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SCHEDULES

^{F1}SCHEDULE 5

LOCAL ELECTIONS RULES

F1 SI 1985/454

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 [^{F1}and other unique identifying mark] printed on the back;
 - (d) shall have attached a counterfoil with the same number [^{F2}and other unique identifying mark] printed [^{F3} on it].
- [^{F4}(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.]
- [^{F5}(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.]

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- (3) The order of the names in the ballot paper shall be the same as in the statement of persons nominated.

F1	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)
F2	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)
F3	SI 1987/168
F4	2001 c. 7
F5	SI 2001/417

The official mark

- 17 ^{F6}(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.
- ^{F7}(3) The returning officer may use a different official mark for different purposes at the same election.]

F6	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)
F7	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.

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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—
- (a) the situation of each polling station;
 - (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.
- [^{F8}(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.]

F8 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^{F9} shown in the absent voters list], a ballot paper and a declaration of identity in the^{F10} 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.

F9 SI 1987/168

F10 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.

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- (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.
- (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^{F11} 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.
- ^{F12}(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.

F11 SI 1987/168

F12 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;

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(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).

[^{F13}(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.

(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).]

[^{F14}(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.

[^{F15}(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.]

[^{F14}(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.]

F13 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)

F14 SI 2001/417

F15 2001 c. 7

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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.
- (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

- [^{F16}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

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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).]

F16 SI 1987/168

Admission to polling station

- 29 ^{F17}(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, ^{F18} . . . 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.

F17 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)

F18 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,

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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.
- (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 [^{F19}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 [^{F19}local] election?

[^{F20}(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?.]

[^{F21}(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?”;

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(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^{F20} in paragraph (1)] above shall, put the following additional question:—

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 ^{F19}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.

F19 2001 c. 7

F20 SI 2002/2835

F21 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—
- declares to the presiding officer that he has reasonable cause to believe that the applicant has committed an offence of personation, and
 - 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—
- the ballot paper shall be stamped with the official mark;
 - the number and name of the elector as stated in the copy of the register of electors shall be called out;
 - the number of the elector shall be marked on the counterfoil;

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- (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.

[^{F22}(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

- [^{F23}(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) [^{F23}Where in such a case it is a presiding officer who so decides,] he shall refuse to deliver a ballot paper to the voter.

[^{F23}(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:—

- [^{F24}(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 [^{F25}a Member State of the European Community;]

Subs.—paras. (c)—(g) rep. by SI 2003/1245

[^{F23}(h) a Senior SmartPass issued under the Northern Ireland Concessionary Fares Scheme for use from 1st May 2002;]

[^{F23}(i) a current electoral identity card issued under section 13C of the Representation of the People Act 1983]

[^{F24}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.

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- (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 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.
- [^{F26}(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.]

<p>F22 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)</p> <p>F23 SI 2002/2835</p> <p>F24 SI 2003/1245</p> <p>F25 SI 1995/1948</p> <p>F26 2001 c. 7</p>

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 [^{F27}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).

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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.

[^{F28}(4) The same list may be used for each election.

(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.]

[^{F29}(6) In this rule and in rule 36, reference to disability, in relation to voting, includes a short term inability to vote.]

[^{F30}(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”.]

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| F27 | 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) |
| F28 | 2001 c. 7 |
| F29 | 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) |
| F30 | 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

[^{F31}36 (1) If a voter makes an application to the presiding officer to be allowed, on the grounds of—

- (a) blindness or other [^{F32}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 [^{F33}other disability], or by his inability to read, as to be unable to vote without assistance.

(2) [^{F34}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 ^{F34}(2A) paragraph (1) as they apply in the case of a voter who applies under rule 34(1), but

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reading references to delivering a ballot paper as references to granting a voter's application.]

- (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 ^{F35}(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.
^{F36}(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.]

F31 SI 2001/417

F32 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)

F33 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)

F34 SI 2002/2835

F35 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)

F36 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

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- (b) a particular person named in the list of proxies as proxy for an elector and not^{F37} . . . entitled to vote by post as proxy,

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.

[^{F38}(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.]

[^{F39}(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

- [^{F40}(a)] [^{F40}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]

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[^{F40}(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).

(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.

[^{F41}(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).

[^{F42}(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.

F37 SI 1987/168

F38 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)

F39 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)

F40 SI 2002/2835

F41 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)

F42 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

- [^{F43}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.]

<p>F43 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)</p>
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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—
- the hours of polling on the day to which it is adjourned shall be the same as for the original day; and
 - 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—
- 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,
 - the unused and spoilt ballot papers placed together,
 - the tendered ballot papers,
 - the marked copies of the register of electors [^{F44}(including any marked copy notices issued under section 13BA(9) of the 1983 Act)] and of the list of proxies,
 - the counterfoils of the used ballot papers and the certificates as to employment on duty on the day of the poll,
 - the tendered votes list, the list of [^{F45}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^{[F46} “disability”] and unable to read, ^{[F47}the list maintained under rule 39A,]and the declarations made by the companions of^{[F45} 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.

- ^{[F48}(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^{[F48} 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.

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| <p>F44 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)</p> <p>F45 SI 2001/417</p> <p>F46 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)</p> <p>F47 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)</p> <p>F48 2001 c. 7</p> |
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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 45(2)(c) and word inserted by S.I. 2024/382 art. 9(2)(c)
- 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 45(2)(a) word omitted by S.I. 2024/382 art. 9(2)(b)
- 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 45(2)(a) words inserted by S.I. 2024/382 art. 9(2)(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. 3Sch. 2](#) commences (2014 c. 8)
- [S.R. 2016/387 art. 2](#) commences (2015 c. 9 (N.I.))