

SCHEDULE 1

The ^{F1}... Mayoral Elections Rules

Textual Amendments

- F1** Words in Sch. 1 heading omitted (7.2.2024) by virtue of The Combined Authorities (Mayoral Elections) Order 2017 (Amendment) Regulations 2024 (S.I. 2024/131), regs. 1(3), **11(2)**

PART 4

Contested elections

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 the voter is accompanied (in these Rules referred to as “the companion”), the presiding officer must require the voter to declare, orally or in writing, whether the voter is so incapacitated by blindness or other disability, or by inability to read, as to be unable to vote without assistance.

(2) [^{F1}Subject to paragraph (2A), 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 the voter's vote may be done to, or with the assistance of, the companion.

[^{F2}(2A) Paragraphs (1A) to (1M) of rule 37 apply in the case of a voter who applies under paragraph (1) of this rule as those paragraphs apply in the case of a voter who applies under rule 37(1), but as if—

- (a) references to delivering a ballot paper to a voter were to granting a voter's application, and
- (b) in rule 37(1G), the reference to paragraph (1) of rule 37 were to paragraph (1) of this rule.]

(3) For the purposes of these Rules—

- (a) a person is a voter with disabilities if the voter 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 [^{F3}aged 18 or over].

Changes to legislation: There are outstanding changes not yet made by the [legislation.gov.uk](https://www.legislation.gov.uk) editorial team to The Combined Authorities (Mayoral Elections) Order 2017. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

(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”).

(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.

Textual Amendments

- F1** Words in Sch. 1 rule 39(2) substituted (16.1.2023) by [The Voter Identification Regulations 2022 \(S.I. 2022/1382\)](#), regs. 1(3), **94(10)(a)** (with reg. 1(6)(7))
- F2** Sch. 1 rule 39(2A) inserted (16.1.2023) by [The Voter Identification Regulations 2022 \(S.I. 2022/1382\)](#), regs. 1(3), **94(10)(b)** (with reg. 1(6)(7))
- F3** Words in Sch. 1 rule 39(3)(b) substituted (29.12.2022) by [The Assistance with Voting for Persons with Disabilities \(Amendments\) Regulations 2022 \(S.I. 2022/1309\)](#), regs. 1(3), **13(2)(a)(ii)** (with reg. 1(4))

Changes to legislation:

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

- Order modified by [S.I. 2024/402 art. 16](#)

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

- art. 9 inserted by [S.I. 2024/131 reg. 9](#)