

Draft Order in Council laid before Parliament under section 38(5) of the Northern Ireland Constitution Act 1973 for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

1998 No.

NORTHERN IRELAND

**The Local Elections (Northern
Ireland) (Amendment) Order 1998**

Made - - - - 1998
Coming into force - - 1998

At the Court at , the day of 1998
Present,
The Queen's Most Excellent Majesty in Council

Whereas a draft of this Order has been approved by resolution of each House of Parliament;
Now, therefore, Her Majesty in exercise of the powers conferred by section 38(1)(a) and (4) of the Northern Ireland Constitution Act 1973(1), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

1.—(1) This Order may be cited as the Local Elections (Northern Ireland) (Amendment) Order 1998 and shall come into force on the fourteenth day after the day on which it is made.

(2) This Order extends to Northern Ireland only.

2. In paragraph 8 of Part I of Schedule 2 to the Local Elections (Northern Ireland) Order 1985 (additional requirements for applications in respect of a particular election)(2)—

- (a) in sub-paragraph (6)(a) for “eleventh” there shall be substituted “fourteenth”; and
- (b) in sub-paragraphs (5)(a) and (7)(a) after “address” there shall be inserted “, that he has seen the applicant in connection with the circumstances set out in sub-paragraph (1)”.

3. In paragraph 11(1), (2) and (5) of Part I of Schedule 2 to the Local Elections (Northern Ireland) Order 1985 (closing dates for applications)(3) for “eleventh” there shall be substituted “fourteenth”.

(1) 1973 c. 36.

(2) S.I.1985/168; Part I of Schedule 2 was substituted by S.I. 1987/168; sub-paragraphs (6) to (8) of paragraph 8 were inserted by S.I. 1990/595 and sub-paragraph (6)(a) was amended by S.I. 1997/867.

(3) Paragraph 11 was amended, so far as material, by S.I. 1997/867.

Clerk of the Privy Council

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends Part I of Schedule 2 to the Local Elections (Northern Ireland) Order 1985 and extends to Northern Ireland only. That Part provides for absent voting applications for local elections in Northern Ireland.

Paragraph 11 of that Part sets out the time by which applications relating to absent voting must be received by the registration officer in order to be effective at a particular election. Article 3 of this Order brings forward the deadline for most such applications from 5 p.m. on the eleventh working day before the day of the poll to 5 p.m. on the fourteenth working day. Article 2(a) makes a consequential amendment.

Sub-paragraphs (4) to (7) of paragraph 8 of Part I of Schedule 2 to the 1985 Order concern applications for an absent vote at a particular election which are made on grounds relating to health. Article 2(b) requires the person attesting such an application to state that he has seen the applicant in connection with the circumstances relating to the applicant's health on which the application is based.