
STATUTORY INSTRUMENTS

2014 No. 1116

The Anonymous Registration (Northern Ireland) Order 2014

Local elections

Amendments to the Electoral Law Act (Northern Ireland) 1962

6.—(1) The Electoral Law Act (Northern Ireland) 1962(1) is amended as follows.

(2) In section 79 (presentation and service of local election petition)(2), after subsection (1) insert

—
“(1A) The reference in subsection (1) to a person who voted as an elector or had a right so to vote at the election does not include a person who, on the day of the election, had an anonymous entry in the register of electors.”

(3) In section 130 (interpretation)(3)—

(a) after the definition of “absent voters list” insert—

““anonymous entry” has the same meaning as in the Representation of the People Act 1983 (see section 202(1) of that Act);”;

(b) after the definition of “qualifying address” insert—

““record of anonymous entries” means a record prepared in pursuance of regulations made by virtue of paragraph 8A of Schedule 2 to the Representation of the People Act 1983;”.

(4) In Schedule 3A (control of donations to candidates at a local election)(4)—

(a) the existing text of paragraph 10 (statement of relevant donations) becomes sub-paragraph (1) of the paragraph and after sub-paragraph (1) insert—

“(2) If the statement states that the candidate’s election agent has seen evidence of such description as is prescribed by the Secretary of State in regulations made by virtue of paragraph 2 of Schedule 6 to the Political Parties, Elections and Referendums Act 2000(5) that an individual donor has an anonymous entry in an electoral register, the statement must be accompanied by a copy of the evidence.”;

(b) in paragraph 11 (donations from permissible donors), at the end of sub-paragraph (c) insert
“(reading references in sub-paragraphs (3B) and (3C) to the registered party as references to the candidate’s election agent)”.

(5) Schedule 5 (Local Election Rules)(6) is amended as follows.

(1) 1962 c. 14 (N.I.).

(2) Section 79 was amended by articles 16 and 18 of, and Schedules 2 and 3 to, S.I. 1972/1264 (N.I. 13).

(3) Section 130 was amended by the Electoral Law Act (Northern Ireland) 1968 (c.20) (N.I.); the Electoral Law Act (Northern Ireland) 1969 (c.26) (N.I.); S.I. 1972/1264 (N.I. 13); S.I. 1977/428; S.I. 1985/454; S.I. 1987/168; section 11 of and Schedule 3 to the Elected Authorities (Northern Ireland) Act 1989 (c. 3); S.I. 1995/1948; S.I. 2001/417; S.I. 2010/2977; S.I. 2011/2085; S.I. 2013/3156; and, in relation to the definition of “Minister” and “Ministry”, the functions of the Minister and Ministry of Home Affairs were transferred to the Secretary of State by S.I. 1973/2163.

(4) Schedule 3A was inserted by S.I. 2010/2977.

(5) This paragraph was inserted by Schedule 1 to the Electoral Administration Act 2006 (c. 22) and extended to Northern Ireland by this Order.

(6) Schedule 5 was substituted in its entirety by S.I. 1985/454.

(6) In rule 6 (subscription of nomination paper)(7), after paragraph (7) insert—

“(8) But in this rule “elector” does not include a person who has an anonymous entry in the register.”.

(7) In rule 21 (postal ballot papers)(8), in paragraph (1), for “at the addresses shown in the absent voters list” substitute “in accordance with Part 3 of Schedule 2 to the Local Elections (Northern Ireland) Order 1985”(9).

(8) In rule 25(10)—

(a) in paragraph (1), omit the words from “, but a card need not” to the end; and

(b) after paragraph (4) insert—

“(5) In the case of an elector with an anonymous entry, the official poll card must not include the elector’s name or qualifying address or the situation of the elector’s polling station.

(6) In this rule, reference to an official poll card includes an official postal poll card.”.

(9) In rule 26 (equipment of polling stations)(11), in paragraph (3)(c) for “names of” substitute “entries relating to”.

(10) In rule 37 (tendered ballot papers)(12), after paragraph (9) insert—

“(10) This rule does not apply in relation to an elector who has an anonymous entry in the register.”.

(11) After rule 37 insert—

“Tendered postal ballot papers: anonymous entries

37A.—(1) This rule applies to a person (“P”) who—

(a) is an elector with an anonymous entry in the register; or

(b) is entitled to vote by post as proxy for such an elector,

and who claims to have lost, or not received, a postal ballot paper.

(2) P may apply to the Chief Electoral Officer for a replacement postal ballot paper (in these rules referred to as a “tendered postal ballot paper”).

(3) The application—

(a) may be made by post or in person,

(b) must be accompanied by a specified document within the meaning of rule 34, and

(c) must be delivered to the Chief Electoral Officer—

(i) where the application is made by post, before 4 p.m. on the fourth day before the day of the poll, and

(ii) where the application is made in person, before 4 p.m. on the day before the day of the poll.

(7) Rule 6 was amended by [S.I. 2001/417](#).

(8) Rule 21 was amended by [S.I. 1972/1264](#); [S.I. 1987/168](#); and [S.I. 2010/2977](#). In addition, section 4 of, and the Schedule to, the Elections Act 2001 (c. 7) made a non-textual amendment, and [S.I. 2013/3156](#) made a non-textual amendment.

(9) [S.I. 1985/454](#).

(10) Rule 25 was amended by [S.I. 1987/168](#); and [S.I. 2010/2977](#). In addition, paragraph 18 of Schedule 2 to the Elections Act 2001 (c. 7) made a non-textual amendment, and [S.I. 2013/3156](#) made a non-textual amendment.

(11) Rule 26 was amended by [S.I. 2001/417](#); Schedule 4 to the Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33); and [S.I. 2010/2977](#). In addition, section 4 of, and the Schedule to, the Elections Act 2001 (c. 7) made a non-textual amendment, and [S.I. 2013/3156](#) made a non-textual amendment.

(12) Rule 37 was amended by [S.I. 1987/168](#); [S.I. 2002/2835](#); Schedule 1 to the Electoral Administration Act 2006 (c. 22); and Schedule 4 to the Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33). In addition, section 4 of, and the Schedule to, the Elections Act 2001 (c. 7) made a non-textual amendment, and [S.I. 2013/3156](#) made a non-textual amendment.

- (4) If the Chief Electoral Officer—
- (a) is satisfied as to P’s identity, and
 - (b) has no reason to doubt that P has lost, or not received, a postal ballot paper,
- the Chief Electoral Officer must issue a tendered postal ballot paper to P in the manner set out in Schedule 2 to the Local Elections (Northern Ireland) Order 1985.
- (5) A tendered postal ballot paper must be of a different colour from the other ballot papers.
- (6) P, if issued with a tendered postal ballot paper, may mark it, sign it, and send it to the Chief Electoral Officer, in the same manner as a postal ballot paper.
- (7) A tendered postal ballot paper which has not been signed, or which does not meet the conditions in rule 45(2) and (2A)(13), is void.
- (8) On receipt of a tendered postal ballot paper, the Chief Electoral Officer must deal with it in the manner set out in Schedule 2 to the Local Elections (Northern Ireland) Order 1985.
- (9) The Chief Electoral Officer must—
- (a) endorse each tendered postal ballot paper with the entry in the register of the elector in question, and
 - (b) set it aside in a separate packet of tendered postal ballot papers.
- (10) The Chief Electoral Officer must add the entry in the register of the elector in question to a list (in these rules referred to as the “tendered postal votes list”).
- (11) The Chief Electoral Officer must seal the packet of tendered postal ballot papers.
- (12) This rule applies in the case of a person in respect of whom a notice has been issued under section 13BA(9) of the 1983 Act (alteration of registers in Northern Ireland: pending elections)(14) as if—
- (a) in paragraph (1) for “in the register” there were substituted “in respect of whom a notice under section 13BA(9) has been issued”; and
 - (b) in paragraphs (9)(a) and (10), for “entry in the register of the elector in question” there were substituted “entry relating to the elector in question on a notice issued under section 13BA(9)”.
- (12) In rule 45 (preliminary proceedings and conduct of the count)—
- (i) at the end of paragraph (3) insert “or any tendered postal ballot paper”; and
 - (ii) in paragraph (5), after “the tendered votes list” (in both places) insert “and tendered postal votes list”.
- (13) In rule 57 (sealing up of ballot papers)(15), in paragraph (2), after “tendered ballot papers” insert “or of tendered postal ballot papers”.
- (14) In rule 58 (forwarding of documents)(16), in paragraph (1)(c), after “the tendered votes lists,” insert “the tendered postal votes lists,”.
- (15) The Appendix of Forms(17) is amended as follows.

(13) Rule 45 was amended by [S.I. 1972/1264](#); [S.I. 2002/2835](#); and [S.I. 2010/2977](#). In addition, [S.I. 2013/3156](#) made a non-textual amendment

(14) “Section 13BA of 1983 Act” is defined for the purpose of Schedule 5 by rule 26(3ZB) of the local elections rules. That section is applied for the purpose of local elections by Part 1 of Schedule 1 to the Elected Authorities (Northern Ireland) Act 1989 (c.3), as amended by section 3 of the Representation of the People Act 2000 (c.2) and paragraph 7 of Schedule 4 to the Northern Ireland (Miscellaneous Provisions) Act 2006 (c.33).

(15) Rule 57 was amended by [S.I. 2010/2977](#).

(16) Rule 58 was amended by [S.I. 2010/2977](#). In addition, [S.I. 2013/3156](#) made a non-textual amendment

(17) The Appendix of Forms was amended by [S.I. 1987/168](#); section 3 of, and Schedule 2 to, the Elected Authorities (Northern Ireland) Act 1989; [S.I. 1990/595](#); [S.I. 1991/1715](#); paragraph 29 of Schedule 1 to the Elections Act 2001; [S.I. 2001/417](#); [S.I. 2002/2835](#); paragraphs 61 and 68 of Schedule 1 to the Electoral Administration Act 2006 (c. 22); and [S.I. 2010/2977](#). In addition, [S.I. 2013/3156](#) made a non-textual amendment

- (16) In form 5 (Declaration of Identity)—
- (a) before “Name of witness” insert “*”;
 - (b) before “Address” insert “*”, and after that paragraph insert—

“(Returning officer to omit where ballot papers sent to an anonymous elector.)”; and
 - (c) in the section entitled “Instructions to the voter”, at the end of paragraph 1 insert “If you are an elector with an anonymous entry in the register, or you are the proxy for such a person, the name and address of the witness should not be included. However, you do need to sign this declaration in the presence of a witness and the witness must sign the form.”.
- (17) After form 6 (Form of Elector’s Official Poll Card), insert Form 6A in the Schedule.
- (18) After form 7 (Form of Proxy’s Official Poll Card), insert Form 7A in the Schedule.

Amendments to the Local Elections (Northern Ireland) Order 1985

- 7.—(1) The Local Elections (Northern Ireland) Order 1985(18) is amended as follows.
- (2) In article 6 (manner of voting)(19), after paragraph (7A) insert—

“(7AA) Nothing in subsections (1) to (3) or (7) applies to a person who has an anonymous entry in the register of local electors; and such a person may only vote by post or by proxy (where entitled as an elector to vote by post, or as the case may be, by proxy at the election).”.
 - (3) Part 1 of Schedule 2 (voting by post, by proxy and by post as proxy)(20) is amended as follows—
 - (a) in paragraph 1 (absent vote at local elections for indefinite period)(21)—
 - (i) before sub-paragraph (2)(a) insert—

“(za) if he has an anonymous entry,”; and
 - (ii) after sub-paragraph (4)(b) insert—

“(ba) if he ceases to have an anonymous entry, or”;
 - (b) after paragraph 2 (absent vote at a particular local election and absent voters list), after sub-paragraph (4) insert—

“(4A) But in the case of a person who has an anonymous entry, the list mentioned in sub-paragraph (4)(a) or (b) must contain only—

 - (a) the person’s electoral number, and
 - (b) the date on which the person’s entitlement to remain registered anonymously will terminate under section 9C(1A) of the 1983 Act (in the absence of a further application under section 9B of that Act).”;
 - (c) in paragraph 4 (voting as proxy)(22)—
 - (i) after sub-paragraph (1) insert—

“(1A) But in the case of a person entitled to vote as proxy for an elector who has an anonymous entry—

 - (a) sub-paragraph (1) does not apply, and

(18) S.I. 1985/454. This Order has been amended by S.I. 1987/168; S.I. 1990/595; S.I. 1991/1715; S.I. 1992/809; S.I. 1997/867; S.I. 1998/3150; paragraph 31 of the Schedule to the Elections Act 2001 (c. 7) (a non-textual amendment); S.I. 2002/2835; S.I. 2005/1969; S.I. 2010/2977; and S.I. 2013/3156 (a non-textual amendment).

(19) Article 6 was amended by S.I. 1987/168. Article 6(7A) was inserted by S.I. 2010/2977.

(20) Part 1 of Schedule 2 was substituted by S.I. 1987/168.

(21) Paragraph 1 was amended by S.I. 2002/2835, S.I. 2005/1969 and S.I. 2010/2977.

(22) Paragraph 4 was amended by S.I. 2010/2977.

- (b) the person may only so vote by post (where entitled as a proxy to vote by post).”;
- (ii) in sub-paragraph (4), at the end of paragraph (b) insert “or” and after that paragraph insert—
 - “(c) the elector has an anonymous entry.”;
- (iii) in sub-paragraph (6), at the end of paragraph (b) insert “or” and at the end of that paragraph insert—
 - “(b) the elector has an anonymous entry and the applicant is appointed in respect of a particular election following an application under paragraph 2(2)(b).”
- (iv) after sub-paragraph (8) insert—
 - “(8A) In the case of a person who has an anonymous entry, the list mentioned in sub-paragraph (8)(a) or (b) must contain only—
 - (a) the person’s electoral number, and
 - (b) the date on which the entitlement of the person to remain registered anonymously will terminate under section 9C(1A) of the 1983 Act (in the absence of a further application under section 9B of that Act).
 - “(8B) In the case of a person who is the proxy for an elector who has an anonymous entry, the list mentioned in sub-paragraph (8)(a) or (b) must contain only—
 - (a) the person’s electoral number, and
 - (b) the date on which the elector’s entitlement to remain registered anonymously will terminate under section 9C(1A) of the 1983 Act (in the absence of a further application under section 9B of that Act).”;
- (v) in sub-paragraph (10), after paragraph (b) insert—
 - “(ba) where he was included in the record on the ground mentioned in sub-paragraph (4)(c), if the elector ceases to have an anonymous entry.”;
- (d) in paragraph 5 (general requirements for applications)(**23**), at the end of sub-paragraph (1) (d) insert “and” and after that sub-paragraph insert—
 - “(e) where the applicant has, or has applied for, an anonymous entry, that fact”;
- (e) after paragraph 5B(2) (additional requirement for applications for ballot papers to be sent to different address from that in register)(**24**) insert—
 - “(3) This paragraph does not apply where an applicant has, or has applied for, an anonymous entry.”;
- (f) in paragraph 5C, the existing text becomes sub-paragraph (1) of the paragraph and after sub-paragraph (1) insert—
 - “(2) This paragraph does not apply where an applicant has, or has applied for, an anonymous entry.”;
- (g) in paragraph 10, the existing text becomes sub-paragraph (1) of the paragraph and after sub-paragraph (1) insert—
 - “(2) This paragraph does not apply where the elector has an anonymous entry and the applicant is appointed in respect of a particular election following an application under paragraph 2(2)(b).”;

(23) Paragraph 5 was amended by [S.I. 2010/2977](#).

(24) Paragraphs 5B and 5C were inserted by [S.I. 2010/2977](#).

- (h) after paragraph 15(5) (records and lists kept under paragraphs 1, 2 and 4)(**25**) insert—
- “(5A) The registration officer must not make available for inspection under sub-paragraph (5) a copy of any record relating to—
- (a) a person who has an anonymous entry, or
- (b) the proxy of a person who has an anonymous entry.”;
- (i) in paragraph 16 (marked register for polling stations), for “name of” substitute “entry for”;
- (j) In the Appendix(**26**), in the Form of Proxy Paper, in the section headed “Your Right to Vote as Proxy”, after paragraph 4 insert—
- “5. If you have been appointed as a proxy on behalf of an elector who has an anonymous entry in the register, you can only vote by post. If you have not already been granted a postal vote, you should contact the electoral registration officer.”.
- (4) Part 3 of Schedule 2 (issue and receipt of ballot papers) is amended as follows—
- (a) in paragraph 1 (interpretation)(**27**), after the definition of “returning officer” insert—
- ““tendered postal ballot paper” has the meaning given in rule 37A of the Local Election Rules.”;
- (b) in paragraph 2 (form of ballot paper)(**28**), after “the official mark” insert “and rule 37A of the Local Election Rules with respect to tendered postal ballot papers”;
- (c) in paragraph 5 (notice of issue of postal ballot papers), after sub-paragraph (2) insert—
- “(3) Nothing in this paragraph applies to the issue of tendered postal ballot papers under rule 37A of the Local Election Rules.”;
- (d) in paragraph 6(4) (procedure on issue of postal ballot paper)(**29**)—
- (i) in paragraph (a), after “list” insert “(or, where the elector has an anonymous entry, the address that would be so shown but for paragraph 2(4A) of Part 1 of this Schedule)”;
- (ii) in paragraph (b), after “Schedule” insert “(or, where the proxy has an anonymous entry or is the proxy for a person who has an anonymous entry, the address that would be so shown but for paragraph 4(8A) or (8B) of that Part)”.
- (e) in paragraph 12 (spoilt postal ballot paper)(**30**), in sub-paragraph (6)—
- (i) at the end of paragraph (a), add “(or, in the case of an elector who has an anonymous entry, the elector’s electoral number alone)”;
- (ii) at the end of paragraph (c) add “(or, in the case of a proxy who has an anonymous entry or is the proxy for a person who has an anonymous entry, the proxy’s electoral number alone or, as the case may be, a statement that the proxy is not registered as an elector)”;
- (f) after paragraph 12 insert—

(25) Paragraph 15 was amended by [S.I. 2010/2977](#).

(26) The Appendix was substituted by [S.I. 1987/168](#) and amended by [S.I. 2010/2977](#).

(27) Paragraph 1 was amended by [S.I. 1987/168](#) and [S.I. 2010/2977](#). In addition, [S.I. 2013/3156](#) made a non-textual amendment

(28) Paragraph 2 was amended by [S.I. 2010/2977](#).

(29) Paragraph 6 was amended by paragraph 31 of Schedule 1 to the Elections Act 2001 (c.7); [S.I. 1987/168](#) and [S.I. 2010/2977](#). In addition, [S.I. 2013/3156](#) made a non-textual amendment

(30) Paragraph 12 was amended by [S.I. 2010/2977](#).

“Tendered postal ballot papers

12A.—(1) A tendered postal ballot paper issued to a person (“P”) under rule 37A of the Local Elections Rules (tendered postal ballot papers: anonymous entries)(**31**) must be accompanied by—

- (a) an envelope for the return of the tendered postal ballot paper (referred to as a “covering envelope”) which shall be marked with the letter “D”;
- (b) a smaller envelope which shall be marked with—
 - (i) the letter “C”,
 - (ii) the words “tendered postal ballot paper envelope”, and
 - (iii) the number of the tendered postal ballot paper, unless the envelope has a window through which the number on the ballot paper (or ballot papers) can be displayed; and
- (c) a declaration of identity in the form set out in the Appendix to the Local Elections Rules (form 5)(**32**) which is marked with the number of the tendered postal ballot paper.

(2) Where a local election is combined with another poll under section 15 of the Representation of the People Act 1985(**33**)—

- (a) the envelope referred to in sub-paragraph (1)(a) must also be marked “Covering envelope for the [*insert the colour of the ballot paper*] coloured ballot paper”]; and
- (b) on the envelope referred to in sub-paragraph (1)(b) after the words “tendered postal ballot paper envelope” there must be added “for the [*insert colour of the ballot paper*] coloured ballot paper”.

(3) Subject to sub-paragraph (5), paragraph 9 of Part 3 of this Schedule (delivery of postal ballot papers) applies to the issue of a tendered postal ballot paper.

(4) The tendered postal ballot paper, the declaration of identity and the envelopes must be sent to—

- (a) where P is an elector, the address that would be shown in the absent voters list but for paragraph 2(4A) of Part 1 of this Schedule;
- (b) where P is entitled to vote by post as proxy, the address that would be shown in the special list kept under paragraph 4(8) of Part 1 of this Schedule but for paragraph 4(8A) or (8B) of that Part.

(5) Where P applies in person, the Chief Electoral Officer may hand a tendered postal ballot paper to P instead of delivering it in accordance with paragraph 9 of Part 3 of this Schedule.

(6) The Chief Electoral Officer must enter in a list kept for the purpose (“the list of tendered postal ballot papers”)—

- (a) the entry in the register of the elector in question;
- (b) the number of the tendered postal ballot paper issued under this paragraph; and

(31) Rule 37A is inserted by Article 6(11) of this Order.

(32) The form of declaration of identity has been substituted by article 7(15)(a) and the Schedule to this Order.

(33) 1985 c. 50; section 15 was amended by section 3 of the European Communities (Amendments) Act 1986 (c. 58) and section 3 of the Elections Act 2001 (c. 7).

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- (c) where P is entitled to vote by post as proxy, the proxy’s electoral number or, as the case may be, a statement that the proxy is not registered as an elector.
- (7) On receipt of a covering envelope of a tendered postal ballot paper before the close of the poll, the Chief Electoral Officer must—
 - (a) separate it from the covering envelopes of the other postal ballot papers; and
 - (b) place it in a separate ballot box for the reception of tendered postal ballot papers.
- (8) As soon as practicable after the close of the poll, the Chief Electoral Officer must count and record the number of covering envelopes of tendered postal ballot papers and open each covering envelope separately.
- (9) Before proceeding under rule 37A(9) of the Local Elections Rules, the Chief Electoral Officer must satisfy himself that each tendered postal ballot paper—
 - (a) is not void under rule 37A(7); and
 - (b) is accompanied by a valid declaration of identity which is marked with the same number as the tendered postal ballot paper.
- (10) Where the Chief Electoral Officer is not so satisfied, that officer must—
 - (a) mark the tendered postal ballot paper as “rejected”; and
 - (b) place the tendered postal ballot paper, attached to the declaration of identity (if any), in a receptacle for rejected tendered postal papers.
- (11) The Chief Electoral Officer must seal the contents of the receptacle for rejected tendered postal papers in a separate packet.”;
- (g) in paragraph 15 (receipt of covering envelope)(**34**), the existing text becomes sub-paragraph (1) of the paragraph and after sub-paragraph (1) insert—
 - “(2) This paragraph does not apply to the receipt of a covering envelope for a tendered postal ballot paper.”;
- (h) in paragraph 19 (disposal of documents)(**35**), in sub-paragraph (1)—
 - (i) in paragraph (a), after “12” insert “, 12A(11)”; and
 - (ii) after paragraph (a), insert—
 - “(aa) the list of spoilt ballot papers and the list of tendered postal ballot papers; and”.

Amendments to the Elected Authorities (Northern Ireland) Act 1989

8.—(1) Part 1 of Schedule 1 to the Elected Authorities (Northern Ireland) Act 1989(**36**) is amended as follows.

- (2) In the entry beginning “Sections 9”, after “9,” insert “9B, 9C,”;
- (3) In the entry beginning “Section 53”—
 - (a) before “3” insert “2B,”;

(34) Paragraphs 13 to 17 were substituted by [S.I. 2002/2835](#).

(35) Paragraph 19 was amended by [S.I. 2002/2835](#) and [S.I. 2010/2977](#).

(36) [1989 c. 3](#); Part 1 of Schedule 1 was amended by section 8 of, and paragraphs 1 and 3 of Schedule 3 to, the Representation of the People Act 2000 ([c. 2](#)); section 7 of the Electoral Fraud (Northern Ireland) Act 2002; section 30 of, and paragraph 7 of Schedule 4 to, the Northern Ireland (Miscellaneous Provisions) Act 2006 ([c. 33](#)).

- (b) after “3A,” insert “3B.”
- (4) In the entry beginning “Section 201”, after “the definitions of” insert ““anonymous entry”,”.

Amendments to the Elections Act 2001

- 9.—(1) The Schedule to the Elections Act 2001 is amended as follows.
- (2) In paragraph 4—
 - (a) for the words “paragraph (3)” substitute “paragraph (3A)”; and
 - (b) the inserted paragraph becomes paragraph (3B).
- (3) In paragraph 5, in the text inserted by sub-paragraph (3), after “tendered ballot papers” insert “or tendered postal ballot papers”.
- (4) After paragraph 10, insert—

“Tendered postal ballot papers

- 10A.** In rule 40ZA(37) after paragraph (10) insert—
 - “(10A) The same list may be used for each election.
 - (10B) If it is, an entry in the list must be taken to mean that the tendered postal ballot papers were marked in respect of each election unless the list identifies the election at which a tendered postal ballot paper was marked.”
- (5) In paragraph 19, in the text inserted by that paragraph after “tendered ballot papers” insert “or tendered postal ballot papers”.
- (6) After paragraph 24, insert—

“Tendered postal ballot papers

- 24A.** In rule 37A(38) after paragraph (10) insert—
 - “(10A) The same list may be used for each election.
 - (10B) If it is, an entry in the list must be taken to mean that the tendered postal ballot papers were marked in respect of each election unless the list identifies the election at which a tendered postal ballot paper was marked.”
- (7) In paragraph 29, in the form inserted by sub-paragraph (2) (form 5A. declaration of identity (combined polls))(39)—
 - (a) before “Name of witness” insert “*”;
 - (b) before “Address of witness” insert “*”, and after that paragraph insert—
 - “*(Returning officer to omit where ballot papers sent to an anonymous elector.)”; and
 - (c) in the section entitled “Instructions to the voter”, at the end of paragraph 1 insert “If you are an elector with an anonymous entry in the register, or you are the proxy for such a person, the name and address of the witness should not be included. However, you do need to sign this declaration in the presence of a witness and the witness must sign the form.”.

(37) Rule 40ZA is inserted by article 3 of this Order.

(38) Rule 37A is inserted by article 6(11) of this Order.

(39) Form 5A was inserted only for the purpose of a combined local and parliamentary election by paragraph 29 of the Schedule to the Elections Act 2001 (c. 7), and that inserted form was amended by S.I. 2010/2977.

Amendments to the Local Elections (Northern Ireland) Order 2013

10.—(1) The Schedule to the Local Elections (Northern Ireland) Order 2013⁽⁴⁰⁾ (combination of polls) is amended as follows.

(2) In paragraph 7, in the text inserted by sub-paragraphs (b) and (c), after “tendered ballot papers” insert “or tendered postal ballot papers”.

(3) After paragraph 13, insert—

“**13A.** Rule 37A⁽⁴¹⁾ applies as if after paragraph (10) there were inserted—

“(10A) The same list may be used under paragraph (10) for the local election and the European Parliamentary election and, where it is so used, an entry in the list must be taken to mean that the tendered postal ballot papers were marked in respect of each election, unless the list identifies the election at which a tendered postal ballot paper was marked.””

(4) In paragraph 23, in the form inserted by sub-paragraph (1)(c) (form 5ZA declaration of identity (combined polls))—

(a) before “Name of witness” insert “*”;

(b) before “Address of witness” insert “*”, and after that paragraph insert—

“*(Returning officer to omit where ballot papers sent to an anonymous elector.)”; and

(c) in the section entitled “Instructions to the voter”, at the end of paragraph 1 insert “If you are an elector with an anonymous entry in the register, or you are the proxy for such a person, the name and address of the witness should not be included. However, you do need to sign this declaration in the presence of a witness and the witness must sign the form.”.

Amendments to the Juries (Northern Ireland) Order 1996

11.—(1) The Juries (Northern Ireland) Order 1996⁽⁴²⁾ is amended as follows.

(2) In article 2 (interpretation)⁽⁴³⁾, in paragraph (2), before the definition of “Chief Electoral Officer” insert—

““anonymous entry” has the same meaning as in the Representation of the People Act 1983 (see section 202(1) of that Act);”.

(3) In article 4 (preparation of jurors lists)⁽⁴⁴⁾—

(a) after paragraph (3A) insert—

“(3B) The list referred to in paragraph (3) shall identify any person who has an anonymous entry in the register of electors.”; and

(b) after paragraph (7) insert—

“(7A) The Divisional Jurors list shall identify any person who has an anonymous entry in the register of electors.”.

(4) In article 6 (form of panel)⁽⁴⁵⁾, after paragraph (1A) insert—

“(1B) The panel shall identify any person who has an anonymous entry in the register of electors.”.

⁽⁴⁰⁾ S.I. 2013/3156.

⁽⁴¹⁾ Rule 37A is inserted by Article 6(11) of this Order.

⁽⁴²⁾ S.I. 1996/1141 (N.I. 6); any relevant amendments are referenced below.

⁽⁴³⁾ Article 2 was amended by S.R. 2010 No.133 and S.I. 2010/976.

⁽⁴⁴⁾ Article 4 was amended by S.R. 2003 No.474 and by section 11 of, and Schedules 2 and 7 to, the Justice and Security (Northern Ireland) Act 2007 (c. 6).

⁽⁴⁵⁾ Article 6 was amended by section 11 of, and Schedules 2 and 7 to, the Justice and Security (Northern Ireland) Act 2007 (c. 6).

- (5) In article 26A (restriction on disclosure of juror information)**(46)**—
- (a) in the heading, after “juror information” insert “or anonymous elector information”; and
 - (b) in paragraphs (1) to (7), after “juror information”, wherever it occurs, insert “or anonymous elector information”.
- (6) In article 26B (disclosure of juror information: lawful authority)—
- (a) in the heading, after “juror information” insert “or anonymous elector information”; and
 - (b) in paragraphs (1) and (6) to (8), after “juror information”, wherever it occurs, insert “or anonymous elector information”.
- (7) In article 26C (interpretation of Articles 26A and 26B), after paragraph (1) insert—
- “(1A) “Anonymous elector information” means the name, address, date of birth or national insurance number of a person who is identified as having an anonymous entry in the register of electors on the Divisional Jurors List or on any panel prepared under Article 5, where such information was obtained as a result of its inclusion in the Divisional Jurors List or the panel prepared under Article 5.”.

(46) Articles 26A, 26B and 26C were inserted by section 10 of the Justice and Security (Northern Ireland) Act 2007 (c. 6). Articles 26A and 26B were also amended by S.R. 2010 No.133. Article 26C was also amended by section 3 of the Northern Ireland Act 2009 (c. 3).