
Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

SCHEDULES.

SECOND SCHEDULE

PART III

PROVISIONS RELATING TO CONTESTED ELECTIONS.

THE POLL.

Requirement of Secrecy.

- 53 (1) Every returning officer and every officer, polling agent or counting agent authorised to attend at a polling station or at the counting of the votes shall before the opening of the poll, or in the case of an officer or agent appointed after the opening of the poll before acting as such officer or agent, make a declaration of secrecy in the form contained in Part V of this Schedule or in a form substantially to the like effect.
- (2) In the case of a returning officer, the declaration shall be made in the presence of a justice of the peace, and in the case of any other officer or of an agent, the declaration shall be made in the presence either of a justice of the peace or of the returning officer.
- (3) Save as aforesaid, no such returning officer, officer or agent shall be required as such to make any declaration or to take any oath on the occasion of an election.
- (4) Every returning officer and every candidate, officer, polling agent or counting agent in attendance at a polling station or at the counting of the votes shall maintain and aid in maintaining secrecy of the voting.
- (5) No person, being a returning officer or a candidate or officer appointed under this Part of this Schedule or polling agent or counting agent, shall—
- (a) except for some purpose authorised by law, communicate before the poll is closed to any person any information as to—
 - (i) the name or number on the register of any elector who has or has not applied for a ballot paper or voted at a polling station; or
 - (ii) the official mark; or
 - (b) ascertain or attempt to ascertain at the counting of the votes, the number on the back of any ballot paper; or
 - (c) communicate any information obtained at the counting of the votes as to the candidate for whom any vote is given on any particular ballot paper.
- (6) No person, whether or not such an officer, candidate, polling agent or counting agent as aforesaid, shall—
- (a) interfere with or attempt to interfere with an elector when recording his vote; or
 - (b) otherwise obtain or attempt to obtain in a polling station information as to the candidate for whom an elector in that place is about to vote or has voted; or

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (c) communicate at any time to any person any information obtained in a polling station as to the candidate for whom an elector in that station is about to vote or has voted or as to the number on the back of the ballot paper given to an elector at that station; or
 - (d) directly or indirectly induce an elector to display his ballot paper after he, has marked it so as to make known to any person the name of the candidate for or against whom he has so marked his vote.
- (7) No person having undertaken to assist a blind elector to vote shall communicate at any time to any person any information as to the candidate for whom that elector intends to vote or has voted or as to the number on the back of the ballot paper given for the use of that elector:
- 54 Any justice of the peace, any returning officer and any presiding officer may take any declaration authorised by this Part of this Schedule to be made before him.