

SCHEDULES

SCHEDULE 2

Absent voting in PCC elections

PART 3

Issue and receipt of ballot papers

Interpretation

28. In this Part of this Schedule—

“agent” includes the election agent and a person appointed to attend in the election agent’s place;

“ballot paper envelope” and “covering envelope” have the meaning given in paragraph 38;

“issue” includes the original or any subsequent issue;

“postal voters’ ballot box” means the ballot box referred to in paragraph 45(1)(a);

“receptacle for ballot paper envelopes” and other references to specified receptacles means the receptacles listed in paragraph 45(5);

“spoilt postal ballot paper” means a ballot paper referred to in paragraph 41;

“valid postal voting statement” means a postal voting statement which, in accordance with paragraph 50 or 51, the local returning officer is satisfied is duly completed.

Issue of postal ballot papers etc

Combination of polls

29.—(1) Where the poll at a PCC election is to be taken together under a relevant provision with the poll at one or more other elections or local referendums, the proceedings on the issue and receipt of postal ballot papers in respect of each election or local referendum may, if the returning officers and counting officers concerned agree, be taken together.

(2) “Relevant provision” means the provisions of section 15(1) or (2) of the Representation of the People Act 1985, as they have effect in relation to PCC elections by virtue of article 13 of this Order.

Form of postal voting statement: poll taken alone or combined with mayoral election only

30.—(1) This paragraph specifies the form of the postal voting statement which is to be used for the purposes of rule 25 of the PCC elections rules.

(2) Form 2 or a form to like effect is to be used at a PCC election taken alone.

(3) Form 3 or a form to like effect is to be used where—

(a) the proceedings at a PCC election and a mayoral election are taken together and are not taken together with proceedings at any other election or referendum, and

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- (b) the proceedings on the issue and receipt of postal ballot papers at both elections are taken together.
- (4) In any other case where—
 - (a) the proceedings at a PCC election and another election or referendum are taken together, and
 - (b) the proceedings on the issue and receipt of postal ballot papers at both elections are taken together,

the form of the postal voting statement which is to be used is the form of that statement which is required to be used at that other election or referendum.

- (5) Form 4 or a form to like effect is to be used where—
 - (a) the proceedings at a PCC election and another election or referendum are taken together, but
 - (b) the proceedings the proceedings on the issue and receipt of postal ballot papers are not taken together.
- (6) In this paragraph—
 - (a) references to a numbered form are to the form of that number which is set out in Part 4 of this Schedule;
 - (b) “mayoral election” means—
 - (i) an election in England for the return of an elected mayor as defined by section 9H(1) of the Local Government Act 2000(1), or
 - (ii) an election in Wales for the return of an elected mayor as defined by section 39(1) of the Local Government Act 2000.

Persons entitled to be present at proceedings on issue of postal ballot papers

31. Without prejudice to the provisions of section 6A, 6B, 6C, 6D or 6E of the 2000 Act, no person may be present at the proceedings on the issue of postal ballot papers other than—

- (a) the police area returning officer,
- (b) the local returning officer, and
- (c) the clerks of either officer.

Persons entitled to be present at proceedings on receipt of postal ballot papers

32. Without prejudice to the provisions of section 6A, 6B, 6C, 6D or 6E of the 2000 Act, no person may be present at the proceedings on the receipt of postal ballot papers other than—

- (a) the police area returning officer,
- (b) the local returning officer,
- (c) the clerks of either officer,
- (d) a candidate,
- (e) an agent (including an agent appointed under paragraph 33),
- (f) a sub-agent, and
- (g) where the proceedings on the receipt of postal ballot papers are taken together with those proceedings at another election or a local referendum, persons entitled to be present at the proceedings for any such other election or local referendum.

(1) Section 9H was inserted by section 21 of, and Schedule 2 to, the Localism Act 2011 (c.20).

Agents of candidates who may attend proceedings on receipt of postal ballot papers

33.—(1) Each candidate may appoint one or more agents to attend the proceedings on the receipt of the postal ballot papers up to the number authorised by the local returning officer in respect of each candidate and so long as the number authorised is the same in the case of each candidate.

(2) Notice in writing of the appointment stating the names and addresses of the persons appointed must be given by the candidate to the local returning officer before the time fixed for the opening of the postal voters' ballot box.

(3) Agents may be appointed and notice of appointment given to the local returning officer by the candidate's election agent instead of by the candidate.

(4) Where postal ballot papers for more than one election or local referendum are issued together under paragraph 29, the officer to whom notice must be given under sub-paragraph (2), (3) or (5) is the returning or counting officer who issues the ballot papers.

(5) If an agent dies or becomes incapable of acting, the candidate may appoint another agent and must forthwith give to the local returning officer notice in writing of the name and address of the agent appointed.

(6) In this Part of this Schedule references to agents are to be taken as references to agents whose appointments have been duly made and notified and, in the case of agents appointed under sub-paragraph (1), who are within the number authorised by the local returning officer.

(7) A candidate may do any act or thing which any agent of the candidate, if appointed, would have been authorised to do, or may assist such an agent in doing any such act or thing.

(8) Where in this Part of this Schedule any act or thing is required or authorised to be done in the presence of the candidates or their agents, the non-attendance of any such persons or person at the time and place appointed for the purpose does not, if the act or thing is otherwise duly done, invalidate the act or thing done.

Notification of requirement of secrecy

34. The local returning officer must make such arrangements as the officer thinks fit to ensure that every person attending the proceedings in connection with the issue or receipt of postal ballot papers has been given a copy in writing of the provisions of sub-paragraphs (5) and (7) of article 22 (requirement of secrecy).

Time when postal ballot papers are to be issued

35.—(1) In the case of a person who—

- (a) is for the time being shown in the record referred to in paragraph 3(4)(a) or (b) (person entitled to absent vote by post at other elections or referendums for indefinite or definite period), or
- (b) is for the time being shown in the record referred to in paragraph 7(6)(a) or (b) (proxies entitled to vote by post at other elections or referendums for an indefinite or definite period),

no postal ballot paper or postal voting statement is to be issued until after 5 pm on the eleventh day before the date of the poll (computed in accordance with paragraph 16(5)).

(2) In the case of any other person, the postal ballot paper (and postal voting statement) is to be issued by the local returning officer as soon as practicable after the registration officer has granted the application to vote by post.

Procedure on issue of postal ballot paper

36.—(1) The number of the elector as stated in the register must be marked on the corresponding number list, next to the number and unique identifying mark of the ballot paper issued to that elector.

(2) A mark must be placed in the postal voters list or the proxy postal voters list against the number of the elector to denote that a ballot paper has been issued to the elector or the elector's proxy, but without showing the particular ballot paper issued.

(3) The number of a postal ballot paper must be marked on the postal voting statement sent with that paper.

(4) Where postal ballot papers for more than one election or local referendum are issued together under paragraph 29—

(a) one mark must be placed in the postal voters list or the proxy postal voters list under sub-paragraph (2) to denote that ballot papers have been issued in respect of all those elections or local referendums except that, where postal ballot papers are not so issued, a different mark must be placed in the postal voters list or the proxy postal voters list to indicate the election or local referendum in respect of which the ballot paper was issued, and

(b) the number of each ballot paper must be marked on the postal voting statement under sub-paragraph (3).

(5) At a PCC election where the proceedings at that election and another election or a local referendum are taken together but the proceedings on the issue and receipt of postal ballot papers are not, the colour of the postal ballot paper must also be marked on the postal voting statement sent with the ballot paper.

(6) Subject to sub-paragraph (7), the address to which the postal ballot paper, postal voting statement and the envelopes referred to in paragraph 38 are to be sent is—

(a) in the case of an elector, the address shown in the postal voters list;

(b) in the case of a proxy, the address shown in the proxy postal voters list.

(7) Where a person has an anonymous entry in the register, the items specified in sub-paragraph (6) must be sent (as the case may be) to the address to which postal ballot papers should be sent as mentioned paragraph 4(2) or 7(7).

Refusal to issue postal ballot paper

37. Where a local returning officer is satisfied that two or more entries in the postal voters list, or the proxy postal voters list or in each of those lists relate to the same elector, the officer must not issue more than one ballot paper in respect of that elector at any one election.

Envelopes

38.—(1) Sub-paragraphs (2) and (3) prescribe the envelopes which must be issued to a postal voter in addition to the ballot paper and postal voting statement (which are issued under rule 25 of the PCC elections rules).

(2) There must be issued an envelope for the return of the postal ballot paper or, as the case may be, ballot papers and the postal voting statement (referred to as a “covering envelope”) which is to be marked with the letter “B”.

(3) There must also be issued a smaller envelope (referred to as a “ballot paper envelope”) which is to be marked with—

(a) the letter “A”,

(b) the words “ballot paper envelope”, and

- (c) unless the envelope has a window through which the number on the ballot paper (or ballot papers) can be displayed, the number of the ballot paper or, as the case may be, ballot papers.
- (4) Sub-paragraphs (5) and (6) apply where—
 - (a) by virtue of provisions applied by article 13, the poll at a PCC election is taken together with the polls at another election or local referendum, but
 - (b) the proceedings on the issue and receipt of ballot papers are not taken together under paragraph 29.
- (5) The envelopes referred to in sub-paragraph (2) must also be marked “Covering envelope for the [*insert colour of ballot paper*] coloured ballot paper”.
- (6) On the envelopes referred to in in sub-paragraph (3), after the words “Ballot paper envelope”, the words “for the [*insert colour of ballot paper*] coloured ballot paper”.

Sealing up of completed corresponding number lists and security of special lists

- 39.**—(1) As soon as practicable after the issue of each batch of postal ballot papers, the local returning officer must make up into a packet the completed corresponding number lists of those ballot papers which have been issued and must seal the packet.
- (2) Until the time referred to in paragraph 48(11), the local returning officer must take proper precautions for the security of the marked copy of the postal voters list and the proxy postal voters list.

Delivery of postal ballot papers

- 40.**—(1) For the purposes of delivering postal ballot papers, the local returning officer may use—
- (a) a postal operator within the meaning of Part 3 of the Postal Services Act 2011(2),
 - (b) a commercial delivery firm, or
 - (c) clerks appointed under rule 27 of the PCC elections rules.
- (2) Where the services of a universal postal service provider or commercial delivery firm are to be used, envelopes addressed to postal voters must be counted and delivered by the local returning officer with such form of receipt to be endorsed by that provider or firm as may be arranged.
- (3) Postage must be prepaid on envelopes addressed to the postal voters (except where sub-paragraph (1)(c) applies).
- (4) Return postage must be prepaid on all covering envelopes where the address provided by the postal voter for the receipt of the postal ballot paper is within the United Kingdom.

Spoilt postal ballot papers

- 41.**—(1) Where a postal voter (“PV”) has inadvertently dealt with PV’s postal ballot paper or postal voting statement in such a manner that it cannot be conveniently used as a ballot paper (referred to as “a spoilt ballot paper”) or, as the case may be, a postal voting statement (referred to as “a spoilt postal voting statement”), PV may return (either by hand or by post) to the local returning officer the spoilt ballot paper or, as the case may be, the spoilt postal voting statement.
- (2) Where PV exercises the entitlement conferred by sub-paragraph (1), PV must also return—
- (a) the postal ballot paper or, as the case may be, the postal voting statement, whether spoilt or not,

(2) 2011 c.5.

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- (b) where the postal ballot papers for more than one election or local referendum have been issued together under paragraph 29, all other ballot papers so issued, whether spoilt or not, and
 - (c) the envelopes supplied for the return of the documents mentioned in paragraph 38.
- (3) Subject to sub-paragraph (4), on receipt of the documents referred to in sub-paragraph (1) (and, where applicable, sub-paragraph (2)), the local returning officer must issue another postal ballot paper or, as the case may be, ballot papers except where those documents are received after 5 pm on the day of the poll.
- (4) Where the local returning officer receives the documents referred to in sub-paragraph (1) (and, where applicable sub-paragraph (2)), after 5 pm on the day before the day of the poll, the local returning officer must only issue another postal ballot paper or, as the case may be, ballot papers if PV returned the documents by hand.
- (5) The following provisions apply to the issue of a replacement postal ballot paper under sub-paragraph (3)—
- (a) paragraph 36 (except sub-paragraph (2)),
 - (b) paragraphs 38 and 39, and
 - (c) subject to sub-paragraph (8), paragraph 40.
- (6) Any postal ballot paper or postal voting statement, whether spoilt or not, returned in accordance with sub-paragraph (1) or (2) must be immediately cancelled.
- (7) The local returning officer, as soon as practicable after cancelling those documents, must make up those documents in a separate packet and must seal the packet; and if on any subsequent occasion documents are cancelled as mentioned above, the sealed packet must be opened and the additional cancelled documents included in it and the packet must again be made up and sealed.
- (8) Where PV applies in person—
- (a) by 5 pm on the day before the day of the poll, the local returning officer may hand a replacement postal ballot paper to PV, or
 - (b) after 5 pm on the day before the day of the poll, the local returning officer may only hand a replacement postal ballot paper to PV,
- instead of delivering it in accordance with paragraph 40.
- (9) The local returning officer must enter in a list kept for the purpose (“the list of spoilt postal ballot papers”)—
- (a) the name and number of the elector as stated in the register (or the electoral number alone in the case of an elector who has an anonymous entry),
 - (b) the number of any postal ballot paper issued under this paragraph, and
 - (c) where PV is a proxy, PV’s name and address.

Lost postal ballot papers

- 42.**—(1) Where a postal voter claims either to have lost or not to have received—
- (a) the postal ballot paper, or
 - (b) the postal voting statement, or
 - (c) one or more of the envelopes supplied for their return,
- by the fourth day before the day of the poll, the postal voter may apply (whether or not in person) to the local returning officer for a replacement ballot paper.
- (2) Such an application must include evidence of the postal voter’s identity.

(3) Where a postal voter exercises the entitlement conferred by sub-paragraph (1), the postal voter must return—

- (a) the documents referred to in sub-paragraph (1)(a) to (c) , and
- (b) where the postal ballot papers for more than one election or local referendum have been issued together under paragraph 29, all other ballot papers so issued,

which the postal voter has received and which have not been lost.

(4) Any postal ballot paper or postal voting statement returned in accordance with sub-paragraph (3) must be immediately cancelled.

(5) The local returning officer, as soon as practicable after cancelling those documents, must make up those documents in a separate packet and must seal the packet; and if on any subsequent occasion documents are cancelled as mentioned above, the sealed packet must be opened and the additional cancelled documents included in it and the packet must be again made up and sealed.

(6) Subject to sub-paragraph (7), where the application is received by the local returning officer before 5 pm on the day of the poll and the local returning officer—

- (a) is satisfied as to the postal voter’s identity, and
- (b) has no reason to doubt that the postal voter has either lost or has not received the original postal ballot paper or the postal voting statement or one or more of the envelopes provided for their return,

the local returning officer must issue another postal ballot paper or, as the case may be, ballot papers.

(7) Where the application is received by the local returning officer after 5 pm on the day before the day of the poll, the officer must only issue another postal ballot paper or, as the case may be, ballot papers if the postal voter applies in person.

(8) The local returning officer must enter in a list kept for the purpose (“the list of lost postal ballot papers”)—

- (a) the name and number of the elector as stated in the register (or the electoral number alone in the case of an elector who has an anonymous entry),
- (b) the number of any postal ballot paper issued under this paragraph, and
- (c) where the postal voter is a proxy, the proxy’s name and address.

(9) The following provisions apply to the issue of a replacement postal ballot paper under sub-paragraph (6)—

- (a) paragraph 36 (except sub-paragraph (2)),
- (b) paragraphs 38 and 39, and
- (c) subject to sub-paragraph (10), paragraph 40.

(10) Where a postal voter applies in person—

- (a) by 5 pm on the day before the day of the poll, the local returning officer may hand a replacement postal ballot paper to the postal voter, or
- (b) after 5 pm on the day before the day of the poll, the local returning officer may only hand a replacement postal ballot paper to the postal voter,

instead of delivering it in accordance with paragraph 40.

Receipt of postal ballot papers etc

Alternative means of returning postal ballot paper or postal voting statement

43.—(1) For the purposes of rule 49(2) of the PCC elections rules, the manner in which a postal ballot paper or postal voting statement at a PCC election for any police area may be returned to a polling station is by hand.

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(2) For those purposes, the manner in which such a paper or statement may be returned to the local returning officer, is by hand or by post.

(3) Subject to sub-paragraph (4), the presiding officer of the polling station must deliver, or cause to be delivered, any postal ballot paper or postal voting statement returned to that station to the local returning officer in the same manner and at the same time as the presiding officer delivers, or causes to be delivered, the packets referred to in rule 47(1) of the PCC elections rules.

(4) The local returning officer may collect, or cause to be collected, any postal ballot paper or postal voting statement which by virtue of sub-paragraph (3) the presiding officer of a polling station would otherwise be required to deliver or cause to be delivered to the local returning officer.

(5) Where the local returning officer collects, or causes to be collected, any postal ballot paper or postal voting statement in accordance with sub-paragraph (4) the presiding officer must first make it (or them) up into a packet (or packets) sealed with the presiding officer's own seal and the seals of such polling agents as are present and desire to affix their seals.

Notice of opening of postal ballot paper envelopes

44.—(1) The local returning officer must give to each candidate not less than 48 hours' notice in writing of each occasion on which a postal voters' ballot box and the envelopes contained in it is to be opened.

(2) Such a notice must specify—

- (a) the time and place at which such an opening is to take place, and
- (b) the number of agents a candidate may appoint under paragraph 33 to attend each opening.

Postal ballot boxes and receptacles

45.—(1) The local returning officer must provide a separate ballot box for the reception of—

- (a) the covering envelopes when returned by the postal voters ("postal voters' ballot box"), and
- (b) postal ballot papers ("postal ballot box").

(2) Each such ballot box must be marked "postal voters' ballot box" or "postal ballot box" (as the case may be) and marked with—

- (a) the name of both the police area and the voting area in relation to which it is to be used at the PCC election, and
- (b) where the proceedings at that election and another election or a local referendum are taken together, the name of the parliamentary constituency, local counting area, voting area or, as the case may be, the relevant local authority for which the election or local referendum is held.

(3) The postal ballot box must be shown to those agents present on the occasion of opening the first postal voters' ballot box as being empty.

(4) The local returning officer must then lock the ballot box (if it has a lock) and apply the officer's seal in such manner as to prevent its being opened without breaking the seal; any of the agents present who wish to add their seals may then do likewise.

(5) The local returning officer must provide the following receptacles—

- (a) the receptacle for rejected votes,
- (b) the receptacle for postal voting statements,
- (c) the receptacle for ballot paper envelopes,
- (d) the receptacle for rejected ballot paper envelopes,

- (e) the receptacle for rejected votes (verification procedure), and
 - (f) the receptacle for postal voting statements (verification procedure).
- (6) The local returning officer must take proper precautions for the safe custody of every ballot box and receptacle referred to in this paragraph.

Receipt of covering envelope

46.—(1) The local returning officer must, immediately on receipt (whether by hand or by post) of a covering envelope (or an envelope which is stated to include a postal vote) before the close of the poll, place it unopened in a postal voters' ballot box.

- (2) Where an envelope, other than a covering envelope issued by the local returning officer—
 - (a) has been opened, and
 - (b) contains a ballot paper envelope, postal voting statement or ballot paper,the first-mentioned envelope, together with its contents, must be placed in a postal voters' ballot box.

Opening of postal voters' ballot box

47.—(1) Each postal voters' ballot box must be opened by the local returning officer in the presence of the agents.

(2) So long as the local returning officer ensures that there is at least one sealed postal voters' ballot box for the reception of covering envelopes up to the time of the close of the poll, the other postal voters' ballot boxes may previously be opened by the officer.

(3) The last postal voters' ballot box and the postal ballot box must be opened at the verification of the ballot paper accounts under rule 49 of the PCC elections rules.

Opening of covering envelopes

48.—(1) When a postal voters' ballot box is opened, the local returning officer must count and record the number of covering envelopes (including any envelope which is stated to include a postal vote and any envelope described in paragraph 46(2)).

(2) The local returning officer must set aside for personal identifier verification in accordance with paragraph 51 a percentage, not less than 20%, of the envelopes recorded on that occasion.

(3) The local returning officer must open separately each covering envelope (including an envelope described in paragraph 46(2)).

(4) The procedures in paragraph 50 or, as the case may be, 51 apply where a covering envelope (including an envelope to which paragraph 46(2) applies) contains both—

- (a) a postal voting statement, and
 - (b) a ballot paper envelope, or if there is no ballot paper envelope, a ballot paper (or ballot papers).
- (5) Where the covering envelope does not contain the postal voting statement separately, the local returning officer must open the ballot paper envelope to ascertain whether the postal voting statement is inside.
- (6) Where a covering envelope does not contain both—
 - (a) a postal voting statement (whether separately or not), and
 - (b) a ballot paper envelope or, if there is no ballot paper envelope, a ballot paper (or ballot papers),

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the local returning officer must mark the covering envelope “provisionally rejected”, attach its contents (if any) and place it in the receptacle for rejected votes.

(7) Where—

- (a) an envelope contains the postal voting statement of an elector with an anonymous entry, and
- (b) sub-paragraph (6) does not apply,

the local returning officer must set aside that envelope and its contents for personal identifier verification in accordance with paragraph 51.

(8) In carrying out the procedures in this paragraph and paragraphs 50 to 56, the local returning officer—

- (a) must keep the ballot papers face downwards and must take proper precautions for preventing any person from seeing the votes made on the ballot papers, and
- (b) must not be permitted to view the corresponding number list used at the issue of postal ballot papers.

(9) Where an envelope opened in accordance with sub-paragraph (3) contains a postal voting statement, the local returning officer must place a mark in the marked copy of the postal voters list or proxy postal voters list in a place corresponding to the number of the elector to denote that a postal vote has been returned.

(10) A mark made under sub-paragraph (9) must be distinguishable from and not obscure the mark made under paragraph 36(2).

(11) As soon as practicable after the last covering envelope has been opened, the local returning officer must make up into a packet the copy of the marked postal voters list and proxy postal voters list that have been marked in accordance with sub-paragraph (9) and must seal such a packet.

Confirming receipt of postal voting statements

49.—(1) An elector or a proxy voter who is shown in the postal voters list or proxy postal voters list may make a request, at any time between the first issue of postal ballot papers under paragraph 35 and the close of the poll, that the local returning officer confirm—

- (a) whether a mark is shown in the marked copy of the postal voters list or proxy postal voters list in a place corresponding to the number of the elector to denote that a postal vote has been returned, and
- (b) whether the number of the ballot paper issued to the elector or the elector’s proxy has been recorded on either of the lists kept by the local returning officer under sub-paragraphs (2) and (3) of paragraph 55.

(2) A request under sub-paragraph (1) must—

- (a) be made by any method specified by the local returning officer, and
- (b) include any evidence of the voter’s identity requested by that officer.

(3) Where a request is received in accordance with sub-paragraph (2) the local returning officer must satisfy himself or herself that the request has been made by the elector or their proxy and, if satisfied that it was, provide confirmation of the matters under sub-paragraph (1).

Procedure in relation to postal voting statements

50.—(1) This paragraph applies to any postal voting statement contained in an envelope that has not been set aside for personal identifier verification in accordance with paragraph 48(2) or (7).

(2) The local returning officer must satisfy himself or herself that the postal voting statement is duly completed.

(3) Where the local returning officer is not satisfied that the postal voting statement is duly completed, the officer must mark the statement “rejected”, attach to it the ballot paper envelope, or if there is no such envelope, the ballot paper (or ballot papers), and, subject to sub-paragraph (4), place it in the receptacle for rejected votes.

(4) Before placing the statement in the receptacle for rejected votes, the local returning officer—

- (a) must show it to the agents, and
- (b) if any of them object to the officer’s decision, must add the words “rejection objected to”.

(5) The local returning officer must then examine the number (or numbers) on the postal voting statement against the number (or numbers) on the ballot paper envelope and, where they are the same, the officer must place the statement and the ballot paper envelope respectively in the receptacle for postal voting statements and the receptacle for ballot paper envelopes.

(6) Where—

- (a) the number (or numbers) on a valid postal voting statement is not the same as the number (or numbers) on the ballot paper envelope, or
- (b) that envelope has no number on it (or only one number when the postal voting statement has more than one),

the local returning officer must open the envelope.

(7) Sub-paragraph (8) applies where—

- (a) there is a valid postal voting statement but no ballot paper envelope,
- (b) the ballot paper envelope has been opened under sub-paragraph (6), or
- (c) the ballot paper envelope has been opened under paragraph 48(5).

(8) In the circumstances described in sub-paragraph (7), the local returning officer must place—

- (a) in the postal ballot box, any ballot paper the number on which is the same as the number (or one of the numbers) on the valid postal voting statement;
- (b) in the receptacle for rejected votes, any other ballot paper, with the valid postal voting statement attached and marked “provisionally rejected”;
- (c) in the receptacle for rejected votes, any valid postal voting statement marked “provisionally rejected” where—
 - (i) there is no ballot paper, or
 - (ii) in the case of a statement on which the number of more than one ballot paper appears, there is not a sufficient number of ballot papers and, in such a case, the local returning officer must mark the statement to indicate which ballot paper is missing;
- (d) in the receptacle for postal voting statements, any valid statement not disposed of under paragraph (b) or (c).

Procedure in relation to postal voting statements: personal identifier verification

51.—(1) This paragraph applies to any postal voting statement contained in an envelope that is set aside for personal identifier verification in accordance with paragraph 48(2) or (7).

(2) The local returning officer must satisfy himself or herself that the postal voting statement is duly completed and as part of that process must compare the date of birth and the signature on the postal voting statement against the date of birth and signature contained in the personal identifier record relating to the person to whom the postal ballot paper was addressed.

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(3) Where the local returning officer is not satisfied that the postal voting statement is duly completed, the officer must mark the statement “rejected”, attach to it the ballot paper envelope, or if there is no such envelope, the ballot paper, and, subject to sub-paragraph (4), place it in the receptacle for rejected votes (verification procedure).

(4) Before placing a postal voting statement in the receptacle for rejected votes (verification procedure), the local returning officer must show it to the agents and must permit them to view the entries in the personal identifiers record which relate to the person to whom the postal ballot paper was addressed, and if any of them object to the officer’s decision, the officer must add the words “rejection objected to”.

(5) The local returning officer must then examine the number (or numbers) on the postal voting statement against the number (or numbers) on the ballot paper envelope and, where they are the same, the officer must place the statement and the ballot paper envelope respectively in the receptacle for postal voting statements (verification procedure) and the receptacle for ballot paper envelopes.

(6) Where—

- (a) the number on a valid postal voting statement is not the same as the number on the ballot paper envelope, or
- (b) that envelope has no number on it (or only one number when the postal voting statement has more than one),

the local returning officer must open the envelope.

(7) Sub-paragraph (8) applies where—

- (a) there is a valid postal voting statement but no ballot paper envelope,
- (b) the ballot paper envelope has been opened under sub-paragraph (6), or
- (c) the ballot paper envelope has been opened under paragraph 48(5).

(8) In the circumstances described in sub-paragraph (7), the local returning officer must place—

- (a) in the postal ballot box, any ballot paper the number on which is the same as the number on the valid postal voting statement;
- (b) in the receptacle for rejected votes (verification procedure), any other ballot paper, with the valid postal voting statement attached and marked “provisionally rejected”;
- (c) in the receptacle for rejected votes (verification procedure), any valid postal voting statement marked “provisionally rejected” where—
 - (i) there is no ballot paper, or
 - (ii) in the case of a statement on which the number of more than one ballot paper appears, there is not a sufficient number of ballot papers and, in such a case, the local returning officer must mark the statement to indicate which ballot paper is missing;
- (d) in the receptacle for postal voting statements (verification procedure), any valid statement not disposed of under paragraph (b) or (c).

Postal voting statements: additional personal identifier verification

52.—(1) A local returning officer may on any occasion at which a postal voters’ ballot box is opened in accordance with paragraph 47 undertake verification of the personal identifiers on any postal voting statement that has on a prior occasion been placed in the receptacle for postal voting statements.

(2) Where a local returning officer undertakes additional verification of personal identifiers, the officer must—

- (a) remove as many postal voting statements from the receptacle for postal voting statements as the officer wishes to subject to additional verification, and

- (b) compare the date of birth and the signature on each such postal voting statement against the date of birth and signature contained in the personal identifiers record relating to the person to whom the postal ballot paper was addressed.
- (3) Where the local returning officer is no longer satisfied that the postal voting statement has been duly completed the officer must mark the statement “rejected” and before placing the postal voting statement in the receptacle for rejected votes (verification procedure), the officer must—
 - (a) show it to the agents and must permit them to view the entries in the personal identifiers record which relate to the person to whom the postal ballot paper was addressed, and if any of them object to the officer’s decision, the officer must add the words “rejection objected to”;
 - (b) open any postal ballot box and retrieve the ballot paper corresponding to the ballot paper number on the postal voting statement;
 - (c) show the ballot paper number on the retrieved ballot paper to the agents; and
 - (d) attach the ballot paper to the postal voting statement.
- (4) Following the removal of a postal ballot paper from a postal ballot box the local returning officer must lock the postal ballot box (if it has a lock) and reseal it in the presence of the agents.
- (5) Whilst retrieving a ballot paper in accordance with sub-paragraph (3), the local returning officer and the officer’s staff—
 - (a) must keep the ballot papers face downwards and take proper precautions for preventing any person seeing the votes made on the ballot papers, and
 - (b) must not be permitted to view the corresponding number list used at the issue of postal ballot papers.

Opening of ballot paper envelopes

53.—(1) The local returning officer must open separately each ballot paper envelope placed in the receptacle for ballot paper envelopes.

- (2) The local returning officer must—
 - (a) place in the postal ballot box any ballot paper the number on which is the same as the number (or one of the numbers) on the ballot paper envelope,
 - (b) place in the receptacle for rejected votes any other ballot paper which must be marked “provisionally rejected” and to which the ballot paper envelope is to be attached, and
 - (c) place in the receptacle for rejected ballot paper envelopes any ballot paper envelope which must be marked “provisionally rejected” because it does not contain either a ballot paper or, where more than one number appears on the ballot paper envelope, a sufficient number of ballot papers (and indicating in each case the missing ballot papers).

Retrieval of cancelled postal ballot papers

54.—(1) Where it appears to the local returning officer that a cancelled postal ballot paper has been placed—

- (a) in a postal voters’ ballot box,
- (b) in the receptacle for ballot paper envelopes, or
- (c) in a postal ballot box,

the officer must proceed as follows.

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(2) The local returning officer must, on at least one occasion on which a postal voters ballot box is opened in accordance with paragraph 47, also open any postal ballot box and the receptacle for ballot paper envelopes and—

- (a) retrieve the cancelled ballot paper,
- (b) show the ballot paper number on the cancelled ballot paper to the agents,
- (c) retrieve the postal voting statement that relates to a cancelled ballot paper from the receptacle for postal voting statements,
- (d) attach any cancelled postal ballot paper to the postal voting statement to which it relates,
- (e) place the cancelled documents in a separate packet and deal with that packet in the manner provided for by paragraph 41(7), and
- (f) unless the postal ballot box has been opened for the purposes of the counting of votes under rule 52 of the PCC elections rules, re-lock (if it has a lock) and re-seal the postal ballot box in the presence of the agents.

(3) Whilst retrieving a cancelled ballot paper in accordance with sub-paragraph (2), the local returning officer and the officer's staff—

- (a) must keep the ballot papers face downwards and must take proper precautions for preventing any person seeing the votes made on the ballot papers, and
- (b) must not be permitted to view the corresponding number list used at the issue of postal ballot papers.

Lists of rejected postal ballot papers

55.—(1) In respect of any election, the local returning officer must keep two separate lists of rejected postal ballot papers.

(2) In the first list, the officer must record the ballot paper number of any postal ballot paper for which no valid postal voting statement was received with it.

(3) In the second list, the officer must record the ballot paper number of any postal ballot paper which is entered on a valid postal voting statement where that ballot paper is not received with the postal voting statement.

Checking of lists of rejected ballot papers

56.—(1) Where the local returning officer receives a valid postal voting statement without the postal ballot paper (or papers or, as the case may be, all of the papers) to which it relates, the officer may, at any time prior to the close of the poll, check the list kept under paragraph 55(2) to see whether the number (or numbers) of a postal ballot paper to which the statement relates is entered in that list.

(2) Where the local returning officer receives a postal ballot paper without the postal voting statement to which it relates, the officer may, at any time prior to the close of the poll, check the list kept under paragraph 55(3) to see whether the number of that ballot paper is entered in that list.

(3) The local returning officer must conduct the checks required by sub-paragraphs (1) and (2) as soon as practicable after the receipt of the packets from every polling station in, as the case may be, the voting area, parliamentary constituency, local counting area, electoral area or local authority area.

(4) Where the ballot paper number in the list matches that number on a valid postal voting statement or, as the case may be, the postal ballot paper, the local returning officer must retrieve that statement or paper.

(5) The local returning officer must then take the appropriate steps under this Part of this Schedule as though any document earlier marked “provisionally rejected” had not been so marked and must amend the document accordingly.

Sealing of packets

57.—(1) As soon as practicable after the completion of the procedure under paragraph 56(3) and (4), the local returning officer must make up into separate packets the contents of—

- (a) the receptacle of rejected votes,
- (b) the receptacle of postal voting statements,
- (c) the receptacle of rejected ballot paper envelopes,
- (d) the lists of spoilt and lost postal ballot papers,
- (e) the receptacle of rejected votes (verification procedure), and
- (f) the receptacle of postal voting statements (verification procedure),

and must seal up such packets.

(2) Any document in those packets marked “provisionally rejected” is to be deemed to be marked “rejected”.

Abandoned poll

58.—(1) Where a poll is abandoned or countermanded after postal ballot papers have been issued, by reason of the death of a candidate, the local returning officer—

- (a) must not take any step or further step to open covering envelopes or deal with the contents in accordance with the provisions of this Part of this Schedule, and
- (b) must, notwithstanding paragraphs 48 to 53, treat all unopened covering envelopes and the contents of those that have been opened as if they were counted ballot papers.

(2) Paragraph (1) does not apply where ballot papers for more than one election have been issued together under paragraph 29.

Forwarding of documents

59.—(1) The local returning officer must forward to the relevant registration officer at the same time as the local returning officer forwards the documents mentioned in rule 66 of the PCC elections rules—

- (a) any packets referred to in paragraphs 39, 41(7), 42(5), 48(11) and 57 (subject to paragraph 58), endorsing on each packet a description of its contents, the date of the election to which it relates and the name of the police area for which the election was held and the name of the voting area for which the local returning officer acts, and
- (b) a completed statement of the number of postal ballot papers issued, which is to be in Form 5 set out in Part 4 of this Schedule or a form to like effect.

(2) Where, under a relevant provision (within the meaning of paragraph 29(2)), the poll at a PCC election is taken together with the poll at one or more other elections or local referendums, a separate statement in the form described in sub-paragraph (1)(b) must be completed for each election or local referendum.

(3) Where—

- (a) any covering envelopes are received by the local returning officer after the close of the poll (apart from those delivered in accordance with the provisions of paragraph 43(3)),
- (b) any envelopes addressed to postal voters are returned as undelivered too late to be readdressed, or
- (c) any spoilt postal ballot papers are returned too late to enable other postal ballot papers to be issued,

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the local returning officer must put them unopened in a separate packet, seal up such packet and endorse and forward it at a subsequent date in the manner described in sub-paragraph (1).

(4) Rules 67 and 68 of the PCC elections rules apply to any packet or document forwarded under this paragraph.

(5) A copy of the statement referred to in sub-paragraph (1)(b) must be provided by the local returning officer to the Secretary of State and the Commission in the period which starts 10 days after the day of the poll and ends 15 days after that day.

(6) For the purposes of computing the period referred to in sub-paragraph (5)—

- (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,

is to be disregarded.

(7) In sub-paragraph (3)(c), “spoilt postal ballot paper” has the meaning given in paragraph 41.