

SCHEDULE

HEALTH BOARD ELECTION RULES

PART 6

VOTING PACKS AND BALLOT PAPERS

Voting packs

- 21.**—(1) The returning officer must send a voting pack to each voter at—
- (a) the address in respect of which the voter is registered; or
 - (b) if the voter is an absent voter, at the voter’s alternative address.
- (2) A voting pack must contain—
- (a) a ballot paper;
 - (b) a copy of any candidate statements submitted by the candidates named on the ballot paper;
 - (c) instructions for completing the ballot paper and returning it to the returning officer (including details of the address to which it is to be returned and the deadline for returning it);
 - (d) information about how to obtain those instructions in other forms (for example in Braille, in audible form or in a language other than English); and
 - (e) an envelope with the address to which the ballot paper is to be returned printed on it and which the voter may use to return the ballot paper (a “covering envelope”).
- (3) The returning officer may refuse to include a candidate statement in voting packs if the officer considers any of its content to be unlawful.
- (4) The cost of returning the ballot paper in the covering envelope must be pre-paid by the returning officer.
- (5) The returning officer may use—
- (a) a universal service provider within the meaning of section 4(3) and (4) of the Postal Services Act 2000⁽¹⁾; or
 - (b) a commercial delivery firm,
- for the purpose of sending voting packs.
- (6) Where such a provider or firm is used—
- (a) voting packs must be counted and delivered by the returning officer to the provider or firm; and
 - (b) the officer must obtain a receipt for that delivery endorsed by the provider or firm.

Ballot papers

- 22.**—(1) A ballot paper must be in such form as the returning officer thinks fit subject to the requirements specified in paragraph (2).
- (2) The ballot paper must—
- (a) contain the names and addresses of the nominated candidates as shown on the respective nomination papers (arranged alphabetically by surname);

(1) 2000 c.26.

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- (b) have a unique number (being a number, letters, a combination of letters and numbers or other identifying mark) printed on the back; and
 - (c) contain an official mark.
- (3) The official mark must be kept secret (and must not be the same as the official mark used at a Health Board election held in the same Health Board area at any time during the previous 5 years).
- (4) If a candidate's nomination paper states that the candidate has a commonly used forename or surname, the commonly used name (instead of any other name) must appear on the ballot paper.

Marking of lists when voting packs sent

- 23.**—(1) The returning officer must first send voting packs to every voter in the officer's extract of the absent voters list and must—
- (a) mark the unique number of the ballot paper contained in the voting pack sent to a voter against the entry corresponding to that voter in that extract; and
 - (b) mark with the letter "A" each entry corresponding to an absent voter in the officer's extracts of the register of local government electors so as to denote—
 - (i) that the voter is an absent voter; and
 - (ii) that a voting pack has been sent to the voter's alternative address.
- (2) The returning officer must then send a voting pack to every voter in the officer's extract of the register of local government electors (other than those marked "A") and must mark the unique number of the ballot paper contained in the voting pack sent to a voter against the entry corresponding to that voter in that extract.
- (3) If the returning officer is satisfied that 2 or more entries in the absent voters list or the register of local government electors relate to the same voter, the officer must not issue more than one voting pack to that voter.

Notice of sending of voting packs

- 24.**—(1) The returning officer must give each candidate at least 48 hours' notice of the time and place at which the officer will send voting packs to voters.
- (2) If the returning officer subsequently requires to send more voting packs to voters, the officer must, as soon as is reasonably practicable, notify each candidate of the time and place at which this will occur.

Voter without ballot paper

- 25.**—(1) A voter who has not received a voting pack by the day falling 7 days before the day on which the poll closes may apply to the returning officer for a replacement voting pack.
- (2) Such an application—
- (a) may be made in writing or in person; and
 - (b) must include evidence of the voter's identity.
- (3) The returning officer must issue a replacement voting pack only if—
- (a) the application is made at least 24 hours before the poll closes; and
 - (b) the officer—
 - (i) is satisfied as to the voter's identity; and
 - (ii) has no reason to doubt that the voter did not receive the original voting pack.
- (4) The returning officer must keep a list containing—

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- (a) the name and address of each voter to whom a replacement voting pack is issued; and
 - (b) the number of the ballot paper contained in missing voting pack and of its replacement in respect of each such voter.
- (5) Rules 21 and 22 apply to replacement voting packs as they apply to any voting pack (although a returning officer may hand a replacement voting pack to a voter in person).