

1973 No. 740 (N.I. 11)

NORTHERN IRELAND

The Electoral Law (Northern Ireland) Order 1973

<i>Made - - - -</i>	13th April 1973
<i>Laid before Parliament</i>	13th April 1973
<i>Coming into Operation</i>	14th April 1973

At the Court at Windsor Castle, the 13th day of April 1973

Present,

The Queen's Most Excellent Majesty in Council

Whereas it has been made to appear to Her Majesty that by reason of urgency this Order requires to be made without a draft having been approved by resolution of each House of Parliament:

Now, therefore, Her Majesty, in exercise of the powers conferred by section 1(3) of the Northern Ireland (Temporary Provisions) Act 1972(a), and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

Title and commencement

1. This Order may be cited as the Electoral Law (Northern Ireland) Order 1973 and shall come into operation on 14th April 1973.

Interpretation and citation

2.—(1) The Interpretation Act (Northern Ireland) 1954(b) shall apply to Article 1 and the following provisions of this Order as it applies to an Act of the Parliament of Northern Ireland.

(2) In this Order—

“prescribed” means prescribed by regulations made by the Secretary of State;

“the 1973 local elections” means the local general elections to district councils to be held in the year 1973;

“the principal Act” means the Electoral Law Act (Northern Ireland) 1962(c);

and this Order shall be construed as one with the principal Act.

(3) This Order, the Electoral Law Acts (Northern Ireland) 1962 to 1971(d) and the Electoral Law (Northern Ireland) Order 1972(e) may be cited together as the Electoral Law Acts (Northern Ireland) 1962 to 1973.

(a) 1972 c. 22. (b) 1954 c. 33 (N.I.). (c) 1962 c. 14 (N.I.).
(d) 1962 c. 14 (N.I.); 1968 c. 20 (N.I.); 1969 c. 26 (N.I.); 1971 c. 4 (N.I.).
(e) S.I. 1972/1264 (N.I. 13).

Postal voting at the 1973 local elections

3.—(1) A person registered as an elector or appointed as a proxy for an elector may make an application to vote by post at the 1973 local elections and such an application shall be made to the deputy returning officer on such form, in such manner and within such time as may be prescribed.

(2) An application duly made under paragraph (1) shall be allowed by the deputy returning officer if—

(a) it states an address in the United Kingdom to which a postal ballot paper may be sent ; and

(b) the deputy returning officer is satisfied as to the identity of the applicant and that the applicant is registered as an elector or has been appointed as a proxy for a registered elector.

(3) The Secretary of State may make regulations prescribing the procedure for the issue of postal ballot papers to persons whose applications have been allowed under paragraph (2) and for the procedure on the return of such postal ballot papers and such regulations may for those purposes apply with or without modification all or any of the provisions of Rules 22 to 27 of the Parliamentary Elections Rules contained in Schedule 4 to the principal Act.

(4) Regulations under paragraph (3) may make special provision whether by dispensing with applications or otherwise to enable persons who were entitled to vote by post at the poll held under the Northern Ireland (Border Poll) Act 1972(a) to vote by post at the 1973 local elections if they so wish.

Right to send election address post free

4. Section 53 of the principal Act (right to send election address post free) shall apply to a candidate at the 1973 local elections in like manner as it applies to a candidate at a parliamentary election and any expenses incurred by virtue of this Article shall be defrayed in the manner provided by Article 9(3) of the Electoral Law (Northern Ireland) Order 1972.

Polling station scheme for the 1973 local elections

5.—(1) The Chief Electoral Officer may prepare a polling station scheme designating the polling stations to be used at the 1973 local elections and where he does so the polling stations so designated shall, subject to the provisions of section 65(6) of the principal Act, be the polling stations to be used at those elections.

(2) Section 65(1) to (5) of the principal Act shall not apply to a scheme prepared under paragraph (1).

Hours of polling at the 1973 local elections

6. The hours of polling at the 1973 local elections shall be from 8 o'clock in the morning to 8 o'clock in the evening of polling day and accordingly Article 14 of the Electoral Law (Northern Ireland) Order 1972 shall not apply to those elections.

Financial provision

7. Any increase attributable to this Order in the sums which under the principal Act are to be defrayed out of moneys provided by Parliament shall be defrayed in like manner as those sums.

(a) 1972 c. 77.

Regulations

8. The Secretary of State shall, in the exercise of his power to make regulations under Article 3(3) of this Order or Article 4(12) of the Electoral Law (Northern Ireland) Order 1972, be a rule-making authority for the purposes of the Statutory Rules Act (Northern Ireland) 1958(a).

W. G. Agnew

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order relates only to the local general elections to district councils in Northern Ireland to be held in 1973. It allows any elector or proxy with an address in the United Kingdom to apply to vote by post, gives candidates the right to send election addresses post free, authorises the preparation of a polling station scheme and fixes the hours of poll as from 8 a.m. to 8 p.m.

(a) 1958 c. 18 (N.I.).