

SCHEDULE 1

Amendments to the 1962 Act

Part 4

Amendments to the Local Elections Rules

44. Schedule 5 to the 1962 ^{M1} Act (Local Elections Rules) is amended as follows.

Marginal Citations

M1 Schedule 5 to the 1962 Act was substituted in its entirety by [S.I. 1985/454](#); relevant amendments to those rules as substituted are referenced in the appropriate places in this Order.

45. The timetable in rule 1(2) is amended as follows—

(a) for the second column of the entry relating to the delivery of nomination papers substitute—

“Between the hours of 10 a.m. and 4 p.m. on any day after the day of publication of the notice of election but no later than 1 p.m. on the 16th day before election day.”; and

(b) for the second column of the entry relating to publication of statement of persons nominated substitute—

“(a) If no objections to nomination papers are made, 6 p.m. on the 16th day before election day (or as soon as practicable thereafter).

(b) If any such objections are made, not before they are disposed of but not later than 24 hours after the last time for delivery of nomination papers.”.

46. The timetable in rule 1(3) is amended as follows—

(a) for the second column of the entry relating to delivery of nomination papers substitute—

“Between the hours of 10 a.m. and 4 p.m. on any day after the day of publication of the notice of election but not later than 1 p.m. on the 7th day after the publication of the notice of election.”;

(b) for the second column of the entry relating to the making of objections to nomination papers substitute—

“During the hours allowed for delivery of nomination papers and on the last such day during the hour following.”; and

(c) for the second column of the entry relating to publication of statement of persons nominated substitute—

“(a) If no objections to nomination papers are made, 6 p.m. on the 7th day after the day of the publication of the notice of election (or as soon as practicable thereafter).

(b) If any such objections are made, not before they are disposed of but not later than 24 hours after the last time for delivery of nomination papers.”.

47. After rule 3 (returning officer) insert—

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“Forms

3A. Where these rules require the use of a form set out in the Appendix, any form that has substantially the same effect may be used instead.”.

48. After rule 4(c) (notice of election) insert—

“(ca) the address to which the applications mentioned in paragraph (c) must be sent;”.

49. After rule 5(2) ^{M2} (nomination of candidates) insert—

“(2A) If a candidate commonly uses—

(a) a surname which is different from any other surname the candidate has, or

(b) a forename which is different from any other forename the candidate has,

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

Marginal Citations

M2 [Rule 5](#) was amended by [S.I. 2001/417](#) and [S.I. 2010/1178](#).

50.—(1) Rule 9 ^{M3} (right to attend nomination) is amended as follows.

(2) In paragraph (1) after “returning officer” insert “, and subject to paragraph (5), ”.

(3) After paragraph (4) insert—

“(5) One other person chosen by the candidate is entitled to be present at the delivery of the candidate's nomination, and may afterwards, so long as the candidate stands nominated, attend the proceedings referred to in paragraph (1), but without any such right as is conferred by paragraph (3).”.

Marginal Citations

M3 [Rule 9\(4\)](#) was inserted by paragraph 56 of Schedule 1 to the [Electoral Administration Act 2006 \(c.22\)](#).

51.—(1) In rule 10 ^{M4} (decisions as to validity of nomination papers) for paragraphs (3) and (3A) substitute—

“(3) Subject to paragraph (3A), the returning officer must give the decision on any objection to a nomination paper—

(a) as soon as practicable after it is made; and

(b) in any event before the end of the period of 24 hours starting with the close of the period for delivery of nomination papers as set out in whichever timetable in paragraph (2) or (3) of rule 1 applies to the election.

(3A) If in the returning officer's opinion a nomination paper breaks rule 5A(1) or (1B), the returning officer must give a decision to that effect—

(a) as soon as practicable after delivery of the nomination paper; and

(b) in any event, before the end of the period of 24 hours starting with the close of the period for delivery of nomination papers as set out in whichever timetable in paragraph (2) or (3) of rule 1 applies to the election.”.

Marginal Citations

M4 Paragraphs (3) and (4) were amended, and paragraph (3A) inserted, by [S.I. 2001/417](#); paragraph (3A) was amended by [S.I. 2010/1178](#).

52.—(1) Rule 12 (publication of nominations) is amended as follows.

(2) After paragraph (2) insert—

“(2A) 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.

(2B) Paragraph (2A) 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.

(2C) If paragraph (2B) applies, the returning officer must give notice in writing to the candidate of the reason for refusing to allow the use of the commonly used name.”.

(3) After paragraph (4) insert—

“(5) After the close of the poll, the Chief Electoral Officer must retain the statement of persons nominated in respect of each district electoral area.

(6) The statements must be retained until at the next local general election the results are declared under rule 56.”.

53. After rule 12 insert—

“Correction of minor errors

12A.—(1) The returning officer may, at any time before 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; or
- (c) obvious errors of spelling in relation to the description of a registered political party (including a joint description) authorised as mentioned in rule 5A.

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

54.—(1) Rule 16^{M5} (the ballot papers) is amended as follows.

(2) In paragraph (2) omit sub-paragraph (d).

(3) In paragraph (2A)—

- (a) after “If” insert “, on behalf of” and after “rule 5A(1)” insert “, the registered nominating officer of that party”;
- (b) after paragraph (2B) insert—

“(2C) If, on behalf of a candidate who is the subject of two or more parties' authorisations under rule 5A(1B)^{M6} the registered nominating officers of those parties so request, the ballot paper must contain, against the candidate's particulars, the registered emblem of one of those parties (or, as the case may be, one of its registered emblems).

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(2D) The request mentioned in paragraph (2C) must be—

- (a) made in writing by the nominating officers of the parties jointly to the returning officer, and
- (b) received by the returning officer before the last time for the delivery of nomination papers.”.

(4) After paragraph (3) insert—

“(4) In this rule “registered nominating officer” means the person registered as a party's nominating officer under the Political Parties, Elections and Referendums Act 2000 ^{M7} or a person authorised by the nominating officer to act on his or her behalf.”.

Marginal Citations

- M5** Rule 16 was amended by S.I. 1987/168; paragraph 59 of Schedule 1 to the [Electoral Administration Act 2006 \(c.22\)](#); and is modified in the case of a combined election by paragraph 15 of the Schedule to the [Elections Act 2001 \(c.7\)](#).
- M6** Rule 5A was inserted by S.I. 2001/417 and amended by S.I. 2010/1178.
- M7** 2000 c.41.

55. After rule 16 insert—

“Corresponding number list

16A.—(1) The returning officer must prepare a list containing the numbers and other unique identifying marks of all the ballot papers sent in pursuance of rule 21(1) or provided in pursuance of rule 26(1).

(2) The form of corresponding number list to be prepared by the returning officer for the purpose of this rule must be in form 4A in the Appendix.

(3) The form of the corresponding number list to be prepared by the returning officer for the purpose of this rule when the poll at a local election is to be taken with the poll at an election under section 15 of the Representation of the People Act 1985 ^{M8} (combination of polls at Parliamentary, European Parliamentary and local elections) must be in form 4B in the Appendix.”.

Marginal Citations

- M8** Section 15 was amended by section 3 of the [European Communities \(Amendment\) Act 1986 \(c.58\)](#) and section 3 of the [Elections Act 2001 \(c.7\)](#); other amendments made to section 15 are not relevant to this Order.

56. In rule 19(2) (use of schools and public rooms) for “Measure” substitute “ an Act ”.

57. In rule 20(2) ^{M9} (notice of poll) at the end of sub-paragraph (c) omit “and” and after sub-paragraph (d) insert—

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

Marginal Citations

M9 [Rule 20](#) has been amended in the case of a combined election by paragraph 16 of the Schedule to the [Elections Act 2001 \(c.7\)](#).

58. In rule 21^{M10} (postal ballot papers) after paragraph (2) insert—

“(3) The returning officer must also send to those entitled to vote by post such information as the returning officer thinks appropriate about how to obtain—

- (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).

(4) The returning officer must ensure that the return of the ballot paper and the declaration of identity is free of charge to the voter.”.

Marginal Citations

M10 [Rule 21](#) was amended by [S.I. 1987/168](#) and, in the case of a combined election, by paragraph 17 of the Schedule to the [Elections Act 2001 \(c.7\)](#).

59.—(1) Rule 25^{M11} (issue of official poll cards) is amended as follows.

(2) In paragraph (1) after “practicable” insert “ after the publication of the notice of election ”.

(3) After paragraph (3)(c) insert

“; and

(d) such other information as the returning officer thinks appropriate;

and different information may be provided in pursuance of sub-paragraph (d) to different electors or descriptions of electors.”.

Marginal Citations

M11 [Rule 25](#) was amended by [S.I. 1987/168](#) and, in the case of a combined election, by paragraph 18 of the Schedule to the [Elections Act 2001 \(c.7\)](#).

60.—(1) Rule 26^{M12} (equipment of polling stations) is amended as follows.

(2) In paragraph (2) after “unlocked” insert “ or, where the box has no lock, the seal being broken ”.

(3) Omit paragraph (3)(b).

(4) After paragraph (3)(d) insert—

“(e) a list consisting of that part of the list prepared under rule 16A 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.”.

(5) After paragraph (3ZB) insert—

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“(3ZC) Subject to paragraph (3ZD), the list provided under paragraph (3)(e) must be in the form 8A in the Appendix.

(3ZD) Where the poll at a local election is to be taken with the poll at an election under subsection (1) or (2) of section 15 of the Representation of the People Act 1985 ^{M13}, the list provided under paragraph (3)(e) must be in the form 8B in the Appendix.

(3ZE) Where proof has been given to the returning officer's satisfaction of the death of a candidate named in the ballot paper as an independent candidate (within the meaning of rule 61), the returning officer must provide each presiding officer with sufficient number of notices informing the voters that the candidate has died for display in every compartment of every polling station.”.

Marginal Citations

M12 Rule 26 was amended by S.I. 2001/417 and, in the case of a combined election, by paragraph 19 of the Schedule to the [Elections Act 2001 \(c.7\)](#).

M13 1985 c. 50; section 15 was amended by section 3 of the [European Communities \(Amendment\) Act 1986 \(c. 3\)](#) and section 3 of the [Elections Act 2001 \(c. 7\)](#). Other amendments made to this section are not relevant to this Order.

61.—(1) Rule 27 (appointment of polling and counting agents) is amended as follows.

(2) In paragraph (1)(b) for “one counting agent” substitute “ counting agents ”.

(3) After paragraph (1) insert—

“(1A) The returning officer may limit the number of counting agents, so however that—

(a) the number is the same in the case of each candidate; and

(b) the number allowed to a candidate may 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.”.

(4) In paragraph (2) for “second” substitute “ fifth ”.

(5) In paragraph (4) omit the words from the beginning to “paid polling agents, and”.

62. In rule 28(a) ^{M14} (notification of requirement of secrecy) for “assisting a blind voter” substitute “ assisting a voter with disabilities ”.

Marginal Citations

M14 Rule 28 was substituted by S.I. 1987/168.

63. In rule 29(3)(a) (admission to polling station) omit “chief”.

64. In rule 30(2)(a) (keeping of order in station) omit “in or near that station”.

65. In rule 31 (sealing of ballot boxes)—

(a) after “lock it up” insert “ (if it has a lock) ”; and

(b) after “so locked” insert “ (if it has a lock) ”.

66. After rule 32(4) ^{M15} (questions to be put to voters) insert—

“(5) In the case of an elector in respect of whom a notice has been issued under section 13BA(9) ^{M16} of the Representation of the People Act 1983, the reference in the

question at paragraph (1)(a)(i) to reading from the register must be taken as a reference to reading from the notice.”.

Marginal Citations

- M15** Rule 32 was amended by [S.I. 2002/2835](#) and the [Electoral Administration Act 2006 \(c.22\)](#). It has been modified in the case of a combined election by paragraph 20 of the Schedule to the [Elections Act 2001 \(c.7\)](#) (“the 2001 Act”).
- M16** Section 13BA was inserted by section 6 of the [Northern Ireland \(Miscellaneous Provisions\) Act 2006 \(c.33\)](#).

67. For rule 33 (challenge of voter) substitute—

“Challenge of voter

33. A person shall not be prevented from voting by reason only that—

- (a) a candidate or an election or polling agent declares that he or she 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 or she is suspected of committing or of being about to commit such an offence.”.

68.—(1) Rule 34 ^{M17} (voting procedure) is amended as follows.

(2) Omit paragraph (1)(a).

(3) In paragraph (1)(c) for “counterfoil” substitute “ list mentioned in rule 26(3)(e) beside the number of the ballot paper to be issued to the elector ”.

(4) Paragraph (6) is amended as follows—

- (a) in each place in which it occurs omit the word “current”;
- (b) after sub-paragraph (i) insert—

“(j) a Blind Person's SmartPass issued under the Northern Ireland Concessionary Fares Scheme for use from 1st May 2002;

(k) a War Disabled SmartPass issued under the Northern Ireland Concessionary Fares Scheme for use from 1st May 2002;

(l) a 60+ SmartPass issued under the Northern Ireland Concessionary Fares Scheme for use from 1st October 2008.”; and

(c) omit the words from “In sub-paragraph (a)” to the end.

(5) After paragraph (6) insert—

“(6A) In paragraph (6)(a) “licence to drive a motor vehicle” means a licence granted under—

(a) Part 3 of the Road Traffic Act 1972 ^{M18} or Part 3 of the Road Traffic Act 1988 ^{M19};

(b) the Road Traffic (Northern Ireland) Order 1981 ^{M20}; or

(c) any corresponding enactment for the time being in force,

and includes a Community licence within the meaning of those enactments.”.

(6) In paragraph (8)(c) for “official” substitute “ number and other unique identifying ”.

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- M17** [Rule 34](#) was amended by [S.I. 1995/1948](#); [S.I. 2002/2835](#); [S.I. 2003/1245](#); and paragraph 1 of Schedule 4 to the Northern Ireland (Miscellaneous Provisions) Act 2006. It has been modified in the case of a combined election by paragraph 21 of the Schedule to the 2001 Act.
- M18** [1972 c.20](#). This Act was repealed by the [Road Traffic \(Consequential Provisions\) Act 1988 \(c.54\)](#).
- M19** [1988 c.52](#).
- M20** [S.I. 1981/154](#).

69. After rule 34 insert—

“Disclosure of information regarding ballot papers

34A.—(1) During the taking of the poll the presiding officer and the clerks appointed to attend at the polling station may not disclose how many ballot papers have been issued to voters; but this is subject to paragraph (2).

(2) The presiding officer may disclose that information to—

- (a) the returning officer, or
- (b) any other person in accordance with directions given by the returning officer.

(3) Any direction under paragraph (2)(b) must be given before the commencement of the poll.”.

70.—(1) Rule 41 ^{M21} (procedure on close of poll) is amended as follows.

(2) In paragraph (1)(a) after “key” insert “ (if it has a lock) ”.

(3) After paragraph (1)(d) insert—

“(da) the lists prepared under rule 16A including the part that was completed in accordance with rule 34(1)(c) (in these rules referred to as “the completed corresponding number lists”).”.

(4) In paragraph (1)(e) omit “the counterfoils of the used ballot papers and”.

(5) In paragraph (2) for “the counterfoils of the used ballot papers and” substitute “ the completed corresponding number lists or ”.

Marginal Citations

- M21** [Rule 41](#) was amended by [S.I. 2001/417](#); the [Electoral Administration Act 2006 \(c.22\)](#); and the [Northern Ireland \(Miscellaneous Provisions\) Act 2006 \(c.33\)](#). It has also been modified in the case of a combined election by paragraph 25 of the Schedule to the [Elections Act 2001 \(c.7\)](#).

71.—(1) Rule 44 (attendance at counting of votes) is amended as follows.

(2) In paragraph (1)(b) after “candidates” insert “ and one other person chosen by each of them ”.

(3) In paragraph (2) for “he is satisfied that the efficient counting of the votes will not be impeded” substitute

“the returning officer—

- (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.”.

72. In rule 45(4) ^{M22} (preliminary proceedings and conduct of the count) after “the numbers” insert “ or other unique identifying marks ”.

Marginal Citations

M22 [Rule 45](#) was amended by [S.I. 2002/2835](#).

73. In rule 46(1)(d) (rejected ballot papers) after “printed number” insert “ and other unique identifying mark ”.

74. In rule 57(2) ^{M23} (sealing up of ballot papers) for “counterfoils and” substitute “ the completed corresponding number lists, or of ”.

Marginal Citations

M23 [Rules 57](#) and [58](#) were both amended by paragraph 1 of Schedule 4 to the [Northern Ireland \(Miscellaneous Provisions\) Act 2006 \(c.33\)](#); and prior to that rule 58 had been amended by [S.I. 2001/417](#).

75. In rule 58(1) (forwarding of documents)—

- (a) in sub-paragraph (d) omit “counterfoils and”; and
- (b) after that sub-paragraph insert—

“(da) the packets of the completed corresponding number lists,”.

76.—(1) Rule 59 (orders for production of documents) is amended as follows.

(2) In paragraph (1)(b) for “counterfoils and” substitute “ the completed corresponding number lists or of ”.

(3) In paragraph (2) for the words “a packet of counterfoils and” substitute “ a sealed packet of the completed corresponding number lists or of ”.

(4) For paragraph (6) substitute—

“(6) 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 13BA(9) of the Representation of the People Act 1983) at the time of the election contained the same number as the number written as mentioned in sub-paragraph (b).”.

(5) In paragraph (7) for “counterfoils and” substitute “ the completed corresponding number lists or of ”.

77.—(1) Rule 60 (retention and public inspection of documents) is amended as follows.

- (2) In the heading omit “and public inspection”.
- (3) In paragraph (1) for “six” substitute “ 12 ”.
- (4) Omit paragraphs (2) and (3).

78. For rule 61 ^{M24} (countermand or abandonment of poll on death of candidate) substitute—

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“Independent candidate

61.—(1) This rule applies 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 in the ballot paper as an independent candidate has died.

(2) Subject to this rule and rule 62, these rules apply to the election as if the candidate had not died.

(3) The following provisions of these rules do not apply in relation to the deceased candidate—

- (a) rule 29(1)(c) and (d) (admission to polling station), and
- (b) rule 44(1)(b) to (d) (attendance at counting of votes).

(4) If the number of persons standing nominated is equal to (or where more than one independent candidate has died, less than) the number of seats to be filled the returning officer must—

- (a) if polling has not begun, countermand the poll;
- (b) if polling has begun, direct that the poll is abandoned;
- (c) subject to rule 64, treat the election as an uncontested election.

(5) For the purposes of this rule a person is named or to be named in the ballot papers as an independent candidate if the description (if any) on the candidate's nomination paper is not authorised as mentioned in rule 5A(1) or (1B).

Deceased independent candidate's votes are equal to or exceed the quota

62.—(1) This rule applies if at an election mentioned in rule 61(1) the deceased candidate's votes are equal to or exceed the quota (ascertained as mentioned in rule 48).

(2) Rule 56(1) (declaration of result) does not apply but the returning officer must—

- (a) declare that the votes given to the deceased candidate are equal to or exceed the quota (as the case may be),
- (b) declare that no candidate is elected, and
- (c) give public notice of—
 - (i) the number of first preference votes given for each candidate,
 - (ii) any transfer of votes,
 - (iii) the total number of votes for each candidate at each stage of the count at which such transfer took place,
 - (iv) the order in which the successful candidates would have been elected if it were not for the provisions of this rule, and
 - (v) the number of rejected ballot papers under each head shown in the statement of rejected ballot papers prepared under rule 46(3).

(3) The proceedings with respect to the election must be commenced afresh subject to the following provisions of this rule.

(4) The fresh proceedings must be conducted in accordance with the following timetable (and the timetables in rule 1 do not apply)—

Timetable

Proceedings

Time

Publication of notice of election.	Within 21 days from the day of the election mentioned in rule 61.
Delivery of notices of withdrawal of candidature.	Between the hours of 10 a.m. and 4 p.m. on any day after the publication of the notice of election but not later than 1 p.m. on the 7th day after the day of publication of the notice of election.
Publication of statement of persons nominated.	After 1 p.m. but not later than 6 p.m. on the 7th day after the day of publication of the notice of election.
Polling.	Between 7 a.m. and 10 p.m. on the day fixed by the returning officer which may not be earlier than the 18th nor later than the 21st day after the last day for delivery of notices of withdrawal of candidature.

(5) No fresh nomination is necessary in the case of a person who was shown in the statement of candidates nominated as standing nominated in respect of the election mentioned in rule 61 and no other nomination may be made.

(6) Rule 8 (delivery of nomination papers) does not apply but the returning officer must fix the place at which notices of withdrawal of candidature are to be delivered to him or her in accordance with rule 11.

(7) Rule 2^{M25} applies in computing any period of time for the purpose of the timetable set out in paragraph (4).

Party candidate

63.—(1) This rule applies if—

- (a) 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 a candidate in the ballot paper has died, and
- (b) that person is standing in the name of a registered political party or two or more registered political parties.

(2) The returning officer must—

- (a) countermand notice of the poll, or
- (b) if polling has begun, direct that the poll be abandoned.

(3) The proceedings with respect to the election must be commenced afresh subject to the following provisions of this rule.

(4) The fresh proceedings must be conducted in accordance with the following timetable (and the timetables in rule 1 do not apply)—

Timetable

Proceeding

Time

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Publication of notice of election.	Within 21 days from the day on which the returning officer becomes satisfied of the candidate's death.
Delivery of nomination papers (pursuant to paragraph (6)).	Between the hours of 10 a.m. and 4 p.m. on any day after the day of publication of the notice of election but not later than 1 p.m. on the 7th day after the day of publication of the notice of election.
Delivery of notices of withdrawal of candidature.	Within the time for delivery of nomination papers.
The making of objections to nomination papers (submitted pursuant to paragraph (6) only).	During the hours allowed for delivery of nomination papers and on the 7th day after the day of publication of the notice of election during the hour following.
Publication of statement of persons nominated.	<p>(a) If no objections to nomination papers are made, 6 p.m. on the 7th day after the day of publication of the notice of election (or as soon as practicable thereafter).</p> <p>(b) If any such objections are made, not before they are disposed of but not later than 24 hours after the last time for delivery of nomination papers.</p>
Polling.	Between 7 a.m. and 10 p.m. on the day fixed by the returning officer which may not be earlier than the 18th nor later than the 21st day after the last day for delivery of notices of withdrawal of candidature.

(5) No fresh nomination is necessary in the case of a person who was shown in the statement of candidates nominated as standing nominated in respect of the election mentioned in paragraph (1).

(6) No other nomination may be made except for a person standing in the name of the same registered political party or parties in whose name or names the deceased candidate was standing.

(7) Rule 2 applies in computing any period of time for the purpose of the timetable set out in paragraph (4).

(8) For the purposes of this rule—

(a) a person (“P”) stands in the name of a registered political party if P's nomination paper contains a description which is authorised as mentioned in rule 5A(1) or (1B), and

(b) a registered political party is a party which is registered under Part 2 of the Political Parties, Elections and Referendums Act 2000 ^{M26} in the Northern Ireland register (within the meaning of that Act).

Abandoned poll

64.—(1) This rule applies to a poll which is abandoned in pursuance of rules 61(4)(b) or 63(2)(b).

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(2) The presiding officer at a 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 the presiding officer is required to take on the close of the poll.

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

(4) No step or further step is to be taken for the counting of the ballot papers or of the votes.

(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 returning officer must dispose of the ballot papers and other documents in the returning officer's possession as the returning officer is required to do on the completion of the counting of the votes.

(7) 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 subject to paragraphs (8) and (9).

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

(9) No order is to be made for—

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

Marginal Citations

M24 [Rule 61](#) has been modified in the case of a combined election by paragraph 28 of the Schedule to the [Elections Act 2001 \(c.7\)](#).

M25 [Rule 2](#) was amended by [S.I. 1987/168](#) and paragraph 48 of Schedule 1 to the [Electoral Administration Act 2006 \(c.22\)](#).

M26 [2000 c.41](#).

79. The Appendix of Forms in Schedule 5 to the 1962 Act is amended in accordance with paragraphs 80 to 91.

80. In the Form of nomination paper (form 1), for the first table following the words “candidate at this election” substitute—

<i>“Candidate’s surname</i>	<i>Other names in full</i>	<i>Commonly used surname (if any)</i>	<i>Commonly used forenames (if any)</i>	<i>Description (if any)</i>	<i>Home address in full”</i>
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81. In the Notes ^{M27} following the Form of nomination paper—

- (a) after paragraph 2 insert—

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“2A. Where a candidate commonly uses a name which is different from any other name he or she has, 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. 2B. 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.”;
- (b) after paragraph 5 insert—

“6. A person who is unable to sign this form because of blindness or other disability may contact the deputy returning officer for advice on how he or she may subscribe the form.”.

Marginal Citations

M27 The Notes to form 1 were amended by [S.I. 2001/417](#).

82.—(1) The Candidate's consent to nomination (form 2) ^{M28} is amended as follows.

(2) In the paragraph beginning “I declare that I have attained”—

- (a) for “21” substitute “ 18 ”;
- (b) before “Commonwealth” insert “ qualifying ”; and
- (c) for “Community” substitute “ Union ”.

(3) After that paragraph insert “ My date of birth is [DD/MM/YEAR] ”.

(4) After the paragraph beginning “I further declare that to the best of my knowledge” insert—

“I declare that I am not a candidate at an election in the same local government electoral area the poll for which is to be held on the same day as the election to which this consent relates.”.

Marginal Citations

M28 Form 2 in the Appendix of Forms was amended by [S.I.1995/1948](#) and by section 3 of, and Schedule 2 to, the [Elected Authorities \(Northern Ireland\) Act 1989 \(c.3\)](#).

83. In the Directions as to printing the ballot paper (form 4) ^{M29}—

- (a) in paragraph 2(b) after “marked” insert “ (except where paragraph 3(d) applies in which case each column must be separated by a double vertical rule) ”.
- (b) in paragraph 3(a) omit “, occupations”;
- (c) for paragraph 3(b) substitute—

“(b) the surname of each candidate must be printed by itself in large capitals, and the candidate's full name, address and description (as given on the statement of persons nominated) must be printed underneath (subject to sub-paragraph (c)), in ordinary type;”;

(d) after paragraph 3A insert—

“3B. The number and other unique identifying mark may be printed close to each other on the back of the ballot paper.”.

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Marginal Citations

M29 Form 4 was amended by [S.I. 2001/417](#) and paragraph 61 of Schedule 1 to the [Electoral Administration Act 2006 \(c.22\)](#).

84. After form 4 insert—

4A. Form of corresponding number list (rule 16A(2))

CORRESPONDING NUMBER LIST
(to be used at a local election taken alone)
District Electoral Area:

Date of Poll:

Sheet No:

Ballot Paper Number	Unique Identifying Mark	Elector Number (to be completed only in respect of ballot papers issued to postal voters)

4B. Form of corresponding number list (rule 16A(3))

CORRESPONDING NUMBER LIST
(to be used when a local election is combined with another election)
District Electoral Area/Constituency:

Date of Poll:

Sheet No:

Ballot Paper Number <i>Identify the number issued for each election</i>	Unique Identifying Mark <i>Identify the mark for each ballot paper</i>	Elector Number (to be completed only in respect of ballot papers issued to postal voters)

85. In the Declaration of identity Back of form (form 5) ^{M30}, for the Instructions to the voter substitute—

INSTRUCTIONS TO THE VOTER

1. You must sign the declaration of identity in the presence of a person known to you. That person must then sign the declaration as a witness and write clearly his or her name and address. Without this the declaration will be invalid and your vote will not be counted.
2. You should place the figure "1" opposite the name of the candidate for whom you wish to vote and in addition you may, if you wish, place the figure "2" opposite the name of the candidate of your second choice, the figure "3" opposite the name of the candidate of your third choice and so on in the order of your preference. You may indicate by figures as many or as few preferences as you wish.
3. The figure or figures should be placed in the spaces provided at the left-hand side of the paper opposite the name of the candidate for whom you intend it. Do this secretly. If you cannot vote without assistance, the person assisting you must not disclose how you have voted.
4. In no circumstances write anything else on the paper, if you do your vote may be invalid.
5. Put the ballot paper in the smaller envelope marked "A" and seal it. Then put the envelope marked "A" together with this declaration of identity in the larger envelope marked "B". Return it without delay. The ballot paper must be received by the returning officer not later than the close of the poll.
6. If you receive more than one ballot paper, remember it is illegal to vote more than once (otherwise than as a proxy) at the same election.
7. At this election you cannot vote in person at a polling station even if you receive an official poll card.
8. If by mistake you spoil your ballot paper, you can apply to the returning officer for another one. With your application you must return, in your own envelope, the spoiled ballot paper, the declaration of identity and the envelopes marked "A" and "B". Remember that there is little time available if a fresh ballot paper is to be issued and counted.

Marginal Citations

M30 Form 5 in the Appendix of Forms was amended by [S.I.1990/595](#) and paragraph 61 of Schedule 1 to the [Electoral Administration Act 2006 \(c.22\)](#).

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86. In the Declaration of identity (combined polls) Front of form (form 5A) ^{M31} after the statement beginning “I hereby declare that I am the person” insert “ Except where the voter is a proxy: My date of birth is [DD/MM/YEAR]. ”.

Marginal Citations

M31 Form 5A was inserted for the purposes of a combined election by paragraph 29 of the Schedule to the [Elections Act 2001 \(c. 7\)](#).

87.—(1) The Elector's official poll card (form 6) ^{M32} is amended as follows.

(2) In the Front of card omit the words from “VOTING INSTRUCTIONS Mark” to “your preference”.

(3) For the Back of card substitute—

BACK OF CARD

Local Election

1. 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. Remember that you will not be able to vote unless you show an approved form of photographic identification.
2. When you go to the polling station, tell the clerk your name and address as shown on the front of this card and show your photographic identification. If the clerk is satisfied that you are entitled to vote you will be given a ballot paper.
3. Go to one of the compartments. Number the candidates in order of your preference, putting “1” against the candidate of your first preference, “2” against the candidate of your second preference and so on. You should not put the same preference against more than one candidate. You may show your preference for as many or as few candidates as you wish. Put no other mark on the ballot paper or your vote may not be counted.
4. Fold the ballot paper in two. Show the back of it to the presiding officer, but do not let anyone see your vote. Put the ballot paper in the ballot box and leave the polling station.
5. If by mistake you spoil your ballot paper, show it to the presiding officer and ask for another one.
6. If you have appointed a proxy to vote in person for you, you may still vote in person at this election if you do so before your proxy has voted on your behalf.
7. If you have been granted a postal vote, you will not be entitled to vote in person at this election, so please ignore this poll card.
8. If you need help with voting please ask the clerk who will explain the assistance which can be provided.
9. To obtain information in relation to the approved forms of photographic identification or other information relating to voting procedures please phone [Help line number](#).

ISSUED BY THE RETURNING OFFICER

Marginal Citations

M32 Form 6 (Back of Card) in the Appendix of Forms was amended by [S.I. 1991/1715](#).

88. For the form of Proxy's official poll card (form 7) substitute—

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7. FORM OF PROXY'S OFFICIAL POLL CARD (rule 25)

Front of card

PROXY'S OFFICIAL POLL CARD

Proxy's name _____

Proxy's address _____

District Council _____

District Electoral Area _____

Polling day _____

The poll will be open from 7 a.m. to 10 p.m.

Back of card

1. The elector named below whose proxy you are entitled to vote at the polling station

— [insert name of polling station] _____

2. To vote as proxy you must go to that polling station. Remember that you will not be able to vote unless you show an approved form of photographic identification. Tell the clerk that you wish to vote as proxy, show your approved form of photographic identification and give the name and qualifying address of the elector, as follows:

Number on register _____

Name (of elector) _____

Address _____

3. If the clerk is satisfied that you are able to vote as a proxy you will be given the elector's ballot paper.

4. The method of voting is the same as for casting your own vote. Go to one of the compartments. Number the candidates in order of the elector's preference, putting "1" against the candidate of the elector's first preference, "2" against the candidate of the elector's second preference and so on. You should not put the same preference against more than one candidate. You may show the elector's preference for as many or as few candidates as the elector wishes. Put no other mark on the ballot paper, or the vote may not count.

5. Fold the ballot paper in two. Show the back of it to the presiding officer, but do not let anyone see the vote. Put the ballot paper in the ballot box and leave the polling station.

6. It is an offence to vote as proxy for some other person if you know that that person is subject to a legal incapacity to vote, e.g. if that person has been convicted and is detained in a penal institution in pursuance of a sentence. It is also an offence to vote at this election for more than two persons of whom you are not the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild.

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

8. If you need help with voting please ask the clerk who will explain the assistance which can be provided.

9. To obtain information in relation to the approved forms of photographic identification or other information relating to voting procedures please phone **[Help Line Number]**

ISSUED BY THE RETURNING OFFICER

89. In paragraph 6 in the form of Directions for the guidance of voters in voting (form 8) ^{M33} after “hidden” insert “ , show the back of it to the presiding officer so as to disclose the number and other unique identifying mark ”.

Marginal Citations

M33 Form 8 was amended by paragraph 61 of Schedule 1 to the [Electoral Administration Act 2006 \(c.22\)](#).

90. After form 8 insert—

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8A Form of corresponding number list (to be used in polling stations at a local election taken alone) (rule 26(3B))

District Electoral Area:
Date of Poll:
Polling Station:
Sheet No:

Ballot Paper Number	Elector Number

8B Form of corresponding number list (to be used in polling stations when a local election is combined with another election) (rule 26(3D))

District Electoral Area/
Constituency:
Date of Poll:
Polling Station:
Sheet No:

Ballot Paper Number <i>Identify the number issued for each election</i>	Elector Number

91. In the certificate of employment (form 9) ^{M34} omit “Chief”.

Marginal Citations

M34 Form 9 was amended by [S.I. 1987/168](#) and [S.I. 2001/417](#).

Changes to legislation:

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Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 3 para. 4(1)(d) and word inserted by [S.I. 2024/382 art. 11\(b\)](#)