

SCHEDULE 2

Article 3(3)

For Schedule 2 to the 2001 Order substitute—

“SCHEDULE 2

Article 3(2)

APPLICATION AND MODIFICATION OF PROVISIONS OF THE 2008 REGULATIONS,
THE ELECTION PETITIONS RULES 1964 AND THE PLANNING (CONTROL
OF ADVERTISEMENTS) REGULATIONS (NORTHERN IRELAND) 1992

<i>Provision applied</i>	<i>Modifications</i>
REPRESENTATION OF THE PEOPLE (NORTHERN IRELAND) REGULATIONS 2008(1)	
Regulation 3 (interpretation)	In paragraph (1) for the definition of “candidate” substitute ““candidate” means a person having been nominated or declared himself a candidate for election as a member of the Assembly;”.
Regulation 4 (forms)	
Regulation 5 (communication of applications, notices, etc.)	
Regulation 6 (electronic signatures and related certificates)	
Regulation 7 (copies of documents)	
Regulation 8 (time)	
Regulation 9 (official poll card at parliamentary elections)	
Regulation 10 (return and declaration of election expenses)	
Regulation 11 (interference with notices etc.)	
Regulation 12 (device referred to in rule 29 (3A)(b) of the parliamentary elections rules)	
Regulation 40 (representations regarding clerical errors)	
Regulation 44 (notices in connection with registration)	
Regulation 45 (communication of notices made on polling day)	
Regulation 54 (interpretation of Part IV)	
Regulation 55 (general requirements for an absent vote)	
Regulation 56 (additional requirements for the appointment of a proxy)	

(1) [S.I. 2008/1741](#)

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<i>Provision applied</i>	<i>Modifications</i>
Regulation 59 (additional requirements for applications in respect of a particular election)	In paragraphs (4)(b) and (6)(d) for the words from “one” to the end of each of those sub-paragraphs, substitute — “(i) a registered medical practitioner; (ii) a registered nurse; or (iii) a Christian Science practitioner”. In paragraph (8)(b) omit the words from “or any other” to the end.
Regulation 60 (additional requirements for applications by proxies to vote by post at a particular election)	
Regulation 61 (closing date for applications)	In paragraph (1) for the words “section 6(1) or (5), 8(6) or 9(4) of the 1985 Act” substitute “ paragraph 1(1) or (5), 3(5) or 4(4) of Part I of Schedule 2 to the 1985 Order, as those paragraphs have effect for the purposes of the compilation of the special lists under sections 7(4) and 9(9) of the 1985 Act at an Assembly election,”. In paragraph (4) for the words from the beginning of sub-paragraph (a) to “section 8(9) of that Act” substitute “under paragraph 1(4)(a) or 4(10)(a) of Part I of Schedule 2 to the 1985 Order and a notice under paragraph 3(8) of that Part, as those paragraphs have effect for the purposes of the compilation of the special lists under sections 7(4) and 9(9) of the 1985 Act at an Assembly election,”. In paragraph (6) from the beginning of sub-paragraph (a) to the end of the paragraph substitute “a day which is a bank holiday under the Banking and Financial Dealings Act 1971 (2)in Northern Ireland”.
Regulation 62 (grant or refusal of applications)	Omit paragraph (3).
Regulation 66 (record and lists kept under sections 6, 7 and 9 of Act of 1985)	Omit paragraph (2).
Regulation 67 (marked register for polling stations)	
Regulation 68 (certificate of employment)	
Regulation 69 (form of Corresponding number lists)	
Regulation 70 (interpretation of Part 5)	

(2) 1971 c. 80.

<i>Provision applied</i>	<i>Modifications</i>
Regulation 71 (form of declaration of identity)	
Regulation 72 (persons entitled to be present at proceedings on issue and receipt of postal ballot papers)	
Regulation 73 (agents of candidates who may attend proceedings on issue or receipt of postal ballot papers)	
Regulation 74 (notification of requirement of secrecy)	
Regulation 75 (notice of issue of postal ballot papers)	
Regulation 76 (procedure on issue of postal ballot paper)	
Regulation 77 (refusal to issue postal ballot paper)	
Regulation 78 (envelopes)	
Regulation 79 (sealing up of completed corresponding number lists and security of special lists)	
Regulation 80 (delivery of postal ballot papers)	
Regulation 81 (spoilt postal ballot papers)	
Regulation 82 (notice of opening of postal ballot paper envelopes)	
Regulation 83 (postal ballot boxes and receptacles)	
Regulation 84 (receipt of covering envelope)	
Regulation 85 (opening of postal voters' ballot box)	In paragraph (3) for the words “rule 45” substitute “rule 44B”
Regulation 86 (opening of covering envelopes)	After paragraph (4) insert— “(5) Where an envelope opened in accordance with paragraph (1) contains a declaration of identity (whether separately or not), the returning officer must place a mark in the marked copy of the postal voters list or the proxy postal voters list in a place corresponding to the number of the elector to denote that a postal vote has been returned as provided for in rule 31A of the elections rules. (6) A mark made under paragraph (5) must be distinguishable from and must not obscure the mark made under regulation 76. (7) As soon as practicable after the last covering envelope has been opened, the

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<i>Provision applied</i>	<i>Modifications</i>
	<p>returning officer must make up into a packet the copy of the marked postal voters list and the proxy postal voters list that has been marked in accordance with paragraph (5) and must seal such a packet.</p> <p>(8) In this regulation “postal voters list” and “proxy postal voters list” have the same meaning as in the elections rules.”.</p>
Regulation 87 (procedure in relation to declarations of identity)	In paragraph (1)(b), for the words “rule 45(2)(b) and (2A)” substitute “rule 44B(3)(b) and (4)”.
Regulation 88 (opening of ballot paper envelopes)	
Regulation 89 (sealing of receptacles)	
Regulation 90 (abandoned poll)	
Regulation 91 (forwarding of documents)	<p>For paragraph (1) substitute—</p> <p>“(1) The returning officer shall retain for the period of one year after the date of the poll any packets referred to in regulations 79, 81(5), and 89 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.”.</p> <p>In paragraph (2), for the words “forward it at a subsequent date in the manner described in paragraph (1) above” substitute “retain it and subsequently deal with it in the manner described in paragraph (1) above”.</p> <p>In paragraph (3) for the word “forwarded” substitute “retained”.</p> <p>In paragraph (4) for the words “A copy of the statement referred to in paragraph (1)(b) above” substitute “A completed statement in Form N of the number of postal ballot papers issued”.</p>
Regulation 115 (interpretation of part 7)	
Regulation 116 (supply of marked registers and lists after an election)	
Regulation 117 (inspection of documents open to public inspection)	
Regulation 118 (conditions on use, supply and disclosure of documents open to public inspection)	

<i>Provision applied</i>	<i>Modifications</i>
Regulation 119 (fees relating to the supply of marked registers and lists)	
SCHEDULE 3 (FORMS)	
Form A (elector’s official poll card)	On the back of the form, for the third paragraph substitute: “Go to one of the compartments. Number the candidates in order of your preference, putting “1” against the candidate of your 1st preference, “2” against your 2nd preference and so on. You should not put the same preference against more than one candidate. You may show your preference for as many or as few candidates as you wish. Put no other mark on the ballot paper, or your vote may not be counted.”.
Form B (proxy’s official poll card)	Omit the fifth paragraph.
Form C (return of expenses required by section 75 of the 1983 Act)	
Form D (declaration as to expenses required by section 75 of the 1983 Act)	
Form F (certificate of employment)	
Form G (Corresponding Number List to be used at a parliamentary election taken alone)	
Form H (Corresponding Number List to be used in polling stations at parliamentary election taken alone)	
Form J (Corresponding Number List to be used when a parliamentary election is combined with another election)	
Form K (Corresponding Number List to be used in polling station when a parliamentary election is combined with another election)	
Form L (declaration of identity)	In the instructions to voters on the back of the form, for paragraphs 2 and 3 substitute: “ 2. Mark your vote by putting “1” against the candidate of your first choice, “2” against the candidate of your second choice and so on. Do this secretly; if you cannot vote without assistance, the person assisting you must not disclose how you have voted. 3. You may show your preference for as many or as few candidates as you wish but

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<i>Provision applied</i>	<i>Modifications</i>
	you should not show the same preference against more than one candidate. Put no other mark on the ballot paper, or your vote may not be counted.”.
Form M (declaration of identity (combined polls))	<p>On the front of the form for “ELECTION OF DISTRICT COUNCILLORS” substitute “NORTHERN IRELAND ASSEMBLY ELECTION”.</p> <p>In the instructions to voters on the back of the form, for paragraphs 2 and 3 substitute:</p> <p>“2. Mark your vote by putting “1” against the candidate of your first choice, “2” against the candidate of your second choice and so on. Do this secretly; if you cannot vote without assistance, the person assisting you must not disclose how you have voted.</p> <p>3. You may show your preference for as many or as few candidates as you wish but you should not show the same preference against more than one candidate. Put no other mark on the ballot paper, or your vote may not be counted.”.</p>
Form N (statement as to postal ballot papers)	
ELECTION PETITION RULES 1964(3)	
Rule 1 (citation, commencement and application)	
Rule 2 (interpretation)	
Rule 3 (form of petition)	In paragraph (1)(b) omit the words from “and the” to the end of the sub-paragraph.
Rule 4 (security for costs)	
Rule 5	
Rule 5A (notice of presentation of the petition)	
Rule 6 (notice of objection to recognisance)	
Rule 7 (list of petitions)	
Rule 8 (time and place of trial)	
Rule 9 (evidence)	
Rule 10 (order to compel attendance of witness)	
Rule 12 (witnesses expenses)	

(3) The Rules have been amended by [S.R. & O. \(N.I.\) 1985 No.347](#).

<i>Provision applied</i>	<i>Modifications</i>
Rule 13 (case stated)	
Rule 14 (withdrawal of petition)	
Rule 15 (application to stay or dismiss petition)	
Rule 17 (notice of intention not to oppose petition)	
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 omit the words "to the Clerk of the Crown".
Schedule B (form of order to compel attendance of witness)	
THE PLANNING (CONTROL OF ADVERTISEMENTS) REGULATIONS (NORTHERN IRELAND) 1992	
Regulation 2 (interpretation)	
Regulation 4 (requirement for consent)	
Schedule 1 (standard conditions)	
In Schedule 2 (classes of advertisements to which the prohibition in regulation 4(1) does not apply), class F(4)	

(4) This provision has been amended but the amendment is not relevant to the subject matter of this Order.