoral Area: Polling Day: Polling hours: 7 a.m. to 10 p.m. Your polling station will be:	Number on register: *Name *Address *(Returning Officer to omit where poll card sent to an anonymous elector. Poll card to anonymous elector must be delivered in a sealed envelope.)
*This card is for information only. You can vote without it, but it will save you time if you take it to the polling station and show it to the clerk there. SEE FURTHER INFORMATION ON THE BACK OF THIS CARD <i>Back of card</i>	
MAYORAL ELECTION	
<p>*When you go to the polling station, tell the clerk your name and address, as shown on the front of the card.</p> <p>*The clerk will confirm your details on the register.</p> <p>When you are given your ballot paper, go to one of the polling booths. Mark a cross (X) in the box on the right hand side of the ballot paper opposite the name(s) of the candidate(s) you are voting for.</p> <p>[Vote for ONE candidate only.]# [Vote ONCE (X) in Column One for your First Choice candidate and Vote ONCE (X) in Column Two for your Second Choice candidate.]# Do not put any other mark on the ballot paper, or your vote(s) may not be counted. #delete as appropriate.</p> <p>If you spoil your ballot paper by mistake, show it to the presiding officer and ask for a replacement.</p> <p>Fold the ballot paper in two. Show the presiding officer the number and other unique identifying mark on the back of the ballot paper, but do not let anyone see your vote. Put the ballot paper in the ballot box and leave the polling station.</p> <p>If you will be away on the date of the poll –</p> <ul style="list-style-type: none"> • You can apply to vote by post. Your application must be received by the Returning Officer before 5 p.m. on [-11 day/date deadline]. If you are given a postal vote, you will not be entitled to vote in person at this election. • You can apply to vote by proxy (this means someone else can vote on your behalf). Your application must be received before 5 p.m. on [-6 day/date deadline]. If you appoint a proxy, you can still vote in this election yourself if you do so before your proxy has voted for you. <p>In certain circumstances it may be possible to apply to vote by proxy after [-6 day/date deadline].</p> <p>To change any of your voting arrangements please contact [helpline number] as soon as possible.</p>	

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Issued by the Returning Officer

*[Where poll card sent to an anonymous elector substitute for the paragraphs marked with * above:-*

You must have this card with you when you vote. You cannot vote without it.

When you go to the polling station, ask to speak to the presiding officer and show them this card.

The presiding officer will confirm your entry on the register.]

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

OFFICIAL POSTAL POLL CARD Form 9 (to be sent to an elector voting by post) <i>Front of card</i>	
OFFICIAL POSTAL POLL CARD	
Council: Electoral Area: For the election on: [day/date] Number on Register: *Name and Address: *(Returning Officer to omit where poll card sent to an anonymous elector. Poll card to anonymous elector must be delivered in a sealed envelope).	This notice is to tell you that you have asked to vote by post for this election, and you will not be able to vote in a polling station. If you want to cancel your postal vote please call the helpline number shown below before 5 p.m. on [-11 day/date deadline]. We will send your postal voting papers around [day/date]. Addressed to: (Name and Address) If your postal voting papers have not arrived by [day/date] call: [helpline number] and ask for help.
If you lose or accidentally spoil your postal ballot paper, please call the helpline number shown above as soon as possible. Replacement ballot papers can only be issued before 5 p.m. on [day/date of poll].	
This card is to provide you with information about voting by post. SEE INFORMATION ON THE BACK OF THIS CARD <i>Back of card</i>	
MAYORAL ELECTION	
When you receive your postal voting pack, please read the instructions with it carefully before completing your postal ballot paper. Do not let anyone see your vote. If you need help voting, the person helping you must not tell anyone how you have voted. You can get independent help from the Returning Officer, please call the helpline number shown below. You must sign the postal voting statement (unless you have been granted a waiver by prior arrangement with the Returning Officer) and provide your date of birth. This is a security measure. It will not affect your vote or mean it can be identified. Without your signature and date of birth the statement will not be valid and your vote will not be counted. The Returning Officer can cross check your signature against other records that they hold. If you lose or accidentally spoil your ballot paper, please call the helpline number shown below as soon as possible. We can only issue replacement postal ballot papers before 5 p.m. on [day/date of poll]. Complete and return your postal vote as soon as possible. The Returning Officer must receive your postal vote by 10 p.m. on [day/date of poll]. You can deliver your completed voting papers to any polling station in the electoral area. If you want to vote in person at these elections, you must cancel your postal vote before 5 p.m. on [-11 day/date deadline]. If you need any assistance, please call our helpline on: [helpline number]. <p style="text-align: center;">It is an offence to vote using a ballot paper that was not addressed to you.</p> <p style="text-align: center;">Issued by the Returning Officer</p>	

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<p>OFFICIAL PROXY POLL CARD Form 10 (to be sent to an appointed proxy voting in person) <i>Front of card</i></p>	
<p>OFFICIAL PROXY POLL CARD</p>	
<p>Council: Electoral Area: Polling Day: Polling hours: 7 a.m. to 10 p.m. Elector's polling station will be:</p>	<p>*This poll card is to tell you that for this election, the elector named on the back of this card has appointed you as their proxy. *Proxy's name *Proxy's address <i>*(Returning Officer to omit where poll card sent to the proxy of an anonymous elector. Poll card to proxy of anonymous elector must be delivered in a sealed envelope.)</i></p>
<p>*This card is for information only. You can vote without it, but it will save time if you take it to the polling station and show it to the clerk there.</p> <p><i>SEE FURTHER INFORMATION ON THE BACK OF THIS CARD</i> <i>Back of card</i></p>	
<p>MAYORAL ELECTION</p>	
<p>*This poll card is to tell you that for this election you are appointed as proxy for: *(Elector's name) *(Elector's address) *(Elector's number on register)</p> <p>*When you go to the polling station, tell the clerk that you wish to vote as proxy on behalf of the voter shown above.</p> <p>The clerk will confirm the details on the register.</p> <p>When you are given the ballot paper, go to one of the polling booths. Mark a cross (X) in the box on the right hand side of the ballot paper opposite the name(s) of the candidate(s) the elector is voting for.</p> <p>[Vote for ONE candidate only.]# [Vote ONCE (X) in Column One for your First Choice candidate and Vote ONCE (X) in Column Two for your Second Choice candidate.]# Do not put any other mark on the ballot paper, or your votes may not be counted. <i>#delete as appropriate.</i></p> <p>If you spoil the ballot paper by mistake, show it to the presiding officer and ask for a replacement.</p> <p>Fold the ballot paper in two. Show the presiding officer the number and other unique identifying mark on the back of the ballot paper, but do not let anyone see the vote. Put the ballot paper in the ballot box and leave the polling station.</p> <p>If you will be away on the date of the poll, you can apply before 5 p.m. on <i>[-11 day/date deadline]</i> to vote by post. If you are given a postal vote, you or the elector will <i>not</i> be entitled to vote in person at this election.</p>	

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The person who appointed you as proxy may vote at this election. If they wish to do so they must vote in person before you vote on their behalf.

It is illegal to do any of the following:

- Vote more than once (unless you are appointed as a proxy for another elector) at the same election.
- Vote as a proxy at the same election for two or more persons unless you are their spouse, civil partner, parent, grandparent, brother, sister, child or grandchild.
- Vote as a proxy for a person if you know that the person is subject to a legal incapacity to vote.

If you need any assistance, please call our helpline on: [*helpline number*].

Issued by the Returning Officer

[Where poll card sent to the proxy of an anonymous elector substitute for the text marked with * above:-

You must have this card with you when you vote, you cannot vote as proxy without it.

You are entitled to vote as proxy for the elector whose electoral number is shown below:

.....
(Elector's number on register)

To vote as proxy you must go to the polling station shown on the front of this card. Ask to speak to the presiding officer and show them this card.]

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

OFFICIAL PROXY POSTAL POLL CARD Form 11 (to be sent to an appointed proxy voting by post) <i>Front of card</i>	
OFFICIAL PROXY POSTAL POLL CARD	
Council: Electoral Area: For the election on: [day/date] Name and Address (Proxy):	This poll card is to tell you that for this election, the elector named on the back of this card has appointed you as their proxy and you have decided to vote by post. You will not be able to vote on behalf of the elector in a polling station. If you want to cancel this postal vote and vote in person on polling day, please call the helpline number shown below before 5 p.m. on [-11 day/date deadline]. We will send the proxy postal voting papers around [day/date]. If the postal voting papers have not arrived by [day/date] please call: [helpline number] and ask for help.
If you lose or accidentally spoil the elector's postal ballot paper, please call the helpline number shown above as soon as possible. Replacement ballot papers can only be issued before 5 p.m. on [day/date of poll].	
This card is to provide you with information about voting by post. SEE INFORMATION ON THE BACK OF THIS CARD <i>Back of card</i>	
MAYORAL ELECTION	
<p>*This poll card is to tell you that for this election you are appointed as proxy for the elector named below and you have decided to vote by post.</p> <p>.....</p> <p>*(Elector's name)</p> <p>.....</p> <p>*(Elector's address)</p> <p>When you receive the postal voting pack, please read the instructions with it carefully before completing the postal ballot paper.</p> <p>Do not let anyone see your vote. If you need help voting, the person helping you must not tell anyone how you have voted.</p> <p>You must sign the postal voting statement (unless you have been granted a waiver by prior arrangement with the Returning Officer) and provide your date of birth. This is a security measure. It will not affect your vote or mean it can be identified. Without your signature and date of birth the statement will not be valid and your vote will not be counted. The Returning Officer can cross check your signature against other records they hold.</p> <p>If you lose or accidentally spoil the postal ballot paper, please call the helpline number below as soon as possible. We can only issue replacement postal ballot papers before 5 p.m. on [day/date of poll].</p> <p>Complete and return the postal vote as soon as possible. The Returning Officer must receive the postal vote by 10 p.m. on [day/date of poll]. You can deliver your completed voting papers to any polling station in your electoral area.</p> <p>If you want to vote in person as a proxy at these elections, you must cancel your postal vote before 5 p.m. on [-11 day/date deadline].</p>	

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

It is illegal to do any of the following:

- Vote more than once (unless you are appointed as a proxy for another elector) at the same election.
- Vote as a proxy at the same election for two or more persons unless you are their spouse, civil partner, parent, grandparent, brother, sister, child or grandchild.
- Vote as a proxy for a person if you know that the person is subject to a legal incapacity to vote.

If you need any assistance, please call our helpline on: [helpline number].

Issued by the Returning Officer

[Where poll card sent to the proxy of an anonymous elector substitute for the text marked with * above:-

This poll card is to tell you that for this election you are appointed as proxy for the elector whose electoral number is shown below and you have decided to vote by post.

You are entitled to vote as proxy for the elector whose electoral number is shown below:

.....
(Elector's number on register.)

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Form 12

**Form of directions for the guidance of the voters in voting
(for use at local authority mayoral elections)**

GUIDANCE FOR VOTERS

1. When you are given your ballot paper go to one of the polling booths.
2. Mark a cross (X) in the box on the right hand side of the ballot paper opposite the name(s) of the candidate(s) you are voting for.
3. ***[Vote for ONE candidate only.] [Vote ONCE (X) in column one for your first choice and Vote ONCE (X) in column two for your second choice.]** Put no other mark on the ballot paper, or your vote(s) may not be counted.
4. Fold the ballot paper in two. Show the presiding officer the number and other unique identifying mark on the back of the ballot paper, but do not let anyone see your vote.
5. Put the ballot paper in the ballot box and leave the polling station.
6. If you spoil your ballot paper by mistake, show it to the presiding officer and ask for a replacement.

**delete as appropriate*

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Form 13

**Form of Certificate of Employment
(for use at local authority mayoral elections)**

MAYORAL ELECTION

*County/District/London Borough/County borough] of

I certify that (name).....who is numbered
..... in the register for electors for the electoral area named above cannot
reasonably be expected to go in person to the polling station allotted to him or her at the
election [*date of poll*] by reason of the particular circumstances of his or her
employment on that date for a purpose connected with the election –

* (a) as a constable

* (b) by me

Signature

* Returning Officer/Police Officer (Inspector or above)

Date

* Delete whichever is inappropriate

Note:- The person named above is entitled to vote at any polling station of the above
electoral area on production and surrender of this certificate to the presiding officer.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Form 14

**Form of declaration to be made by the companion
of a voter with disabilities
(for use at local authority mayoral elections)**

I, (name of companion),
of..... (address of companion)
having been requested to assist(name of elector)
(in the case of a voter with disabilities voting as proxy, adding 'voting as proxy for
.....(name of elector)) whose number on the register
is..... to record their vote at the election now being held in this electoral area',
hereby declare that

- I am entitled to vote as an elector at the said election
- I am the * of the said voter and have attained the age of 18 years, and
- I have not previously assisted any voter with disabilities [except.....
(name of other elector), of(address of other elector)]
to vote at the said election.

**State the relationship of the companion to the voter*

Signed(Companion)

Date

I, the undersigned, being the presiding officer for (polling station) for
the electoral area of hereby certify that
the above declaration, having been first read to the above-named companion, was signed by the
companion in my presence.

Signed (Presiding Officer)

Date

Time (a.m./p.m.)

NOTE

1. If the person making the above declaration knowingly and wilfully makes therein a statement false in a material particular, he will be guilty of an offence.
2. A voter with disabilities is a voter who has made a declaration under the mayoral elections rules that he is so incapacitated by his blindness or other disability, or by his inability to read, as to be unable to vote without assistance.