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STATUTORY INSTRUMENTS

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**1996 No. 1220**

**NORTHERN IRELAND**

**Elections (Northern Ireland) Order 1996**

*Made* - - - - *3rd May 1996*

*Coming into force* - - - *4th May 1996*

Whereas a draft of this Order has been approved by each House of Parliament;  
Now, therefore, in exercise of the powers conferred upon me by paragraph 1 of Part I of Schedule 1 to the Northern Ireland (Entry to Negotiations, etc.) Act 1996(1), I hereby make the following Order:—

**Citation, extent and commencement**

- 1.—(1) This Order may be cited as the Elections (Northern Ireland) Order 1996.
- (2) This Order shall extend to Northern Ireland only.
- (3) This Order shall come into force on the day after it is made.

**Interpretation**

2. Unless the context otherwise requires, in this Order and any provision applied by this Order:—
  - “1983 Act” means the Representation of the People Act 1983(2);
  - “1985 Act” means the Representation of the People Act 1985(3);
  - “1996 Act” means the Northern Ireland (Entry to Negotiations, etc.) Act 1996;
  - “1985 Order” means the Local Elections (Northern Ireland) Order 1985(4);
  - “1986 Regulations” means the Representation of the People (Northern Ireland) Regulations 1986(5);
  - “candidate” means, subject to article 3(6) (d) below, a person whose name is included in a constituency list or regional list which has been published by the Chief Electoral Officer under rule 14 of the elections rules;

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(1) 1996 c. 11.  
(2) 1983 c. 2.  
(3) 1985 c. 50.  
(4) S.I. 1985/454.  
(5) S.I. 1986/1091.

“constituency” means a constituency provided for in the Parliamentary Constituencies (Northern Ireland) Order 1995(6);

“constituency list” has the meaning given in paragraph 6(1) of Part I of Schedule 1 to the 1996 Act;

“delegate” means a person returned under Part I of Schedule 1 to the 1996 Act;

“election” means an election under the 1996 Act;

“election of a party” includes the return of a candidate included in that party’s constituency list or regional list;

“elections rules” means the rules in Schedule 1 to the 1983 Act, as applied by article 3 of, and Schedule 1 to, this Order;

“elector” means a person entitled to vote at an election under paragraph 4 of Part I of Schedule 1 to the 1996 Act;

“party” means a party set out in Part II of Schedule 1 to the 1996 Act;

“regional list” has the meaning given in paragraph 6(2) of Part I of Schedule 1 to the 1996 Act; and

“register” or “register of electors” means a register of local electors.

### **Application of certain provisions for elections under the 1996 Act**

**3.—**(1) The provisions of the 1983 Act, the Elections (Northern Ireland) Act 1985(7) and the 1985 Act which are specified in the left-hand column of Schedule 1 to this Order shall, subject to—

(a) any modifications and exceptions specified in relation to those provisions in the right-hand column of that Schedule; and

(b) the provisions of paragraphs (5) to (8) below,

apply for the purposes of an election under the 1996 Act.

(2) The provisions of the 1986 Regulations, the Election Petition Rules 1964(8) and the Planning (Control of Advertisements) Regulations (Northern Ireland) 1992(9) which are specified in the left-hand column of Schedule 2 to these Regulations shall, subject to—

(a) any modifications and exceptions specified in relation to those provisions in the right-hand column of that Schedule, and

(b) the provisions of paragraphs (5) to (9) below,

apply for the purposes of an election under the 1996 Act.

(3) Section 72 of the Post Office Act 1969(10) shall apply in relation to an election as it applies in relation to a parliamentary election and as though the reference to the 1983 Act was a reference to that Act as applied by this Order.

(4) Section 35(2)(h) of the Judicature (Northern Ireland) Act 1978(11) shall apply in relation to a petition questioning an election as it applies in relation to a petition questioning a parliamentary election and as though the reference to sections 120 to 156 of the 1983 Act was a reference to those sections as applied by this Order.

(5) Unless the context otherwise requires, in the provisions applied by Schedules 1 and 2 to this Order, any provision relating to a local government election or local government electors and

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(6) S.I. 1995/2992.

(7) 1985 c. 2.

(8) S.R. & O. (N.I.) 1964 No. 28, as amended by S.R. & O. (N.I.) 1985 No. 347.

(9) S.R. & O. (N.I.) 1992 No. 448.

(10) 1969 c. 48; section 72 was amended by paragraph 11 of Schedule 8 to the 1983 Act.

(11) 1978 c. 23; section 35(2)(h) was amended by paragraph 24 of Schedule 8 to the 1983 Act.

any other provision having effect solely in Great Britain or part of Great Britain, and references in connection therewith, shall be disregarded.

(6) Unless the context otherwise requires, in the provisions applied by Schedules 1 and 2 to this Order:—

- (a) any reference to a parliamentary election, including a reference to a general election or a by-election, shall be construed as a reference to an election under the 1996 Act and a reference to the parliamentary elections rules shall be construed as a reference to the elections rules;
  - (b) any reference to a parliamentary elector and a register of parliamentary electors shall be construed as a reference to an elector and a register (as those expressions are defined by article 2 above), respectively;
  - (c) any reference to an overseas elector or a person registered in pursuance of an overseas elector's declaration shall be disregarded;
  - (d) any reference to a candidate in the provisions listed in paragraph (7) below shall be construed as a reference to a party;
  - (e) any reference to a person being elected shall, in the context of a candidate, be construed as a reference to his being returned;
  - (f) any reference to a candidate's election agent, sub-agent, polling agent, counting agent or agent appointed to attend the proceedings on the issue or receipt of postal ballot papers shall be construed as a reference to a party's election agent, sub-agent, polling agent, counting agent or, as the case may be, agent to attend the proceedings on the issue or receipt of postal ballot papers;
  - (g) any reference to a member, in the context of a Member of Parliament, shall be construed as a reference to a delegate;
  - (h) any reference to a parliamentary election petition shall be construed as a reference to a petition challenging an election under the 1996 Act; and
  - (i) any reference to the giving of notice in a constituency concerning election petitions shall be disregarded as respects a petition relating to the return of regional delegates.
- (7) The provisions of the 1983 Act referred to in paragraph (6)(d) above are—

- (a) the following sections:
  - section 66;
  - section 68;
  - section 75(2)(a);
  - section 94;
  - section 99;
  - section 102;
  - section 109;
  - section 110(1);
  - section 111; and
  - section 117(2); and
- (b) the following rules in Schedule 1:
  - rule 29(5)(12);
  - rule 30(2) and (9);

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(12) Rule 29(5) was amended by paragraph 79 of Schedule 4 to the 1985 Act.

rule 32(2);  
 rule 44(5);  
 rule 47;  
 the form of directions as to printing the ballot paper<sup>(13)</sup>; and  
 the form of directions for the guidance of the voter in voting<sup>(14)</sup>.

(8) Unless the context otherwise requires, in the provisions applied by Schedules 1 and 2 to this Order any reference to an enactment or instrument made under an enactment shall be construed as a reference to that enactment or instrument as applied by this Order.

(9) In forms G, H, J and K in Schedule 2 to the 1986 Regulations, as applied by Schedule 2 to this Order, for the words “REPRESENTATION OF THE PEOPLE ACTS” there shall be substituted “Northern Ireland (Entry to Negotiations, etc.) Act 1996”.

### **Date of poll**

4. Subject to section 144 of the 1983 Act, as applied with modifications by Schedule 1 to this Order, the date of the poll in every constituency shall be 30th May 1996.

### **Alterations to registers**

5. An alteration made in a register of electors after the last day on which constituency and regional lists may be submitted to the Chief Electoral Officer shall not have effect for the purposes of the election to which any such list relates.

### **Regional delegates: supplementary provision**

6.—(1) As soon as practicable after the result of the poll has been ascertained in every constituency in which there is a contested election, the Chief Electoral Officer shall make the calculations required by paragraph 14(1) of Part I of Schedule 1 to the 1996 Act.

(2) Where, after making those calculations, an equality of votes is found to exist between any parties and the addition of a vote would entitle candidates from the regional list of any of those parties to be returned, the Chief Electoral Officer shall forthwith decide between those parties by lot, and return as delegates candidates on the regional list of the party on whom the lot falls.

(3) The Chief Electoral Officer shall forthwith—

- (a) declare to be delegates the candidates returned under paragraphs 14(2) and 15 of Part I of Schedule 1 to the 1996 Act, and paragraph (2) above, and
- (b) give public notice of the names of those candidates and of the total number of votes given for each party having a regional list.

(4) This article shall have effect as if included in the elections rules.

### **Judicial proceedings as to disqualification under paragraph 17 of Part I of Schedule 1 to the 1996 Act**

7.—(1) Any person who claims that a person purporting to be a delegate or a member of a team nominated under section 2(2) or (4) of the 1996 Act is disqualified for being on a constituency or regional list under paragraph 17 of Part I of Schedule 1 to the 1996 Act may apply to the High Court

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<sup>(13)</sup> The directions were amended by paragraph 85 of Schedule 4 to the 1985 Act and section 35(4) of the Welsh Language Act 1993 (c. 38).

<sup>(14)</sup> The directions were substituted by paragraph 86 of Schedule 4 to the 1985 Act.

of Justice in Northern Ireland for a declaration to that effect, and the decision of the court on the declaration shall be final.

(2) On an application under this article the person in respect of whom the application is made shall be the respondent; and the applicant shall give security for the costs or expenses of the proceedings, not exceeding £2,500, as the court may direct.

(3) No declaration shall be made under this article in respect of any person on grounds which subsisted at the time when he was returned as a delegate if there is pending or has been tried, an election petition in which his disqualification on those grounds is, or was, in issue.

(4) Any declaration made by the court on an application under this article shall be certified in writing to the Chief Electoral Officer forthwith by the court.

### **Vacancies: supplementary provision**

**8.—**(1) The Chief Electoral Officer shall make the returns required by paragraph 19(2) and (3) of Part I of Schedule 1 to the 1996 Act.

(2) As soon as practicable thereafter, the Chief Electoral Officer shall—

- (a) declare to be delegates any person returned under paragraph 19(2) or (3) of that Part, and
- (b) give public notice of the names of those persons.

Northern Ireland Office

3rd May 1996

*P. B. B. Mayhew*  
One of Her Majesty's Principal Secretaries of  
State

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## SCHEDULE 1

Article 3(1)

APPLICATION WITH MODIFICATIONS OF PROVISIONS OF THE 1983 ACT,  
THE ELECTIONS (NORTHERN IRELAND) ACT 1985 AND THE 1985 ACT

<i>Modifications</i>	<i>Provision applied and subject matter</i>
<b>1983 ACT</b>	
In section 18 (polling districts and places at parliamentary elections), subsections (1), (7) and (9).	
Section 23 (rules for parliamentary elections).	
Section 26 (returning officer: Northern Ireland)	
Section 29 (payments by and to returning officer).	Subsections (1) and (2) shall be omitted.  In subsection (5), for the words from “charged on” to “before”, there shall be substituted “paid by the Secretary of State on an account being submitted to him, but he may, if he thinks fit, before”.
	Subsection (6) shall be omitted.
	Subsection (9) shall be omitted.
Section 30 (taxation of returning officer’s account).	In subsection (4) for the words from “delivery” to the end there shall be substituted “submission of constituency lists and regional lists”.
Section 49 (effect of registers).	In subsection (5)(b)(iv) for “a local government” there shall be substituted “an”.
Section 50 (effect of misdescription).	In paragraph (c)– (a) after “list” there shall be inserted “(including a constituency list or regional list)”, and (b) the words “nomination paper” shall be omitted.
In section 52 (discharge of registration duties) subsection (5).	
Section 60 (personation).	
Section 61 (other voting offences).	In paragraphs (a) and (b) of subsection (1) the words “or at parliamentary or local government elections” and “or, as the case may be, at elections of that kind” shall be omitted.  In subsections (2)(a)(ii) and (iii) and (3)(a)(ii) for the words “a general election”, in each place where they occur, there shall be substituted “the elections”.

<i>Modifications</i>	<i>Provision applied and subject matter</i>
Section 63 (breach of official duty).	In subsection (3)– <ul style="list-style-type: none"><li>(a) paragraphs (a), (c) and (d) shall be omitted;</li><li>(b) in paragraph (b) the words “sheriff clerk” shall be omitted; and</li><li>(c) in paragraph (e) for the words “paragraphs (a) to (d)” there shall be substituted “paragraph (b)”.</li></ul>
Section 65 (tampering with nomination papers, ballot papers etc.).	In subsection (1)(a) for the words “nomination paper” there shall be substituted “constituency list or regional list”.
Section 66 (requirement of secrecy).	
Section 67 (appointment of election agent).	For subsection (1) there shall be substituted: <p>“(1) Not later than the latest time for the submission of constituency and regional lists, the nominating representative of a party who has submitted a constituency list for one or more constituencies, shall, subject to sub-section (8) below, name a person, including himself but not a candidate at any election, as that party’s election agent, and the name and address of the party’s election agent shall be declared in writing by or on behalf of the nominating representative to the appropriate officer not later than that time.”.</p> <p>Subsection (2) shall be omitted.</p> <p>In subsection (3)–</p> <ul style="list-style-type: none"><li>(a) for the word “candidate”, in the first place where it occurs, there shall be substituted “party”, and</li><li>(b) the words from “whether” to “not” shall be omitted.</li></ul> <p>In subsection (5)–</p> <ul style="list-style-type: none"><li>(a) for the word “candidate's” there shall be substituted “party's”; and</li><li>(b) for the word “candidate” there shall be substituted “nominating representative”.</li></ul> <p>For paragraphs (a) and (b) of subsection (7) there shall be substituted “the Chief Electoral Officer”.</p> <p>After subsection (7) there shall be added–</p> <p>“(8) The requirement to appoint an election agent shall not apply to a party if no constituency list of that party is to be published under rule 14 of the elections rules.”.</p>

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<i>Modifications</i>	<i>Provision applied and subject matter</i>
Section 68 (nomination of sub-agent at parliamentary elections).	<p>In subsection (1), the words “In the case of a parliamentary election for a county constituency” and “part of the” shall be omitted.</p> <p>In subsections (2) and (5) the words “part of the”, in each place where they occur, shall be omitted.</p>
Section 69 (office of election agent and sub-agent).	<p>For subsection (2) there shall be substituted—</p> <p>“(2) The office of an election agent or sub-agent shall be within Northern Ireland.”.</p>
Section 70 (effect of default in election agent’s appointment).	<p>In subsection (1)—</p> <p>(a) for the words from “candidate” to “the candidate” there shall be substituted “party in respect of which a constituency list is to be published under rule 14 of the elections rules by the time of that publication, the nominating representative”; and</p> <p>(b) after “his” there shall be inserted “party’s”.</p> <p>In subsection (2)—</p> <p>(a) for the words “candidate’s election agent (not being the candidate)” there shall be substituted “party’s election agent (not being the nominating representative”); and</p> <p>(b) for the word “candidate” there shall be substituted “nominating representative”.</p> <p>In subsection (3)—</p> <p>(a) for the word “candidate's” there shall be substituted “party's”; and</p> <p>(b) for the words “candidate himself” there shall be substituted “nominating representative”.</p> <p>In subsection (3A) for the words “candidate as his own” there shall be substituted “nominating representative as his party's”.</p> <p>In subsection (4)—</p> <p>(a) for the word “candidate” there shall be substituted “nominating representative”;</p> <p>(b) for the word “own” there shall be substituted “party's”; and</p> <p>(c) for paragraphs (a) and (b) there shall be substituted “at the principal offices of the party”.</p> <p>In subsection (6)—</p> <p>(a) for the word “candidate”, in both places where it occurs, there shall be substituted “nominating representative”; and</p>

<i>Modifications</i>	<i>Provision applied and subject matter</i>
	(b) for the word “own” there shall be substituted “party's”.
Section 72 (making of contracts through election agent).	In subsection (3) the words “, in relation to a parliamentary election where sub-agents are allowed,” shall be omitted.
Section 73 (payment of expenses through election agent).	At the end of subsection (1)(b) there shall be inserted “or party”.
	In subsection (3) the words “, in relation to a parliamentary election where sub-agents are allowed,” shall be omitted.
Section 74 (candidate’s personal expenses and petty expenses).	
Section 75 (prohibition of expenses not authorised by election agent).	In subsection (1) for the words “a candidate” there shall be substituted “a party” and for the words “the candidate” there shall be substituted “a candidate”.
	In subsection (2)(a) for the words “21 days after the day on which the result of the election is declared” there shall be substituted “22 days after the day of the poll”.
	Subsection (4) shall be omitted.
Section 76 (limitation of election expenses).	In subsection (1)– (a) for the words “an election”, in both places where they occur, there shall be substituted “the elections”; (b) for the words “the election” there shall be substituted “the elections”; and (c) for the words “specified in this section” there shall be substituted “for any party calculated in accordance with subsection (2) below”.
	For subsection (2) there shall be substituted– “(2) That maximum amount for any party is the aggregate of the maximum amounts, calculated in accordance with subsection (2A) below, for each constituency in which the party is named on the ballot papers to be used at the election in that constituency, disregarding any sum paid or expense incurred before the coming into force of the Elections (Northern Ireland) Order 1996. (2A) The maximum amount for a constituency–

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<i>Modifications</i>	<i>Provision applied and subject matter</i>
	<ul style="list-style-type: none"> <li>(a) which is a county constituency is £4,642 together with an additional 5.2p for every entry in the register of electors to be used at the election (as first published);</li> <li>(b) which is a borough constituency is £4,642 together with an additional 3.9p for every entry in the register of electors to be used at the election (as first published).”.</li> </ul>
	Subsections (4) and (6) shall be omitted.
Section 78 (time for sending in and paying claims).	In subsection (1) for the words “the result of the election is declared” there shall be substituted “the declaration of the return of the regional delegates is made”.
Section 79 (disputed claims).	
Section 80 (election agent’s claim).	
Section 81 (return as to election expenses).	In subsection (1) for the words “the result of the election is declared” there shall be substituted “the declaration of the return of the regional delegates is made” and for the word “candidate”, in both places where it occurs, there shall be substituted “party”.
	In subsection (3)–
	<ul style="list-style-type: none"> <li>(a) for the words “that candidate” there shall be substituted “that party”; and</li> <li>(b) in paragraphs (a) and (d) for the words “the candidate” there shall be substituted “a candidate”.</li> </ul>
	Subsection (4) shall be omitted.
	In subsection (5) the words “candidate or his” shall be omitted.
Section 82 (declarations as to election expenses).	Subsections (2), (3) and (5) shall be omitted.
Section 84 (penalty for failure as respects returns or declarations).	
Section 86 (authorised excuses for failures as to return and declarations).	Subsections (2)(a) and (3)(b) shall be omitted.
	In subsection (4)(a) the words from “in the” to “may be”, shall be omitted.
	Subsection (5) shall be omitted.
Section 87 (court’s power to require information from election agent and sub-agent).	

<i>Modifications</i>	<i>Provision applied and subject matter</i>
Section 88 (publication of time and place for inspection of returns and declarations).	<p>For the words “returning officer”, in each place where they occur, there shall be substituted “Chief Electoral Officer”.</p> <p>The words from “circulating” to “was held” shall be omitted.</p>
Section 89 (inspection of returns and declarations).	<p>In subsections (1) and (2), for the words “two years”, in each place where they occur, there shall be substituted “12 months”.</p> <p>In subsection (2)(b) the words “the candidate or” shall be omitted and for the words “to the candidate” there shall be substituted “to the election agent”.</p> <p>In subsection (3) for the words “candidate (if he or his election agent” there shall be substituted “election agent (if he”.</p>
Section 91 (candidate’s right to send election address post free).	<p>In subsection (1), for the words “A candidate at a parliamentary election is, subject to Post Office regulations,” there shall be substituted “In a constituency for which a party’s constituency list is to be published under rule 14 of the elections rules, the election agent of that party is, subject to the provisions of Post Office regulations made for the purposes of parliamentary elections,”.</p> <p>Subsection (3) shall be omitted.</p> <p>For subsection (4), there shall be substituted:</p> <p>“(4) For the purposes of this section, “elector” means a person who is registered in a register to be used at the election in the constituency, and accordingly includes a person shown in a register as below voting age if it appears from the register that he will be of voting age on the day of the poll, but not otherwise.</p> <p>(5) An unaddressed postal communication need not state the name of the constituency.”.</p>
Section 92 (broadcasting from outside United Kingdom).	
Section 94 (imitation poll cards).	
Section 97 (disturbances at election meetings).	<p>For subsection (2), there shall be substituted:</p> <p>“(2) This section applies to a political meeting held in any constituency in connection with an election between the last date on which notice of election may be published in</p>

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<i>Modifications</i>	<i>Provision applied and subject matter</i>
	accordance with the elections rules and the date of the poll.”.
Section 98 (premises not affected for rates).	After the word “candidature” there shall be inserted “or in support of a party”.
Section 99 (officials not to act for candidates).	In subsection (1) the words from “but” to the end shall be omitted.
Section 100 (illegal canvassing by police officers).	
Section 101 (no hiring of vehicles to convey voters).	
Section 102 (no payments for conveyance of voters).	
Section 103 (provisions supplemental to sections 101 and 102).	
Section 104 (“carriage” in sections 101 to 103).	
Section 106 (false statements as to candidates).	In subsection (2) for the words “his agent” there shall be substituted “an agent of his party”.
	Subsections (5) and (6) shall be omitted.
Section 107 (corrupt withdrawal from candidature).	
Section 109 (payments for exhibition of election notices).	
Section 110 (printer’s name and address on election publications).	
Section 111 (prohibition of paid canvassers).	
Section 112 (providing money for illegal purposes).	
Section 113 (bribery).	
Section 114 (treating).	
Section 115 (undue influence).	
Section 116 (rights of creditors).	
In section 117 (savings as to parliamentary elections), subsection (2).	
Section 118 (interpretation of Part II).	The definition of “candidate” shall be omitted.
Section 119 (computation of time for purposes of Part II).	
Section 120 (method of questioning parliamentary election).	In subsection (1) the words “and no return to Parliament” shall be omitted.

<i>Modifications</i>	<i>Provision applied and subject matter</i>
Section 121 (presentation and service of parliamentary election petition).	After subsection (2) there shall be inserted— “(2A) Where a petition relates to the result of an election in a constituency, it shall not be necessary to name the delegates returned under paragraph 14(2) of Part I of Schedule 1 to the 1996 Act (regional delegates) as respondents, notwithstanding that any fresh election ordered on the determination of the election petition might affect their return.”.
Section 122 (time for presentation or amendment of parliamentary election petition).	In subsection (1), for the words from “the return” to the end of the subsection there shall be substituted “the day on which the relevant result was declared in accordance with rule 50 of the elections rules or, as the case may be, article 6 of the Elections (Northern Ireland) Order 1996”.  In subsection (2), for the words “that return” there shall be substituted “that declaration of the result of the election”.  In subsection (3)(b) after the words “agent of his” there shall be inserted “party”.  In subsection (4)(a) for the words “that member and his” there shall be substituted “the”.
Section 123 (constitution of election court and place of trial).	At the beginning of subsection (3) there shall be inserted “Except in the case of a petition relating to the return under paragraph 14(2) of Part I of Schedule 1 to the 1996 Act,”.
Section 124 (judges' expenses and reception: England and Wales and Northern Ireland).	For “the Treasury” there shall be substituted “the Secretary of State”.
Section 126 (attendance of the House of Commons shorthand writer).	In subsection (1), for the words “The shorthand writer of the House of Commons or his deputy” there shall be substituted “A shorthand writer”.  In subsection (2), for the word “Speaker” there shall be substituted “Chief Electoral Officer”.  In subsection (3), the words “In Scotland” shall be omitted and for the words “section 125” there shall be substituted “section 124”.
Section 136 (security for costs).	
Section 137 (petition at issue).	
Section 138 (list of petitions).	
Section 139 (trial of petition).	For subsection (3) there shall be substituted—

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<i>Modifications</i>	<i>Provision applied and subject matter</i>
Section 140 (witnesses).	“(3) Except in the case of a petition which relates solely to a person’s disqualification under paragraph 17 of Part I of Schedule 1 to the 1996 Act, the trial of an election petition shall be proceeded with notwithstanding that a respondent has resigned as a delegate.”.
Section 141 (duty to answer relevant questions).	
Section 143 (expenses of witnesses).	
Section 144 (conclusion of trial of parliamentary election petition).	For subsections (1) and (2) there shall be substituted— “(1) At the conclusion of the trial of an election petition, the election court shall determine— (a) whether or not the return of delegates under Part I of Schedule 1 to the 1996 Act needs to be amended; (b) whether or not the return of a delegate or delegates of a particular party was void; (c) whether or not the election as a whole in the constituency to which the petition relates was void; and the determination so certified shall be final to all intents as to the matters at issue on the petition. (2) Where the election court determines that the election as a whole in the constituency to which the petition relates was void, it shall order a fresh election to be held in the constituency in question on a day appointed by the court. (2A) The day specified under subsection (2) above shall not be less than four weeks after the date of the determination. (2B) Pending an amendment to the return of delegates under paragraph 14(2) of Part I of Schedule 1 to the 1996 Act (regional delegates) following the result of an election which is ordered to be held in a constituency under subsection (2) above, the regional delegates returned shall continue in office. (2C) Where the election court determines that the election of a delegate or delegates of a particular party was void but that the election as a whole in the constituency to which the petition relates was not void, the return of delegates

<i>Modifications</i>	<i>Provision applied and subject matter</i>
	under paragraph 14 of Part I of Schedule 1 to the 1996 Act shall be calculated again and the votes given for that party in that constituency shall be disregarded.
	(2D) The election court shall forthwith certify any determination under subsection (1) and order under subsection (2) to the Chief Electoral Officer.”.
	In subsection (3)(b) after the word “election” there shall be inserted “of that delegate”.
	In subsections (4) and (6), for the word “Speaker”, in each place where it occurs, there shall be substituted “Chief Electoral Officer”.
	Subsections (5) and (7) shall be omitted.
Section 146 (special case for determination of High Court).	In subsection (2), for the word “Speaker” there shall be substituted “Chief Electoral Officer”.
Section 147 (withdrawal of petition).	
Section 148 (evidence required for withdrawal of petition).	
Section 149 (penalty for corrupt withdrawal and breach of section 148).	
Section 150 (substitution of new petitioner).	
Section 151 (report on withdrawal).	In subsection (1)(a), for the word “Speaker” there shall be substituted “Chief Electoral Officer”.
Section 152 (abatement of petition).	
Section 153 (withdrawal and substitution of respondents before trial).	In subsection (1), for paragraphs (b) and (c) there shall be substituted the following paragraph— “(b) resigns or otherwise ceases to hold the office of delegate”.
	In subsection (1) before the words “may apply” there shall be inserted “or who is the nominating representative of the party one of the candidates of which was a respondent to the petition”.
	In subsection (3), the words from “and if the petition” to the end of the subsection shall be omitted.
	In subsection (4), for the word “Speaker” there shall be substituted “Chief Electoral Officer”.

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<i>Modifications</i>	<i>Provision applied and subject matter</i>
Section 154 (costs of petition).	
Section 155 (neglect or refusal to pay costs).	
Section 156 (further provision as to costs).	
Section 157 (appeals and jurisdiction).	<p>For subsection (2), there shall be substituted:</p> <p>“(2) Subject to the provisions of this Act and the rules made under it, the principles, practice and rules on which election courts act in dealing with parliamentary election petitions shall be observed, so far as may be, by the High Court and election court in the case of election petitions relating to elections under the 1996 Act.</p> <p>(2A) Where an election court determines that a person who has been returned as a delegate was at the time of his election disqualified under paragraph 17 of Part I of Schedule 1 to the 1996 Act, it shall apply the rules in paragraph 19 of that Part instead of ordering a fresh election.</p> <p>(2B) Where the election court determines that the election of a delegate or delegates of a particular party was void but that the election as a whole in the constituency to which the petition relates was not void, the court shall not order a fresh election.”.</p> <p>Subsection (5) shall be omitted.</p>
Section 158 (report as to candidate guilty of a corrupt or illegal practice).	
Section 159 (candidate reported guilty of corrupt or illegal practice).	Subsections (2) and (3) shall be omitted.
Section 160 (persons reported personally guilty of corrupt or illegal practices).	Subsections (4) to (7) shall be omitted.
Section 164 (avoidance of election for general corruption etc.).	
In section 166 (votes to be struck off for corrupt or illegal practices) subsections (2) and (3).	
Section 167 (application for relief).	
Section 168 (prosecutions for corrupt practices).	
Section 169 (prosecutions for illegal practices).	
Section 170 (conviction of illegal practice on charge of corrupt practice etc.).	
Section 175 (illegal payments etc.).	

<i>Modifications</i>	<i>Provision applied and subject matter</i>
Section 176 (time limit for prosecutions).	
Section 178 (prosecution of offences committed outside United Kingdom).	
Section 179 (offences by associations).	
Section 180 (evidence by certificate of holding of elections).	
Section 181 (Director of Public Prosecutions).	
Section 183 (costs).	
Section 184 (service of notices).	
Section 185 (interpretation of Part III).	The definition of “candidate” shall be omitted.
Section 186 (computation of time for purposes of Part III).	
Section 200 (public notices, and declarations).	
Section 202 (general provisions as to interpretation).	
Section 205 (general application to Northern Ireland).	
<b>SCHEDULE 1 PARLIAMENTARY ELECTIONS RULES)</b>	
Rule 1 (Timetable).	For the Timetable there shall be substituted—
	<u>‘TIMETABLE</u>
	<i>Proceeding</i> <i>Time</i>
	Publication of notice of election.                      Not later than the sixteenth day before the date of the poll.
	Submission of constituency and regional lists by nominating representatives.                      Not later than 5 p.m. on the fourteenth day before the date of the poll.
	Submission of notices of withdrawals of constituency or regional lists by nominating representatives.                      Within the time for the submission of constituency and regional lists.
	Determination by Chief Electoral Officer as to the constituency and                      Not later than 5 p.m. on the twelfth day before the day of the poll.

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<i>Modifications</i>	<i>Provision applied and subject matter</i>
	regional lists which are to be published.
	Polling. Between the hours of 7 a.m. and 10 p.m. on the day of the poll.’
Rule 2 (computation of time).	For paragraph (2) there shall be substituted— “(2) In this rule “bank holiday” means a day which is a bank holiday under the Banking and Financial Dealings Act 1971 in Northern Ireland.”
Rule 5 (notice of election).	For paragraph (1) there shall be substituted— “(1) The Chief Electoral Officer shall publish notice of the election stating— (a) the places at which and time by which constituency and regional lists are to be submitted to him; and (b) the date of the poll in the event of a contest.”
Rule 6 (nomination of candidates).	For the rule there shall be substituted—  <b>“Constituency and regional lists</b>  <b>6.—(1)</b> A constituency or regional list submitted to the Chief Electoral Officer under paragraph 6 of Part I of Schedule 1 to the 1996 Act shall be submitted in writing to him at his office at St. Anne’s House, 15 Church St, Belfast.  <b>(2)</b> Any such list shall state— (a) in the case of a constituency list, the name of the constituency; (b) in the case of a regional list, that it is such a list; (c) in the case of any list— (i) the name of the party; (ii) the address of the principal offices of that party; and (iii) the full names and home address in full of each candidate included in the list.”
Rule 12 (decisions as to validity of nomination papers).	For the rule there shall be substituted—

<i>Modifications</i>	<i>Provision applied and subject matter</i>
	<p><b>“Decisions as to validity of lists</b></p> <p><b>12.—</b>(1) A constituency or regional list which has been submitted in accordance with rule 6(1) above shall be deemed to be valid unless and until the Chief Electoral Officer decides that it is invalid.</p> <p>(2) The Chief Electoral Officer is entitled to hold a list invalid only on the following grounds—</p> <ul style="list-style-type: none"><li>(a) that the particulars of the party or the candidates are not as required by rule 6(2) above;</li><li>(b) that the party is not a party listed in Part II of Schedule 1 to the 1996 Act;</li><li>(c) that the list is in breach of the requirements of paragraph 6 of Part I of Schedule 1 to the 1996 Act.</li></ul> <p>(3) Where the Chief Electoral Officer decides that a list is invalid, he shall endorse and sign on the list the fact and the reasons for his decision.</p> <p>(4) Any decision of the Chief Electoral Officer under this rule shall not be challenged otherwise than on an election petition.”.</p>
Rule 13 (withdrawal of candidates).	For the rule there shall be substituted— <p><b>“Withdrawal of constituency or regional list</b></p> <p><b>13.</b> The nominating representative may withdraw a constituency or regional list (whether or not he substitutes another list for it within the time allowed by rule 1 above) by notice of withdrawal—</p> <ul style="list-style-type: none"><li>(a) signed by him and attested by one witness, and</li><li>(b) submitted to the Chief Electoral Officer at the place for the delivery of such lists.”.</li></ul>
Rule 14 (publication of statement of persons nominated).	For the rule there shall be substituted—

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<i>Modifications</i>	<i>Provision applied and subject matter</i>
	<p><b>“Publication of constituency and regional lists</b></p> <p><b>14.</b> As soon as practicable after the close of the time for the submission of constituency and regional lists and not later than the last time for the determination by the Chief Electoral Officer of the lists which are to be published, that Officer shall arrange to be published in the Belfast Gazette any list which has not been withdrawn and which he has not determined to be invalid under rule 12 above.”.</p>
Rule 17 (method of election).	<p>In paragraph (1), for the words from the beginning to “standing nominated” there shall be substituted “If more than one constituency list for a constituency is published under rule 14 above and the total number of candidates named in such lists exceeds five,”.</p> <p>In paragraph (2), for the words from the beginning to “that person” there shall be substituted “If the total number of candidates named in such constituency lists for a constituency as are published under rule 14 above does not exceed five, any candidate so named”.</p>
Rule 18 (poll to be taken by ballot).	<p>The words from “the result” to the end shall be omitted.</p>
Rule 19 (the ballot papers).	<p>In paragraph (1) the words from “and the” to the end shall be omitted.</p> <p>In paragraph (2)–</p> <p>(a) for the words “be in the form in the Appendix,” there shall be substituted “comply with paragraph 7(2) of Part I of Schedule 1 to the 1996 Act”, and</p> <p>(b) sub-paragraph (a) shall be omitted.</p> <p>In paragraph (3) for the words from “the same” to the end, there shall be substituted “arranged alphabetically”.</p>
Rule 20 (the official mark).	
Rule 21 (prohibition of disclosure of vote).	
Rule 22 (use of schools and public rooms).	<p>In paragraphs (1) and (2) after the word “poll” there shall be inserted “or counting the votes”.</p>

<i>Modifications</i>	<i>Provision applied and subject matter</i>
Rule 23 (notice of poll).	In paragraph (1), for the words “in the statement of persons nominated include” there shall be substituted “publish”.
Rule 24 (postal ballot papers).	
Rule 25 (provision of polling stations).	
Rule 26 (appointment of presiding officers and clerks).	
Rule 28 (issue of official poll cards).	For paragraph (4) there shall be substituted— “(4) In this rule— “elector” has the same meaning as in section 91(4) above; and “electoral number” means a person’s number in the register to be used at the election.”.
Rule 29 (equipment of polling stations).	At the end of the rule there shall be added: “(6) In every compartment of every polling station there shall also be exhibited a notice setting out the contents of every constituency list for the constituency in question, and every regional list published under rule 14 above, in the form in which they were published.”.
Rule 30 (appointment of polling and counting agents).	In paragraphs (1), (3), (4) and (5) for “candidate” there shall be substituted “nominating representative of a party whose constituency list has been published under rule 14 above”.  In paragraphs (8) and (9), after “his” there shall be inserted “party”.
Rule 31 (notification of requirement of secrecy).	
Rule 32 (admission to polling station).	In paragraph (2)— (a) after “agent” there shall be inserted “and not more than one candidate”, and (b) for “same candidate” there shall be substituted “same party”.
Rule 33 (keeping of order in station).	
Rule 34 (sealing of ballot boxes).	
Rule 35 (questions to be put to voters).	
Rule 36 (challenge of voter).	
Rule 37 (voting procedure).	In paragraph (1E)(b) for the words from “the United” to the end there shall be substituted “a Member State of the European Community”.  Paragraph (1F) shall be omitted.

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<i>Modifications</i>	<i>Provision applied and subject matter</i>
Rule 38 (votes marked by presiding officer)	
Rule 39 (voting by blind persons).	
Rule 40 (tendered ballot papers).	
Rule 40A (refusal to deliver ballot paper).	
Rule 41 (spoilt ballot papers).	
Rule 42 (adjournment of poll in case of riot).	
Rule 43 (procedure on close of poll).	
Rule 44 (attendance at counting of votes).	In paragraph (1), for the words “close of the poll” there shall be substituted “9 in the morning on the day after the day of the poll”.
	At the end of paragraph (2)(c) there shall be inserted “or sub-agents”.
Rule 45 (the count).	
Rule 46 (recount).	In paragraph (1), after the word “agent” there shall be inserted “or sub-agent”.
	In paragraph (2) after the word “agents” there shall be inserted “and sub-agents”.
Rule 47 (rejected ballot papers).	
Rule 48 (decisions on ballot papers).	
Rule 49 (equality of votes).	For the rule there shall be substituted—
	<b>“Equality of quotients</b>
	<b>49.</b> Where, on the application of paragraph 10 of Part I of Schedule 1 to the 1996 Act, an equality of quotients is found to exist between any parties, the returning officer shall forthwith decide between those parties by lot, and return as a delegate a candidate on the constituency list of the party on whom the lot falls.”.
Rule 50 (declaration of result).	For the rule there shall be substituted—
	<b>“Declaration of result of election in a constituency</b>
	<b>50.—(1)</b> In a contested election when the result of the poll in that constituency has been ascertained, the returning officer shall forthwith—
	(a) declare to be delegates the candidates returned under paragraphs 9, 10 and 12 of Part

<i>Modifications</i>	<i>Provision applied and subject matter</i>
	I of Schedule 1 to the 1996 Act and rule 49 above; and
	(b) give public notice of—
	(i) the names of those candidates;
	(ii) the total number of votes given for each party at the election, together with the number of rejected ballot papers under each head shown in the statement of rejected ballot papers; and
	(iii) any calculations under paragraphs 8, 9 and 10 of Part I of Schedule 1 to the 1996 Act.
	(2) In an uncontested election, the lists published under rule 14 above shall declare the persons so listed to be returned as delegates.”.
Rule 54 (sealing up of the ballot papers).	
In rule 55 (delivery of documents to Clerk of the Crown), paragraph (1).	For the words “then forward to the Clerk of the Crown” there shall be substituted “retain”.
Rule 56 (orders for production of documents).	In paragraph (1), for the words “Clerk of the Crown” there shall be substituted “returning officer” and sub-paragraph (i) shall be omitted.
	In paragraph (2), for the words “Clerk of the Crown's” there shall be substituted “returning officer's”.
	In paragraph (3), the words “House of Commons or” shall be omitted.
	In paragraphs (6) and (8), for the words “Clerk of the Crown”, in each place where they occur, there shall be substituted “returning officer”.
Rule 57 (retention and public inspection of documents).	In paragraph (1)—
	(a) for the words “Clerk of the Crown” there shall be substituted “returning officer”;
	(b) for the words “forwarded to him in pursuance of these rules by a returning officer” there shall be substituted “to which rule 55(1) of these rules applies”; and
	(c) the words “House of Commons or” shall be omitted.

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<i>Modifications</i>	<i>Provision applied and subject matter</i>
	In paragraph (2), for the words from “Clerk of the Crown” to the end there shall be substituted “returning officer”.
	In paragraph (3), for the words “Clerk of the Crown” there shall be substituted “returning officer” and for the words “the Treasury” there shall be substituted “the Secretary of State”.

**APPENDIX OF FORMS**

Directions as to printing the ballot paper.

At the end of paragraph 1 there shall be added “and paragraph 7(2) of Part I of Schedule 1 to the 1996 Act”.

At the end of paragraph 2 there shall be inserted:

- “(d) notwithstanding sub-paragraphs (b) and (c), the ballot paper may be divided vertically so that there is more than one set of columns of names of parties and spaces where the vote is to be marked.”.

For paragraph 3 there shall be substituted–

“3. The name of each party shall be printed in large capitals.”.

Form of directions for the guidance of the voters in voting.

Form of declaration to be made by the companion of a blind voter.

**SCHEDULE 3  
(RETURN AND DECLARATIONS AS TO  
ELECTION EXPENSES)**

Form of return.

In the form of return as to election expenses–

- (a) (a) for the words “Election in the ... .. constituency” and “Date of publication of notice of election” there shall be substituted “Elections under the Northern Ireland (Entry to Negotiations, etc.) Act 1996”;
- (b) any reference to the candidate acting as his own election agent shall be omitted;
- (c) for any other reference to a candidate, except the reference to a candidate’s personal expenses, there shall be substituted a reference to a party; and

<i>Modifications</i>	<i>Provision applied and subject matter</i>
	(d) in paragraph 1 for the words from “person named” to the end there shall be substituted “party named above at these elections”.
Form of declarations.	In the form of declarations as to election expenses— (a) for the words “Election in the ... .. constituency” and “Date of publication of notice of election” there shall be substituted “Elections under the Northern Ireland (Entry to Negotiations, etc.) Act 1996”; (b) for the words “Name of candidate” there shall be substituted “Name of party”; (c) for paragraph 1 there shall be substituted “1. I was the election agent for the party named above at these elections.”; and (d) in paragraph 2 from “my” to “of which” there shall be substituted “me to the Chief Electoral Officer, of which”.
<b>THE ELECTIONS (NORTHERN IRELAND) ACT 1985</b>	
Section 3 (offences relating to specified documents).	
1985 ACT	
Section 5 (manner of voting at parliamentary and local government elections).	
Section 7 (absent vote at a particular election and absent voters list).	In subsection (1) for the words “a particular” there shall be substituted “the”.  In subsection (2)— (a) for the words “section 6 of this Act in respect of elections of the kind in question” there shall be substituted “paragraph 1 of Part I of Schedule 2 to the 1985 Order”; (b) for the words “a particular” there shall be substituted “the”; and (c) the words “at elections of the kind in question” shall be omitted.  In subsection (4)— (a) for the words “section 6 of this Act as voting by post at elections of the kind in question” there shall be substituted “paragraph 1 of Part I of Schedule 2 to the 1985 Order as voting by post”; (b) for the words “that section” there shall be substituted “that paragraph”; and

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<i>Modifications</i>	<i>Provision applied and subject matter</i>
Section 8 (proxies at elections).	<p>(c) for the words “section 6 of this Act as voting by proxy at elections of the kind in question” there shall be substituted “paragraph 1 of Part I of Schedule 2 to the 1985 Order as voting by proxy”.</p> <p>At the end of subsection (3)(b) there shall be added “nor a relevant citizen of the Union”.</p> <p>Subsection (6) shall be omitted.</p> <p>In subsection (7) for the words “a particular” there shall be substituted “the”.</p>
Section 9 (voting as proxy).	<p>In subsection (10)–</p> <p>(a) for the words “a particular” there shall be substituted “the”; and</p> <p>(b) paragraph (b) shall be omitted.</p> <p>Subsections (4), (5) and (6) shall be omitted.</p> <p>In subsection (7) for the words “a particular” there shall be substituted “the”.</p> <p>In subsection (8)–</p> <p>(a) for the words “a particular” there shall be substituted “the”; and</p> <p>(b) for the words “subsection (6) above in respect of elections of the kind in question” there shall be substituted “paragraph 4(5) of Part I of Schedule 2 to the 1985 Order”.</p> <p>In subsection (9)–</p> <p>(a) for the words “subsection (6) above in respect of elections of the kind in question” there shall be substituted “paragraph 4(5) of Part I of Schedule 2 to the 1985 Order”; and</p> <p>(b) for the words “that subsection” there shall be substituted “that sub-paragraph”.</p> <p>In subsection (10), the words “or both (as the case may be)” and “at elections of the kind in question, or as the case may be,” shall be omitted.</p> <p>Subsection (11)(b) shall be omitted.</p>
In section 12 (offences as to declarations etc.), subsections (3) and (4).	
Section 27 (interpretation).	<p>In subsection (1), the definition of “European Parliamentary election” shall be omitted.</p>

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<i>Modifications</i>	<i>Provision applied and subject matter</i>
	In subsection (2), the words from “and sections 5, 6” to the end shall be omitted.
<b>a</b>	Section 18(7) was amended by paragraph 4(4) of Schedule 4 to the Act of 1985.
<b>b</b>	Section 26(2) was inserted by paragraph 5 of Schedule 4 to the Act of 1985.
<b>c</b>	Section 29 was amended by the Representation of the People Act 1991 (c. 11) and the Transfer of Functions (Returning Officers' Charges) Order 1991 (S.I. 1991/1728).
<b>d</b>	Subsections (1)(d) and (3) of section 49 were repealed by Schedule 5 to the Act of 1985 and subsection (5) was substituted by Schedule 2 to the Local Government Elections (Changes to the Franchise and Qualification of Members) Regulations 1995 (S.I. 1995/1948).
<b>e</b>	Subsection (5) was substituted by paragraph 12 of Schedule 4 to the Act of 1985.
<b>f</b>	Section 61 was amended by paragraph 2 of Schedule 2 to the Act of 1985 and subsection (6A) was inserted by section 2(5) of the Elections (Northern Ireland) Act 1985 (c. 2).
<b>g</b>	Section 63 was substituted by paragraph 19 of Schedule 4 to the Act of 1985.
<b>h</b>	Subsections (3) and (4) of section 65 were substituted by paragraph 2 of Schedule 3 to the Act of 1985.
<b>i</b>	Section 66(6) was amended by paragraph 3 of Schedule 3 to the Act of 1985.
<b>j</b>	Section 67(4) was amended by paragraph 20 of Schedule 4 to the Act of 1985.
<b>k</b>	Section 68(3) was amended by paragraph 21 of Schedule 4 to the Act of 1985.
<b>l</b>	Section 69(1)(a) was amended by paragraph 22 of Schedule 4 to the Act of 1985.
<b>m</b>	Subsection (3A) of section 70 was inserted by paragraph 23 of Schedule 4 to the Act of 1985.
<b>n</b>	Section 73(2) was amended by section 14(1) of the Act of 1985.
<b>o</b>	Section 74(1) was amended by section 14(2) of the Act of 1985.
<b>p</b>	The sum in subsection (1)(ii) of section 75 was substituted by section 14(3) of the Act of 1985; paragraph (i) of that subsection was amended by Schedule 20 to the Broadcasting Act 1990 (c. 42) and subsections (2), (4) and (5) were amended by paragraph 24 of Schedule 4 to the Act of 1985.
<b>q</b>	Section 76(3) was repealed by Schedule 5 to the Act of 1985.
<b>r</b>	Subsections (1) and (4) of section 78 were amended by paragraph 26 of Schedule 4 to the Act of 1985.
<b>s</b>	Subsections (1) and (4) of section 79 were amended by paragraph 26 of Schedule 4 to the Act of 1985.
<b>t</b>	Section 81 was amended by paragraph 27 of Schedule 4 to the Act of 1985.
<b>u</b>	Section 82 was amended by paragraph 28 of Schedule 4 to the Act of 1985.
<b>v</b>	Subsection (1A) of section 86 was inserted by paragraph 30(a) of Schedule 4 to the Act of 1985 and subsection (2) amended by paragraph 30(b) of that Schedule.
<b>w</b>	Section 87(3) was amended by paragraph 31 of Schedule 4 to the Act of 1985.
<b>x</b>	Section 88 was amended by paragraph 32 of Schedule 4 to the Act of 1985.
<b>y</b>	Section 89 was amended by paragraph 33 of Schedule 4 to the Act of 1985. Subsection (1) was substituted by paragraph 34 of Schedule 4 to the 1985 Act.
<b>aa</b>	Subsection (1) was substituted by Schedule 20 to the Broadcasting Act 1990 (c. 42).
<b>bb</b>	Section 94 was amended by paragraph 36 of Schedule 4 to the Act of 1985 but the amendments are not relevant to this Order.
<b>cc</b>	Section 99(2) was substituted by paragraph 4 of Schedule 3 to the 1985 Act.
<b>dd</b>	Section 100(2) was amended by paragraph 5 of Schedule 3 to the 1985 Act.
<b>ee</b>	Section 103(2) was repealed by Schedule 5 to the Act of 1985.
<b>ff</b>	Section 104(b) was repealed in part by Schedule 5 to the Act of 1985.
<b>gg</b>	Subsection (4) was repealed by Schedule 5 to the 1985 Act.
<b>hh</b>	Section 110(3) was amended by paragraph 6 of Schedule 3 to the Act of 1985.
<b>ii</b>	Section 118 was amended by paragraph 43 of Schedule 4 to the Act of 1985.

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- jj** Subsections (2) and (3) of section 119 were substituted by section 19(4) of the Act of 1985.
- kk** Section 122(4) was amended by paragraph 44 of Schedule 4 to the Act of 1985.
- ll** Section 124 was repealed in part by Schedule 5 to the Act of 1985.
- mm** Section 126(3) was repealed in part by Schedule 5 to the Act of 1985 and amended by paragraph 47 of Schedule 4 to that Act.
- nn** Section 136 was amended by paragraph 48 of Schedule 4 to the Act of 1985.
- oo** Section 140 was amended by paragraph 49 of Schedule 4 to the Act of 1985.
- pp** Subsections (3) and (4) of section 141 were repealed by Schedule 5 to the Act of 1985.
- qq** Section 148(4)(a) was repealed in part by Schedule 5 to the Act of 1985.
- rr** Section 149 was amended by paragraph 7 of Schedule 3 to the Act of 1985.
- ss** Section 156 was amended by paragraph 51 of Schedule 4 to the Act of 1985.
- tt** In section 160, subsection (2) and part of subsection (1) were repealed by Schedule 5 to the Act of 1985 and subsection (3) was substituted by paragraph 52(b) of Schedule 4 to that Act.
- uu** Section 167(1A) was inserted by paragraph 56 of Schedule 4 to the Act of 1985.
- vv** Subsection (1) of section 168 was substituted for subsections (1) to (4) by paragraph 8 of Schedule 3 to the Act of 1985 and subsections (5) and (6) were repealed by Schedule 5 to that Act.
- ww** Section 169 was repealed in part by Schedule 5 to the Act of 1985 and amended by paragraph 9 of Schedule 3 to that Act.
- xx** Section 175(1) was amended by paragraph 10 of Schedule 3 to the Act of 1985.
- yy** Section 176 was amended by paragraph 61 of Schedule 4 of the Act of 1985.  
Section 178 was substituted by paragraph 62 of Schedule 4 to the Act of 1985.
- aaa** Subsections (1), (2) and (3) of section 181 were amended by paragraph 63 of Schedule 4 to the Act of 1985; subsection (6) was repealed in part by Schedule 5 to that Act, and subsection (8) was repealed by Schedule 2 to the Prosecution of Offences Act 1985 (c. 23).
- bbb** Section 200(1) was substituted by paragraph 68 of Schedule 4 to the Act of 1985.
- ccc** Section 202(1) was amended by section 4(5) of, and paragraph 3 of Schedule 2 to, the Act of 1985 and repealed in part by Schedule 5 to that Act, and the definitions of “citizen of the Union” and “relevant citizen of the Union” were inserted by regulation 4(2) of the Local Government Elections (Changes to the Franchise and Qualification of Members) Regulations 1995 (S.I. 1995/1948).
- ddd** Section 205(1) was amended by paragraph 72 of Schedule 4 to the Act of 1985.
- eee** Rule 2 was amended by section 19(5) of the Act of 1985.
- fff** 1971 c. 80.
- ggg** Rule 5 was amended by paragraph 4 of Schedule 2 to, and paragraph 74 of Schedule 4 to, the Act of 1985.
- hhh** Rule 19(2)(d) was amended by paragraph 76 of Schedule 4 to the Act of 1985.
- iii** Paragraph (2) of rule 23 was amended by paragraph 77(a) of Schedule 4 to the Act of 1985 and paragraph (3) omitted by paragraph 77(b) of that Schedule.
- jjj** Rule 24 was amended by paragraph 5 of Schedule 2 to, and paragraph 78 of Schedule 4 to, the Act of 1985.
- kkk** Rule 26(3) was amended by section 2(2) of the Elections (Northern Ireland) Act 1985 (c. 2).
- lll** Rule 28 was amended by section 4(6) of, and paragraph 6 of Schedule 2 to, the Act of 1985.
- mmm** Rule 29(5) was amended by paragraph 79 of Schedule 4 to the Act of 1985.
- nnn** Rule 31 was substituted by paragraph 80 of Schedule 4 to the Act of 1985.
- ooo** Paragraph (1) of rule 37 was amended by section 2(3)(a) of the Elections (Northern Ireland) Act 1985 and paragraph 81 of Schedule 4 to the Act of 1985, paragraphs (1A) to (1G) were inserted by section 1(2) of the Elections (Northern Ireland) Act 1985, and paragraph (1E) was amended by S.I. 1986/1091, Schedule 3 to the Road Traffic (Consequential Provisions) Act 1986 (c. 54) and S.I. 1991/1674.
- ppp** Paragraph (1) of rule 38 was amended by section 2(3)(b) of the Elections (Northern Ireland) Act 1985 and paragraph (1A) was inserted by section 1(3) of that Act.
- qqq** Paragraph (2) of rule 39 was amended by section 2(3)(c) of the Elections (Northern Ireland) Act 1985 and paragraph (2A) was inserted by section 1(4) of that Act.

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- rrr** Paragraph (1)(b) of rule 40 was repealed in part by Schedule 5 to the Act of 1985; paragraphs (1A) to (1C) were inserted by section 1(5) of the Elections (Northern Ireland) Act 1985 and paragraphs (5) and (6) were inserted by section 1(6) of that Act.
- sss** Rule 40A was inserted by section 2(4) of the Elections (Northern Ireland) Act 1985.
- ttt** Rule 45 has been amended by paragraph 82 of Schedule 4 to the 1985 Act.
- uuu** The directions were amended by paragraph 85 to Schedule 4 to the 1985 Act and section 35(4) of the Welsh Language Act 1993 (c. 38).
- vvv** The form of directions was substituted by paragraph 86 of Schedule 4 to the Act of 1985.
- www** The form of declarations was amended by paragraph 88 of Schedule 4 to the Act of 1985.
- xxx** Section 3(7) was amended by section 25(2) of the Act of 1985.
- yyy** Part I was substituted by Schedule 2 to the Local Elections (Northern Ireland) (Amendment) Order 1987 (S.I. 1987/168).  
Section 8(3) was substituted by paragraph 7 of Schedule 2 to S.I. 1995/1948 and section 8(11) was repealed by Part IX of Schedule 27 to the Finance Act 1985 (c. 54).
- aaaa** Section 27(1) was repealed in part by the Schedule to the European Communities (Amendment) Act 1986 (c. 58).

## SCHEDULE 2

Article 3(2)

### APPLICATION WITH MODIFICATIONS OF PROVISIONS OF THE 1986 REGULATIONS, THE ELECTION PETITION RULES 1964 AND THE PLANNING (CONTROL OF ADVERTISEMENTS) (NORTHERN IRELAND) REGULATIONS 1992

<i>Provision applied and subject matter</i>	<i>Modifications</i>
<b>1986 REGULATIONS</b>	
In regulation 4 (interpretation) paragraphs (1) and (3).	In paragraph (1), the definitions of “candidate” and “constituency” shall be omitted.
Regulation 5 (forms).	Paragraph (1)(a) shall be omitted.
Regulation 6 (sending of applications, notices, etc.).	

- a** Regulation 4 has been amended, but the amendments are not relevant to the subject matter of this Order.
- b** Regulation 7 has been amended by S.I. 1990/561.
- c** Regulation 11 has been amended by S.I. 1990/561.
- d** Regulation 54 was amended by S.I. 1990/561.
- e** Regulation 55 was amended by S.I. 1989/1304 and S.I. 1990/561.
- f** Regulation 56 was amended by S.I. 1990/561.
- g** Regulation 63(1) was amended by S.I. 1990/561.
- h** Regulation 66 was amended by S.I. 1990/561.
- i** Regulation 69 was amended by S.I. 1990/561.
- j** Regulation 91 was amended by S.I. 1990/561.
- k** Regulation 95 was amended by S.I. 1990/561.
- l** Forms E and F were amended by S.I. 1991/1674.
- m** Form H was amended by S.I. 1990/561.
- n** The rules have been amended by S.R. & O. (N.I.) 1985 No. 347.

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<i>Provision applied and subject matter</i>	<i>Modifications</i>
Regulation 7 (publication of documents).	
Regulation 8 (misnomers).	
Regulation 9 (time).	
Regulation 10 (official poll card at parliamentary elections).	
Regulation 11 (return and declaration of election expenses).	
Regulation 12 (interference with notices etc.).	
In regulation 53 (free copies of register etc.) paragraph (2).	Paragraph (a) shall be omitted and in paragraph (b) for the words from “candidate” to the end there shall be substituted “election agent of a party if the name of that party is to appear on the ballot papers for that constituency”.
In regulation 54 (sale of lists and register), paragraph (3).	Sub-paragraph (b) shall be omitted.
Regulation 55 (supply of data).	In paragraph (6) the words from “Provided that” to the end shall be omitted.  Paragraph (8) shall be omitted.
Regulation 56 (supply of labels).	In paragraph (4) the words from “Provided that” to the end shall be omitted.  Paragraph (5) shall be omitted.
Regulation 63 (general requirements for applications).	

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- d Regulation 54 was amended by [S.I. 1990/561](#).
- e Regulation 55 was amended by [S.I. 1989/1304](#) and [S.I. 1990/561](#).
- f Regulation 56 was amended by [S.I. 1990/561](#).
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- h Regulation 66 was amended by [S.I. 1990/561](#).
- i Regulation 69 was amended by [S.I. 1990/561](#).
- j Regulation 91 was amended by [S.I. 1990/561](#).
- k Regulation 95 was amended by [S.I. 1990/561](#).
- l Forms E and F were amended by [S.I. 1991/1674](#).
- m Form H was amended by [S.I. 1990/561](#).
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<i>Provision applied and subject matter</i>	<i>Modifications</i>
Regulation 66 (additional requirements for applications in respect of a particular election).	
Regulation 67 (additional requirements for applications for appointment of a proxy).	
Regulation 68 (additional requirements for applications by proxies to vote by post at a particular election).	
Regulation 69 (closing date for applications).	Paragraphs (1) and (5) shall be omitted.
Regulation 70 (grant or refusal of applications).	Paragraphs (2) and (4) shall be omitted.
Regulation 72 (cancellation of proxy appointment).	
Regulation 74 (record and lists kept under sections 6, 7 and 9 of Act of 1985).	Paragraph (5) shall be omitted.  In paragraph (6) for the words “the day referred to in Regulation 69(1) above” there shall be substituted “the thirteenth day before the day of the poll at the election (computed in accordance with regulation 69(6) above)”.
Regulation 75 (marked register for polling stations).	
Regulation 76 (certificate of employment).	
Regulation 77 (interpretation of Part V).	
Regulation 78 (form of declaration of identity).	
Regulation 79 (persons entitled to be present at issue and receipt of postal ballot papers).	In paragraph (1)(c) for the words “a candidate to attend in his election agent’s place” there shall be substituted “him to attend in his place”.
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b	Regulation 7 has been amended by <a href="#">S.I. 1990/561</a> .
c	Regulation 11 has been amended by <a href="#">S.I. 1990/561</a> .
d	Regulation 54 was amended by <a href="#">S.I. 1990/561</a> .
e	Regulation 55 was amended by <a href="#">S.I. 1989/1304</a> and <a href="#">S.I. 1990/561</a> .
f	Regulation 56 was amended by <a href="#">S.I. 1990/561</a> .
g	Regulation 63(1) was amended by <a href="#">S.I. 1990/561</a> .
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i	Regulation 69 was amended by <a href="#">S.I. 1990/561</a> .
j	Regulation 91 was amended by <a href="#">S.I. 1990/561</a> .
k	Regulation 95 was amended by <a href="#">S.I. 1990/561</a> .
l	Forms E and F were amended by <a href="#">S.I. 1991/1674</a> .
m	Form H was amended by <a href="#">S.I. 1990/561</a> .
n	The rules have been amended by <a href="#">S.R. &amp; O. (N.I.) 1985 No. 347</a> .

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<i>Provision applied and subject matter</i>	<i>Modifications</i>
	In paragraph (2) for the word “candidate” in the first place where it occurs there shall be substituted “election agent” and for that word in the second place where it occurs there shall be substituted “party in respect of which a constituency list has been published”.
	In paragraphs (3) and (4) for “candidate” there shall be substituted “election agent”.
	Paragraph (5) shall be omitted.
Regulation 80 (notification of requirement of secrecy).	
Regulation 81 (notice of issue of postal ballot papers).	For the word “candidate”, in each place where it occurs, there shall be substituted “election agent”.
Regulation 82 (marking of postal ballot papers etc.).	
Regulation 83 (refusal to issue postal ballot paper).	
Regulation 84 (envelopes).	
Regulation 85 (delivery of postal ballot papers to post office).	
Regulation 86 (provision of postal voters' ballot box).	
Regulation 87 (sealing up of special lists and counterfoils).	
Regulation 88 (spoilt postal ballot paper).	
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d	Regulation 54 was amended by <a href="#">S.I. 1990/561</a> .
e	Regulation 55 was amended by <a href="#">S.I. 1989/1304</a> and <a href="#">S.I. 1990/561</a> .
f	Regulation 56 was amended by <a href="#">S.I. 1990/561</a> .
g	Regulation 63(1) was amended by <a href="#">S.I. 1990/561</a> .
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k	Regulation 95 was amended by <a href="#">S.I. 1990/561</a> .
l	Forms E and F were amended by <a href="#">S.I. 1991/1674</a> .
m	Form H was amended by <a href="#">S.I. 1990/561</a> .
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<i>Provision applied and subject matter</i>	<i>Modifications</i>
Regulation 89 (receipt of covering envelope).	
Regulation 90 (opening of postal voters' ballot box).	In paragraph (3) for the word “candidate” there shall be substituted “election agent”.
Regulation 91 (opening of covering envelopes).	
Regulation 92 (sealing up of rejected votes and declarations of identity).	
Regulation 93 (opening of ballot paper envelopes).	
Regulation 95 (forwarding of documents).	For paragraph (1), there shall be substituted:  “(1) The returning officer shall retain for the period of one year after the date of the poll any packets referred to in regulation 87, 88, 92 or 93 above endorsing on each packet a description of its contents and the name of the constituency and, after the expiry of that period, cause those packets to be destroyed, unless otherwise directed by order of the High Court.”.  In paragraph (2), for the words “forward it at a subsequent date in the manner described in paragraph (1) above” there shall be substituted “retain it and subsequently deal with it in the manner described in paragraph (1) above”.  Paragraph (4) shall be omitted.

## **SCHEDULE 2 (FORMS)**

- a** Regulation 4 has been amended, but the amendments are not relevant to the subject matter of this Order.
- b** Regulation 7 has been amended by [S.I. 1990/561](#).
- c** Regulation 11 has been amended by [S.I. 1990/561](#).
- d** Regulation 54 was amended by [S.I. 1990/561](#).
- e** Regulation 55 was amended by [S.I. 1989/1304](#) and [S.I. 1990/561](#).
- f** Regulation 56 was amended by [S.I. 1990/561](#).
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- k** Regulation 95 was amended by [S.I. 1990/561](#).
- l** Forms E and F were amended by [S.I. 1991/1674](#).
- m** Form H was amended by [S.I. 1990/561](#).
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<i>Provision applied and subject matter</i>	<i>Modifications</i>
Form E (elector’s official poll card).	In the form of the front of the card for the word “candidate”, in each place where it occurs, there shall be substituted “party”.  In the form of the back of the card for paragraph (b) there shall be substituted: “(b) a current passport issued by the United Kingdom or any other Member State of the European Community;”.
Form F (proxy’s official poll card).	In the form of the back of the card for paragraph (b) there shall be substituted: “(b) a current passport issued by the United Kingdom or any other Member State of the European Community;”.
Form G (certificate of employment).	
Form H (declaration of identity).	In the instructions to voters on the back of the form, in paragraphs 1 and 2, for the word “candidate” there shall be substituted “party”.
Form J (form of return of expenses required by section 75 of the Act of 1983).	The words “ELECTION IN THE ... .. CONSTITUENCY” and “Date of publication of notice of election” shall be omitted.  For the words “above election” there shall be substituted “election under the Northern Ireland (Entry to Negotiations, etc.) Act 1996”.

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- d Regulation 54 was amended by S.I. 1990/561.
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<i>Provision applied and subject matter</i>	<i>Modifications</i>
	For the word “candidate” there shall be substituted “party”.
Form K (form of declaration as to expenses required by section 75 of the Act of 1983).	The words “ELECTION IN THE ... ..CONSTITUENCY” and “Date of publication of notice of election” shall be omitted.
<b>ELECTION PETITION RULES (1964)</b>	
Rule 1 (citation, commencement and application).	
Rule 2 (interpretation).	
Rule 3 (form of petition).	In paragraph (1)(b) the words from “and the” to the end of the sub-paragraph shall be omitted.
Rule 4 (security for costs).	
Rule 5 (security for costs).	
Rule 5A (notice of presentation of the petition).	
Rule 6 (notice of objection to recognisance).	
Rule 7 (list of petitions at issue).	
Rule 8 (time and place of trial).	At the end of paragraph (2)(d) there shall be inserted “or, in the case of a petition relating to the return under paragraph 14(2) of Part I of Schedule 1 to the 1996 Act, the Chief Electoral Officer”.
Rule 9 (evidence).	In paragraph (1) for the words “he had a majority of lawful votes” there shall be substituted “his party had sufficient votes for him to be returned”.
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<i>Provision applied and subject matter</i>	<i>Modifications</i>
Rule 10 (order to compel attendance of witness).	
Rule 12 (witnesses expenses).	
Rule 13 (case stated).	
Rule 14 (withdrawal of petition).	
Rule 15 (application to stay or dismiss petition).	
Rule 16 (death of a petitioner).	
Rule 17 (notice of intention not to oppose petition).	
Rule 18 (substitution of respondents).	
Rule 19 (duty to file copies).	
Rule 20 (cost of publication).	
Rule 21 (notice of appointment of respondent's solicitor).	
Rule 22 (service of notices).	
Rule 23 (forfeiture of recognisance).	
Rule 24 (payment from deposit on default).	
Rule 25 (recognisance and deposit).	
Rule 26 (discharge of recognisance and deposit).	
Rule 27 (time).	
Schedule A (form of petition).	In paragraph 2 the words "to the Clerk of the Crown" shall be omitted.

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Advertisements) Regulations (Northern Ireland) 1992 relating to election notices have also been applied. In addition to the specific modifications in Schedules 1 and 2, general modifications are made by paragraphs (5) to (9) of article 3.

Articles 6 and 8 supplement the provisions of Part I of Schedule 1 to the 1996 Act in respect of the return of regional delegates and the filling of vacancies. Article 7 provides for proceedings in respect of disqualification.