

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Electoral Law Act (Northern Ireland) 1962. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

^{F1}SCHEDULE 5

LOCAL ELECTIONS RULES

F1 SI 1985/454

PART I

PROVISIONS AS TO TIME AND INTERPRETATION

Timetable

- 1 (1) The proceedings at an election shall be conducted in accordance with whichever of the timetables in paragraph (2) or (3) applies for that election.
- (2) The proceedings at an election in a local election year (within the meaning of section 11(1), not being an election to fill a casual vacancy, shall be conducted in accordance with the following timetable—

TIMETABLE

<i>Proceeding</i>	<i>Time</i>
Publication of notice of election.	Not later than the 25th day before election day.
Delivery of nomination papers.	Between the hours of 10 a.m. and 5 p.m. on the 17th and 16th days before election day.
Delivery of notices of withdrawal of candidature.	Within the time for the delivery of nomination papers at the election.
The making of objections to nomination papers.	During the hours allowed for delivery of nomination papers and on the 16th day before election day during the hour following.
Publication of statement of persons nominated.	At the close of the time for making objections to nomination papers or as soon afterwards as any objections are disposed of.
Polling.	Between the hours of 7 a.m. and 10 p.m. on election day.

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- (3) The proceedings at an election to fill a casual vacancy shall be conducted in accordance with the following timetable—

TIMETABLE

<i>Proceeding</i>	<i>Time</i>
Publication of notice of election.	Within 21 days from the date on which a casual vacancy is deemed to have occurred under section 11(5).
Delivery of nomination papers.	Between the hours of 10 a.m. and 5 p.m. on two consecutive days, the second of which shall not be earlier than the 4th day, nor later than the 7th day after the day of publication of the notice of election.
Delivery of notices of withdrawal of candidature.	Within the time for the delivery of nomination papers at the election.
The making of objections to nomination papers.	During the hours allowed for delivery of nomination papers and on the 2nd day for such delivery during the hour following.
Publication of statement of persons nominated.	At the close of the time for making objections to nomination papers or as soon afterwards as any objections are disposed of.
Polling.	Between the hours of 7 a.m. and 10 p.m. on the day fixed by the returning officer, which shall not be earlier than the 18th nor later than the 21st day after the last day for delivery of nomination papers.

Computation of time

- 2 In computing any period of time for the purpose of the appropriate Timetable a Saturday, Sunday^{F2}, Christmas Eve,^{F3} . . .] or public holiday shall be disregarded and any such day shall not be treated as a day for the purpose of any proceedings up to the completion of the poll nor shall the returning officer be obliged to proceed with the counting of the votes on such a day.

F2 SI 1987/168

F3 Words in [Sch. 5 rule 2](#) repealed (1.7.2008) by [Electoral Administration Act 2006 \(c. 22\)](#), ss. 20, 74(2), 77(2), [Sch. 1 para. 48](#), [Sch. 2](#); S.I. 2008/1316, [art. 2\(3\)](#), 5(f)(ii)(g)(i)

Returning officer

- 3 In these rules returning officer means the Chief Electoral Officer provided that, in respect of any function which that Officer has delegated to a deputy returning officer

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(within the meaning of Article 9(2) of the Electoral Law (Northern Ireland) Order 1972), it means the deputy returning officer acting under the supervision of the Chief Electoral Officer.

PART II

STAGES COMMON TO CONTESTED AND UNCONTESTED ELECTIONS

Notice of election

- 4 The returning officer shall publish notice of the election stating in addition to the notification referred to in section 24(2)—
- (a) the place and times at which nomination papers are to be delivered;
 - (b) the number of members to be returned for each district electoral area in the local government district concerned;
 - (c) the last time by which applications to vote by post or proxy or by post as proxy must reach the Chief Electoral Officer in order to be effective for the election;
 - (d) the date and hours of the poll in the event of a contest;
- and the notice shall state that forms of nomination paper may be obtained at the place referred to in paragraph (a).

Nomination of candidates

- 5 (1) Each candidate shall be nominated by a separate nomination paper, in the form in the Appendix, delivered—
- (a) by the candidate himself, or
 - (b) by his proposer or seconder,
- to the returning officer at the place fixed for the purpose, but the paper may be so delivered on the candidate's behalf by his election agent if the agent's name and address have been previously given to the returning officer as required by section 34 or are so given at the time the paper is delivered.
- (2) The nomination paper shall state the candidate's—
- (a) full names,
 - (b) home address in full, and
 - (c) if desired, description,
- and the surname shall be placed first in the list of his names.
- [^{F4}(3) The description, if any, must consist of either—
- (a) a description (of not more than 6 words in length) which is authorised as mentioned in rule 5A(1); or
 - (b) the word Independent.]

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Nomination papers: name of registered political party

- [^{F5}5A (1) A nomination paper may not include a description of a candidate which is likely to lead voters to associate the candidate with a registered political party unless the party is a qualifying party in relation to the district electoral area and the description is authorised by a certificate—
- (a) issued by or on behalf of the registered nominating officer of the party, and
 - (b) received by the returning officer before the last time for the delivery of nomination papers.
- (2) A person shall be guilty of a corrupt practice if he fraudulently purports to be authorised to issue a certificate under paragraph (1) on behalf of a registered political party's nominating officer.
- (3) For the purposes of the application of this rule in relation to an election—
- (a) registered political party means a party which was registered under Part II of the Political Parties, Elections and Referendums Act 2000 at the time by which the notice of election is required to be published by virtue of rule 1 (the relevant time);
 - (b) a registered party is a qualifying party in relation to a district electoral area if the party was at the relevant time registered in the Northern Ireland register maintained under that Part of that Act.]

<p>F5 SI 2001/417</p>

Subscription of nomination paper

- 6 (1) The nomination paper shall be subscribed by two electors for the district electoral area as proposer and seconder, and by eight other electors for that area as assenting to the nomination.
- (2) Where a nomination paper bears the signature of more than the required number of persons as proposing, seconding or assenting to the nomination of a candidate, the signature or signatures (up to the required number) appearing first on the paper in each category shall be taken into account to the exclusion of any others in that category.
- (3) The nomination paper shall give the electoral number of each person subscribing it.
- (4) The returning officer shall—
- (a) supply any elector with a form of nomination paper at the place and during the time for delivery of nomination papers, and
 - (b) at any elector's request prepare a nomination paper for signature;
- but it is not necessary for a nomination to be on a form supplied by the returning officer.
- (5) A person shall not subscribe more nomination papers at the same election than there are vacancies to be filled in the district electoral area; but a person shall not be prevented from subscribing a nomination paper by reason only of his having subscribed that of a candidate who has died or withdrawn before delivery of the first-mentioned paper.

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- (6) If a person subscribes nomination papers in contravention of paragraph (5), his signature shall be inoperative on any paper other than those papers (up to the permitted number) which are delivered first.

[^{F6}(7) In this rule elector

- (a) means a person who is registered in the register of local electors for the district electoral area in question on the last day for publication of notice of the election; and
- (b) includes a person then shown in that register as below voting age if (but only if) it appears from the register that he will be of voting age on the day fixed for the poll.]

F6 SI 2001/417

Consent to nomination

- 7 A person shall not be validly nominated unless his consent to nomination is—
- (a) given in writing in the form in the Appendix, on or within one month before the day fixed as the last day for the delivery of nomination papers,
 - (b) attested by one witness, and
 - (c) delivered at the place and within the time for the delivery of nomination papers.

Place for delivery of nomination papers

- 8 The returning officer shall fix the place at which nomination papers are to be delivered to him, and shall attend there during the time for their delivery and for the making of objections to them.

Right to attend nomination

- 9 (1) Except for the purpose of delivering a nomination paper or of assisting the returning officer no person is entitled to attend the proceedings during the time for delivery of nomination papers or for making objections to them unless he is—
- (a) a person standing nominated as a candidate, or
 - (b) the election agent, proposer or seconder of such a person, but where a candidate acts as his own election agent he may name one other person who shall be entitled to attend in place of his election agent.^[F7] or
 - (c) a person who is entitled to attend by virtue of section 6A or 6B of the Political Parties, Elections and Referendums Act 2000,]
- (2) Where a person stands nominated by more than one nomination paper, only the persons subscribing as proposer and seconder—
- (a) to such one of those papers as he may select, or
 - (b) in default of such a selection, to that one of those papers which is first delivered,
- shall be entitled to attend as his proposer and seconder.
- (3) The right to attend conferred by this rule includes the right—
- (a) to inspect, and

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(b) to object to the validity of,
any nomination paper.

[^{F8}(4) Paragraph (3) does not apply to a person mentioned in paragraph (1)(c).]

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| F7 | Sch. 5 rule 9(1)(c) and preceding word inserted (1.7.2008) by Electoral Administration Act 2006 (c. 22), ss. 47, 77(2), Sch. 1 para. 56(a) ; S.I. 2008/1316, art. 2(3) , 5(f)(iii) |
| F8 | Sch. 5 rule 9(4) inserted (1.7.2008) by Electoral Administration Act 2006 (c. 22), ss. 47, 77(2), Sch. 1 para. 56(b) ; S.I. 2008/1316, art. 2(3) , 5(f)(iii) |

Decisions as to validity of nomination papers

- 10 (1) Where a nomination paper and the candidate's consent to it are delivered in accordance with these rules, the candidate shall be deemed to stand nominated unless and until—
- (a) the returning officer decides that the nomination paper is invalid; or
 - (b) proof is given to the returning officer's satisfaction of the candidate's death;
or
 - (c) the candidate withdraws.
- (2) The returning officer is entitled to hold a nomination paper invalid only on one of the following grounds—
- (a) that the particulars of the candidate or the person subscribing the paper are not as required by law;
 - (b) that the paper is not subscribed as so required.
- (3) [^{F9}Subject to paragraph (3A),] The returning officer shall give his decision on any objection to a nomination paper as soon as practicable after it is made.
- [^{F9}(3A) If in the returning officer's opinion a nomination paper breaks rule 5A(1), he shall give a decision to that effect as soon as practicable after the last time for the delivery of nomination papers.]
- (4) [^{F9}Where the returning officer] decides that a nomination paper is invalid, he shall endorse and sign on the paper the fact and the reasons for his decision.
- (5) The decision of the returning officer that a nomination paper is valid shall be final and shall not be questioned in any proceedings whatsoever.
- (6) Subject to paragraph (5), nothing in this rule shall prevent the validity of a nomination being questioned on an election petition.

F9	SI 2001/417
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Withdrawal of candidates

- 11 (1) A candidate may withdraw his candidature by notice of withdrawal—
- (a) signed by him and attested by one witness, and
 - (b) delivered to the returning officer at the place for delivery of nomination papers.

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- (2) Where a candidate is out of Northern Ireland, a notice of withdrawal signed by his proposer and accompanied by a written declaration also so signed of the candidate's absence from Northern Ireland shall be of the same effect as a notice of withdrawal signed by the candidate, but where the candidate stands nominated by more than one nomination paper a notice of withdrawal under this paragraph shall be effective if, but only if—
- (a) it and the accompanying declaration are signed by all the proposers except any one who is, and is stated in that declaration to be, out of Northern Ireland; or
 - (b) it is accompanied, in addition to the declaration, by a written statement signed by the candidate that the proposer giving notice is authorised to do so on the candidate's behalf during his absence from Northern Ireland.

Publication of nominations

- 12 (1) The returning officer shall prepare and publish a statement showing the persons who have been and stand nominated in each district electoral area and any other persons who have been nominated, with the reason why they no longer stand nominated.
- (2) The statement shall show the names, addresses and descriptions of the persons nominated as given in their nomination papers, together with the names of the persons subscribing those papers.
- (3) The statement shall show the persons standing nominated arranged alphabetically in the order of their surnames, and, if there are two or more of them with the same surname, of their other names.
- (4) In the case of a person nominated by more than one nomination paper, the returning officer shall take the particulars required by the foregoing provisions of this rule from such one of the papers as the candidate (or the returning officer in default of the candidate) may select.

Adjournment of nomination proceedings in case of riot

- 13 (1) Where the proceedings for or in connection with nomination are on any day interrupted or obstructed by riot or open violence—
- (a) the proceedings shall be abandoned for that day, and
 - (b) if that day is the last day for the delivery of nomination papers, the proceedings shall be continued on the next day as if that were the last day of such delivery;
- and that day shall be treated for the purposes of these rules as being the last day for such delivery (subject to any further application of this rule in the event of interruption or obstruction on that day).
- (2) Where proceedings are abandoned by virtue of this rule—
- (a) nothing may be done after they are continued if the time for doing it had passed at the time of the abandonment; and
 - (b) anything done before the abandonment shall not be invalidated by reason of the abandonment.

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Method of election

- 14 (1) If the number of persons standing nominated, as shown by the statement of persons nominated, exceeds the number of seats to be filled, a poll shall be taken in accordance with Part III of these rules.
- (2) If the number of persons standing nominated, as so shown, is equal to or less than the number of seats to be filled, the persons standing nominated shall be declared to be elected in accordance with Part V of these rules.

PART III

CONTESTED ELECTIONS

Poll to be taken by ballot

- 15 The votes at the poll shall be given by ballot, the votes given to each candidate shall be counted and the result shall be determined in accordance with Part IV of these rules.

The ballot papers

- 16 (1) The ballot of every voter shall consist of a ballot paper, and the persons shown in the statement of persons nominated as standing nominated, and no others, shall be entitled to have their names inserted in the ballot paper.
- (2) Every ballot paper shall be in the form in the Appendix, and shall be printed in accordance with the directions in that Appendix, and—
- (a) shall contain the names and other particulars of the candidates as shown in the statement of persons nominated;
 - (b) shall be capable of being folded up;
 - (c) shall have a number [^{F10}and other unique identifying mark] printed on the back;
 - (d) shall have attached a counterfoil with the same number [^{F11}and other unique identifying mark] printed [^{F12} on it].
- [^{F13}(e) must be of a different colour from that of any ballot papers used at an election the poll for which is taken together with the poll for the local election.]
- [^{F14}(2A) If a candidate who is the subject of a party's authorisation under rule 5A(1) so requests, the ballot paper shall contain, against the candidate's particulars, the party's registered emblem (or, as the case may be, one of the party's registered emblems).
- (2B) The request must—
- (a) be made in writing to the returning officer, and
 - (b) be received by him before the last time for the delivery of nomination papers.]
- (3) The order of the names in the ballot paper shall be the same as in the statement of persons nominated.

F10 Words in Sch. 5 rule 16(2)(c) inserted (1.7.2008) by Electoral Administration Act 2006 (c. 22), ss. 47, 77(2), Sch. 1 para. 59(2); S.I. 2008/1316, art. 2(3), 5(f)(iii)

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- F11** Words in [Sch. 5 rule 16\(2\)\(d\)](#) inserted (1.7.2008) by [Electoral Administration Act 2006 \(c. 22\)](#), ss. 47, 77(2), [Sch. 1 para. 59\(3\)](#); S.I. 2008/1316, [art. 2\(3\)](#), 5(f)(iii)
- F12** SI 1987/168
- F13** [2001 c. 7](#)
- F14** SI 2001/417

The official mark

- 17 ^[F15](1) Every ballot paper must contain an appropriate security marking (the official mark).]
- (2) The official mark shall be kept secret, and an interval of not less than seven years shall intervene between the use of the same official mark at elections for the same district electoral area.
- ^[F16](3) The returning officer may use a different official mark for different purposes at the same election.]

- F15** [Sch. 5 rule 17\(1\)](#) substituted (1.7.2008) by [Electoral Administration Act 2006 \(c. 22\)](#), ss. 47, 77(2), [Sch. 1 para. 60\(2\)](#); S.I. 2008/1316, [art. 2\(3\)](#), 5(f)(iii)
- F16** [Sch. 5 rule 17\(3\)](#) substituted (1.7.2008) by [Electoral Administration Act 2006 \(c. 22\)](#), ss. 47, 77(2), [Sch. 1 para. 60\(3\)](#); S.I. 2008/1316, [art. 2\(3\)](#), 5(f)(iii)

Prohibition of disclosure of vote

- 18 No person who has voted at the election shall, in any legal proceeding to question the election, be required to state for whom he voted.

Use of schools and public rooms

- 19 (1) The returning officer may use, free of charge, for the purpose of taking the poll or conducting the count—
- school premises to which this rule applies;
 - a room the expense of maintaining which is payable out of any rate.
- (2) This rule applies to a school which is in receipt of a grant out of moneys appropriated by Measure of the Northern Ireland Assembly.
- (3) The returning officer shall make good any damage done to, and defray any expense incurred by the persons having control over, any such premises or room as mentioned above by reason of its being used for the purpose of taking the poll or conducting the count.
- (4) The use of a room in an unoccupied house for that purpose does not render a person liable to be rated or to pay any rate for the house.

Notice of poll

- 20 (1) The returning officer shall in the statement of persons nominated include a notice of the poll, stating the day on which the hours during which the poll will be taken.
- (2) The returning officer shall also give public notice (which may be combined with the statement of persons nominated) of—
- the situation of each polling station;

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- (b) the description of voters entitled to vote there;
- (c) the mode in which voters are to vote; and
- (d) the number of councillors to be elected for each district electoral area.

[^{F17}(3) The notice published under paragraph (2)—

- (a) must state that the poll at the local election is to be taken together with the poll at a parliamentary election;
- (b) must specify the relevant parliamentary constituency.]

F17 2001 c. 7

Postal ballot papers

- 21 (1) The returning officer shall as soon as practicable send to those entitled to vote by post, at the addresses[^{F18} shown in the absent voters list], a ballot paper and a declaration of identity in the[^{F19} relevant] form prescribed in the Appendix, together with an envelope for their return.
- (2) The declaration of identity shall be witnessed by another elector who personally knows the voter.

F18 SI 1987/168

F19 2001 c. 7

Provision of polling stations

- 22 (1) The returning officer shall provide a sufficient number of polling stations and shall allot the electors to the polling stations in such manner as he thinks most convenient.
- (2) One or more polling stations may be provided in the same room.
- (3) The polling station allotted to electors from any polling district shall be in the polling place for that district.
- (4) The returning officer shall provide each polling station with such number of compartments as may be necessary in which the voters can mark their votes screened from observation.

Appointment of presiding officers and clerks

- 23 (1) The returning officer shall appoint and pay a presiding officer to attend at each polling station and such clerks as may be necessary for the purposes of the election, but he shall not appoint any person who has been employed by or on behalf of a candidate in or about the election.
- (2) The returning officer may, if he thinks fit, preside at a polling station and the provisions of these rules relating to a presiding officer shall apply to a returning officer so presiding with the necessary modifications as to things to be done by the returning officer to the presiding officer or by the presiding officer to the returning officer.

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- (3) A presiding officer may do, by the clerks appointed to assist him, any act (including the asking of questions) which he is required or authorised by these rules to do at a polling station except order the arrest, exclusion or removal of any person from the polling station or refuse to deliver a ballot paper under paragraph (4) of rule 34 (including that paragraph as applied by rule 35, 36 or 37).

Rule 24 omitted by SI 1987/168

Issue of official poll cards

- 25 (1) The returning officer shall as soon as practicable send to electors and their proxies an official poll card, but a card need not be sent to any person—
- (a) as an elector if he is placed on the absent voters list for the election; or
 - (b) as a proxy if^{F20} he is entitled to vote by post as proxy at the election].
- (2) An elector's official poll card shall be sent or delivered to his qualifying address, and a proxy's to his address as shown in the list of proxies.
- (3) The official poll card shall be in the form prescribed in the Appendix and shall set out—
- (a) the name of the district electoral area;
 - (b) the elector's name, qualifying address and number on the register;
 - (c) the date and hours of the poll and the situation of the elector's polling station.
- [^{F21}(3A) An official poll card issued under this rule may be combined with an official poll card issued at a parliamentary election.]
- (4) Paragraph (7) of rule 6 applies for the interpretation of this rule.

F20 SI 1987/168

F21 2001 c. 7

Equipment of polling stations

- 26 (1) The returning officer shall provide each presiding officer with such number of ballot boxes and ballot papers as in the returning officer's opinion may be necessary.
- (2) Every ballot box shall be so constructed that the ballot papers can be put in it, but cannot be withdrawn from it, without the box being unlocked.
- (3) The returning officer shall provide each polling station with—
- (a) materials to enable voters to mark the ballot papers;
 - (b) instruments for stamping on them the official mark;
 - (c) copies of the register of electors or such part of it as contains the names of the electors allotted to the station;
 - (d) the parts of the absent voters lists prepared for the election corresponding to the register of electors or the part of it provided under sub-paragraph (c).
- [^{F22}(3ZA) The reference in paragraph (3)(c) to the copies of the register of electors includes a reference to copies of any notices issued in respect of alterations to the register under section 13BA(9) of the 1983 Act.

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(3ZB) In this Schedule “section 13BA(9) of the 1983 Act” means section 13BA(9) of the Representation of the People Act 1983 (as applied by Schedule 1 to the Elected Authorities (Northern Ireland) Act 1989).]

[^{F23}(3A) The returning officer shall also provide each polling station with—

- (a) at least one large version of the ballot paper which shall be displayed inside the polling station for the assistance of voters who are partially-sighted;
- (b) a device falling within the description in paragraphs (5) to (10) for enabling voters who are blind or partially sighted to vote without any need for assistance from the presiding officer or any companion (within the meaning of rule 36(1)).]

(4) A notice in the form in the Appendix giving directions for the guidance of the voters in voting, shall be printed in conspicuous characters and exhibited outside every polling station and in every compartment of every polling station.

[^{F24}(4A) The notice referred to in paragraph (4)—

- (a) must clearly indicate the election to which it relates;
- (b) must be printed on paper of the same colour as the ballot papers (other than tendered ballot papers) used at the election to which it relates.]

[^{F23}(5) The device must be capable of being attached firmly to a ballot paper and of being removed from it after use without damage to the paper.

(6) On the left-hand side of the device there shall be tabs of equal size which satisfy the conditions in paragraphs (7) to (10).

(7) The tabs shall be capable of being positioned on the ballot paper so that each one is above one of the spaces to the left of the particulars of the candidates on which the vote is to be marked (the relevant space).

(8) Each tab shall be numbered so that, when the device is positioned over a ballot paper, the number of each tab corresponds to that of the candidate whose particulars are to the right of the relevant space covered by the tab in question.

(9) Each number on a tab shall be in raised form so that it can be clearly identified by touch.

(10) Each tab shall be capable of being lifted so as to reveal the relevant space and so that there is sufficient room to allow a voter to record his vote on that space.]

F22 Sch. 5 rule 26(3ZA)(3ZB) inserted (14.5.2008) by Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33), ss. 30(1), 31(3), Sch. 4 para. 1(2); S.I. 2008/1318, art. 2(2)(b)

F23 SI 2001/417

F24 2001 c. 7

Appointment of polling and counting agents

27 (1) Each candidate may, before the commencement of the poll, appoint—

- (a) polling agents to attend at polling stations for the purpose of detecting personation; and
- (b) one counting agent to attend at the counting of the votes.

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- (2) Notice in writing of the appointment, stating the names and addresses of the persons appointed, shall be given by the candidate to the returning officer and shall be so given not later than 5 p.m. on the second day (computed like any period of time in the Timetable) before the day of the poll.
- (3) If an agent dies, or becomes incapable of acting, the candidate may appoint another agent in his place, and shall forthwith give to the returning officer notice in writing of the name and address of the agent appointed.
- (4) The foregoing provisions of this rule shall be without prejudice to the requirements of subsection (1) of section 38 as to the appointment of paid polling agents, and any appointment authorised by this rule may be made and the notice of appointment given to the returning officer by the candidate's election agent, instead of by the candidate.
- (5) In the following provisions of these rules references to polling and counting agents shall be taken as references to agents—
 - (a) whose appointments have been duly made and notified; and
 - (b) where the number of agents is restricted, who are within the permitted number.
- (6) Any notice required to be given to a counting agent by the returning officer may be delivered at or sent by post to the address stated in the notice of appointment.
- (7) A candidate may himself do any act or thing which any polling or counting agent of his, if appointed, would have been authorised to do, or may assist his agent in doing any such act or thing.
- (8) A candidate's election agent may do or assist in doing anything which a polling or counting agent of his is authorised to do; and anything required or authorised by these rules to be done in the presence of the polling or counting agents may be done in the presence of a candidate's election agent instead of his polling agent or counting agent.
- (9) Where by these rules any act or thing is required or authorised to be done in the presence of the polling or counting agents, the non-attendance of any agents or agent at the time and place appointed for the purpose shall not, if the act or thing is otherwise duly done, invalidate the act or thing done.

Notification of requirement of secrecy

- [^{F25}28 The returning officer shall make such arrangements as he thinks fit to ensure that—
- (a) every person attending at a polling station (otherwise than for the purpose of voting or assisting a blind voter to vote or as a constable on duty there) has been given a copy in writing of the provisions of paragraph 27(1) and (3) of Schedule 9 and a statement of the penalty prescribed by section 111(2A)(d) (as inserted by paragraph 27 of Schedule 1 to the Local Elections (Northern Ireland) (Amendment) Order 1987); and
 - (b) every person attending at the counting of the votes (other than any constable on duty at the counting) has been given a copy in writing of the provisions of paragraph 27(2) of Schedule 9 and a statement of the penalty prescribed by section 111(2A)(d) (as inserted by paragraph 27 of Schedule 1 to the Local Elections (Northern Ireland) (Amendment) Order 1987).]

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Admission to polling station

- 29 ^{F26}(1) The presiding officer shall exclude all persons from the polling station except—
- (a) voters;
 - (b) persons under the age of 18 who accompany voters to the polling station;
 - (c) the candidates and their election agents;
 - (d) the polling agents appointed to attend at the polling station;
 - (e) the clerks appointed to attend at the polling station;
 - (f) persons who are entitled to attend by virtue of any of sections 6A to 6D of the Political Parties, Elections and Referendums Act 2000;
 - (g) the constables on duty; and
 - (h) the companions of voters with disabilities.
- (1A) The presiding officer shall regulate the total number of voters and persons under the age of 18 who accompany them to be admitted to the polling station at the same time.]
- (2) Not more than one polling agent shall be admitted at the same time to a polling station on behalf of the same candidate.
- (3) A constable, ^{F27} . . . or a person employed by a returning officer shall not be admitted to vote in person elsewhere than at the polling station allotted to him, except on production and surrender of a certificate as to his employment, which shall be in the form in the Appendix and shall be signed—
- (a) in the case of a constable, by an officer of the Royal Ulster Constabulary not below the rank of chief inspector;
- Sub-para. (b) omitted by SI 1987/168*
- (c) in the case of a person employed by the returning officer, by that officer.
- (4) Any certificate surrendered under this rule shall forthwith be cancelled.

F26 Sch. 5 rule 29(1)(1A) substituted (1.7.2008) for Sch. 5 rule 29(1) by [Electoral Administration Act 2006](#) (c. 22), ss. 47, 77(2), [Sch. 1 para. 57](#); S.I. 2008/1316, [art. 2\(3\)](#), 5(f)(iii)

F27 SI 1987/168

Keeping of order in station

- 30 (1) It is the presiding officer's duty to keep order at his polling station.
- (2) If a person misconducts himself in a polling station, or fails to obey the presiding officer's lawful orders, he may immediately, by the presiding officer's order, be removed from the polling station—
- (a) by a constable in or near that station, or
 - (b) by any other person authorised in writing by the returning officer to remove him,
- and the person so removed shall not, without the presiding officer's permission, again enter the polling station during the day.
- (3) Any person so removed may, if charged with the commission in the polling station of an offence, be dealt with as a person taken into custody by a constable for an offence without a warrant.

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- (4) The powers conferred by this rule shall not be exercised so as to prevent a voter who is otherwise entitled to vote at a polling station from having an opportunity of voting at that station.

Sealing of ballot boxes

- 31 Immediately before the commencement of the poll, the presiding officer shall show the ballot box empty to such persons, if any, as are present in the polling station, so that they may see that it is empty, and shall then lock it up and place his seal on it in such a manner as to prevent its being opened without breaking the seal, and shall place it in his view for the receipt of ballot papers, and keep it so locked and sealed.

Questions to be put to voters

- 32 (1) The presiding officer may, and if required by a candidate or his election or polling agent shall, put to any person applying for a ballot paper at the time of his application, but not afterwards, the following questions, or either of them—
- (a) in the case of a person applying as an elector—
 - (i) Are you the person registered in the register of electors for this election as follows (*read the whole entry from the register*)?
 - (ii) Have you already voted on your own behalf either here or elsewhere in this or any other district electoral area at this [^{F28}local] election?
 - (b) in the case of a person applying as proxy—
 - (i) Are you the person whose name appears as A.B. in the list of proxies for this election as entitled to vote as proxy on behalf of C.D.?
 - (ii) Have you already voted as proxy on behalf of C.D. either here or elsewhere in this or any other district electoral area at this [^{F28}local] election?
- [^{F29}(1A) In the case of a person applying as an elector, the presiding officer may put the following additional question—
- What is your date of birth?.]
- [^{F30}(1B) In the case of a person applying as an elector who is named in the absent voters list in pursuance of paragraph 2(4)(a) of Schedule 2 to the Local Elections (Northern Ireland) Order 1985 as a person entitled to vote by post, the presiding officer may put either or both of the following additional questions—
- (a) “Did you apply to vote by post?”;
 - (b) “Why have you not voted by post?”.
- (1C) In the case of a person applying as proxy who is named in the absent voters list in pursuance of paragraph 2(4)(b) of Schedule 2 to that Order as a person entitled to vote by post as proxy, the presiding officer may put either or both of the following additional questions—
- (a) “Did you apply to vote by post as proxy?”;
 - (b) “Why have you not voted by post as proxy?”.]
- (2) In the case of a person applying as proxy, the presiding officer may, and if required as mentioned[^{F29} in paragraph (1)] above shall, put the following additional question:—

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Are you the husband [wife], parent, grandparent, brother [sister], child or grandchild of C.D.?

and if that question is not answered in the affirmative the following question:—

Have you at this [^{F28}local] election already voted in this district electoral area on behalf of two persons of whom you are not the husband [wife], parent, grandparent, brother [sister], child or grandchild?

- (3) A ballot paper shall not be delivered to any person required to answer the above questions or any of them unless he has answered the questions or question satisfactorily.
- (4) Save as by this rule authorised, no inquiry shall be permitted as to the right of any person to vote.

F28 2001 c. 7

F29 SI 2002/2835

F30 Sch. 5 rule 32(1B)(1C) inserted (1.7.2008) by Electoral Administration Act 2006 (c. 22), ss. 47, 77(2), Sch. 1 para. 64; S.I. 2008/1316, art. 2(3), 5(f)(iii)

Challenge of voter

- 33 (1) If at the time a person applies for a ballot paper for the purpose of voting in person, or after he has applied for a ballot paper for that purpose and before he has left the polling station, a candidate or his election or polling agent—
 - (a) declares to the presiding officer that he has reasonable cause to believe that the applicant has committed an offence of personation, and
 - (b) undertakes to substantiate the charge in a court of law,
 the presiding officer may order a constable to arrest the applicant, and the order of the presiding officer shall be sufficient authority for the constable to do so.
- (2) A person against whom a declaration is made under this rule shall not by reason of it be prevented from voting.
- (3) A person arrested under the provisions of this rule shall be dealt with as a person taken into custody by a constable without a warrant.

Voting procedure

- 34 (1) Subject to paragraphs (2) to (7), a ballot paper shall be delivered to a voter who applies for one and immediately before delivery—
 - (a) the ballot paper shall be stamped with the official mark;
 - (b) the number and name of the elector as stated in the copy of the register of electors shall be called out;
 - (c) the number of the elector shall be marked on the counterfoil;
 - (d) a mark shall be placed in the register of electors against the number of the elector to denote that a ballot paper has been received but without showing the particular ballot paper which has been received; and
 - (e) in the case of a person applying for a ballot paper as proxy, a mark shall also be placed against his name in the list of proxies.

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- [^{F31}(1A) In the case of an elector who is added to the register in pursuance of a notice issued under section 13BA(9) of the 1983 Act, paragraph (1) is modified as follows—
- (a) in sub-paragraph (b), for “copy of the register of electors” substitute copy of the notice issued under section 13BA(9) of the 1983 Act;
 - (b) in sub-paragraph (d), for “in the register of electors” substitute on the copy of the notice issued under section 13BA(9) of the 1983 Act.]
- (2) A ballot paper shall not be delivered to a voter unless he has produced a specified document to the presiding officer or a clerk.
- (3) Where a voter produces a specified document, the presiding officer or clerk to whom it is produced shall deliver a ballot paper to the voter unless the officer or clerk decides that
- [^{F32}(a) the document; or
- (b) the apparent age of the voter as compared with his age according to the date supplied as the date of his birth pursuant to section 10(4A)(b), 10A(1A)(b) or 13A(2A)(b) of the Representation of the People Act 1983 (as applied by Schedule 1 to the Elected Authorities (Northern Ireland) Act 1989),
- raises a reasonable doubt as to whether the voter is the elector or proxy he represents himself to be.] .
- (4) [^{F32}Where in such a case it is a presiding officer who so decides,] he shall refuse to deliver a ballot paper to the voter.
- [^{F32}(5) Where in such a case it is a clerk who so decides, he shall refer the matter and produce the document to the presiding officer, who shall proceed as if it had been to him that the voter had presented himself and produced the document in the first place.]
- (6) For the purposes of this rule a specified document is one which for the time being falls within the following list:—
- [^{F33}(a) a current licence to drive a motor vehicle if the licence bears the photograph of the person to whom it is issued;]
- (b) a current passport issued by the Government of the [^{F34} a Member State of the European Community;]
- Subs.—paras. (c)—(g) rep. by SI 2003/1245*
- [^{F32}(h) a Senior SmartPass issued under the Northern Ireland Concessionary Fares Scheme for use from 1st May 2002;]
- [^{F32}(i) a current electoral identity card issued under section 13C of the Representation of the People Act 1983]
- [^{F33}In sub-paragraph (a) a licence to drive a motor vehicle is a licence granted under Part 3 of the Road Traffic Act 1972 (excluding a provisional licence), or under Article 8 and 12 of the Road Traffic (Northern Ireland) Order 1981 or any corresponding enactment for the time being in force.]
- (7) References in this rule to producing a document are to producing it for inspection.
- (8) The voter, on receiving the ballot paper, shall forthwith proceed into one of the compartments in the polling station and there shall—
- (a) secretly record his vote by placing on the ballot paper the figure 1 opposite the name of the candidate for whom he votes and in addition, if he so wishes, by placing the figure 2 opposite the name of the candidate of his second

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- choice, the figure 3 opposite the name of the candidate of his third choice and so on in the order of his preference;
 - (b) fold the paper so that his vote is concealed;
 - (c) show to the presiding officer the back of the paper so as to disclose the official mark; and
 - (d) put the folded ballot paper into the ballot box in the presiding officer's presence.
- (9) The voter shall vote without undue delay, and shall leave the polling station as soon as he has put his ballot paper into the ballot box.
- [^{F35}(10) The same copy of the register of electors may be used under paragraph (1) for each election.
- (11) One mark may be placed in that register under paragraph (1)(d) or in the list of proxies under paragraph (1)(e) to denote that a ballot paper has been received in respect of each election.
- (12) If a ballot paper is issued in respect of one election only a different mark must be placed in the register or list (as the case may be) so as to identify the election in respect of which the ballot paper is issued.]

- F31** Sch. 5 rule 34(1A) inserted (14.5.2008) by Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33), ss. 30(1), 31(3), Sch. 4 para. 1(3); S.I. 2008/1318, art. 2(2)(b)
- F32** SI 2002/2835
- F33** SI 2003/1245
- F34** SI 1995/1948
- F35** 2001 c. 7

Votes marked by presiding officer

- 35 (1) Subject to paragraph (2), the presiding officer, on the application of a voter—
- (a) who is incapacitated by blindness or other [^{F36}disability] from voting in manner directed by these rules, or
 - (b) who declares orally that he is unable to read,
- shall, in the presence of the polling agents, cause the voter's vote to be marked on a ballot paper in manner directed by the voter, and the ballot paper to be placed in the ballot box.
- (2) Paragraphs (2) to (7) of rule 34 apply in the case of a voter who applies under paragraph (1) as they apply in the case of a voter who applies under rule 34(1), but reading references to delivering a ballot paper to a voter as references to causing a voter's vote to be marked on a ballot paper.
- (3) The name and number on the register of electors of every voter whose vote is marked in pursuance of this rule, and the reason why it is so marked, shall be entered on a list (in these rules called the list of votes marked by the presiding officer).
- In the case of a person voting as proxy for an elector, the number to be entered together with the voter's name shall be the elector's number.

- [^{F37}(4) The same list may be used for each election.

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- (5) If it is, an entry in the list must be taken to mean that the ballot papers were marked in pursuance of this rule in respect of each election unless the list identifies the election at which the ballot paper was so marked.]
- [^{F38}(6) In this rule and in rule 36, reference to disability, in relation to voting, includes a short term inability to vote.]
- [^{F39}(7) In the case of a person in respect of whom a notice has been issued under section 13BA(9) of the 1983 Act, paragraph (3) applies as if for “on the register of electors of every voter” there were substituted “relating to every voter in respect of whom a notice has been issued under section 13BA(9) of the 1983 Act”.]

- F36** Words in [Sch. 5 rule 35\(1\)\(a\)](#) substituted (1.7.2008) by [Electoral Administration Act 2006 \(c. 22\)](#), ss. 47, 77(2), [Sch. 1 para. 65\(a\)](#); S.I. 2008/1316, [art. 2\(3\)](#), 5(f)(iii)
- F37** 2001 c. 7
- F38** [Sch. 5 rule 35\(6\)](#) inserted (1.7.2008) by [Electoral Administration Act 2006 \(c. 22\)](#), ss. 47, 77(2), [Sch. 1 para. 65\(b\)](#); S.I. 2008/1316, [art. 2\(3\)](#), 5(f)(iii)
- F39** [Sch. 5 rule 35\(7\)](#) inserted (14.5.2008) by [Northern Ireland \(Miscellaneous Provisions\) Act 2006 \(c. 33\)](#), ss. 30(1), 31(3), [Sch. 4 para. 1\(4\)](#); S.I. 2008/1318, [art. 2\(2\)\(b\)](#)

Voting by persons with disabilities

- [^{F40}36 (1) If a voter makes an application to the presiding officer to be allowed, on the grounds of—
- (a) blindness or other [^{F41}disability] , or
 - (b) inability to read,
- to vote with the assistance of another person by whom he is accompanied (in these rules referred to as the companion), the presiding officer shall require the voter to declare, orally or in writing, whether he is so incapacitated by his blindness or [^{F42}other disability], or by his inability to read, as to be unable to vote without assistance.
- (2) [^{F43}Subject to paragraph (2A), if] the presiding officer—
- (a) is satisfied that the voter is so incapacitated, and
 - (b) is also satisfied by a written declaration made by the companion (in these rules referred to as the declaration made by the companion of a voter with disabilities) that the companion—
 - (i) is a qualified person within the meaning of this rule, and
 - (ii) has not previously assisted more than one voter with disabilities to vote at the election,
- the presiding officer shall grant the application, and then anything which is by these rules required to be done to or by that voter in connection with the giving of his vote may be done to, or with the assistance of, the companion.
- [Paragraphs (2) to (7) of rule 34 shall apply in the case of a voter who applies under
- ^{F43}(2A) paragraph (1) as they apply in the case of a voter who applies under rule 34(1), but reading references to delivering a ballot paper as references to granting a voter's application.]

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(3) For the purposes of these rules, a person is a voter with disabilities if he has made such a declaration as is mentioned in paragraph (1) above, and a person shall be qualified to assist a voter with disabilities to vote if that person—

- (a) is a person who is entitled to vote as an elector at the election; or
- (b) is the father, mother, brother, sister, husband, wife, son or daughter of the voter and has attained the age of 18 years.

(4) The name and number in the register of electors of every voter whose vote is given in accordance with this rule and the name and address of the companion shall be entered on a list (in these rules referred to as the list of voters with disabilities assisted by companions).

In the case of a person voting as proxy for an elector, the number to be entered together with the voter's name shall be the elector's number.

[In the case of a person in respect of whom a notice has been issued under ^{F44}(4A) section 13BA(9) of the 1983 Act, paragraph (4) applies as if for “in the register of electors of every voter” there were substituted “relating to every voter in respect of whom a notice has been issued under section 13BA(9) of the 1983 Act”.]

[The same list may be used for each election. ^{F45}(4A)

(4B) If it is, an entry in the list must be taken to mean that the votes were given in accordance with this rule in respect of each election unless the list identifies the election at which the vote was so given.]

(5) The declaration made by the companion—

- (a) shall be in the form in the Appendix; and
- (b) shall be made before the presiding officer at the time when the voter applies to vote with the assistance of a companion and shall forthwith be given to the presiding officer who shall attest and retain it.

(6) No fee or other payment shall be charged in respect of the declaration.]

F40 SI 2001/417

F41 Words in [Sch. 5 rule 36\(1\)\(a\)](#) substituted (1.7.2008) by [Electoral Administration Act 2006 \(c. 22\)](#), ss. 47, 77(2), [Sch. 1 para. 66\(a\)](#); S.I. 2008/1316, [art. 2\(3\)](#), 5(f)(iii)

F42 Words in [Sch. 5 rule 36\(1\)](#) substituted (1.7.2008) by [Electoral Administration Act 2006 \(c. 22\)](#), ss. 47, 77(2), [Sch. 1 para. 66\(b\)](#); S.I. 2008/1316, [art. 2\(3\)](#), 5(f)(iii)

F43 SI 2002/2835

F44 [Sch. 5 rule 36\(4A\)](#) inserted (14.5.2008) by [Northern Ireland \(Miscellaneous Provisions\) Act 2006 \(c. 33\)](#), ss. 30(1), 31(3), [Sch. 4 para. 1\(5\)](#); S.I. 2008/1318, [art. 2\(2\)\(b\)](#)

F45 2001 c. 7

Tendered ballot papers

37 (1) If a person, representing himself to be—

- (a) a particular elector named on the register and not named in the absent voters list, or
- (b) a particular person named in the list of proxies as proxy for an elector and not^{F46} . . . entitled to vote by post as proxy,

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applies for a ballot paper after another person has voted in person either as the elector or his proxy, the applicant shall, on satisfactorily answering the questions permitted by law to be asked at the poll, be entitled subject to the following provisions of this rule, to mark a ballot paper (in these rules referred to as a tendered ballot paper) in the same manner as any other voter.

[^{F47}(1A) Paragraph (1C) applies if —

- (a) a person applies for a ballot paper representing himself to be a particular elector named on the register,
- (b) he is also named in the absent voters list in pursuance of paragraph 2(4)(a) of Schedule 2 to the Local Elections (Northern Ireland) Order 1985 as a person entitled to vote by post, and
- (c) he claims that he did not make an application to vote by post at the election.

(1B) Paragraph (1C) also applies if—

- (a) a person applies for a ballot paper representing himself to be a particular person named as a proxy in the list of proxies,
- (b) he is also named in the absent voters list in pursuance of paragraph 2(4)(b) of Schedule 2 to that Order as a person entitled to vote by post as proxy, and
- (c) he claims that he did not make an application to vote by post as proxy.

(1C) The person shall, on satisfactorily answering the questions permitted by law to be asked at the poll, be entitled, subject to the following provisions of this rule, to mark a ballot paper (in these rules referred to as a “tendered ballot paper”) in the same manner as any other voter.]

[^{F48}(1D) Paragraph (1E) applies if before the close of the poll but after the last time at which a person may apply for a replacement postal ballot paper, a person represents himself to be—

- (a) a particular elector named on the register who is also named in the absent voters list in pursuance of paragraph 2(4)(a) of Schedule 2 to that Order as a person entitled to vote by post, or
- (b) a particular person named as a proxy in the list of proxies and who is also named in the absent voters list in pursuance of paragraph 2(4)(b) of Schedule 2 to that Order as a person entitled to vote by post as proxy,

and claims that he has lost or has not received his postal ballot paper.

(1E) The person shall, on satisfactorily answering the questions permitted by law to be asked at the poll, be entitled, subject to the following provisions of this rule, to mark a ballot paper (in these rules referred to as a “tendered ballot paper”) in the same manner as any other voter.]

(2) Paragraphs (2) to (7) of rule 34 shall apply in the case of a person who seeks to mark a tendered ballot paper under paragraph (1) as they apply in the case of a voter who applies for a ballot paper under rule 34(1).

(3) Paragraph (4) applies where

[^{F49}(a)] [^{F49}under paragraph (3) of rule 32 a ballot paper is not delivered to a person following his unsatisfactory answer to the question in paragraph (1A) of that rule; or]

[^{F49}(b)] a presiding officer refuses to deliver a ballot paper to a person under paragraph (4) of rule 34 (including that paragraph as applied by rule 35 or 36 or this rule).

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- (4) The person shall, on satisfactorily answering the questions permitted by law to be asked at the poll, nevertheless be entitled, subject to the following provisions of this rule, to mark a ballot paper (in these rules referred to as a tendered ballot paper) in the same manner as any other voter.
- [^{F50}(4A) 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 as if—
- (a) in paragraphs (1)(a), (1A)(a) and (1D)(a), for “named on the register” there were substituted “in respect of whom a notice under section 13BA(9) of the 1983 Act has been issued”;
 - (b) in paragraph (5)(b), for “his number in the register of electors” there were substituted “the number relating to him on a notice issued under section 13BA(9) of the 1983 Act”;
 - (c) in paragraph (6), for “his number on the register of electors” there were substituted “the number relating to him on a notice issued under section 13BA(9) of the 1983 Act”.]

(5) A tendered ballot paper shall—

 - (a) be of a colour differing from the other ballot papers;
 - (b) instead of being put into the ballot box, be given to the presiding officer and endorsed by him with the name of the voter and his number in the register of electors, and set aside in a separate packet.

(6) The name of the voter and his number on the register of electors shall be entered on a list (in these rules referred to as the tendered votes list).

[^{F51}(6A) The same list may be used for each election.

(6B) If it is, an entry in the list must be taken to mean that the tendered ballot papers were marked in respect of each election unless the list identifies the election at which a tendered ballot paper was marked.]

(7) In the case of a person voting as proxy for an elector the number to be endorsed or entered together with the voter's name shall be the number of that elector.

(8) A person who marks a tendered ballot paper under paragraph (4) shall sign the paper, unless it was marked after an application was refused under rule 35 or 36.

(9) A paper which is required to be signed under paragraph (8) and is not so signed shall be void.

F46 SI 1987/168

F47 Sch. 5 rule 37(1A)-(1C) inserted (1.7.2008) by Electoral Administration Act 2006 (c. 22), ss. 47, 77(2), Sch. 1 para. 63(1); S.I. 2008/1316, art. 2(3), 5(f)(iii)

F48 Sch. 5 rule 37(1D)(1E) inserted (1.7.2008) by Electoral Administration Act 2006 (c. 22), ss. 47, 77(2), Sch. 1 para. 63(2); S.I. 2008/1316, art. 2(3), 5(f)(iii)

F49 SI 2002/2835

F50 Sch. 5 rule 37(4A) inserted (14.5.2008) by Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33), ss. 30(1), 31(3), Sch. 4 para. 1(6); S.I. 2008/1318, art. 2(2)(b)

F51 2001 c. 7

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Refusal to deliver ballot paper

- 38 (1) This rule applies where a presiding officer refuses to deliver a ballot paper under paragraph (4) of rule 34 (including that paragraph as applied by rule 35, 36 or 37).
- (2) The refusal shall be subject to review on an election petition but, subject to that, shall be final and shall not be questioned in any proceeding whatsoever.

Spoilt ballot papers

- 39 A voter who has inadvertently dealt with his ballot paper in such manner that it cannot be conveniently used as a ballot paper may, on delivering it to the presiding officer and proving to his satisfaction that fact of the inadvertence, obtain another ballot paper in the place of the ballot paper so delivered (in these rules referred to as a spoilt ballot paper), and the spoilt ballot paper shall be immediately cancelled.

Correction of errors on day of poll

- [^{F52}39A The presiding officer shall keep a list of persons to whom ballot papers are delivered in consequence of an alteration to the register made by virtue of section 13BA(9) of the 1983 Act which takes effect on the day of the poll.]

F52 Sch. 5 para. 39A inserted (14.5.2008) by Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33), ss. 30(1), 31(3), Sch. 4 para. 1(7); S.I. 2008/1318, art. 2(2)(b)

Adjournment of poll in case of riot

- 40 (1) Where the proceedings at any polling station are interrupted or obstructed by riot or open violence, the presiding officer shall adjourn the proceedings until the following day and shall forthwith give notice to the returning officer.
- (2) Where the poll is adjourned at any polling station—
- (a) the hours of polling on the day to which it is adjourned shall be the same as for the original day; and
 - (b) references in these rules to the close of poll shall be construed accordingly.

Procedure on close of poll

- 41 (1) As soon as practicable after the close of the poll, the presiding officer shall, in the presence of the polling agents, make up into separate packets, sealed with his own seal and the seals of such polling agents as desire to affix their seals—
- (a) each ballot box in use at the station, sealed so as to prevent the introduction of additional ballot papers and unopened, but with the key attached,
 - (b) the unused and spoilt ballot papers placed together,
 - (c) the tendered ballot papers,
 - (d) the marked copies of the register of electors [^{F53}(including any marked copy notices issued under section 13BA(9) of the 1983 Act)] and of the list of proxies,
 - (e) the counterfoils of the used ballot papers and the certificates as to employment on duty on the day of the poll,
 - (f) the tendered votes list, the list of [^{F54}voters with disabilities] assisted by companions, the list of votes marked by the presiding officer, a statement

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of the number of voters whose votes are so marked by the presiding officer under the heads^[F55 “disability”] and unable to read, ^[F56]the list maintained under rule 39A, and the declarations made by the companions of^[F54] voters with disabilities],

and shall deliver the packets or cause them to be delivered to the returning officer to be taken charge of by him; but if the packets are not delivered by the presiding officer personally to the returning officer, the arrangements for their delivery shall require the returning officer's approval.

^[F57](1A) Separate packets must be made up in respect of each election for the purpose of each of sub-paragraphs (b), (c) and (e) of paragraph (1).]

(2) The marked copies of the register of electors and of the list of proxies shall be in one packet but shall not be in the same packet as the counterfoils of the used ballot papers and the certificates as to employment on duty on the day of the poll.

(3) The packets shall be accompanied by a statement (in these rules referred to as the ballot paper account) made by the presiding officer^[F57] separately for the purposes of each election] showing the number of ballot papers entrusted to him, and accounting for them under the heads of ballot papers issued and not otherwise accounted for, unused, spoilt and tendered ballot papers.

F53 Words in Sch. 5 rule 41(1)(d) inserted (14.5.2008) by Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33), ss. 30(1), 31(3), Sch. 4 para. 1(8)(a); S.I. 2008/1318, art. 2(2)(b)

F54 SI 2001/417

F55 Words in Sch. 5 rule 41(1)(f) substituted (1.7.2008) by Electoral Administration Act 2006 (c. 22), ss. 47, 77(2), Sch. 1 para. 67; S.I. 2008/1316, art. 2(3), 5(f)(iii)

F56 Words in Sch. 5 rule 41(1)(f) inserted (14.5.2008) by Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33), ss. 30(1), 31(3), Sch. 4 para. 1(8)(b); S.I. 2008/1318, art. 2(2)(b)

F57 2001 c. 7

PART IV

COUNTING OF VOTES

Interpretation

42 In this Part of these rules—

continuing candidate means any candidate not deemed to be elected and not excluded;

count means all the operations involved in the counting of the first preferences recorded for candidates, the transfer of the surpluses of elected candidates, and the transfer of the votes of excluded candidates;

deemed to be elected means deemed to be elected for the purpose of the counting of the votes but without prejudice to the declaration of the result of the poll;

mark means a figure, a word written in the English language or a mark such as X;

non-transferable vote means a ballot paper—

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- (a) on which no second or subsequent preference is recorded for a continuing candidate, or
 - (b) which is excluded by the returning officer under rule 50(4);
- preference as used in the following contexts has the meaning assigned below:—
- (a) first preference means the figure 1 or any mark or word which clearly indicates a first (or only) preference;
 - (b) next available preference means a preference which is the second or, as the case may be, subsequent preference recorded in consecutive order for a continuing candidate (any candidate who is deemed to be elected or is excluded thereby being ignored), and
 - (c) in this context, a second preference is shown by the figure 2 or any mark or word which clearly indicates a second preference, a third preference by the figure 3 or any mark or word which clearly indicates a third preference, and so on;

quota means the number calculated in accordance with rule 48;

surplus means the number of votes by which the total number of votes for any candidate (whether first preference or transferred votes, or a combination of both) exceeds the quota; but, references in these rules to the transfer of the surplus means the transfer (at a transfer value) of all transferable papers from the candidate who has the surplus;

stage of the count means—

- (a) the determination of the first preference vote for each candidate;
- (b) the transfer of a surplus of a candidate deemed to be elected; or
- (c) the exclusion of one or more candidates at any given time;

transferable paper means a ballot paper on which, following a first preference, a second or subsequent preference is recorded in consecutive numerical order for a continuing candidate;

transferred vote means a vote derived from a ballot paper on which a second or subsequent preference is recorded for the candidate to whom that paper has been transferred;

transfer value means the value of a transferred vote calculated in accordance with paragraph (4) or (7) of rule 49, as the case may be.

Place and time for, and manner of, counting of votes

- 43 (1) Subject to paragraph (3), the returning officer shall make arrangements for counting the votes in the presence of the counting agents at 9 in the^{F58} morning on the second day after] the day of the poll and shall give to the counting agents notice in writing of the time and place at which he will begin to count the votes.

[^{F58}(1A) For the purpose of determining the day for counting under paragraph (1) a Saturday, a Sunday and a public holiday must be disregarded.]

- (2) There shall be a separate count in respect of each district electoral area in the local government district.
- (3) Nothing in paragraph (1) shall require the returning officer to commence counting the votes for all the district electoral areas in any local government district at the same time.

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F58 2001 c. 7

Attendance at counting of votes

- 44 (1) No person other than—
- (a) the returning officer and his clerks,
 - (b) the candidates,
 - (c) the election agents,
 - (d) the counting agents,
 - (e) the constables on duty,
 - [^{F59}(f) a person who is entitled to attend by virtue of any of sections 6A to 6D of the Political Parties, Elections and Referendums Act 2000.]
- may be present at the counting of the votes, unless permitted by the returning officer to attend.
- (2) A person not entitled to attend at the counting of the votes shall not be permitted to do so by the returning officer unless he is satisfied that the efficient counting of the votes will not be impeded.
- (3) The returning officer shall give the counting agents all such reasonable facilities for overseeing the proceedings at the counting of the votes (including in particular, facilities for satisfying themselves that the ballot papers are correctly sorted) and all such information with respect thereto as he can give them consistently with the orderly conduct of the proceedings and the performance of his functions.

F59 Sch. 5 rule 44(1)(f) inserted (1.7.2008) by Electoral Administration Act 2006 (c. 22), ss. 47, 77(2), Sch. 1 para. 58; S.I. 2008/1316, art. 2(3), 5(f)(iii)

Preliminary proceedings and conduct of the count

- 45 (1) Before the returning officer proceeds to count the votes, he shall—
- (a) in the presence of the counting agents open each ballot box and, taking out the ballot papers in it, count and record the number of them and in the presence of the election agents verify each ballot paper account;
 - (b) count such of the postal ballot papers as have been duly returned and record the number counted; and
 - (c) then mix together the whole of the ballot papers mentioned in the foregoing sub-paragraphs.
- (2) A postal ballot paper shall not be deemed to be duly returned unless
- [^{F60}(a) it is returned in the proper envelope so as to reach the returning officer before the close of the poll and is accompanied by the declaration of identity duly signed and authenticated, and
 - (b) in the case of an elector, that declaration of identity states the date of birth of the elector and the returning officer is satisfied that the date corresponds with the date supplied as the date of the elector's birth pursuant to section 10(4A) (b), 10A(1A)(b) or section 13A(2A)(b) of the Representation of the People Act 1983 (as applied by Schedule 1 to the Elected Authorities (Northern Ireland) Act 1989).]

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[^{F60}(2A) In the case of an elector, unless section 10(4B), 10A(1B) or 13A(2B) of the Representation of the People Act 1983 (as applied by Schedule 1 to the Elected Authorities (Northern Ireland) Act 1989) applies, the declaration of identity referred to in paragraph (2) shall be taken not to be duly signed unless the returning officer is satisfied that the signature on the declaration corresponds with the signature supplied as the elector's signature pursuant to section 10(4A)(a), 10A(1A)(a) or 13A(2A)(a) of the Representation of the People Act 1983 (as so applied)]

- (3) The returning officer shall not count any tendered ballot paper.
- (4) The returning officer, while counting and recording the number of ballot papers and counting the votes, shall keep the ballot papers with their faces upwards and take all proper precautions for preventing any person from seeing the numbers printed on the back of the papers.
- (5) The returning officer shall verify each ballot paper account by comparing it with the number of ballot papers recorded by him, and the unused and spoilt ballot papers in his possession and the tendered votes list (opening and resealing the packets containing the unused and spoilt ballot papers and the tendered votes list) and shall draw up a statement as to the result of the verification, which any election agent may copy.
- (6) The returning officer shall so far as practicable proceed continuously with counting the votes, allowing only time for refreshment and excluding (except so far as he and the agents otherwise agree) the hours between 11 in the evening and 9 on the following morning.

For the purposes of this exception the agreement of a candidate or his election agent shall be as effective as the agreement of his counting agents.

- (7) During the time so excluded the returning officer shall—
 - (a) place the ballot papers and other documents relating to the election under his own seal and the seals of such of the counting agents as desire to affix their seals; and
 - (b) otherwise take proper precautions for the security of the papers and documents.

F60 SI 2002/2835

Rejected ballot papers

- 46 (1) Any ballot paper—
- (a) which does not bear the official mark; or
 - (b) on which the figure 1 standing alone is not placed so as to indicate a first preference for some candidate; or
 - (c) on which the figure 1 standing alone indicating a first preference is set opposite the name of more than one candidate; or
 - (d) on which anything (other than the printed number on the back) is written or marked by which the voter can be identified; or
 - (e) which is unmarked or void for uncertainty,
- shall be void and not counted, but the ballot paper shall not be void by reason only of carrying the words one, two, three, (and so on) or any other mark instead of a

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figure if, in the opinion of the returning officer, the word or mark clearly indicates a preference or preferences.

- (2) The returning officer shall endorse rejected on any ballot paper which under this rule is not to be counted and if an election agent objects to his decision shall add to the endorsement the words rejection objected to.
- (3) The returning officer shall prepare a statement showing the number of ballot papers rejected by him under each of sub-paragraphs (a), (b), (c), (d) and (e) of paragraph (1) and shall, on request, allow any candidate or agent of a candidate to copy such statement.
- (4) The decision of the returning officer on any question arising in respect of a ballot paper shall be final but shall be subject to review on an election petition.

First stage

- 47 (1) The returning officer shall sort the ballot papers into parcels according to the candidates for whom first preference votes are given.
- (2) The returning officer shall then count the number of first preference votes given on ballot papers for each candidate and shall record those numbers.
- (3) The returning officer shall also ascertain and record the number of valid ballot papers.

The quota

- 48 (1) The returning officer shall divide the number of valid ballot papers by a number exceeding by one the number of members to be elected.
- (2) The result, increased by one, of the division under paragraph (1) (any fraction being disregarded) shall be the number of votes sufficient to secure the election of a candidate (in these rules referred to as the quota).
- (3) At any stage of the count a candidate whose total vote equals or exceeds the quota shall be deemed to be elected, except that at an election where there is only one vacancy a candidate shall not be deemed to be elected until the procedure set out in paragraphs (1) to (3) of rule 51 has been complied with.

Transfer of votes

- 49 (1) Where the number of first preference votes for any candidate exceeds the quota, the returning officer shall sort all the ballot papers on which first preference votes are given for that candidate into sub-parcels so that they are grouped—
 - (a) according to the next available preference given on those papers for any continuing candidate, or
 - (b) where no such preference is given, as the sub-parcel of non-transferable votes.
- (2) The returning officer shall count the number of ballot papers in each parcel referred to in paragraph (1).
- (3) The returning officer shall, in accordance with this rule and rule 50, transfer each sub-parcel of ballot papers referred to in sub-paragraph (a) of paragraph (1) to the candidate for whom the next available preference is given on those papers.

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- (4) The vote on each ballot paper transferred under paragraph (3) shall be at a value (the transfer value) which—
- (a) reduces the value of each vote transferred so that the total value of all such votes does not exceed the surplus, and
 - (b) is calculated by dividing the surplus of the candidate from whom the votes are being transferred by the total number of the ballot papers on which those votes are given, the calculation being made to two decimal places (ignoring the remainder if any).
- (5) Where, at the end of any stage of the count involving the transfer of ballot papers, the number of votes for any candidate exceeds the quota, the returning officer shall sort the ballot papers in the sub-parcel of transferred votes which was last received by that candidate into separate sub-parcels so that they are grouped—
- (a) according to the next available preference given on those papers for any continuing candidate, or
 - (b) where no such preference is given, as the sub-parcel of non-transferable votes.
- (6) The returning officer shall, in accordance with this rule and rule 50, transfer each sub-parcel of ballot papers referred to in sub-paragraph (a) of paragraph (5) to the candidate for whom the next available preference is given on those papers.
- (7) The vote on each ballot paper transferred under paragraph (6) shall be at—
- (a) a transfer value calculated as set out in sub-paragraph (b) of paragraph (4), or
 - (b) at the value at which that vote was received by the candidate from whom it is now being transferred,
- whichever is the less.
- (8) Each transfer of a surplus constitutes a stage in the count.
- (9) Subject to paragraph (10), the returning officer shall proceed to transfer transferable papers until no candidate who is deemed to be elected has a surplus or all the vacancies have been filled.
- (10) Transferable papers shall not be liable to be transferred where any surplus or surpluses which, at a particular stage of the count, have not already been transferred, are—
- (a) less than the difference between the total vote then credited to the continuing candidate with the lowest recorded vote and the vote of the candidate with the next lowest recorded vote; or
 - (b) less than the difference between the total votes of the two or more continuing candidates, credited at that stage of the count with the lowest recorded total numbers of votes and the candidate next above such candidates.
- (11) This rule shall not apply at an election where there is only one vacancy.

Supplementary provisions on transfer

- 50 (1) If, at any stage of the count, two or more candidates have surpluses, the transferable papers of the candidate with the largest surplus shall be transferred first, and if—
- (a) the surpluses determined in respect of two or more candidates are equal, the transferable papers of the candidate who had the highest recorded votes at the

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- earliest preceding stage at which they had unequal votes, shall be transferred first, and
- (b) the votes credited to two or more candidates were equal at all stages of the count, the returning officer shall decide between those candidates by lot and the transferable papers of the candidate on whom the lot falls shall be transferred first.
- (2) The returning officer shall, on each transfer of transferable papers under rule 49—
- (a) record the total transfer value of the votes transferred to each candidate;
 - (b) add that value to the previous total of votes recorded for each candidate and record the new total;
 - (c) record as non-transferable votes the difference between the surplus and the total transfer value of transferred votes and add that difference to the previously recorded total of non-transferable votes, and
 - (d) compare—
 - (i) the total number of votes then recorded for all of the candidates, together with total number of non-transferable votes, with
 - (ii) the recorded total of valid first preference votes.
- (3) All ballot papers transferred under rule 49 or 51 shall be clearly marked, either individually or as a sub-parcel, so as to indicate the transfer value recorded at that time to each vote on that paper or, as the case may be, all the papers in that sub-parcel.
- (4) Where a ballot paper is so marked that it is unclear to the returning officer at any stage of the count under rule 49 or 51 for which candidate the next preference is recorded, the returning officer shall treat any vote on that ballot paper as a non-transferable vote; and votes on a ballot paper shall be so treated where, for example, the names of two or more candidates (whether continuing candidates or not) are so marked that, in the opinion of the returning officer, the same order of preference is indicated or the numerical sequence is broken.

Exclusion of candidates

51 (1) If—

- (a) all transferable papers which under the provisions of rule 49 (including that rule as applied by paragraph (11)) and this rule are required to be transferred, have been transferred, and
 - (b) subject to rule 52 one or more vacancies remain to be filled,
- the returning officer shall exclude from the election at that stage the candidate with the then lowest vote (or, where paragraph (12) applies, the candidates with the then lowest votes).
- (2) The returning officer shall sort all the ballot papers on which first preference votes are given for the candidate or candidates excluded under paragraph (1) into two sub-parcels so that they are grouped as—
- (a) ballot papers on which a next available preference is given, and
 - (b) ballot papers on which no such preference is given (thereby including ballot papers on which preferences are given only for candidates who are deemed to be elected or are excluded).

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- (3) The returning officer shall, in accordance with this rule and rule 50, transfer each sub-parcel of ballot papers referred to in sub-paragraph (a) of paragraph (2) to the candidate for whom the next available preference is given on those papers.
- (4) The exclusion of a candidate, or of two or more candidates together, constitutes a further stage of the count.
- (5) If, subject to rule 52, one or more vacancies still remain to be filled, the returning officer shall then sort the transferable papers, if any, which had been transferred to any candidate excluded under paragraph (1) into sub-parcels according to their transfer value.
- (6) The returning officer shall transfer those papers in the sub-parcel of transferable papers with the highest transfer value to the continuing candidates in accordance with the next available preferences given on those papers (thereby passing over candidates who are deemed to be elected or are excluded).
- (7) The vote on each transferable paper transferred under paragraph (6) shall be at the value at which that vote was received by the candidate excluded under paragraph (1).
- (8) Any papers on which no next available preferences have been expressed shall be set aside as non-transferable votes.
- (9) After the returning officer has completed the transfer of the ballot papers in the sub-parcel of ballot papers with the highest transfer value he shall proceed to transfer in the same way the sub-parcel of ballot papers with the next highest value and so on until he has dealt with each sub-parcel of a candidate excluded under paragraph (1).
- (10) The returning officer shall after each stage of the count completed under this rule—
 - (a) record—
 - (i) the total value of votes, or
 - (ii) the total transfer value of votes transferred to each candidate;
 - (b) add that total to the previous total of votes recorded for each candidate and record the new total;
 - (c) record the value of non-transferable votes and add that value to the previous non-transferable votes total, and
 - (d) compare—
 - (i) the total number of votes then recorded for each candidate together with the total number of non-transferable votes, with
 - (ii) the recorded total of valid first preference votes.
- (11) If after a transfer of votes under any provision of this rule, a candidate has a surplus, that surplus shall be dealt with in accordance with paragraphs (5) to (10) of rule 49 and rule 50.
- (12) Where the total of the votes of the two or more lowest candidates, together with any surpluses not transferred, is less than the number of votes credited to the next lowest candidate, the returning officer shall in one operation exclude such two or more candidates.
- (13) If where a candidate has to be excluded under this rule, two or more candidates each have the same number of votes and are lowest—

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- (a) regard shall be had to the total number of votes credited to those candidates at the earliest stage of the count at which they had an unequal number of votes and the candidate with the lowest number of votes at that stage shall be excluded; and
- (b) where the number of votes credited to those candidates was equal at all stages, the returning officer shall decide between the candidates by lot and the candidate on whom the lot falls shall be excluded.

Filling of last vacancies

- 52 (1) Where the number of continuing candidates is equal to the number of vacancies remaining unfilled the continuing candidates shall thereupon be deemed to be elected.
- (2) Where only one vacancy remains unfilled and the votes of any one continuing candidate are equal to or greater than the total of votes credited to another or other continuing candidates together with any surplus not transferred, the candidate shall thereupon be deemed to be elected.
- (3) Where the last vacancies can be filled under this rule, no further transfer of votes shall be made.

Re-count

- 53 (1) The returning officer on completion of each stage of the count shall, before proceeding with the next stage, inform all the candidates and their election agents then present of his intention, subject to a request for a re-count, to proceed to the next stage.
- (2) Before the returning officer so proceeds, any candidate or his election agent present at the count may request that a re-count be undertaken of the last completed stage.
- (3) If a request is made under paragraph (2), the returning officer shall then proceed to carry out the re-count of the last completed stage, but if no such request is made, he shall proceed with the next subsequent stage of the count.
- (4) The returning officer may also, if he thinks fit, re-count ballot papers either once or more often if he is not satisfied as to the accuracy of any stage.
- (5) Nothing in this rule shall require the returning officer to re-count the same parcel or sub-parcel more than once.
- (6) Where as a result of a re-count an error is discovered, the returning officer shall, where necessary, amend any results previously announced by him.

Ballot papers in wrong box

- ^{F61}53A(1) The returning officer may make arrangements for—
- (a) ballot boxes for the local election to be opened and any ballot papers for the parliamentary election to be taken out;
 - (b) those ballot papers to be taken into account for the purposes of the parliamentary election;
 - (c) ballot boxes for the parliamentary election to be opened and any ballot papers for the local election to be taken out;

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- (d) those ballot papers to be taken into account for the purposes of the local election.
- (2) Paragraph (1) applies notwithstanding anything else in these rules or the parliamentary elections rules.
- (3) Nothing in these rules or the parliamentary elections rules requires the counting agents to be given facilities for overseeing the proceedings mentioned in paragraph (1)(a) or (c).]

F61 2001 c. 7

Order of election of candidates

- 54
- (1) The order in which candidates whose votes equal or exceed the quota are deemed to be elected shall be the order in which their respective surpluses were transferred, or would have been transferred but for rule 49(10).
 - (2) A candidate credited with a number of votes equal to and not greater than the quota shall, for the purposes of this rule, be regarded as having had the smallest surplus at the stage of the count at which he obtained the quota.
 - (3) Where the surpluses of two or more candidates are equal and are not required to be transferred, regard shall be had to the total number of votes credited to such candidates at the earliest stage of the count at which they had an unequal number of votes and the surplus of the candidate who had the greatest number of votes at that stage shall be deemed to be the largest.
 - (4) Where the number of votes credited to two or more candidates were equal at all stages of the count, the returning officer shall decide between them by lot and the candidate on whom the lot falls shall be deemed to have been elected first.

Decisions of returning officer

- 55
- The decision of the returning officer, whether expressed or implied, on any question which arises in relation to the exclusion of any candidate under rule 51 or to any ballot paper or transfer of votes shall be final, but may be reviewed on an election petition.

PART V

FINAL PROCEEDINGS IN CONTESTED AND UNCONTESTED ELECTIONS

Declaration of result

- 56
- (1) In a contested election, when the result of the poll has been ascertained in respect of a district electoral area the returning officer shall forthwith—
 - (a) declare to be elected the candidates who are deemed to be elected under the rules in Part IV above; and
 - (b) give public notice of—
 - (i) the names of the candidates declared to be elected;
 - (ii) the number of first preference votes for each candidate whether elected or not;

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- (iii) any transfer of votes;
- (iv) the total number of votes for each candidate at each stage of the count at which such transfer took place; and
- (v) the order in which the candidates were elected.

- (2) In an uncontested election, the statement of persons nominated, in addition to showing the persons standing nominated, shall also declare those persons elected.

PART VI

DISPOSAL OF DOCUMENTS

Sealing up of ballot papers

- 57 (1) On the completion of the counting at a contested election the returning officer shall seal up in separate packets the counted and rejected ballot papers.
- (2) The returning officer shall not open the sealed packets of tendered ballot papers or of counterfoils and certificates as to employment on duty on the day of the poll, or of marked copies of the register of electors [^{F62}(including any marked copy notices issued under section 13BA(9) of the 1983 Act)] and lists of proxies.

F62 Words in Sch. 5 rule 57(2) inserted (14.5.2008) by Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33), ss. 30(1), 31(3), Sch. 4 para. 1(9); S.I. 2008/1318, art. 2(2)(b)

Forwarding of documents

- 58 (1) This rule applies to the following documents—
- (a) the packets of ballot papers in the possession of the returning officer,
 - (b) the ballot paper accounts and the statements of rejected ballot papers and of the result of the verification of the ballot paper accounts,
 - (c) the tendered votes lists, the lists of [^{F63}voters with disabilities] assisted by companions, the lists of votes marked by the presiding officer and the related statements, [^{F64}the lists maintained under rule 39A,] and the declarations made by the companions of [^{F63}voters with disabilities],
 - (d) the packets of counterfoils and certificates as to employment on duty on the day of the poll,
 - (e) the packets containing marked copies of registers [^{F65}(including any marked copy notices issued under section 13BA(9) of the 1983 Act)] and of lists of proxies.
- (2) The returning officer shall endorse on each packet to which this rule applies a description of its contents, the date of the election to which they relate and the name of the district electoral area for which the election was held.
- (3) The returning officer shall then forward to the officer of the relevant council who is charged with the duty of looking after them the documents to which this rule applies.
- (4) The officer referred to in paragraph (3) is referred to in rules 59 and 60 as the proper officer of the council; and the expression relevant council in paragraph (3) means the council to which the election in question takes place.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Electoral Law Act (Northern Ireland) 1962. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

F63 SI 2001/417

F64 Words in [Sch. 5 rule 58\(1\)\(c\)](#) inserted (14.5.2008) by [Northern Ireland \(Miscellaneous Provisions\) Act 2006 \(c. 33\)](#), ss. 30(1), 31(3), [Sch. 4 para. 1\(10\)\(a\)](#); S.I. 2008/1318, [art. 2\(2\)\(b\)](#)

F65 Words in [Sch. 5 rule 58\(1\)\(e\)](#) inserted (14.5.2008) by [Northern Ireland \(Miscellaneous Provisions\) Act 2006 \(c. 33\)](#), ss. 30(1), 31(3), [Sch. 4 para. 1\(10\)\(b\)](#); S.I. 2008/1318, [art. 2\(2\)\(b\)](#)

Orders for production of documents

59 (1) An order for—

- (a) the inspection or production of any rejected ballot papers in the custody of the proper officer of the council, or
- (b) the opening of a sealed packet of counterfoils and certificates as to employment on duty on the day of the poll or for the inspection of any counted ballot papers in his custody,

may be made by the High Court, a county court or an election court if satisfied by evidence on oath that the order is required for the purpose of instituting or maintaining a prosecution for an offence in relation to ballot papers, or for the purpose of an election petition.

(2) An order under this rule may be made subject to such conditions as to—

- (a) persons,
- (b) time,
- (c) place and mode of inspection,
- (d) production or opening,

as the court making the order may think expedient, but in making and carrying into effect an order for the opening of a packet of counterfoils and certificates or for the inspection of counted ballot papers, care shall be taken that the way in which the vote of any particular elector has been given shall not be disclosed until it has been proved—

- (i) that his vote was given; and
- (ii) that the vote has been declared by a competent court to be invalid.

(3) An appeal lies to the High Court from any order of a county court under this rule.

(4) Any power given under this rule—

- (a) to the High Court may be exercised by any judge of the court otherwise than in open court; and
- (b) to a county court, may be exercised in such manner as may be provided by rules of court.

(5) Where an order is made for the production by the proper officer of the council of any document in his possession relating to any specified election—

- (a) the production by him or his agent of the document ordered in such manner as they be directed by that order shall be conclusive evidence that the document relates to the specified election; and
- (b) any endorsement on any packet of ballot papers so produced shall be prima facie evidence that the ballot papers are what they are stated to be by the endorsement.

(6) The production from proper custody of a ballot paper purporting to have been used in any election, and of a counterfoil marked with the same printed number and having a

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number marked on it in writing, shall be prima facie evidence that the elector whose vote was given by that ballot paper was the person who at the time of the election had affixed to his name in the register of electors the same number as the number written on the counterfoil.

- (7) Save as by this rule provided, no person shall be allowed to inspect any rejected or counted ballot papers in the possession of the proper officer of the council or to open any sealed packets of counterfoils and certificates.

Retention and public inspection of documents

- 60 (1) The proper officer of the council shall retain for six months the documents to which rule 58 applies and then, unless otherwise directed by an order under rule 59, shall cause them to be destroyed.
- (2) The said documents, except those mentioned in sub-paragraphs (a) and (d) of rule 58(1) shall, so long as they are retained by the proper officer of the council, be open to public inspection at a fee of £1 during ordinary office hours.
- (3) The proper officer of the council shall, on request, supply copies of the documents open to public inspection on payment of a fee of 10p for each side of each page of a document so copied.

PART VII

DEATH OF CANDIDATE

Countermand or abandonment of poll on death of candidate

- 61 (1) If at a contested election proof is given to the returning officer's satisfaction before the result of the election is declared that one of the persons named or to be named as candidate in the ballot papers has died, then the returning officer shall—
- (a) countermand notice of the poll, or
 - (b) if polling has begun, direct that the poll be abandoned,
- and the proceedings with reference to the election shall be commenced afresh as if a casual vacancy had occurred and as if the day on which the returning officer is satisfied that a candidate has died is the day on which the casual vacancy is deemed to have occurred; accordingly, the timetable in rule 1(3) shall apply to the fresh proceedings except that no fresh nomination shall be necessary in the case of a person shown in the statement of persons nominated as standing nominated.
- [^{F66}(1A) Neither the countermand of the poll at the local election nor the direction that that poll be abandoned affects the poll at the parliamentary election.]
- [^{F66}(2) If the poll at the local election is abandoned because of a candidate's death—
- (a) no further ballot papers at that election must be delivered in any polling station;
 - (b) at the close of the poll for the parliamentary election the presiding officer must comply with the requirements of rule 41 (as amended by the Schedule to the Elections Act 2001) as if the poll at the local election had not been abandoned;

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- (c) the returning officer must dispose of ballot papers used at the local election and other documents in his possession as he is required to do on the completion in due course of the counting of the votes,

but this is subject to paragraph (2A).

(2A) In a case falling within paragraph (2)—

- (a) a ballot paper account for the local election need not be prepared or verified;
- (b) the returning officer, having separated the ballot papers relating to the parliamentary election, must take no step or further step for the counting of the ballot papers used at the local election or of the votes;
- (c) the returning officer must seal up all of those ballot papers whether the votes on them have been counted or not;
- (d) it is not necessary to seal up counted and rejected ballot papers in separate packets.]

(3) The provisions of these rules as to the inspection, production, retention and destruction of ballot papers and other documents relating to a poll at an election apply to any such documents relating to a poll abandoned by reason of a candidate's death with the following modifications—

- (a) ballot papers on which the votes were neither counted nor rejected shall be treated as counted ballot papers; and
- (b) no order shall be made for the production or inspection of any ballot papers or for the opening of a sealed packet of counterfoils or certificates as to employment on duty on the day of the poll unless the order is made by a court with reference to a prosecution.

F66 2001 c. 7

APPENDIX OF FORMS

1. Form of nomination paper(rule 5)

ELECTION OF DISTRICT COUNCILLORS

District of

District Electoral Area

Day of election

We, the undersigned, being electors in the above-mentioned district electoral area do hereby nominate the under-mentioned person as candidate at this election.

Candidate's surname	Other names in full	Description	Home Address in full
#	#	#	#

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Signatures**Electoral Number (See Note 3)**

Proposer

Seconder

We, the undersigned, being electors for the
above-mentioned district electoral area do
hereby assent to the foregoing nomination.

1

2

3

4

5

6

7

8

NOTES

1. The attention of candidates and electors is drawn to the rules for filling up nomination papers and other provisions relating to nomination contained in the local elections rules in Schedule 5 to the Electoral Law Act (Northern Ireland) 1962, as substituted by Schedule 1 to the Local Elections (Northern Ireland) Order 1985 and, in particular, to the need for a candidate to consent to his nomination.

2. Where the candidate is commonly known by some title he may be described by his title as if it were his surname.

Note 3 rep. by SI 2001/417

4. An elector must not sign more nomination papers for the district electoral area than there are vacancies to be filled.

5. A person whose name is entered in the register^{F67} . . . may not subscribe a nomination paper if the entry gives as the date on which he will become of voting age a date later than the day fixed for the poll.

F67 SI 2001/417

2. Candidate's consent to nomination(rule 7)**ELECTION OF DISTRICT COUNCILLORS**

I (*name in full*)

of (*home address in full*)

hereby consent to my nomination as a candidate for election as councillor for
the..... district electoral area in the district of

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I declare that I have attained the age of 21 years and that I am a Commonwealth citizen or^{F68}, citizen of the Republic of Ireland or a citizen of another Member State of the European Community] and—

F68 SI 1995/1948

**Delete whichever is inappropriate*

* (a) I am a local elector for the district of the council; or

* (b) during the whole of the period of twelve months preceding the day of the poll:—

.....* (i) I have occupied as owner or tenant land in that district, or

.....* (ii) resided in that district; or

* (c) my principal or only place of work during that twelve months has been in that district.

I further declare that to the best of my knowledge and belief I am not disqualified for being elected by reason of any disqualification contained in section 4 of the Local Government Act (Northern Ireland) 1972, a copy of which is printed overleaf.

[^{F69}I declare that, if elected, I will not by word or deed express support for or approval of—

F69 1989 c. 3

(a) any organisation that is for the time being a proscribed organisation specified in Schedule 2 to the Northern Ireland (Emergency Provisions) Act 1978; or

(b) acts of terrorism (that is to say, violence for political ends) connected with the affairs of Northern Ireland.]

Signed

Date

Signed in my presence

Signature of witness

Name and address.....






of witness (in.....

CAPITAL LETTERS).....

3. ^{F70}Ballot paper(rule 16)

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Electoral Law Act (Northern Ireland) 1962. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

F70 Sch. 5 Appendix of Forms: words in the Form of Front of Ballot Paper repealed (1.7.2008) by Electoral Administration Act 2006 (c. 22), ss. 47, 74(2), 77(2), Sch. 1 para. 61(2), **Sch. 2**; S.I. 2008/1316, **arts. 2(3), 5(f)(iii)(g)(i)**

Form of front of ballot paper	
Mark order of preference in space below	
	 <p>BLACK (Joseph Black of 5 Down Street, Bangor, Co. Down. Democratic Unionist Party)</p>
	<p>BROWN (RUPERT BROWN of 9 Mourne View, Donaghadee, Co. Down Independent)</p>
	 <p>BROWN (VERONICA BROWN of 8 Magilligan Drive, Portaferry, Co. Down. SDLP (Social Democratic and Labour Party))</p>
	 <p>GOLD (John Gold of 29 Gifford Place, Millisle, Co. Down. Sinn Féin)</p>
	<p>HAZEL (Horace Hazel of Glen Cottage, Banbridge, Co. Down. Independent)</p>
	 <p>LIME (Harry Lime of 7 Gortin Mansions, Dromara, Co. Down. Ulster Unionist Party)</p>
	<p>PLUM (Peter Plum of 3 Strangford Road, Killinchy, Co. Down. Independent)</p>
	 <p>ROSE (Ruth Rose of 41 Devenish Drive, Ballynahinch, Co. Down. United Kingdom Unionist Party)</p>
	<p>SILVER (Anthony Silver of 3 Mourne View, Bangor, Co. Down. Independent)</p>
	<p>WRIGHT (Frank Wright of 11 Moira Terrace, Newry, Co. Down. Independent)</p>

Form of back of ballot paper

No.

Election for
the.....district
electoral area.

4. Directions as to printing the ballot paper(rule 16)

- Nothing is to be printed on the ballot paper except in accordance with these directions.
- The following arrangements shall be observed in the printing of the front of the ballot paper—

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(a) apart from the instructions Mark order of preference in space below in the top left-hand corner no other word or words shall be printed on the ballot paper except the particulars of the candidates^[F71] and words forming part of emblems];

F71 SI 2001/417

(b) no rule shall be printed on the face except the horizontal rules separating the particulars of the candidate from one another and the vertical rule separating those particulars^[F71] and emblems] from the spaces on the left side of the paper where the order of preferences is to be marked;

(c) the whole space between the top and the bottom of the paper shall be equally divided between the candidates by the rules separating their particulars.

3.

(a) The front of the ballot paper shall contain the names, addresses, occupations and descriptions, if any, of the candidates standing nominated. The names shall be arranged alphabetically in the order of surnames, or if there are two or more candidates having the same surname, in alphabetical order of their other names, or if their other names are the same, in the alphabetical order of their home addresses or descriptions;

(b) the surname of each candidate and his political description (if given) shall be printed in large capitals, and his full name, address and profession, rank or calling (if given) shall be printed underneath in ordinary type; (and for the purposes of this direction a political description shall include a description such as independent);

(c) where the surnames of two or more candidates are the same there shall also be printed in large capitals the other names of such candidates and if those are the same so much of the descriptions or home addresses of such candidates as will enable the electors to distinguish between them;

(d) the list of candidates shall be arranged either in one continuous column or in two or more columns in such manner (without departing from the alphabetical order) as, in the opinion of the returning officer, is best for marking and counting;

F72

F72 Sch. 5 Appendix of Forms: para. 3(e) in the Directions as to printing the ballot paper repealed (1.7.2008) by Electoral Administration Act 2006 (c. 22), ss. 47, 74(2), 77(2), Sch. 1 para. 61(3), Sch. 2; S.I. 2008/1316, arts. 2(3), 5(f)(iii)(g)(i)

^[F71](3A) Where an emblem is to be printed against a candidate's particulars—

- (a) it shall be printed between the candidate's particulars and the vertical rule separating the candidates' particulars from the spaces where the vote is to be marked, and
- (b) its size as printed shall not exceed two centimetres square.]

4. Any reference in these directions to the particulars of a candidate are a reference to those particulars as given in the statement of persons nominated.

5. Declaration of identity(rule 21)

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FRONT OF FORM

ELECTION OF DISTRICT COUNCILLORS

DECLARATION BY VOTER

F73
...

F73 Sch. 5 Appendix of Forms: words in the Declaration of identity Front of form repealed (1.7.2008) by Electoral Administration Act 2006 (c. 22), ss. 47, 74(2), 77(2), Sch. 1 para. 61(4), Sch. 2; S.I. 2008/1316, arts. 2(3), 5(f)(iii)(g)(i)

I hereby declare that I am the person to whom the ballot paper numbered above was sent.

[^{F74}Except where the voter is a proxy:

F74 SI 2002/2835

F74 SI 2002/2835

My date of birth is.....

F74 SI 2002/2835

Voter's signature

[^{F74}Voter's signature

CERTIFICATION BY WITNESS

The voter who is personally known to me has signed this declaration in my presence.

Witness's signature.....Date.....

Name of Witness

[^{F75}(WRITE CLEARLY)

F75 SI 1990/595

F75 SI 1990/595

Address

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[^{F75}(WRITE CLEARLY)]

F75 SI 1990/595

SEE INSTRUCTIONS ON THE BACK OF THIS FORM

BACK OF FORM

INSTRUCTIONS TO THE VOTER

1. You should place the figure 1 opposite the name of the candidate for whom you wish to vote and in addition you may, if you wish, place the figure 2 opposite the name of the candidate of your second choice, the figure 3 opposite the name of the candidate of your third choice and so on in the order of your preference. You may indicate by figures as many or as few preferences as you wish.
2. The figure or figures should be placed in the spaces provided at the left-hand side of the paper opposite the name of the candidate for whom you intend it.
3. In no circumstances write anything else on the paper; if you do your vote may be invalid.
4. Immediately after voting you must place the marked ballot paper in the enclosed small envelope on which are printed the words Ballot paper envelope and seal it.
5. Then take the sealed ballot paper envelope and the voter's declaration to another elector as a witness and sign the declaration in his presence. He should then certify your signature on the declaration by signing the certification, adding his name and address. Without this, the declaration will be invalid.
6. Enclose the signed and witnessed declaration and the sealed ballot paper envelope in the larger enclosed envelope addressed to the returning officer and despatch it by post without delay. Unless you return the ballot paper at once it may be received by the returning officer too late to be counted.
7. If you receive more than one ballot paper it must be remembered that you can vote only once on your own behalf at this election.

Paras. 8, 9 omitted by SI 1990/595

[^{F76}8.] If you inadvertently spoil your postal ballot paper, you can apply to the returning officer for another one. With your application you must return (in a fresh envelope) the spoiled ballot paper, the declaration of identity and the envelope sent to you with your ballot paper. Remember that there is little time available if a fresh ballot paper is to be issued to you for completion and return before the close of the poll.

F76 SI 1990/595

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Electoral Law Act (Northern Ireland) 1962. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

[^{F77}5A. **Declaration of identity (combined polls)**(rule 21) (for use when a parliamentary poll is combined with a local poll)]

F77 2001 c. 7

FRONT OF FORM

ELECTION OF DISTRICT COUNCILLORS

DECLARATION OF IDENTITY

To be returned with the [*insert colour of ballot paper*] coloured ballot paper No .

I hereby declare that I am the person to whom the [*insert colour of ballot paper*] coloured ballot paper numbered as above was sent.

Voter's signature

The voter, who is personally known to me, has signed this declaration in my presence.

Witness's signature

Name of witness (WRITE CLEARLY)

Address of witness (WRITE CLEARLY)

SEE INSTRUCTIONS ON THE BACK OF THIS FORM

BACK OF FORM

INSTRUCTIONS TO THE VOTER

1. You must sign this declaration of identity in the presence of a person known to you. *You are required to do this even if you have already signed a similar declaration of identity in respect of another election to be held on the same day.* That person should then sign this declaration as a witness, adding his or her name and address. Without this the declaration will be invalid.
2. You should place the figure 1 opposite the name of the candidate for whom you wish to vote and in addition you may, if you wish, place the figure 2 opposite the name of the candidate of your second choice, the figure 3 opposite the name of the candidate of your third choice and so on in the order of your preference. You may indicate by figures as many or as few preferences as you wish.

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3. The figure or figures should be placed in the spaces provided at the left-hand side of the paper opposite the name of the candidate for whom you intend it. Do this secretly. If you cannot vote without assistance, the person assisting you must not disclose how you have voted.

4. In no circumstances write anything else on the paper; if you do your vote may be invalid.

5. Different colours are used for the ballot papers for each election. Each ballot paper has its own ballot paper envelope (the smaller envelope marked A), declaration of identity and covering envelope (the larger envelope marked B). The covering envelope and declaration of identity for a particular ballot paper are those which refer to the colour of that ballot paper. It is important that you use the correct envelopes and declaration of identity, otherwise your vote may not be counted. You may find it helpful to sort the documents into separate sets, each consisting of a ballot paper, ballot paper envelope, declaration of identity and covering envelope. Then proceed as follows—

(a) place each ballot paper in the correct smaller envelope and seal it;

(b) put that envelope, together with the correct declaration of identity, in the correct covering envelope and seal it;

(c) return the covering envelopes without delay. Ballot papers must be received by the returning officer not later than the close of poll.

6. If you receive more than one ballot paper, remember that it is illegal to vote more than once (otherwise than as proxy) at the *same election*. You are entitled to vote at different elections which are held on the same day.

7. At this election you cannot vote in person at a polling station, even if you receive an official poll card.

8. If you inadvertently spoil your ballot paper, you can apply to the returning officer for another one. With your application you must return, in your own envelope, the spoiled ballot paper, the declaration of identity and the envelopes marked A and B. Remember that there is little time available if a fresh postal ballot paper is to be issued and counted.

6. Elector's official poll cardrule 25

FRONT OF CARD

..... District Council	OFFICIAL POLL CARD
..... District electoral area	Name
Polling day	Number on register
Polling hours 7 a.m. to 10 p.m.	Address

Your polling station is at	

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VOTING INSTRUCTIONS Mark your vote secretly by placing in the square provided on the left-hand side of the paper the figure 1 opposite the name of the candidate for whom you wish to vote and, if you wish, the figure 2 opposite the name of the candidate of your second choice and so on in the order of your preference.

IMPORTANT—PLEASE READ NOTES ON BACK OF THIS CARD

BACK OF CARD

THE LAW PREVENTS YOU BEING GIVEN A BALLOT PAPER UNLESS YOU PRODUCE ONE OF THE FOLLOWING DOCUMENTS:—

(a) a *current* Northern Ireland or Great Britain full driving licence^{F78} or a Northern Ireland provisional licence];

(b) a *current* United Kingdom or Republic of Ireland passport (including a U.K. Visitor's passport);

(c) a *current* book for the payment of allowances, benefits or pensions issued by the Dept. of Health and Social Services for Northern Ireland;

(d) a medical card issued by the Northern Ireland Central Services Agency;

^{F78}(e) a *current* British seaman's card;]

^{F78}(f) a card made of plastic issued by the Department of Health and Social Security or the Department of Social Security with a name and national insurance number embossed on it;]

^{F78}(g)] in the case ONLY of a woman married within 2 years of polling day, a certified copy or extract of an entry of marriage issued by a Registrar General in the U.K.

Issued by the Returning Officer

F78 SI 1991/1715

7. Proxy's official poll card(rule 25)

FRONT OF CARD

.....District Council	PROXY'S OFFICIAL POLL CARD
.....District electoral area	Proxy's name
Polling day	Proxy's address
Polling hours 7 a.m. to 10 p.m.
Elector's polling station is	Elector's name

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Electoral Law Act (Northern Ireland) 1962. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

at Elector's number on
register
..... Elector's
address
.....

INSTRUCTIONS To vote as proxy for the elector named above you must go to the polling station named above. Tell the clerk you wish to vote as proxy and give the name, number and address of elector as given above. The method of voting as proxy is the same as voting as an elector. The person who appointed you as his proxy may vote himself if he votes before you.

IMPORTANT: YOU MUST IDENTIFY *YOURSELF* BY ONE OF THE DOCUMENTS SET OUT ON THE BACK OF THIS CARD.

The back of the card is the same as the back of an elector's official poll card set out in Form 6 above.

8. Form of directions for the guidance of voters in voting(rule 26)

DIRECTIONS FOR THE GUIDANCE OF THE VOTER IN VOTING

F79 . . .

F79 Sch. 5 Appendix of Forms: para. 1 in the Directions for the guidance of voters in voting repealed (1.7.2008) by Electoral Administration Act 2006 (c. 22), ss. 47, 74(2), 77(2), Sch. 1 para. 61(5)(a), Sch. 2; S.I. 2008/1316, arts. 2(3), 5(f)(iii)(g)(i)

2. Go into one of the voting compartments provided. Look at the ballot paper carefully and then record your vote by placing, in the spaces provided at the left-hand side of the paper, the figure 1 opposite the name of the candidate of your first choice and then proceed if you wish by placing the figure 2 opposite the name of the candidate of your second choice; and the figure 3 opposite the name of the candidate of your third choice and so on. You may indicate as many or as few preferences as you wish.

3. In no circumstances write anything else on the ballot paper, if you do your vote may be invalid.

4. To ensure that a ballot paper is a valid vote you must, at least, place the figure 1 opposite the name of the candidate of your first choice. If you fail to place the figure 1 on the ballot paper, or place the figure 1 and some other figure opposite the name of the same candidate, or place any mark or writing on the ballot paper by which you may be identified, your ballot paper will be invalid and your vote will not be counted.

5. If by accident you damage or spoil your paper or if you mark it in such a way that it may be rejected as spoilt, or if you place a wrong mark on it or mark it inadvertently in a wrong place, then take the paper back to the presiding officer, tell him what has happened and ask him for a fresh ballot paper.

6. When you have marked your ballot paper, fold it so that the front of it is hidden and, F80 . . . , put it into the ballot box.

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F80 Sch. 5 Appendix of Forms: words in para. 6 in the Directions for the guidance of voters in voting repealed (1.7.2008) by Electoral Administration Act 2006 (c. 22), ss. 47, 74(2), 77(2), Sch. 1 para. 61(5)(b), Sch. 2; S.I. 2008/1316, arts. 2(3), 5(f)(iii)(g)(i)

7. You must neither take your ballot paper out of the polling station nor put any other paper into a ballot box. To do so is a serious offence.

8. When you have voted leave the polling station at once.

9. Form of certificate of employment(rule 29(3))

Local government election

..... district electoral area

I certify that [name]

who is numbered in the register of electors used at this district council election in the district electoral area named above is likely to be unable to go in person to the polling station allotted to him by reason of the particular circumstances of his employment on that date

**Delete whichever is inappropriate*

* (a) as a constable;

Para. (b) omitted by SI 1987/168

* (c) by me for a purpose connected with the election.

#Signature

#*Police officer (Chief Inspector or above)

#*Major or above

#*Returning officer

>Date

Note.—The person named above is entitled to vote at any polling station in the above district electoral area on production and surrender of this certificate to the presiding officer.

10. Form of declaration to be made by the companion of a [^{F81}voter with disabilities](rule 36(6))

F81 SI 2001/417

I, A.B. of, having been requested to assist C.D. (in the case of a [^{F81}voter with disabilities] voting as proxy add voting as proxy for M.N.) whose number on the register is ##, to record his vote at the election now being held in this district electoral area

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hereby declare that [I am entitled to vote as an elector at the said election] [I am the *## of the said voter and have attained the age of 18 years] and that I have not previously assisted any^[F81] voter with disabilities] [except E.F. of] to vote at the said election.

*state relationship of companion to voter.

(Signed) A.B.,

.....day of.....19.....

I, the undersigned, being the presiding officer for the polling station for the district electoral area, hereby certify that the above declaration, having been first read to the above-named declarant, was signed by the declarant in my presence.

(Signed G.H.)

.....day of
.....19.....

minutes past.....o'clock [a.m.] [p.m.]

NOTE:

[^{F81}1.] If the person making the above declaration knowingly and wilfully makes therein a statement false in a material particular, he will be guilty of an offence.

[^{F81}2.] A voter with disabilities is a voter who has made a declaration under the elections rules that he is so incapacitated by his blindness or other [^{F82}disability] , or by his inability to read, as to be unable to vote without assistance.

F82 Sch. 5 Appendix of Forms: words in Note number 2 to the Form of declaration to be made by the companion of a voter with disabilities substituted (1.7.2008) by Electoral Administration Act 2006 (c. 22), ss. 47, 77(2), Sch. 1 para. 68; S.I. 2008/1316, art. 2(3), 5(f)(iii)

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to Electoral Law Act (Northern Ireland) 1962. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Sch. 5 Appendix Form 5A amendment to earlier affecting provision 2001 c. 7, Sch. para. 29(2) by [S.I. 2020/635 art. 11](#)
- Sch. 5 Appendix Form 5ZA amendment to earlier affecting provision S.I. 2013/3156, Sch. para. 23(1)(c) by [S.I. 2020/635 art. 12](#)
- Sch. 5 amendment to earlier affecting provision SI 2013/3156 Sch. by [S.I. 2014/1116 art. 10\(2\)](#)
- Sch. 5 modified by [S.I. 2013/3156 art. 10\(1\)](#)Sch.
- Sch. 5 Appendix Form 1 replaced by [S.I. 2020/635 Sch. 1](#)
- Sch. 5 Appendix Form 2 replaced by [S.I. 2020/635 Sch. 2](#)
- Sch. 5 Appendix Form 3 replaced by [S.I. 2020/635 Sch. 3](#)
- Sch. 5 Appendix Form 4 replaced by [S.I. 2020/635 Sch. 4](#)
- Sch. 5 Appendix of Forms Note 3 substituted by [2022 c. 37 Sch. 6 para. 21](#)
- Sch. 5 Form 6 substituted by [S.I. 2023/1083 Sch. 1](#)
- Sch. 5 Form 7 substituted by [S.I. 2023/1083 Sch. 2](#)
- Sch. 5 Appendix Form 2 words inserted by [2022 c. 37 Sch. 10 para. 1\(3\)](#)
- Sch. 5 Appendix of Forms words substituted by [2022 c. 37 Sch. 8 para. 7](#)
- Sch. 5 Appendix Form 5 words substituted by [S.I. 2020/635 art. 9\(e\)](#)
- Sch. 5 Appendix Form 6 words substituted by [S.I. 2020/635 art. 9\(e\)](#)
- Sch. 5 Appendix Form 6A words substituted by [S.I. 2020/635 art. 9\(e\)](#)
- Sch. 5 Appendix Form 7 words substituted by [S.I. 2020/635 art. 9\(e\)](#)
- Sch. 5 Appendix Form 7A words substituted by [S.I. 2020/635 art. 9\(e\)](#)
- Sch. 5 Appendix Form 9 words substituted by [S.I. 2020/635 art. 9\(e\)](#)
- Sch. 5 Appendix Form 10 words substituted by [S.I. 2020/635 art. 9\(e\)](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act applied by [2022 c. 37 Sch. 11 para. 5\(3\)](#)
- Act applied (with modifications) by [S.I. 2013/3156 art. 4](#)
- Act modified by [S.I. 2013/3156 art. 8](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 11(1A)(aa) inserted by [S.I. 2023/290 art. 2\(2\)](#)
- s. 11(4AA)-(4AC) inserted by [S.I. 2010/1178 art. 2\(4\)](#)
- s. 11A-11K inserted by [S.I. 2010/1178 art. 3](#)
- s. 14A(2A) inserted by [S.I. 2010/2977 Sch. 1 para. 2](#)
- s. 34(4A) inserted by [S.I. 2010/2977 Sch. 1 para. 4](#)
- s. 37A inserted by [S.I. 2010/2977 Sch. 1 para. 5](#)
- s. 39(3)(ca) inserted by [2022 c. 37 s. 22\(2\)](#)
- s. 40(1A) inserted by [S.I. 2010/2977 Sch. 1 para. 8\(2\)](#)
- s. 40A inserted by [S.I. 2010/2977 Sch. 1 para. 9](#)
- s. 41(1A) inserted by [S.I. 2010/2977 Sch. 1 para. 10\(3\)](#)
- s. 42(1ZA)(1ZB) inserted by [S.I. 2010/2977 Sch. 1 para. 11\(4\)](#)
- s. 42(1ZC) inserted by [S.I. 2019/564 art. 2](#)
- s. 42(7) inserted by [S.I. 2010/2977 Sch. 1 para. 11\(6\)](#)
- s. 46(3)(ca) inserted by [S.I. 2019/564 art. 3](#)
- s. 52A52B inserted by [S.I. 2010/2977 Sch. 1 para. 16](#)
- s. 52B(1A) inserted by [2022 c. 37 s. 20\(7\)](#)
- s. 57A inserted by [S.I. 2010/2977 Sch. 1 para. 18](#)
- s. 79(1A) inserted by [S.I. 2014/1116 art. 6\(2\)](#)

- s. 96(3A)(b) word omitted by 2022 c. 37 Sch. 6 para. 2(a)
- s. 96(3A)(ba) inserted by 2022 c. 37 Sch. 6 para. 2(b)
- s. 105(9) inserted by 2023 c. 32 Sch. 1 para. 1(2)
- s. 106(1A) inserted by 2023 c. 32 Sch. 1 para. 1(3)
- s. 108(5) inserted by 2023 c. 32 Sch. 1 para. 1(4)
- s. 111(2A)(ca) inserted by 2023 c. 12 s. 2(1)(a)
- s. 111(2B) inserted by 2023 c. 32 Sch. 1 para. 1(5)
- s. 112(1A)(b) word omitted by 2022 c. 37 Sch. 6 para. 4(a)
- s. 112(1A)(ba) inserted by 2022 c. 37 Sch. 6 para. 4(b)
- s. 112(3) repealed by 2010 c. 23 Sch. 2
- s. 118(4) inserted by 2023 c. 32 Sch. 1 para. 1(7)
- s. 122A inserted by S.I. 2010/2977 Sch. 1 para. 41
- s. 130(3)-(3A) substituted for s. 130(3) by S.I. 2010/2977 Sch. 1 para. 43(3)
- Sch. 9 para. 25(1) Sch. 9 para. 25 renumbered as Sch. 9 para. 25(1) by S.I. 2010/2977 Sch. 1 para. 37
- Sch. 9 para. 5ZA and cross-heading inserted by 2022 c. 37 Sch. 6 para. 25
- Sch. 9 para. 12A(1A) inserted by 2022 c. 37 Sch. 6 para. 26(2)
- Sch. 9 para. 12A(6A) inserted by 2022 c. 37 Sch. 6 para. 26(5)
- Sch. 9 para. 27(3A)-(3F) inserted by 2022 c. 37 Sch. 6 para. 27(3)
- Sch. 9 para. 27(5)(6) inserted by 2022 c. 37 Sch. 6 para. 27(4)
- Sch. 9 para. 26A inserted by 2023 c. 12 s. 2(1)(b)
- Sch. 9 para. 4A inserted by S.I. 2010/2977 Sch. 1 para. 30
- Sch. 9 para. 5A(1)(c) and word inserted by S.I. 2010/2977 Sch. 1 para. 31(2)
- Sch. 9 para. 5A(2)(3) inserted by S.I. 2010/2977 Sch. 1 para. 31(3)
- Sch. 9 para. 12A(7A) inserted by S.I. 2010/2977 Sch. 1 para. 32
- Sch. 9 para. 17A inserted by S.I. 2010/2977 Sch. 1 para. 35
- Sch. 9 para. 25(2)(3) inserted by S.I. 2010/2977 Sch. 1 para. 37
- Sch. 10 Form 4 omitted by S.I. 2010/2977 Sch. 1 para. 20(a)
- Sch. 9 para. 5A(1) para. 5A renumbered as para. 5A(1) by S.I. 2010/2977 Sch. 1 para. 31(1)
- Sch. 9 para. 5A(1)(b) word omitted by S.I. 2010/2977 Sch. 1 para. 31(2)
- Sch. 9 para. 32A(3)(4) words inserted by S.I. 2010/2977 Sch. 1 para. 39(3)
- Sch. 10 Form 5 words omitted by S.I. 2010/2977 Sch. 1 para. 20(b)
- Sch. 7 Appendix Form 7A substituted by S.I. 2015/566 art. 2(11)Sch. 7
- Sch. 8 Appendix Form 8 substituted by S.I. 2015/566 art. 2(12)Sch. 8
- Sch. 9 Appendix Form 9 substituted by S.I. 2015/566 art. 2(13)Sch. 9
- Sch. 10 Appendix Form 10 substituted by S.I. 2015/566 art. 2(14)Sch. 10
- Sch. 1 Appendix Form 3 substituted by S.I. 2015/566 art. 2(5)Sch. 1
- Sch. 2 Appendix Form 4 substituted by S.I. 2015/566 art. 2(6)Sch. 2
- Sch. 3 Appendix Form 5 substituted by S.I. 2015/566 art. 2(7)Sch. 3
- Sch. 3A para. 10(1) Sch. 3A para. 10 renumbered as Sch. 3A para. 10(1) by S.I. 2014/1116 art. 6(4)(a)
- Sch. 3A inserted by S.I. 2010/2977 Sch. 1 para. 19
- Sch. 3A para. 10(2) inserted by S.I. 2014/1116 art. 6(4)(a)
- Sch. 3A para. 11(c) words inserted by S.I. 2014/1116 art. 6(4)(b)
- Sch. 3B inserted by S.I. 2010/2977 Sch. 1 para. 19
- Sch. 3B para. 13 inserted by S.I. 2019/564 art. 4
- Sch. 4 Appendix Form 6 substituted by S.I. 2015/566 art. 2(8)Sch. 4
- Sch. 5 rule 26 amendment to earlier affecting provision 2001 c. 7 Sch. para. 19 by S.I. 2014/1116 art. 9(5)
- Sch. 5 form 5ZA amendment to earlier affecting provision SI 2013/3156 Sch. by S.I. 2014/1116 art. 10(4)
- Sch. 5 rule 59 applied (with modifications) by 2011 c. 1 Sch. 8 para. 50(7)(c)(8)
- Sch. 5 rule 16A(2) excluded by 2011 c. 1 Sch. 8 para. 7
- Sch. 5 rule 21(1) excluded by 2011 c. 1 Sch. 8 para. 10
- Sch. 5 rule 26(3ZC) excluded by 2011 c. 1 Sch. 8 para. 16
- Sch. 5 rule 26(4) excluded by 2011 c. 1 Sch. 8 para. 18
- Sch. 5 rule 34(1)(e) excluded by 2011 c. 1 Sch. 8 para. 22(4)

- Sch. 5 rule 36(5)(a) excluded by 2011 c. 1 Sch. 8 para. 25
- Sch. 5 rule 43(1) excluded by 2011 c. 1 Sch. 8 para. 35
- Sch. 5 rule 44 excluded by 2011 c. 1 Sch. 8 para. 35
- Sch. 5 rule 45 excluded by 2011 c. 1 Sch. 8 para. 35
- Sch. 5 rule 64(1)-(6) excluded by 2011 c. 1 Sch. 8 para. 40
- Sch. 5 rule 21(1) excluded in part by 2011 c. 1 Sch. 8 para. 11
- Sch. 5 rule 16B and cross-heading inserted by 2022 c. 37 Sch. 6 para. 9
- Sch. 5 rule 22(5) inserted by 2022 c. 37 Sch. 6 para. 10
- Sch. 5 rule 26(3)(f) inserted by 2022 c. 37 Sch. 6 para. 12(2)
- Sch. 5 rule 26(3B)-(3E) inserted by 2022 c. 37 Sch. 6 para. 12(4)
- Sch. 5 rule 32(2A) inserted by 2022 c. 37 Sch. 6 para. 13(4)
- Sch. 5 rule 32(6) inserted by 2022 c. 37 Sch. 6 para. 13(6)
- Sch. 5 rule 34(2A) inserted by 2022 c. 37 Sch. 6 para. 14(3)
- Sch. 5 rule 34(5A)-(5C) inserted by 2022 c. 37 Sch. 6 para. 14(7)
- Sch. 5 rule 34(6)(ka) inserted by 2022 c. 37 Sch. 6 para. 14(8)(d)
- Sch. 5 rule 34(6)(m) inserted by 2022 c. 37 Sch. 6 para. 14(8)(e)
- Sch. 5 rule 34(6B)(6C) inserted by 2022 c. 37 Sch. 6 para. 14(9)
- Sch. 5 rule 41(1)(db) inserted by 2022 c. 37 Sch. 6 para. 19
- Sch. 5 rule 56A(1A) inserted by 2022 c. 37 Sch. 6 para. 20(3)
- Sch. 5 rule 10(2)(c) inserted by 2022 c. 37 Sch. 10 para. 1(2)
- Sch. 5 rule 5A(1A)-(1C) inserted by S.I. 2010/1178 art. 4(3)(a)
- Sch. 5 rule 5A(3)(c) inserted by S.I. 2010/1178 art. 4(3)(c)
- Sch. 5 rule 3A inserted by S.I. 2010/2977 Sch. 1 para. 47
- Sch. 5 rule 4(ca) inserted by S.I. 2010/2977 Sch. 1 para. 48
- Sch. 5 rule 5(2A) inserted by S.I. 2010/2977 Sch. 1 para. 49
- Sch. 5 rule 9(5) inserted by S.I. 2010/2977 Sch. 1 para. 50(3)
- Sch. 5 rule 12(2A)-(2C) inserted by S.I. 2010/2977 Sch. 1 para. 52(2)
- Sch. 5 rule 12(5)(6) inserted by S.I. 2010/2977 Sch. 1 para. 52(3)
- Sch. 5 rule 12A inserted by S.I. 2010/2977 Sch. 1 para. 53
- Sch. 5 rule 16(2C)(2D) inserted by S.I. 2010/2977 Sch. 1 para. 54(3)(b)
- Sch. 5 rule 16(4) inserted by S.I. 2010/2977 Sch. 1 para. 54(4)
- Sch. 5 rule 16A inserted by S.I. 2010/2977 Sch. 1 para. 55
- Sch. 5 rule 21(3)(4) inserted by S.I. 2010/2977 Sch. 1 para. 58
- Sch. 5 rule 26(3)(e) inserted by S.I. 2010/2977 Sch. 1 para. 60(4)
- Sch. 5 rule 26(3ZC)(3ZD)(3ZE) inserted by S.I. 2010/2977 Sch. 1 para. 60(5)
- Sch. 5 rule 27(1A) inserted by S.I. 2010/2977 Sch. 1 para. 61(3)
- Sch. 5 rule 32(5) inserted by S.I. 2010/2977 Sch. 1 para. 66
- Sch. 5 rule 34(6)(j)(k)(l) inserted by S.I. 2010/2977 Sch. 1 para. 68(4)(b)
- Sch. 5 rule 34(6A) inserted by S.I. 2010/2977 Sch. 1 para. 68(5)
- Sch. 5 rule 34A inserted by S.I. 2010/2977 Sch. 1 para. 69
- Sch. 5 rule 41(da) inserted by S.I. 2010/2977 Sch. 1 para. 70(3)
- Sch. 5 rule 58(1)(da) inserted by S.I. 2010/2977 Sch. 1 para. 75(b)
- Sch. 5 rule 34(1A) inserted by S.I. 2013/3156 art. 3(4)
- Sch. 5 rule 6(8) inserted by S.I. 2014/1116 art. 6(6)
- Sch. 5 rule 25(5)(6) inserted by S.I. 2014/1116 art. 6(8)(b)
- Sch. 5 rule 37(10) inserted by S.I. 2014/1116 art. 6(10)
- Sch. 5 rule 37A inserted by S.I. 2014/1116 art. 6(11)
- Sch. 5 rule 25(2A) inserted by S.I. 2014/1880 art. 3(2)(b)
- Sch. 5 rule 5(5)-(9) inserted by S.I. 2020/635 art. 3(b)
- Sch. 5 rule 9(6) inserted by S.I. 2020/635 art. 4(b)
- Sch. 5 rule 10(1)(aa) inserted by S.I. 2020/635 art. 5(a)(ii)
- Sch. 5 rule 12(2ZA)(2ZB) inserted by S.I. 2020/635 art. 6(b)
- Sch. 5 rule 12(3A)-(3E) inserted by S.I. 2020/635 art. 6(c)
- Sch. 5 rule 12(4A) inserted by S.I. 2020/635 art. 6(d)
- Sch. 5 rule 12A(2)(d) and word inserted by S.I. 2020/635 art. 7(b)(ii)
- Sch. 5 rule 56A inserted by S.I. 2020/635 art. 8
- Sch. 5 rule 37A(10A)(10B) inserted by 2001 c. 7 Sch. para. 24A (as inserted) by S.I. 2014/1116 art. 9(6)

- Sch. 5 rule 1 modified by [2011 c. 1 Sch. 8 para. 4](#)
- Sch. 5 rule 29(1) modified by [2011 c. 1 Sch. 8 para. 19\(3\)](#)
- Sch. 5 rule 32 modified by [2011 c. 1 Sch. 8 para. 20\(2\)](#)
- Sch. 5 rule 41(1) modified by [2011 c. 1 Sch. 8 para. 29\(3\)](#)
- Sch. 5 rule 58(1) modified by [2011 c. 1 Sch. 8 para. 38\(1\)](#)
- Sch. 5 rule 59 modified by [2011 c. 1 Sch. 8 para. 38\(2\)](#)
- Sch. 5 rule 59(7) modified by [2011 c. 1 Sch. 8 para. 38\(3\)](#)
- Sch. 5 rule 37A modified by SI 2013/3156 Sch. para. 13A (as inserted) by S.I. [2014/1116 art. 10\(3\)](#)
- Sch. 5 rule 26(5)-(10) omitted by [2022 c. 37 Sch. 6 para. 12\(5\)](#)
- Sch. 5 rule 16(2)(d) omitted by S.I. [2010/2977 Sch. 1 para. 54\(2\)](#)
- Sch. 5 rule 26(3)(b) omitted by S.I. [2010/2977 Sch. 1 para. 60\(3\)](#)
- Sch. 5 rule 34(1)(a) omitted by S.I. [2010/2977 Sch. 1 para. 68\(2\)](#)
- Sch. 5 rule 60(2)(3) omitted by S.I. [2010/2977 Sch. 1 para. 77\(4\)](#)
- Sch. 5 rule 5(2)(b) omitted by S.I. [2020/635 art. 3\(a\)\(ii\)](#)
- Sch. 5 rule 5(2A) substituted by [2022 c. 37 Sch. 6 para. 7](#)
- Sch. 5 rule 26(3A)(b) substituted by [2022 c. 37 Sch. 6 para. 12\(3\)](#)
- Sch. 5 rule 32(2) substituted by [2022 c. 37 Sch. 6 para. 13\(3\)](#)
- Sch. 5 rule 32(3) substituted by [2022 c. 37 Sch. 6 para. 13\(5\)](#)
- Sch. 5 rule 34 heading substituted by [2022 c. 37 Sch. 6 para. 14\(2\)](#)
- Sch. 5 rule 10(3)(3A) substituted by S.I. [2010/2977 Sch. 1 para. 51](#)
- Sch. 5 rule 33 substituted by S.I. [2010/2977 Sch. 1 para. 67](#)
- Sch. 5 rule 59(6) substituted by S.I. [2010/2977 Sch. 1 para. 76\(4\)](#)
- Sch. 5 rule 10(4)(4A) substituted for Sch. 5 rule 10(4) by S.I. [2020/635 art. 5\(c\)](#)
- Sch. 5 rule 61-64 substituted for Sch. 5 rule 61 by S.I. [2010/2977 Sch. 1 para. 78](#)
- Sch. 5 rule 5(2)(a) word inserted by S.I. [2020/635 art. 3\(a\)\(i\)](#)
- Sch. 5 rule 20(2) word omitted by S.I. [2010/2977 Sch. 1 para. 57](#)
- Sch. 5 rule 29(3)(a) word omitted by S.I. [2010/2977 Sch. 1 para. 63](#)
- Sch. 5 rule 34(6) word omitted by S.I. [2010/2977 Sch. 1 para. 68\(4\)\(a\)](#)
- Sch. 5 rule 12A(2)(b) word omitted by S.I. [2020/635 art. 7\(b\)\(i\)](#)
- Sch. 5 rule 27(2) word substituted by S.I. [2010/2977 Sch. 1 para. 61\(4\)](#)
- Sch. 5 rule 60(1) word substituted by S.I. [2010/2977 Sch. 1 para. 77\(3\)](#)
- Sch. 5 rule 26(6) word substituted by S.I. [2015/566 art. 2\(3\)\(a\)](#)
- Sch. 5 rule 26(7) word substituted by S.I. [2015/566 art. 2\(3\)\(b\)](#)
- Sch. 5 rule 26(8) word substituted by S.I. [2015/566 art. 2\(3\)\(c\)](#)
- Sch. 5 rule 32(1A) words inserted by [2022 c. 37 Sch. 6 para. 13\(2\)](#)
- Sch. 5 rule 34(4) words inserted by [2022 c. 37 Sch. 6 para. 14\(5\)\(a\)](#)
- Sch. 5 rule 34(4) words inserted by [2022 c. 37 Sch. 6 para. 14\(5\)\(b\)](#)
- Sch. 5 rule 34(5) words inserted by [2022 c. 37 Sch. 6 para. 14\(6\)](#)
- Sch. 5 rule 34(6)(j) words inserted by [2022 c. 37 Sch. 6 para. 14\(8\)\(b\)](#)
- Sch. 5 rule 34(6)(k) words inserted by [2022 c. 37 Sch. 6 para. 14\(8\)\(c\)](#)
- Sch. 5 rule 37(2) words inserted by [2022 c. 37 Sch. 6 para. 17\(b\)](#)
- Sch. 5 rule 38(2) words inserted by [2022 c. 37 Sch. 6 para. 18](#)
- Sch. 5 rule 56A heading words inserted by [2022 c. 37 Sch. 6 para. 20\(4\)](#)
- Sch. 5 Appendix of Forms Form 10 words inserted by [2022 c. 37 Sch. 6 para. 22\(b\)](#)
- Sch. 5 rule 5(3) words inserted by S.I. [2010/1178 art. 4\(2\)\(b\)](#)
- Sch. 5 rule 5A(2) words inserted by S.I. [2010/1178 art. 4\(3\)\(b\)](#)
- Sch. 5 rule 10(3A) words inserted by S.I. [2010/1178 art. 4\(4\)](#)
- Sch. 5 rule 9(1) words inserted by S.I. [2010/2977 Sch. 1 para. 50\(2\)](#)
- Sch. 5 rule 16(2A) words inserted by S.I. [2010/2977 Sch. 1 para. 54\(3\)\(a\)](#)
- Sch. 5 rule 20(2) words inserted by S.I. [2010/2977 Sch. 1 para. 57](#)
- Sch. 5 rule 25(1) words inserted by S.I. [2010/2977 Sch. 1 para. 59\(2\)](#)
- Sch. 5 rule 25(3) words inserted by S.I. [2010/2977 Sch. 1 para. 59\(3\)](#)
- Sch. 5 rule 26(2) words inserted by S.I. [2010/2977 Sch. 1 para. 60\(2\)](#)
- Sch. 5 rule 31 words inserted by S.I. [2010/2977 Sch. 1 para. 65](#)
- Sch. 5 rule 41(1)(a) words inserted by S.I. [2010/2977 Sch. 1 para. 70\(2\)](#)
- Sch. 5 rule 44(1)(b) words inserted by S.I. [2010/2977 Sch. 1 para. 71\(2\)](#)
- Sch. 5 rule 45(4) words inserted by S.I. [2010/2977 Sch. 1 para. 72](#)

- Sch. 5 rule 46(1)(d) words inserted by [S.I. 2010/2977 Sch. 1 para. 73](#)
- Sch. 5 rule 45(3) words inserted by [S.I. 2014/1116 art. 6\(12\)\(i\)](#)
- Sch. 5 rule 45(5) words inserted by [S.I. 2014/1116 art. 6\(12\)\(ii\)](#)
- Sch. 5 rule 57(2) words inserted by [S.I. 2014/1116 art. 6\(13\)](#)
- Sch. 5 rule 58(1)(c) words inserted by [S.I. 2014/1116 art. 6\(14\)](#)
- Sch. 5 rule 45(2A) words inserted by [S.I. 2018/699 reg. 4\(a\)](#)
- Sch. 5 rule 9(3) words inserted by [S.I. 2020/635 art. 4\(a\)](#)
- Sch. 5 rule 10(1) words inserted by [S.I. 2020/635 art. 5\(a\)\(i\)](#)
- Sch. 5 rule 10(3) words inserted by [S.I. 2020/635 art. 5\(b\)](#)
- Sch. 5 rule 12(2) words inserted by [S.I. 2020/635 art. 6\(a\)](#)
- Sch. 5 rule 12A(1) words inserted by [S.I. 2020/635 art. 7\(a\)](#)
- Sch. 5 rule 36(3) words omitted by [2022 c. 37 Sch. 6 para. 16\(4\)](#)
- Sch. 5 rule 5(3) words omitted by [S.I. 2010/1178 art. 4\(2\)\(a\)](#)
- Sch. 5 rule 27(4) words omitted by [S.I. 2010/2977 Sch. 1 para. 61\(5\)](#)
- Sch. 5 rule 30(2)(a) words omitted by [S.I. 2010/2977 Sch. 1 para. 64](#)
- Sch. 5 rule 34(6)(a) words omitted by [S.I. 2010/2977 Sch. 1 para. 68\(4\)\(c\)](#)
- Sch. 5 rule 41(1)(e) words omitted by [S.I. 2010/2977 Sch. 1 para. 70\(4\)](#)
- Sch. 5 rule 58(1)(d) words omitted by [S.I. 2010/2977 Sch. 1 para. 75\(a\)](#)
- Sch. 5 rule 60 heading words omitted by [S.I. 2010/2977 Sch. 1 para. 77\(2\)](#)
- Sch. 5 rule 25(1) words omitted by [S.I. 2014/1116 art. 6\(8\)\(a\)](#)
- Sch. 5 rule 25(2) words omitted by [S.I. 2014/1880 art. 3\(2\)\(a\)](#)
- Sch. 5 rule 16A(3) words repealed by [S.I. 2018/1310 Sch. 1 Pt. 1](#) (This S.I. is amended by [S.I. 2019/1389, reg. 2](#))
- Sch. 5 rule 12(2A) words substituted by [2022 c. 37 Sch. 6 para. 8\(a\)](#)
- Sch. 5 rule 12(2A) words substituted by [2022 c. 37 Sch. 6 para. 8\(b\)](#)
- Sch. 5 rule 23(3) words substituted by [2022 c. 37 Sch. 6 para. 11](#)
- Sch. 5 rule 34(3) words substituted by [2022 c. 37 Sch. 6 para. 14\(4\)](#)
- Sch. 5 rule 34(6) words substituted by [2022 c. 37 Sch. 6 para. 14\(8\)\(a\)](#)
- Sch. 5 rule 35(2) words substituted by [2022 c. 37 Sch. 6 para. 15](#)
- Sch. 5 rule 36(2)(b)(i) words substituted by [2022 c. 37 Sch. 6 para. 16\(2\)](#)
- Sch. 5 rule 36(2A) words substituted by [2022 c. 37 Sch. 6 para. 16\(3\)](#)
- Sch. 5 rule 37(2) words substituted by [2022 c. 37 Sch. 6 para. 17\(a\)](#)
- Sch. 5 rule 56A words substituted by [2022 c. 37 Sch. 6 para. 20\(2\)](#)
- Sch. 5 Appendix of Forms Form 10 words substituted by [2022 c. 37 Sch. 6 para. 22\(a\)](#)
- Sch. 5 rule 1(2) words substituted by [S.I. 2010/2977 Sch. 1 para. 45](#)
- Sch. 5 rule 1(3) words substituted by [S.I. 2010/2977 Sch. 1 para. 46](#)
- Sch. 5 rule 19(2) words substituted by [S.I. 2010/2977 Sch. 1 para. 56](#)
- Sch. 5 rule 27(1)(b) words substituted by [S.I. 2010/2977 Sch. 1 para. 61\(2\)](#)
- Sch. 5 rule 28(a) words substituted by [S.I. 2010/2977 Sch. 1 para. 62](#)
- Sch. 5 rule 34(1)(c) words substituted by [S.I. 2010/2977 Sch. 1 para. 68\(3\)](#)
- Sch. 5 rule 34(8)(c) words substituted by [S.I. 2010/2977 Sch. 1 para. 68\(6\)](#)
- Sch. 5 rule 41(2) words substituted by [S.I. 2010/2977 Sch. 1 para. 70\(5\)](#)
- Sch. 5 rule 44(2) words substituted by [S.I. 2010/2977 Sch. 1 para. 71\(3\)](#)
- Sch. 5 rule 57(2) words substituted by [S.I. 2010/2977 Sch. 1 para. 74](#)
- Sch. 5 rule 59(1)(b) words substituted by [S.I. 2010/2977 Sch. 1 para. 76\(2\)](#)
- Sch. 5 rule 59(2) words substituted by [S.I. 2010/2977 Sch. 1 para. 76\(3\)](#)
- Sch. 5 rule 59(7) words substituted by [S.I. 2010/2977 Sch. 1 para. 76\(5\)](#)
- Sch. 5 rule 21(1) words substituted by [S.I. 2014/1116 art. 6\(7\)](#)
- Sch. 5 rule 26(3)(c) words substituted by [S.I. 2014/1116 art. 6\(9\)](#)
- Sch. 5 rule 21(2) words substituted by [S.I. 2015/566 art. 2\(2\)](#)
- Sch. 5 rule 45(2A) words substituted by [S.I. 2018/699 reg. 4\(b\)](#)
- Sch. 5 rule 34(6)(b) words substituted by [S.I. 2022/47 reg. 2\(2\)](#)
- Sch. 5 Appendix of Forms amendment to earlier affecting provision 2001 c. 7 Sch. para. 29 by [S.I. 2014/1116 art. 9\(7\)](#)
- Sch. 5 Appendix of Forms form 5 asterisk and words inserted by [S.I. 2014/1116 art. 6\(16\)\(b\)](#)
- Sch. 5 Appendix of Forms form 5 asterisk inserted by [S.I. 2014/1116 art. 6\(16\)\(a\)](#)

- Sch. 5 Appendix of Forms Form 6A inserted by [S.I. 2014/1116 art. 6\(17\)](#)Sch
- Sch. 5 Appendix of Forms Form 7A inserted by [S.I. 2014/1116 art. 6\(18\)](#)Sch
- Sch. 5 Appendix of Forms substituted by [S.I. 2010/2977 Sch. 1 para. 79](#)
- Sch. 5 Appendix Form 6A substituted by [S.I. 2015/566 art. 2\(9\)](#)Sch. 5
- Sch. 5 Appendix of Forms form 5 words inserted by [S.I. 2014/1116 art. 6\(16\)\(c\)](#)
- Sch. 6 Appendix Form 7 substituted by [S.I. 2015/566 art. 2\(10\)](#)Sch. 6

Commencement Orders yet to be applied to the Electoral Law Act (Northern Ireland) 1962

Commencement Orders bringing legislation that affects this Act into force:

- [S.I. 2011/1418 art. 2](#) commences (2010 c. 23)
- [S.R. 2014/153 art. 3](#)Sch. 2 commences (2014 c. 8)
- [S.R. 2016/387 art. 2](#) commences (2015 c. 9 (N.I.))