
STATUTORY INSTRUMENTS

2024 No. 319

The Representation of the People (Postal Vote Handling etc.) (Northern Ireland) (Amendment) Regulations 2024

Part 3

Amendment of the Northern Ireland Assembly (Elections) Order 2001

Amendment of the Northern Ireland Assembly (Elections) Order 2001

11. The Northern Ireland Assembly (Elections) Order 2001(1) is amended in accordance with this Part.

Amendment of Schedule 1 (application with modifications of provisions of primary legislation relating to elections)

12.—(1) The table in Schedule 1(2) is amended as follows.

(2) In the right hand column, in the inserted rule 44B of the election rules(3) (preliminary proceedings and conduct of the count)(4), in paragraph (3)—

(a) in sub-paragraph (a)—

(i) after “it is returned” insert “by post or by hand”;

(ii) omit “and” at the end;

(b) after sub-paragraph (b) insert—

“and

(c) the postal ballot paper is not one that falls to be rejected in accordance with regulation 84C of the 2008 Regulations(5).”.

Amendment of Schedule 2 (application with modifications of provisions of subordinate legislation relating to elections)

13.—(1) The table in Schedule 2(6) is amended in accordance with paragraphs (2) to (7).

(2) For the entry for regulation 84 of the 2008 Regulations (receipt of covering envelopes) substitute—

(1) [S.I. 2001/2599](#).

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

(3) For the meaning of “election rules”, see article 2 of [S.I. 2001/2599](#).

(4) Rule 44B is inserted by Schedule 1 to [S.I. 2001/2599](#) as a modification to the parliamentary elections rules when applied to Assembly elections as the Assembly elections rules. Paragraph (3)(a) was amended by [S.I. 2015/222](#).

(5) See article 3(3)(i) of [S.I. 2001/2599](#), according to which, in the provisions applied by Schedules 1 and 2 to [S.I. 2001/2599](#), any reference to an enactment or instrument made under an enactment must be construed as a reference to that enactment or instrument as applied by [S.I. 2001/2599](#).

(6) Schedule 2 was substituted in its entirety by [S.I. 2009/256](#) and the table amended by [S.I. 2014/1804](#) and [2015/222](#). There are other amendments made to Schedule 2, but none is relevant.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

“Regulation 84 (receipt of covering envelopes by post)”.

(3) After the entry for regulation 84 of the 2008 Regulations (receipt of covering envelopes by post) insert—

“Regulation 84A (return of postal voting documents by hand)

Regulation 84B (return of postal voting documents form: prescribed information)

Regulation 84C (rejection of postal voting documents handed in to the returning officer)

Regulation 84 D (procedure where no postal voting document handed in by P is rejected in accordance with regulation 84C)

Regulation 84E (procedure where at least one postal voting document handed in by P is rejected in accordance with regulation 84C)

Regulation 84F (postal voting documents left behind with the returning officer)

Regulation 84G (packets of postal voting documents and return of postal voting documents forms)

Regulation 84H (list of electors whose postal voting documents have been rejected in accordance with regulation 84C or left behind)

Regulation 84I (notification of a postal ballot paper rejected in accordance with regulation 84C or left behind)”.

(4) For the entry for regulation 86 of the 2008 Regulations (opening of covering envelopes) substitute—

“Regulation 86 (opening of covering envelopes) ”.

(5) In the entry for regulation 91 of the 2008 Regulations (forwarding of documents), in the right hand column of the table—

(a) in the substituted paragraph (1)—

(i) after “84A(11)” insert “, 84G(1)(a), 84H(6)(c)”;

(ii) before “the list of tendered postal ballot papers” for “and” substitute “, ”;

(iii) after “the list of tendered postal ballot papers” insert “and the list compiled in accordance with regulation 84H(1)”;

(b) after the paragraph relating to paragraph (2) insert—

“Omit paragraph (2A).”.

(6) In the entry for Form A1 of Schedule 3 to the 2008 Regulations (elector's official postal poll card)(7), in the right hand column of the table, for the existing text substitute—

“For the words “Election of Member of Parliament” substitute “Northern Ireland Assembly Election”.”.

(7) In the entry for Form B1 of Schedule 3 to the 2008 Regulations (proxy's official postal poll card)(8), in the right hand column of the table, for the existing text substitute—

“For the words “Election of Member of Parliament” substitute “Northern Ireland Assembly Election”.”.

(8) In the Annex at the end of Schedule 2(9)—

- (a) replace the form entitled “form of declaration of identity” with the form entitled “form of declaration of identity” in Schedule 6;
- (b) replace the form entitled “form of declaration of identity (combined polls)” with the form entitled “form of declaration of identity (combined polls)” in Schedule 7.

(9) In this regulation, “2008 Regulations” means the Representation of the People (Northern Ireland) Regulations 2008.

(7) The entry for Form A1 was inserted by [S.I. 2014/1804](#) and amended by [S.I. 2015/222](#).

(8) The entry for Form B1 was inserted by [S.I. 2014/1804](#) and amended by [S.I. 2015/222](#).

(9) The Annex was inserted by [S.I. 2015/222](#).