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**Changes to legislation:** There are currently no known outstanding effects for the Parliamentary Voting System and Constituencies Act 2011, Cross Heading: Counting and separation of ballot papers. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 8

#### COMBINATION OF POLLS: NORTHERN IRELAND

##### PART 1

###### PROVISION ABOUT COMBINATION

###### COUNTING OF VOTES

###### *Counting and separation of ballot papers*

- 33 (1) As soon as practicable after the close of the poll the Chief Electoral Officer must—
- (a) in the presence of the counting agents, open the ballot boxes and count and record separately the number of ballot papers relating to the referendum and each relevant election;
  - (b) count the postal ballot papers that have been duly returned for the referendum and each relevant election and record separately the number relating to each;
  - (c) separate the ballot papers relating to the referendum and those relating to each relevant election.
- (2) A postal ballot paper is not to be taken to be duly returned unless—
- (a) it is returned in the proper envelope so as to reach the Chief Electoral 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, the declaration of identity states the elector's date of birth and the Chief Electoral Officer is satisfied that the date stated corresponds with the date supplied as the elector's date of birth in pursuance of section 10(4A)(b), 10A(1A)(b) or 13A(2A)(b) of the 1983 Act.
- (3) Unless section 10(4B), 10A(1B) or 13A(2B) of the 1983 Act applies, the declaration of identity referred to in sub-paragraph (2) is not to be taken to be duly signed unless the Chief Electoral Officer is satisfied that the signature on the declaration corresponds with the signature supplied as the elector's signature in pursuance of section 10(4A)(a), 10A(1A)(a) or 13A(2A)(a) of that Act.
- (4) The Chief Electoral Officer must not count any tendered ballot papers.
- (5) The Chief Electoral Officer, while counting and recording the number of ballot papers, must—
- (a) keep the ballot papers with their faces upwards, and
  - (b) take all proper precautions for preventing anyone from seeing the numbers or other unique identifying marks printed on the back of the papers.

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- (6) The Chief Electoral Officer must, in the presence of the referendum agents and the election agents for the relevant elections—
- (a) verify each ballot paper account by comparing it with the number of ballot papers recorded by the officer, and the unused and spoilt ballot papers in the officer's possession and the tendered votes list (opening and resealing the packets containing the unused and spoilt ballot papers and the tendered votes list);
  - (b) draw up a separate statement as to the result of the verification in relation to each poll.
- (7) An election agent for a relevant election may copy the statement relating to that relevant election.
- (8) A counting agent for the referendum present at the verification may copy the statement relating to the referendum.
- (9) Once the statement relating to the referendum is drawn up, the Chief Electoral Officer must inform the Chief Counting Officer of the contents of the statement.
- (10) If the Chief Electoral Officer has not begun to count the votes given on the ballot papers for a particular poll by the time the statements under sub-paragraph (6)(b) in relation to all the polls are prepared—
- (a) the ballot papers for that poll must be sealed into packets, each of which must be endorsed with a description of its contents, and
  - (b) the packets may not be opened until the Chief Electoral Officer begins dealing with the ballot papers in those packets under paragraph 34(1).

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