
Changes to legislation: There are currently no known outstanding effects for the Electoral Administration Act 2006, Cross Heading: Tendered votes in certain circumstances. (See end of Document for details)

SCHEDULES

SCHEDULE 1

AMENDMENTS

PART 5

CONDUCT OF ELECTIONS

Tendered votes in certain circumstances

- 63 (1) In rule 37 of Schedule 5 (tendered ballot papers) after paragraph (1) insert—
- “(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.”
- (2) After paragraph (1C) of that rule (inserted by sub-paragraph (1) above) insert—
- “(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)

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(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.”

64 In rule 32 of that Schedule (questions to be put to voters) after paragraph (1A) insert—

“(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?”.”

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