

*These notes refer to the Elections Act 2001 (c.7)
which received Royal Assent on 10 April 2001*

ELECTIONS ACT 2001

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Northern Ireland

Section 2: Postponement of local elections in Northern Ireland

24. *Section 2* provides for local elections in Northern Ireland to be postponed from 16 May 2001 to 7 June 2001. (Subsection (1)).
25. *Subsection (2)* makes corresponding provision for Northern Ireland to that made for England and Wales by section 1(3). Northern Ireland local elections rules are contained in Schedule 1 to the Electoral Law Act (Northern Ireland) 1962.
26. *Subsection (3)* increases the election expenses limits of all candidates in the postponed elections (whenever they were nominated) by 50%.

Section 3: Combination of polls

27. *Section 3* enables a combined poll to be held in Northern Ireland.
28. *Subsection (1)* extends section 15 of the Representation of the People Act 1985 to Northern Ireland. This requires that the polls of two or more elections which are held on the same day must be combined. That is to say, the voters shall be able to attend the same polling place and use the same polling station to cast their votes for two or more elections at the same time. This extension also ensures that the power specified in section 15(5) to make amendments to the Representation of the People Acts in relation to combined elections are applicable to Northern Ireland.
29. *Subsection (4)* extends the power in section 84 of the Northern Ireland Act 1998 to make provision by Order in Council to include the power to make provision with respect to polls at local elections when those elections are combined with the polls at other elections in Northern Ireland.

Section 4: Modification of election provisions

30. The rules governing the conduct of parliamentary elections are set out in the parliamentary elections rules in Schedule 1 to the Representation of the People Act 1983. The rules governing the conduct of local elections in Northern Ireland are set out in the local elections rules in Schedule 5 to the Electoral Law Act (Northern Ireland) 1962, as substituted by Schedule 1 to the Local Elections (Northern Ireland) Order 1985. Changes to the existing rules in respect of combining parliamentary and local elections are set out in the Schedule to the Act. These are dealt with in detail below.

Section 5: Finance

31. If there are combined elections in Northern Ireland on 7 June, the cost of the combined poll will under exceptional arrangements applied by subsection (1) come from the Consolidated Fund.

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32. *Subsection (2)* overrides provision by which the costs of combination are split between the Consolidated Fund and the District Councils, as specified in section 15(4) of the Representation of the People Act 1985.
33. *Subsection (3)* applies section 29(3) of the Representation of the People Act 1983 (which specifies that the returning officer's charges are paid from the Consolidated Fund) to combined elections on 7 June.
34. *Subsection (4)* applies the [Parliamentary Elections \(Returning Officer's Charges\) \(Northern Ireland\) Order 1997 \(S.I. 1997/774\)](#) to combined elections if they are held on 7 June.
35. *Subsection (5)* amends the Schedule to that Order so that the figures are raised by specified amounts if there is a combined election on 7 June for this one election, to take account of the extra work caused by combining the polls.