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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: Countermand or abandonment of poll. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 8

#### COMBINATION OF POLLS: NORTHERN IRELAND

##### PART 1

###### PROVISION ABOUT COMBINATION

###### DISPOSAL OF DOCUMENTS ETC

###### *Countermand or abandonment of poll*

- 40 (1) Where—
- (a) under rule 60 or 63 of the Assembly Elections Rules notice of the poll at an Assembly election is countermanded or it is directed that the poll be abandoned, or
  - (b) under rule 61 or 63 of the Local Elections Rules notice of the poll at a local election is countermanded or it is directed that the poll be abandoned,
- the countermand or direction does not affect the poll for the other election or the poll for the referendum.
- (2) If the poll for a relevant 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 other polls the presiding officer must comply with the requirements of rule 43 of the Assembly Elections Rules (where the abandoned poll was the poll for the Assembly election) or rule 41 of the Local Elections Rules (where the abandoned poll was the poll for the local election) as if the poll for the relevant election had not been abandoned;
  - (c) the Chief Electoral Officer must dispose of the ballot papers used at the abandoned election and other documents in the officer's possession as the officer would have been required to do on the completion of the counting of the votes.
- (3) In a case falling within sub-paragraph (2)—
- (a) a ballot paper account for the abandoned election need not be prepared or verified;
  - (b) the Chief Electoral Officer, having separated the ballot papers relating to the referendum and each relevant election, must take no further step for the counting of the ballot papers used at the abandoned election or for the counting of the votes;
  - (c) the Chief Electoral Officer must seal up the ballot papers used at the abandoned election whether the votes on them have been counted or not;

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- (d) it is not necessary to seal up counted and rejected ballot papers used at the abandoned election in separate packets.
- (4) This paragraph applies instead of—
- (a) rule 65(1) to (6) of the Assembly Elections Rules;
  - (b) rule 64(1) to (6) of the Local Elections Rules.

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