

Draft Order laid before Parliament under section 96(2)(b) of the Northern Ireland Act 1998, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2015 No.

NORTHERN IRELAND

The Northern Ireland Assembly (Elections) (Forms) Order 2015

Made - - - - *******

Coming into force in accordance with article 1(2)

In accordance with section 7(1) and (2)(h) of the Political Parties, Elections and Referendums Act 2000⁽¹⁾, the Secretary of State has consulted with the Electoral Commission prior to this Order being made.

A draft of this Order has been laid before Parliament in accordance with section 96(2)(b) of the Northern Ireland Act 1998⁽²⁾ and approved by a resolution of each House of Parliament.

Accordingly, the Secretary of State, in exercise of the powers conferred by section 34(4) and (6) of the Northern Ireland Act 1998, makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Northern Ireland Assembly (Elections) (Forms) Order 2015.

(2) This Order comes into force on the day after the day on which it is made.

(3) In this Order—

“the 2001 Order” means the Northern Ireland Assembly (Elections) Order 2001⁽³⁾;

“the 2008 Regulations” means the Representation of the People (Northern Ireland) Regulations 2008⁽⁴⁾; and

“the elections rules” means the parliamentary elections rules contained in Schedule 1 to Representation of the People Act 1983⁽⁵⁾.

(1) 2000 c. 41; there have been amendments to section 7 but they are not relevant to this Order.

(2) 1998 c. 47; there have been amendments to section 96 but they are not relevant to this Order.

(3) S.I. 2001/2599 was amended by S.I. 2002/1964, S.I. 2003/2989, S.I. 2007/308, S.I. 2009/256, S.I. 2010/2892; S.I. 2014/1116 and S.I. 2014/1804.

(4) S.I. 2008/1741; relevant amendments are referenced in this Order.

(5) 1983 c. 2; relevant amendments are referenced in this Order.

Amendments to Schedule 1 to the 2001 Order

2.—(1) Schedule 1 to the 2001 Order (application with modifications of statutory provisions relating to elections)(6) is amended as follows.

(2) In the right-hand column of the Schedule, in the entry in respect of rule 44B of the elections rules(7), in paragraph (3)(a) omit the words “and authenticated”.

(3) In the right-hand column of the Schedule, alongside the entry in respect of the form of ballot paper in the Appendix of Forms in the elections rules—

- (a) omit the words “the front of the”; and
- (b) after “ballot paper” insert “(the form of front of ballot paper and the form of back of ballot paper)”.

(4) In the right-hand column of the Schedule, alongside the entry in respect of the form of directions for the guidance of the voters in voting in the Appendix of Forms in the elections rules, for both paragraphs of the existing text, substitute—

“For the form substitute the form set out in the Annex to this Schedule.”.

(5) In the right-hand column of the Schedule, alongside the entry in respect of the form of declaration to be made by the companion of a voter with disabilities in the Appendix of Forms in the elections rules, before the existing text insert—

“For the form substitute the form set out in the Annex to this Schedule.”.

(6) The Annex to Schedule 1 to the 2001 Order is amended as follows.

(7) In the form of front of ballot paper—

- (a) in the heading to that form, omit “front of”; and
- (b) replace the form with the form in Schedule 1 to this Order.

(8) Replace the form of directions as to printing the ballot paper with the form in Schedule 2 to this Order.

(9) After the form of directions as to printing the ballot paper, insert—

- (a) the form of directions for the guidance of the voters in voting in Schedule 3 to this Order; and
- (b) the form of declaration to be made by the companion of a voter with disabilities in Schedule 4 to this Order.

Amendments to Schedule 2 to the 2001 Order

3.—(1) Schedule 2 to the 2001 Order (application and modification of provisions of subordinate legislation relating to elections)(8) is amended as follows.

(2) In the right-hand column of the Schedule, alongside the entry in respect of regulation 12 of the 2008 Regulations (device referred to in rule 29(3A)(b) of the parliamentary elections rules), insert—

“In paragraph (7) for the words “mark a cross” substitute “record his vote”.”.

(3) In the right-hand column of the Schedule, alongside the entry in respect of Form A of Schedule 3 to the 2008 Regulations (elector’s official poll card), for both paragraphs of the existing text substitute—

“For the words “UK Parliamentary” substitute “Northern Ireland Assembly”.

(6) Schedule 1 was substituted in its entirety by [S.I. 2009/256](#). Other relevant amendments are referenced in this Order.

(7) Rules 44A to 44M are inserted by Schedule 1 to the 2001 Order as modifications to the parliamentary elections rules when applied to Assembly elections as the Assembly elections rules.

(8) Schedule 2 was substituted in its entirety by [S.I. 2009/256](#).

For the words “UK or Irish passport” substitute “UK, Irish or EU passport”.”

(4) In the right-hand column of the Schedule, alongside the entry in respect of Form A1 of Schedule 3 to the 2008 Regulations (elector’s official postal poll card)(**9**), insert—

“For the words “UK Parliamentary” substitute “Northern Ireland Assembly”.”.

(5) In the right-hand column of the Schedule, alongside the entry in respect of Form B of Schedule 3 to the 2008 Regulations (proxy’s official poll card), insert—

“For the words “UK Parliamentary” substitute “Northern Ireland Assembly”.

For the words “UK or Irish passport” substitute “UK, Irish or EU passport”.”

(6) In the right-hand column of the Schedule, alongside the entry in respect of Form B1 of Schedule 3 to the 2008 Regulations (proxy’s official postal poll card)(**10**), insert—

“For the words “UK Parliamentary” substitute “Northern Ireland Assembly”.”.

(7) After the entry in respect of Form D of Schedule 3 to the 2008 Regulations (declaration as to expenses required by section 75 of the 1983 Act), insert—

“Form E (proxy paper)	For the words “UK Parliamentary” substitute “Northern Ireland Assembly”.”.
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(8) In the right-hand column of the Schedule, alongside the entry in respect of Form F of Schedule 3 to the 2008 Regulations (certificate of employment)(**11**), before the existing paragraph insert—

“For the words “UK Parliamentary” substitute “Northern Ireland Assembly”.”.

(9) In the right-hand column of the Schedule, alongside the entry in respect of Form L of Schedule 3 to the 2008 Regulations (declaration of identity), for the existing text substitute—

“For the form substitute the form set out in the Annex to this Schedule.”.

(10) In the right-hand column of the Schedule, alongside the entry in respect of Form M of Schedule 3 to the 2008 Regulations (declaration of identity (combined polls)), for the existing text substitute—

“For the form substitute the form set out in the Annex to this Schedule.”.

(11) At the end of the Schedule, insert the Annex in Schedule 5 to this Order.

Date

Name
Parliamentary Under Secretary of State
Northern Ireland Office

(9) The entry in respect of Form A1 was inserted by [S.I. 2014/1804](#).

(10) The entry in respect of Form B1 was inserted by [S.I. 2014/1804](#).

(11) The entry in respect of Form F was amended by [S.I. 2010/2892](#).

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK
Statutory Instrument: The Northern Ireland Assembly (Elections) (Forms) Order 2015 No. 222

SCHEDULE 1

Article 2(7)

Form of ballot paper

Form of front of ballot paper

Northern Ireland Assembly Election		
[insert name of constituency] constituency		
You can make as many or as few choices as you wish.		
Put the number 1 in the voting box next to your first choice.		
Put the number 2 in the voting box next to your second choice.		
Put the number 3 in the voting box next to your third choice. And so on.		
BITTERN, Richard 5 Down Street, Bangor, Co. Down Democratic Unionist Party		<input type="checkbox"/>
DIPPER, Joanna 8 Mourne View, Donaghadee, Co. Down Independent		<input type="checkbox"/>
DIPPER, Martin 8 Magilligan Drive, Portaferry, Co. Down SDLP (Social Democratic and Labour Party)		<input type="checkbox"/>
FINCH, John 29 Gilford Place, Millisle, Co. Down Sinn Fein		<input type="checkbox"/>
KITE, Julie Glen Cottage, Banbridge, Co. Down Independent		<input type="checkbox"/>
LINNET, Harry 7 Gortin Mansions, Dromara, Co. Down Ulster Unionist Party		<input type="checkbox"/>
ROBIN, David 3 Strangford Road, Killinchy, Co. Down Independent		<input type="checkbox"/>
SPARROW, Anne 41 Devenish Dive, Ballynahinch, Co. Down Independent		<input type="checkbox"/>
SWALLOW, Peter 3 Mourne View, Bangor, Co. Down Independent		<input type="checkbox"/>
SWIFT, Lee 11 Moira Terrace, Newry, Co. Down Independent		<input type="checkbox"/>

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[Number]
[Other unique identifying mark]

Northern Ireland Assembly election in the constituency of [insert name of
constituency] on 20...

SCHEDULE 2

Article 2(8)

Form of directions as to printing the ballot paper

Directions for printing the ballot paper

1. So far as is practicable, the arrangements set out in paragraphs 2 to 11 must be observed in the printing of the ballot paper.
2. The following words must be printed on the face:
 - (a) the heading "Northern Ireland Assembly Election, *[insert name of constituency]* constituency";
 - (b) the direction "You can make as many or as few choices as you wish. Put the number 1 in the voting box next to your first choice. Put the number 2 in the voting box next to your second choice. Put the number 3 in the voting box next to your third choice. And so on.";
 - (c) the names, addresses and descriptions, if any of the persons shown in the statement of candidates nominated, in the same order as in that statement; and
 - (d) the words forming part of the emblems mentioned at paragraph 9 below.
3. A box must be printed around:
 - (a) the heading referred to in paragraph 2(a); and
 - (b) the direction referred to in paragraph 2(b);and the direction referred to in paragraph 2(b) must be separated from the heading referred to in paragraph 2(a) by a horizontal rule extending across the box.
4. The following rules must be printed on the face:
 - (a) as part of the box referred to in paragraph 3;
 - (b) the horizontal rule referred to in that paragraph;
 - (c) a horizontal rule above the entry for the first candidate;
 - (d) horizontal rules separating the entries for the candidates from one another;
 - (e) a horizontal rule below the entry for the last candidate; and
 - (f) as part of the boxes on the right-hand side of the ballot paper where the vote is to be marked.
5. The horizontal rules referred to in paragraphs 4(c), (d) and (e) must be equally spaced.
6. The boxes referred to in paragraph 4(f) must not touch any horizontal rule and each one must be equidistant between the horizontal rule above it and the horizontal rule below it.
7. Each of the horizontal rules referred to in paragraph 4(c) and (d) must extend from a point level with the text on the left-hand side of the page to a point directly above the right-hand edge of the box below that rule.

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8. The horizontal rule referred to in paragraph 4(e) must:
 - (a) extend from a point level with the text on the left hand side of the page to a point directly below the right-hand edge of the box above that rule; and
 - (b) be thicker than the other horizontal rules
9. Where a registered emblem is to be printed against a candidate's name –
 - (a) it must be printed adjacent and to the right of the candidate's particulars; and
 - (b) its size as printed must not exceed 2 centimetres square.
10. All the words on the front of the ballot paper must appear in the same large type except that –
 - (a) the heading referred to in paragraph 2(a) must appear in very large and bold type;
 - (b) the direction referred to in paragraph 2(b) must appear in very large type and the words "You can make as many or as few choices as you wish.", "1", "2", "3" and "And so on." must appear in bold type;
 - (c) the surname of each candidate must appear in large capitals and bold type;
 - (d) the forename and other names of each candidate must appear in bold type;
 - (e) the names of registered political parties and the word "Independent" must appear in bold type.
11. The number and other unique identifying mark must be printed close to each other on the back of the ballot paper.

SCHEDULE 3

Article 2(9)(a)

Form of directions for the guidance of the voters in voting

How to vote at this election

1

Go to the desk, tell the staff your name and address and show your accepted form of photographic identification. They will give you your ballot paper.



2

Take your ballot paper to a voting booth.



3

Read the instructions in the booth and mark your ballot paper.



4

When you have marked your ballot paper, fold it so that nobody can see how you have voted.



5

Put your folded ballot paper into the ballot box.



(!) Voting is secret. Do not let anyone see how you have voted.

❶ If you make a mistake or need help, just ask the staff.

SCHEDULE 4

Article 2(9)(b)

Form of declaration to be made by the companion of a voter with disabilities

Declaration for the companion of a voter with disabilities	
Northern Ireland Assembly Election	
<i>[insert name of constituency]</i> constituency	
Date of election [day] [date] [month] [year]	
Ballot box number:	
A voter with disabilities is a voter who has made a declaration that he/she is unable to vote without assistance.	
Voter name	
Number on register of elector*	
* Where a person is voting as a proxy, the number on register must be that of the person for whom they are voting.	
Part 1 To be completed by the voter's companion	
Companion name	
Companion address	
I have been requested to assist the elector named above to record their vote at this election. I declare that:	
<ul style="list-style-type: none"> • I am entitled to vote as an elector at this election Or	
<ul style="list-style-type: none"> • I am the *spouse;*civil partner;*parent;*brother;*sister;*child of the voter with disabilities and am 18 years of age or over * Please delete whichever does not apply 	
And	
<ul style="list-style-type: none"> • I have not previously assisted <u>more than</u> one voter with disabilities at the election. If I have assisted one other voter their name and address is: 	
[Complete if appropriate] Name and address of other person assisted	
NOTE – It is a criminal offence to communicate at any time to any person any information as to the way in which the voter intends to vote or has voted.	
Companion signature	Date
Part 2 To be completed by the Presiding Officer	
I, the undersigned, being the Presiding Officer for:	
Polling station	
Certify that the above declaration was signed in my presence	Presiding Officer signature
Date	Time (exact)

SCHEDULE 5

Article 3(11)

Annex to Schedule 2

Form of declaration of identity

Front of declaration

Declaration of Identity
Northern Ireland Assembly Election
[Insert name of constituency] constituency
Date of election [day] [date] [month] [year]

Important – you must fill in and return this declaration of identity with your completed ballot paper for it to be counted.

Please read the instructions on the back of this form carefully.

*Name _____ Ballot paper number _____

* Returning Officer to omit name where sent to an anonymous elector

(!) Check that the number on the back of your ballot paper matches the number shown above. If these do not match, call us **immediately** or (insert helpline number).

I am the person the ballot paper numbered above was sent to.												
My Date of Birth is:												
<table border="1"><tr><td><input type="text"/></td><td><input type="text"/></td><td><input type="text"/></td><td><input type="text"/></td><td><input type="text"/></td><td><input type="text"/></td></tr><tr><td>Day</td><td>Month</td><td colspan="4">Year</td></tr></table>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	Day	Month	Year			
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>							
Day	Month	Year										
*My Signature is:												
<i>*Returning Officer to omit where elector has been granted a waiver.</i>												
<input type="text"/>												
We will check this information against our records for security.												

The voter has signed this declaration in my presence.
Witness signature
The witness must be aged 18 or over and satisfied to the best of their knowledge and belief as to the identity of the voter

Please turn over

Back of declaration



Instructions for voting by post

Please read through carefully. If you need help, please contact us.

1. For your vote to be counted, you must fill in, in the presence of a witness, and return this declaration of identity with your ballot paper.
2. Make sure you have filled in all the information on this declaration of identity and your witness has signed it.
3. On the ballot paper, number the candidates in order of preference
Putting "1" against your first choice,
"2" against your second choice and so on.
4. You should not put the same number against more than one candidate.
5. You may number as many or as few candidates as you wish.
6. 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".
7. We must receive your postal vote in the envelope provided by **10pm on [day] [date of poll]**.
8. After receiving this postal vote, you cannot vote in person at a polling station in this election.



Getting Help

- If you need help to vote, you can ask someone you know or get advice by calling the helpline. The person helping you must not tell anyone how you voted.
- Please call the helpline if you need information in another format or language.
- If you make a mistake you can get a replacement if you return all your postal vote documents. Call us immediately as **we can only issue a replacement before 5pm on [day] [date] [month]**.

[Insert helpline and other contact details including website]

Electoral fraud is a crime.

Issued by the Chief Electoral Officer.

Form of declaration of identity (combined polls)

Form of declaration of identity (combined polls)

Front of declaration

Declaration of Identity

Northern Ireland Assembly Election
[insert name of constituency] constituency
Date of election [day] [date] [month] [year]

To be returned with the [insert colour of ballot paper] coloured ballot paper.

Important - you must fill in and return this declaration of identity with your completed ballot paper for it to be counted.

Please read the instructions on the back of this form carefully.

*Name _____ Ballot paper number _____

* Returning Officer to omit name where sent to an anonymous elector

(!) Check that the number on the back of your ballot paper matches the number shown above. If these do not match, call us **immediately** or (insert helpline number).

I am the person the ballot paper numbered above was sent to.

My Date of Birth is:
Day Month Year

***My Signature is:**
*Returning Officer to omit where elector has been granted a waiver.

We will check this information against our records for security.

The voter has signed this declaration in my presence.

Witness signature

The witness must be aged 18 or over and satisfied to the best of their knowledge and belief as to the identity of the voter.

Please turn over

Back of declaration



Instructions for voting by post

Please read through carefully. If you need help, please contact us.

1. For your vote to be counted, you must fill in, in the presence of a witness, and return this declaration of identity with your ballot paper. You must do this even if you have already signed a similar declaration of identity for another election to be held on the same day.
2. Make sure you have filled in all the information on this declaration of identity and your witness has signed it.
3. On the ballot paper, number the candidates in order of preference
Putting "1" against your first choice,
"2" against your second choice and so on.
4. You should not put the same number against more than one candidate.
5. You may number as many or as few candidates as you wish.
6. Different colours are used for the ballot papers for each election. Each ballot paper has its own ballot paper envelope (the smaller envelope marked "A"), declaration of identity and covering envelope (the larger envelope marked "B"). The covering envelope and declaration of identity will refer to the colour of the ballot paper. It is important to use the correct envelopes and declaration of identity.
7. Place each ballot paper in the correct smaller envelope marked "A" and seal it. Then put the envelope marked "A", together with the correct declaration of identity, in the correct larger envelope marked "B" and seal it.
8. We must receive your postal vote in the envelope provided by **10pm on [day] [date of poll]**.
9. After receiving this postal vote, you cannot vote in person at a polling station in this election.



Getting Help

- If you need help to vote, you can ask someone you know or get advice by calling the helpline. The person helping you must not tell anyone how you voted.
- Please contact us if you need information in another format or language.
- If you make a mistake you can get a replacement if you return all your postal vote documents. Call us immediately as we can only issue a replacement before **5pm on [day] [date] [month]**.

[Insert helpline and other contact details including website]

Electoral fraud is a crime.

Issued by the Chief Electoral Officer.

EXPLANATORY NOTE

(This note is not part of the Order)

Schedules 1 and 2 to the Northern Ireland Assembly (Elections) Order 2001 apply certain provisions of the Representation of the People Act 1983 (c. 2) and the Representation of the People (Northern Ireland) Regulations 2008 (S.I. 2008/1741) to elections to the Northern Ireland Assembly. The forms for use at parliamentary elections are amended by the Parliamentary Elections (Forms) (Northern Ireland) Order 2015. Articles 2 and 3 of this Order amend Schedules 1 and 2 to apply those amended provisions to Assembly elections, with appropriate changes.

The forms which have been changed for Assembly elections (whether by modification or substitution of parliamentary forms) are the forms relating to ballot papers, directions as to printing the ballot paper, declarations to be made by the companion of a voter with disabilities, poll cards, postal poll cards, proxy poll cards, proxy postal poll cards, guidance for voters, proxy papers, certificates of employment, declarations of identity, and declarations of identity at combined polls.

An impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.