

STATUTORY INSTRUMENTS

1986 No. 1091**REPRESENTATION OF THE PEOPLE****The Representation of the People
(Northern Ireland) Regulations 1986***Laid before Parliament in draft**Made - - - - - 26th June 1986**Coming into operation in accordance with Regulation 2*

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Whereas a draft of these Regulations has been approved by a resolution of each House of Parliament:

Now, therefore, in exercise of the powers conferred upon me by those provisions of the Representation of the People Act 1983(a) and the Representation of the People Act 1985(b) which are specified in Schedule 1 to these Regulations, I hereby make the following Regulations:—

PART I

GENERAL, INTERPRETATION AND MISCELLANEOUS

Citation and extent

1.— (1) These Regulations may be cited as the Representation of the People (Northern Ireland) Regulations 1986.

(2) These Regulations extend to Northern Ireland only.

Commencement

2. Those Regulations in:—

(a) 1983 c.2.
(b) 1985 c.50.

- (a) Parts I, II and III of these Regulations shall come into force when sections 1 to 4 of the Act of 1985 come into force; and
- (b) Parts IV and V of these Regulations shall come into force on the date when sections 6 to 9 and 11 of, and Schedule 2 to, the Act of 1985 come into force and shall have effect for the purposes of any election the poll at which is on or after that date.

Revocations

3.— (1) The Regulations in Parts II, III and VI, except Regulations 53, 56 and 60, of the Representation of the People (Northern Ireland) Regulations 1983(a) and the Representation of the People (Northern Ireland) (Amendment) Regulations 1985(b) are revoked on the coming into force of the Regulations in Parts I, II and III of these Regulations.

(2) The Regulations in Parts I, IV and V of the Representation of the People (Northern Ireland) Regulations 1983 and Regulations 53, 56 and 60 of those Regulations are revoked on the coming into force of the Regulations in Parts IV and V of these Regulations.

Interpretation

4.— (1) For the purposes of these Regulations, unless the context otherwise requires:—

“Act of 1962” means the Electoral Law Act (Northern Ireland) 1962(c);

“Act of 1978” means the European Assembly Elections Act 1978(d);

“Act of 1983” means the Representation of the People Act 1983;

“Act of 1985” means the Representation of the People Act 1985;

“Assembly constituency” means the constituency of Northern Ireland;

“Assembly election” has the same meaning as in section 27(1) of the Act of 1985;

“Assembly overseas elector” means a peer who has made an Assembly overseas elector’s declaration and is registered or is entitled to be registered as an elector at an Assembly election in pursuance of it;

“Assembly overseas elector’s declaration” means a declaration made in pursuance of section 2 of the Act of 1985 as applied by Regulation 14 of, and Schedule 3 to, these Regulations;

“available for inspection” means available for inspection during ordinary office hours;

“British Council employee” means a person employed by the British Council in a post outside the United Kingdom;

“candidate” means a person who is nominated as a candidate at the election, or is declared by himself or by others to be a candidate on or after

(a) S.I. 1983/436.

(b) S.I. 1986/105.

(c) 1962 c.14 (N.I.).

(d) 1978 c.10.

the day of the issue of the writ for the election, or after the dissolution or vacancy in consequence of which the writ was issued;

“constituency” means a parliamentary constituency;

“Crown servant” means a person who is employed in a post falling within the class or description set out in Regulation 15 below;

“data” and “data user” have the same meaning as in section 1 of the Data Protection Act 1984(a);

“elections rules” means the parliamentary elections rules in Schedule 1 to the Act of 1983;

“list of overseas electors” means the list prepared under Regulation 34 below;

“local elector” has the same meaning as in section 130(1) of the Act of 1962;

“overseas attesting officer” means an officer who is authorised by Regulation 24 below to attest overseas electors’ declarations;

“overseas elector” means a person who has made an overseas elector’s declaration and is registered or entitled to be registered as a parliamentary elector in pursuance of it;

“patient’s declaration” means a declaration made under section 7 of the Act of 1983 by a voluntary mental patient;

“polling district” has the same meaning as in section 130(1) of the Act of 1962;

“postal proxy” means a person entitled to vote by post as proxy at an election;

“register” means the register of electors;

“registration officer” means the electoral registration officer;

“service declaration” means a declaration made in accordance with section 15 of the Act of 1983; and

“voluntary mental patient” has the same meaning as in section 7(2) of the Act of 1983.

(2) A claim or objection includes a claim or objection that a letter or date should or should not be placed against a person’s name in the electors lists and register in accordance with Regulations 31(5) and 50 below as respects a letter and paragraph (a) of section 12(5) of the Act of 1983 and Regulations 32 and 33(5) below as respects a date.

(3) A reference in these Regulations to a form identified by means of a letter shall be construed as a reference to the form so identified in Schedule 2 to these Regulations.

Forms

5.— (1) The registration officer shall supply free of charge as many copies of forms for use in connection with:—

(a) Regulations 39, 40 and 58 below, and

(b) applications made under section 6, 7, 8 or 9 of the Act of 1985 and Part IV of these Regulations,

(a) 1984 c.35.

as appear to that officer reasonable in the circumstances to any person who satisfies that officer of his intention to use the forms in connection with an election.

(2) The forms set out in Schedule 2 to these Regulations or forms substantially to the like effect may be used with such variations as the circumstances may require.

Sending of applications, notices etc.

6.— (1) Any application, notice, claim or objection which is required by these Regulations to be made to the registration officer or returning officer shall be made in writing and sent by post or delivered to his office or to the address specified by him for the purpose.

(2) Where the registration officer or returning officer is required by these Regulations to notify any person, such notification shall be in writing and may be sent by post:—

- (a) in the case of a person other than a service voter, to the address provided by that person for the purpose of such notification or of any record or, if there is no such address, to the last known place of abode of that person;
- (b) in the case of a service voter, to any address provided by him for the purpose of such notification or of any record or to the address provided for the purpose by the appropriate Government department (as defined by section 59(3) of the Act of 1983) or, as the case may be, the British Council.

Publication of documents

7.— (1) Any failure to publish a document in accordance with these Regulations shall not invalidate the document, but this provision shall not relieve the registration officer from any penalty for such a failure.

(2) Where a document is made available for inspection, any person may make a copy of, or take extracts from, such document.

Misnomers

8. No misnomer or inaccurate description of any person or place in any notice or list required for the purposes of these Regulations shall affect the full operation of that document with respect to that person or place in any case where the description of the person or place is such as to be commonly understood.

Time

9.— (1) Where the day or last day of the time allowed by these Regulations for the doing of any thing falls on any of the days mentioned in paragraph (3) below, that time shall be extended until the next following day which is not one of those days.

(2) Subject to Regulation 69 below, in computing any period of not more than 7 days for the purposes of these Regulations any of the days mentioned in paragraph (3) below shall be disregarded.

(3) The days referred to in paragraphs (1) and (2) above are a Saturday, Sunday, Christmas Eve, Christmas Day, Maundy Thursday, Good Friday or a bank holiday.

In this paragraph 'bank holiday' means a day which is a bank holiday under the Banking and Financial Dealings Act 1971(a) in Northern Ireland.

Official poll card at parliamentary elections

10. At parliamentary elections:—

- (a) the official poll card issued to an elector shall be in Form E; and
- (b) the official poll card issued to the proxy of an elector shall be in Form F.

Return and declaration of election expenses

11.— (1) The return and declaration of expenses required by section 75 of the Act of 1983 to be authorised by an election agent shall be in Forms J and K.

(2) The fee for inspecting a return or declaration (including any accompanying documents) specified in section 89(1) of the Act of 1983 (which relates to the return and declarations of election expenses) shall be £1.20.

(3) The price of a copy of any such return, declaration or document shall be at the rate of 12p for each side of each page.

Interference with notices etc.

12. If any person without lawful authority destroys, mutilates, defaces or removes any notice published by the registration officer in connection with his registration duties or any copies of a document which have been made available for inspection in pursuance of those duties, he shall be liable on summary conviction to a fine not exceeding £400.

Amendment of rule 37(1E) of elections rules

13. The list of documents in rule 37(1E) of the elections rules (b) shall be amended by:—

- (a) in sub-paragraph (a) for the words "Article 12" there shall be substituted the words "Articles 8 and 12", and
- (b) after sub-paragraph (e) there shall be added the following sub-paragraph:
 - “(f) a British seaman’s card issued in accordance with regulations made under section 70 of the Merchant Shipping Act 1970(c)”.

(a) 1971 c.80.

(b) Paragraph (1E) of rule 37 of the elections rules was inserted by section 1(2) of the Elections (Northern Ireland) Act 1985 (c.2).

(c) 1970 c.36.

Registration of Assembly overseas electors

14.— (1) A peer who, apart from the requirement of registration, is entitled to vote as an elector at an Assembly election in the Assembly constituency by virtue of section 3 of the Act of 1985 is, subject to:—

- (a) section 2(1) of the Act of 1985, as applied by this Regulation, and
- (b) any provision made by or under any enactment imposing a disqualification for registration as such an elector,

entitled to be registered in a register under section 3 of the Act of 1985, prepared and published by the registration officer under this Regulation.

(2) It is the duty of the registration officer appointed under section 8(4) of the Act of 1983 to prepare and publish a register under section 3 of the Act of 1985 (which under subsection (6) of that section shall so far as practicable be combined with the register of parliamentary electors) in respect of any year for which any peer to whom paragraph (1) above applies is entitled to be registered, and to take reasonable steps to obtain information required by him for that purpose.

(3) The provisions of the Act of 1983 and the Act of 1985 which are set out in column 1 of Schedule 3 to these Regulations shall, subject to:—

- (a) any modifications and exceptions specified in relation to those provisions in column 2 of that Schedule, and
- (b) paragraph (4) below,

apply for the purposes of the registration of peers who (subject to the requirement of registration) are entitled by virtue of section 3 of the Act of 1985 to vote at an Assembly election as they apply for the purposes of the registration of parliamentary electors.

(4) Unless the context otherwise requires, in the provisions applied by Schedule 3 to these Regulations:—

- (a) any reference to an overseas elector's declaration shall be construed as a reference to an Assembly overseas elector's declaration;
- (b) any reference to a register of electors shall be construed as a reference to a register kept under section 3 of the Act of 1985;
- (c) any reference to a provision which is also applied by Schedule 3 to these Regulations shall be construed as a reference to such a provision as so applied; and
- (d) "Assembly constituency" and "Assembly overseas elector's declaration" have the meanings given in Regulation 4(1) above and "qualifying date" has the meaning given in section 3(8) of the Act of 1985.

(5) This Part, Part II and Part III of these Regulations shall apply to an Assembly overseas elector's declaration and registration in pursuance of it as they apply to an overseas elector's declaration and registration in pursuance of it; and for these purposes provisions in this Part and Parts II and III shall, unless the context otherwise requires, have effect as if:—

- (a) any reference to a parliamentary elector is a reference to a peer entitled to vote at an Assembly election under section 3 of the Act of 1985;

- (b) any reference to an overseas elector is a reference to an Assembly overseas elector;
- (c) any reference to an overseas elector's declaration is a reference to an Assembly overseas elector's declaration;
- (d) any reference to a register includes the register kept under section 3 of the Act of 1985; and
- (e) any reference to a provision which is applied by Schedule 3 to these Regulations is a reference to that provision as so applied.

PART II

SERVICE, PATIENTS' AND OVERSEAS ELECTORS' DECLARATIONS

Service declarations

Qualification for Crown Servant

15. A person (not being a member of the forces within the meaning of section 59(1) of the Act of 1983) who is employed in the service of the Crown in a post outside the United Kingdom falls within the class or description referred to in section 14(1)(b) of the Act of 1983 if he is required to devote his whole working time to the duties of that post and the remuneration of it is paid wholly out of money provided by Parliament.

Service declaration ceasing to be in force on change of circumstances

16.— (1) A service declaration to which:—

- (a) subsection (2) of section 15 of the Act of 1983 applies shall cease to be in force, or
- (b) subsection (4) of that section applies shall have no effect,

on the change in the circumstances giving the service qualification set out in paragraph (2) below.

(2) That change in circumstances is where the declarant ceases to be entitled to a service qualification as:—

- (a) a member of the forces, or
- (b) a person employed in the service of the Crown to whom Regulation 15 above applies,
- (c) a person employed by the British Council in a post outside the United Kingdom,
- (d) the spouse of a member of the forces, or
- (e) the spouse of a person mentioned in sub-paragraphs (b) and (c) above to whom section 14(1)(e) of the Act of 1983 applies,

as the case may be, but continues to be so entitled because he or his spouse falls within another of those categories.

Contents of service declaration

17.— (1) In addition to the matters specified in paragraphs (a) to (f) of section 16 of the Act of 1983, a service declaration shall state:—

- (a) the declarant's full name and present address,
- (b) the grounds on which the declarant claims a service qualification, and
- (c) such of the particulars specified in paragraph (2), (3) or (4) below as are relevant to the service qualification claimed by the declarant.

(2) Where the declarant claims a service qualification on the grounds that he is a member of the forces (within the meaning of section 59(1) of the Act of 1983) or the spouse of such a member, the service declaration shall state:—

- (a) the service (whether naval, military or air forces) in which that member serves,
- (b) the rank or rating of that member, and
- (c) the service number of that member;

and where that member serves in the military forces, the service declaration shall in addition state the regiment or corps in which he serves.

(3) Where the declarant claims a service qualification on the grounds that he is a Crown servant to whom Regulation 15 above applies or the spouse of such a servant, the service declaration shall state:—

- (a) the name of the Government department in which that servant works, and
- (b) a description of the post of that servant.

(4) Where the declarant claims a service qualification on the grounds that he is a British Council employee or the spouse of such an employee, the service declaration shall state a description of the post of that employee.

Attestation of service declaration by Crown servants, British Council employees and their spouses

18.— (1) A service declaration made by:—

- (a) a person to whom section 14(1)(b) of the Act of 1983 and Regulation 15 above applies or will apply, or
- (b) the spouse of such a person to whom section 14(1)(e) of that Act applies or will apply,

shall be attested by either:—

- (i) an officer of, or designated by, the Government department under which the person mentioned in sub-paragraph (a) above is or will be employed, or
- (ii) another officer who himself has a service qualification by virtue of section 14(1)(b) of that Act and Regulation 15 above.

(2) A service declaration made by:—

- (a) a person to whom section 14(1)(c) of the Act of 1983 applies or will apply, or

(b) the spouse of such a person to whom section 14(1)(e) of that Act applies or will apply,

shall be attested by either:—

- (i) an officer of the British Council, or
- (ii) an officer referred to in paragraph (1)(ii) above.

(3) An officer shall not attest a service declaration unless he is satisfied whether on production of such evidence as he may reasonably require or by virtue of his own knowledge that the particulars which are included in the declaration in accordance with the requirements of Regulation 17 above are true.

(4) An officer attesting a service declaration shall record on it:—

- (a) his full name,
- (b) the office that he holds, and
- (c) that he is satisfied as to the matters referred to in paragraph (3) above, and he shall attest the declaration by signing it.

Transmission of service declaration

19.— (1) A service declaration made by a member of the forces or his spouse shall be transmitted to the appropriate registration officer.

(2) A service declaration made by a person who is or will be a Crown servant or by his spouse shall be transmitted by the declarant to the Government department under which that person or his spouse is or will be employed or to an officer designated by that department and transmitted by that department or officer to the appropriate registration officer.

(3) A service declaration made by a person who is or will be a British Council employee or by his spouse shall be transmitted by the declarant to the British Council and transmitted by the British Council to the appropriate registration officer.

(4) Where the registration officer is satisfied that the service declaration is duly made he shall so notify the declarant.

(5) In this Regulation, the “appropriate registration officer” means the registration officer for the constituency within which is situated the address specified in the declaration in accordance with section 16(d) of the Act of 1983.

Notification of rejection of application for registration as a service voter

20. Where the registration officer rejects an application for registration in pursuance of a service declaration because it:—

- (a) does not contain the particulars required in paragraphs (a) to (f) of section 16 of the Act of 1983 and Regulation 17 above, or
- (b) does not comply with the requirements of sections 14 and 15 of the Act of 1983 or, where appropriate Regulations 15, 16, 18 or 19 above,

he shall return the declaration to the declarant setting out his reasons for so doing.

Patients' declarations

Patient's declaration

21.— (1) A patient's declaration shall be attested by a duly authorised member of the staff of the mental hospital (as defined by section 7(2) of the Act of 1983) in which the person making the declaration is a voluntary mental patient on the date of the declaration.

(2) A person shall not attest a patient's declaration unless he is satisfied whether on production of such evidence as he may reasonably require or by virtue of his own knowledge that the particulars which are included in the declaration in accordance with the requirement of section 7(4)(d) of the Act of 1983 are true.

(3) A person attesting a patient's declaration shall record on it:—

- (a) his full name,
- (b) the office that he holds,
- (c) that he is satisfied as to the matters referred to in paragraph (2) above, and
- (d) that the declaration was either made without assistance by the person named in it or, if that person was assisted, that assistance was necessitated by reason only of blindness, or other physical incapacity,

and he shall attest the declaration by signing it.

(4) A patient's declaration shall be transmitted to the registration officer for the constituency within which is situated the address specified in the declaration in accordance with section 7(4)(d)(iv) of the Act of 1983.

(5) Where the registration officer is satisfied that the patient's declaration is duly made he shall so notify the declarant.

Notification of rejection of application for registration in pursuance of a patient's declaration

22. Where the registration officer rejects an application for registration in pursuance of a patient's declaration because it:—

- (a) does not contain the particulars required by paragraph (d) of section 7(4) of the Act of 1983, or
- (b) does not otherwise comply with the provisions of subsections (4) and (5) of section 7 of the Act of 1983 or Regulation 21 above,

he shall return the declaration to the declarant setting out his reasons for so doing.

*Overseas electors' declarations**Content of an overseas elector's declaration*

23.— (1) In addition to the information required by paragraphs (a) to (e) of subsection (3) and subsection (4) of section 2 of the Act of 1985, an overseas elector's declaration shall state the declarant's full name and present address and, where appropriate, the information required by paragraphs (2) and (3) below.

(2) If the declarant was last registered in pursuance of:—

- (a) a service declaration made in accordance with section 15 of the Act of 1983, or
- (b) a patient's declaration made in accordance with section 7(4) of the Act of 1983,

in respect of the address specified in the overseas elector's declaration in accordance with section 2(4) of the Act of 1985, that declaration shall state that the declarant was so registered.

(3) If the declarant claims that his name has changed since he was last registered in respect of the address specified in the overseas elector's declaration in accordance with section 2(4) of the Act of 1985, that declaration shall:—

- (a) set out the name in respect of which the declarant was last previously registered, and
- (b) give the reason for the change of name.

Officers authorised to attest overseas electors' declarations

24.— (1) Where an overseas elector's declaration is required to be attested under Regulation 25 below, it shall be attested by an officer who is authorised by paragraph (2) below to attest the declaration in the country, colony or other territory in which the attestation is made.

(2) That officer, who is referred to in Regulation 25 below as the "overseas attesting officer", is as follows:—

- (a) in a country in respect of which consular officers are appointed to serve by Her Majesty's Government in the United Kingdom or members of a diplomatic mission are so appointed, any consular officer authorised for the purpose by the head of the relevant consular post or any member of the relevant mission authorised for the purpose by the head of the mission;
- (b) in a colony, an officer authorised for the purpose by the officer in charge of administering that colony; or
- (c) in any of the Channel Islands or the Isle of Man, an officer authorised for the purpose by the relevant Lieutenant Governor.

(3) In this Regulation—

the expression "consular officer" and "head of consular post" have the

same meanings as in Article 1 of the Vienna Convention on Consular Relations, set out in Schedule 1 to the Consular Relations Act 1968(a); and

the expressions “head of the mission” and “member of the mission” have the same meanings as in Article 1 of the Vienna Convention on Diplomatic Relations, set out in Schedule 1 to the Diplomatic Privileges Act 1964(b).

Attestation of an overseas elector's declaration

25.— (1) An overseas elector's declaration shall be attested outside the United Kingdom by an overseas attesting officer except where the declarant had on a previous occasion within the period of five years ending immediately after the qualifying date made an overseas elector's declaration (“the previous declaration”) in pursuance of which he was registered in a register of parliamentary electors, and:—

- (a) the address specified in the declaration in accordance with section 2(4) of the Act of 1985 is the same as the address specified in the previous declaration in accordance with that provision, and
- (b) since being registered in pursuance of the previous declaration, the declarant has not been included in any register of parliamentary electors by virtue of being resident or treated for the purposes of registration as resident at an address in the United Kingdom.

(2) An overseas attesting officer shall not attest an overseas elector's declaration unless he is satisfied, by such evidence as he may reasonably require, that—

- (a) the declarant is a British citizen who is not resident in the United Kingdom on the date of the declaration, and
- (b) in the case of a declarant who claims that his name has changed since he was last registered in respect of the address specified in the declaration in accordance with section 2(4) of the Act of 1985, the declarant is the person whose name has changed.

(3) An overseas attesting officer shall record on the declaration:—

- (a) his full name,
- (b) the office that he holds and the country, colony or other territory in which he holds that office, and
- (c) that he is satisfied as to the matters referred to in paragraph (2) above, and he shall attest the declaration by signing it.

(4) For the purposes of the application of this Regulation by Regulation 14(5) above, paragraph (1) above shall have effect as if, in addition to the

(a) 1968 c.18.
(b) 1964 c.81.

modifications made by that Regulation, for the words “register of parliamentary electors”:

- (a) in the first place where those words occur, the words “register kept under section 3 of the Act of 1985” are substituted, and
- (b) in the second place where those words occur, the words “register of local electors” are substituted.

Transmission of an overseas elector’s declaration

26. An overseas elector’s declaration shall be transmitted to the registration officer for the constituency within which is situated the address specified in the declaration in accordance with section 2(4) of the Act of 1985.

Evidential value of an overseas elector’s declaration

27.— (1) An overseas elector’s declaration which appears to be properly made out and attested in accordance with Regulation 25 above, shall, until the contrary is proved, be treated as sufficient evidence that the declarant will not be resident in the United Kingdom on the qualifying date with reference to which the declaration was made.

(2) In determining for the purposes of section 1(3)(d) of the Act of 1985 whether the declarant’s name was included in a register of parliamentary electors prepared by reference to a qualifying date after the last qualifying date on which the declarant was resident, or treated for the purposes of registration as resident, in respect of an address at a place within the constituency concerned, the date given in the overseas elector’s declaration, properly made out and, where required, attested in accordance with Regulation 25 above, as the date on which the declarant ceased to be so resident, or treated for the purposes of registration as so resident, shall, until the contrary is proved, be treated as sufficient evidence of that event.

(3) For the purposes of the application of this Regulation by Regulation 14(5) above, paragraph (2) shall have effect as if, in addition to the modifications made by that Regulation:—

- (a) the words “section 3(4)(d)” are substituted for the words “section 1(3)(d)”;
- (b) the words “register of local electors” are substituted for the words “register of parliamentary electors”; and
- (c) the word “Assembly” is inserted before the word “constituency”.

Notification about registration as overseas elector

28.— (1) Where the registration officer is satisfied that the declarant qualifies as an overseas elector under the provisions of sections 1 and 2 of the Act of 1985, he shall so notify the declarant.

(2) Where the registration officer rejects an application for registration in pursuance of an overseas elector’s declaration because:—

- (a) the declaration—

- (i) does not contain the particulars required by subsections (3) and (4) of section 2 of the Act of 1985 and by Regulation 23 above, or
 - (ii) does not otherwise comply with the requirements of section 2 to the Act of 1985, or
 - (iii) is not attested in accordance with the requirements of Regulations 24 and 25 above, or
- (b) the declarant was not included within the period of five years ending immediately before the qualifying date in a register of parliamentary electors in respect of the address which is specified in the declaration in accordance with section 2(4) of the Act of 1985, or
- (c) if the declarant was so included in the register, he was not resident or treated for the purposes of registration as resident within the period of five years,

he shall return the declaration to the declarant setting out his reasons for so doing.

(3) For the purposes of the application of this Regulation by Regulation 14(5) above, paragraphs (1) and (2) above shall have effect as if, in addition to the modifications made by that Regulation:—

- (a) in paragraph (1), the words “sections 2 and 3” are substituted for the words “sections 1 and 2”; and
- (b) in paragraph (2), the words “register of local electors” are substituted for the words “register of parliamentary electors”.

PART III

REGISTRATION

Information about electors

Information from householders

29.— (1) The registration officer may require any householder or person owning or occupying any premises within the area for which he acts or the agent of any such person to give information required for the purposes of his registration duties.

(2) Form A, which may be combined with any equivalent form used for the registration of local electors, may be used as a means of obtaining such information.

(3) If any person—

- (a) fails to comply with, or
- (b) gives false information in pursuance of,

any such requisition of the registration officer as is mentioned in this Regulation, he shall be liable on summary conviction to a fine not exceeding £400.

Declarations as to age and nationality

30.— (1) Except in the case of a person who has made a service declaration, an overseas elector's declaration or a patient's declaration the registration officer may, where he has doubts about a person's age or, as the case may be, nationality, require that person, for the purposes of registration—

- (a) to produce a birth certificate or to make a statutory declaration as to the date of his birth, or
- (b) to produce a certificate of naturalisation or a document showing that he has become a Commonwealth citizen by virtue of registration, or to make a statutory declaration that he was a Commonwealth citizen or citizen of the Republic of Ireland on the qualifying date.

(2) Where a declaration is so made, any fee payable in connection with it shall be paid by the registration officer as part of his registration expenses (within the meaning of section 54(1) of the Act of 1983(a)).

(3) Any such declaration shall be made available for inspection at the registration officer's office until the completion of the hearing of claims and objections or, in the case of an application under section 11(2) of the Act of 1983(b), until the registration officer has decided whether or not to register the person who has made the declaration.

*Electors lists, etc.**General provisions as to electors lists*

31.— (1) The electors lists shall be prepared in accordance with this Regulation and either Regulation 32 or 33 below.

(2) The electors lists shall be framed in separate parts for each polling district.

(3) The requirement in paragraph (b) of section 10 of the Act of 1983(c) to include in the electors lists the qualifying address of a person appearing to the registration officer to be entitled to be registered shall not apply to an address—

- (a) to which paragraph (4) below applies, or
- (b) which is specified in an overseas elector's declaration in accordance with section 2(4) of the Act of 1985.

(4) This paragraph applies where it appears to the registration officer that—

- (a) a service voter in his service declaration, or
- (b) a voluntary mental patient in his patient's declaration,

has given an address—

- (i) at which that service voter or patient has resided, but
- (ii) which is not an address at which that service voter or patient

(a) Section 54(1) was amended by paragraph 14(a) of Schedule 4 to the Act of 1985.

(b) Section 11(2) was substituted by paragraph 2 of Schedule 4 to the Act of 1985.

(c) Section 10(b) was amended by section 4(2)(b) of the Act of 1985.

would reside on the qualifying date but for the circumstances entitling him to make the relevant declaration.

(5) Regulation 50 below applies to the electors lists as it applies to the register.

Electors lists prepared as draft register

32. The electors lists for each separate part referred to in Regulation 31(2) above may be prepared in the form of a draft register; and, where they are so prepared, Regulations 48 and 49 below and paragraph (a) of section 12(5) of the Act of 1983 shall apply to them as they apply to the register.

Alternative form of electors lists

33.— (1) The electors lists for each separate part referred to in Regulation 31(2) above may be prepared in accordance with this Regulation.

(2) Such lists shall consist of—

(a) List A, which is a copy of the register in force for that part;

(b) List B, which sets out—

(i) the names and addresses of those persons who appear to the registration officer to be entitled to be registered as parliamentary electors in respect of qualifying addresses for which they are not registered in the register in force, and

(ii) the names of those persons who appear to the registration officer to be entitled to be so registered but whose addresses are not included in the electors lists under Regulation 31(3) above where those names either are not included in the register in force or will not appear in the part of the new register corresponding to the part in which those names appear in the register in force; and

(c) List C, which sets out—

(i) the names of those persons who no longer appear to the registration officer to be entitled to be registered as parliamentary electors in respect of qualifying addresses for which they are registered in the register in force, together with those addresses, and

(ii) the names of those persons who no longer appear to the registration officer to be entitled to be so registered and whose addresses do not appear in the register in force.

Provided that where the area of a polling district differs from the area of that polling district as constituted for the purposes of the register in force, the polling district may be treated as having the same area as it had for the purposes of the register in force.

(3) The names in List B need not be numbered.

(4) The names in List C shall have opposite them their number in the register in force.

(5) If a person appearing to the registration officer as entitled to be registered will attain voting age before the end of the period of twelve months beginning with 16th February during which a register is to be used, but will not be of voting age on the first day of that period, the date on which he will attain that age shall be placed against his name in the electors lists.

Preparation and publication of lists of overseas electors

34.— (1) The registration officer shall prepare a list of the names of each person who appears to him to be entitled to be registered in pursuance of an overseas elector's declaration ("the list of overseas electors"); and shall include in that list the addresses specified in that declaration in accordance with section 2(4) of the Act of 1985 and Regulation 23(1) above.

(2) There shall be a separate part of the list of overseas electors for each constituency and the names of the persons included in it shall be listed in alphabetical order.

(3) At the time when the registration officer publishes the electors lists under Regulation 35 below, he shall publish the list of overseas electors by making a copy of it available for inspection at his office; and the list shall be kept so published until the register prepared from the electors lists ceases to be in force.

(4) The name of a peer appearing to the registration officer to be entitled to be registered in pursuance of an Assembly overseas elector's declaration (and included in the list of overseas electors by virtue of Regulation 14(5) above) shall be marked with the letter "E".

Publication of electors lists

35. The registration officer shall, on or before 28th November, publish the electors lists by—

- (a) making a copy of them available for inspection at his office, and
- (b) as soon as practicable thereafter, making a copy of the part of the electors lists relating to each polling district available for inspection at a specified place in or near that polling district to which the public have access;

and the lists shall be kept so published until the publication of the register prepared from them.

Free copies of electors lists and list of overseas electors

36. The registration officer shall on request supply free of charge four copies of so much of the electors lists as relates to a constituency, and four copies of so much of the list of overseas electors as so relates, so long as those lists are kept published, to any person who satisfies the registration officer that he requires them for use in connection with his own or some other person's prospective candidature at a parliamentary election for that constituency:

Provided that:

- (i) not more than one person in respect of the same candidature shall be so supplied; and
- (ii) in the case of the supply of the electors lists prepared under Regulation 33 above, a person shall not be supplied with List A if he has already been supplied with copies of the register in force under Regulation 53(2) below.

Alterations to electors lists

Amendments to electors lists

37.— (1) No alteration shall be made to the electors lists, except an alteration which is required to—

- (a) give effect to the registration officer's decision on any claim or objection;
- (b) correct any misnomer or inaccurate description;
- (c) give effect to alterations to polling districts made under Regulation 45 below;
- (d) delete the name of any person who the registration officer is satisfied is dead; or
- (e) give effect to a correction in accordance with the procedure in paragraph (2) or (3) below.

(2) Where it appears to the registration officer that it is necessary to make a correction to the electors lists which includes—

- (a) the deletion of a person's name from the register, other than a deletion to which paragraph (1)(d) above applies, or
- (b) some other correction to a person's entry in the register other than a correction to which paragraph (1)(b) above applies,

he shall—

- (i) send to the person affected by the proposed correction notice of it, and
- (ii) give him an opportunity of objecting to the proposed correction within 5 days from the date of the notice and, if necessary, of appearing and being heard in accordance with the provisions of Regulation 43 below,

before making the proposed correction.

(3) Where it appears to the registration officer that it is necessary to make a correction to the electors lists which involves the addition of a person's name (or persons' names) to the register, he shall—

- (a) draw up a list of such names,
- (b) for the next 5 days make the list available for inspection at his office,
- (c) send a copy of the list to any person who has received a copy of the electors lists under Regulation 36 above, and

- (d) if within that period of 5 days a person appearing from the electors lists to be himself entitled to be registered objects to the addition of a name to the register give such a person a subsequent opportunity of appearing and being heard in accordance with the provisions of Regulation 43 below,

before making the proposed correction.

Notice of claims and objections

38.— (1) The registration officer shall at the time of publishing the electors lists publish a notice in—

- (a) Form B in the case of electors lists prepared under Regulation 32 above, and
(b) Form C in the case of electors lists prepared under Regulation 33 above,

specifying the manner in which and the time within which claims and objections in respect of the electors lists may be made.

(2) The notice shall also specify the places referred to in paragraph (b) of Regulation 35 above.

(3) The notice shall be published by means of the registration officer posting a copy of it in some conspicuous place or places in the constituency and may also be given in such other manner as he thinks fit for publicising it.

Claims in respect of electors lists

39.— (1) A claim to be added to the electors lists may be made by or on behalf of the person who claims to be entitled to be included in those lists (“the claimant”) and shall state—

- (a) the full name of the claimant and, where a person makes the claim on behalf of the claimant, that person’s name and address;
(b) the address in respect of which the claimant claims to be registered, whether he was resident there on the qualifying date and whether he was resident there or elsewhere in Northern Ireland during the whole of the period of three months ending on the qualifying date;
(c) whether the claimant will be 18 years of age or more on the day when the next register comes into force, and, if not, the day on which he will attain that age;
(d) if the claimant was not resident at the address in respect of which he claims to be registered on the qualifying date, whether he had made a service declaration, patient’s declaration or overseas elector’s declaration by that date; and
(e) if he was a merchant seaman on the qualifying date, that fact.

(2) A claim to which paragraph (1) above applies shall be made in writing to the registration officer and shall be signed and dated by the person making it, who shall declare that—

- (a) the particulars given in the claim in accordance with paragraph (1) above are true, and
 - (b) the claimant is a Commonwealth citizen or citizen of the Republic of Ireland, or, in the case of a person claiming to be registered in pursuance of an overseas elector's declaration, a British citizen.
- (3) Claims shall be made available for inspection at the office of the registration officer until the completion of the hearing of claims and objections.

Form of objections

40.— (1) An objection to an entry in the electors lists or, as the case may be, to a claim shall be made in writing to the registration officer and shall be signed and dated by the objector and shall state—

- (a) the name of the person against whom the objection is made,
 - (b) the address of that person as shown in the electors lists (if so shown) or, as the case may be, given in the claim,
 - (c) the grounds of the objection, and
 - (d) the name of the objector and his address as shown in the electors lists (if so shown) together with the address to which correspondence should be sent if that address is different or is not shown in the electors lists.
- (2) Regulation 39(3) above shall apply to objections as it applies to claims.

Time for making claims and objections

41.— (1) A claim or objection in respect of the electors lists which is delivered to the registration officer after noon on 16th December shall be disregarded:

Provided that an objection to a claim shall not be disregarded if it is delivered to the registration officer within three days after the claim has been entered in the list of claims kept under Regulation 42(1) below.

- (2) Where—
- (a) a service declaration made by a member of the forces or the spouse of such a member which is in force on the qualifying date, or
 - (b) a service declaration made by any other person with reference to the qualifying date and made during the twelve months ending with that date, or
 - (c) a patient's declaration or an overseas elector's declaration made with reference to the qualifying date and made during the twelve months ending with that date,

is received by the registration officer too late for inclusion of the declarant's name in the electors lists, the declaration shall, if it is received by that officer—

- (i) not later than the last day for making claims, be treated as a claim; or
- (ii) after that last day, be treated as a claim to which paragraph (5) of

Regulation 58 below applies and as though it were made under paragraph (1) of that Regulation.

Entry and preliminary disposal of claims and objections

42.— (1) The registration officer shall keep separate lists of claims and objections and shall, on receipt of a claim or objection, forthwith enter in the appropriate list the name and qualifying address of the claimant or the person in respect of whom the objection is made.

In this paragraph “qualifying address” includes the address specified in an overseas elector’s declaration in accordance with section 2(4) of the Act of 1985.

(2) If the registration officer is of opinion—

- (a) that the particulars given in a claim or objection are insufficient, he may ask for further information and take no further action until such information is supplied;
- (b) that a claim may be allowed without a hearing, he may allow the claim, provided that no objection is made to it, and shall so inform the person making the claim;
- (c) that the objector is not entitled to object, he may disallow the objection and shall so inform the objector;
- (d) that a claim or objection cannot be allowed because—
 - (i) the matter has been concluded by the decision of a court, or
 - (ii) the particulars given in a claim or objection do not entitle the claimant or objector to succeed,

he may send to the person making the claim or objection a notice stating his opinion, the grounds for it and that he intends to disallow the claim or objection unless that person gives the registration officer notice within three days from the date of the registration officer’s notice that he requires the claim or objection to be heard, and, if he receives no such notice within that time, he may disallow the claim or objection.

(3) The registration officer shall, unless he allows or disallows the claim or objection under paragraph (2) above, send a notice, in the case of a claim, to the person making the claim and, in the case of an objection, to the objector and the person objected to, stating the time and place at which he proposes to hear the claim or objection; and the notice sent to a person objected to shall also state the name and address of the objector and the grounds of the objection.

(4) The time fixed for the hearing of a claim or objection shall not be earlier than the third day after the date of the notice referred to in paragraph (3) above.

(5) The registration officer shall make available for inspection at his office until the completion of the hearing of claims and objections the lists of claims and objections together with the time and place at which he proposes to hear any claim or objection.

Hearing of claims and objections

43.— (1) On the hearing of a claim, the person making the claim and any person who has duly made an objection to it and, on the hearing of an objection, the objector and the person objected to and, on the hearing of either, any other person who appears to the registration officer to be interested shall be entitled to appear and be heard.

(2) The right to appear and be heard includes the right to make written representations.

(3) Any person entitled to appear and be heard may do so either in person or by any other person on his behalf.

(4) The registration officer may, at the request of any person entitled to appear and be heard or, if he thinks fit, without such a request, require that the evidence tendered by any person shall be given on oath and may administer an oath for the purpose.

Registration appeals

44.— (1) A person desiring to appeal under section 56(1)(a) of the Act of 1983 against the decision of a registration officer must give notice of appeal to the registration officer and to the opposite party (if any) when the decision is given, or within 14 days thereafter, specifying the grounds of appeal.

(2) The registration officer shall forward any such notice to the county court together in each case with a statement of the material facts which in his opinion have been established in the case, of his decision upon the whole case and on any point which may be specified as a ground of appeal.

(3) Where it appears to the registration officer that any notices of appeal given to him are based on similar grounds, he shall inform the county court of this to enable the court (if it thinks fit) to consolidate the appeals or select a case as a test case.

Adaptation of electors lists in consequence of altered polling districts

45.— (1) Paragraph (2) below sets out an exception to the rule in section 18(8) of the Act of 1983 (which provides that an alteration of polling districts is not effective until the coming into force of the first register prepared from electors lists published after the alteration is made).

(2) Where any alteration of polling districts is made (by virtue of changes to the boundaries of wards) between the publication of any electors lists and the coming into force of the register prepared from those lists the registration officer may frame the register in accordance with the alteration.

Amendments to lists of overseas electors

46.— (1) If any amendment is made to the electors lists as respects any person appearing to the registration officer to be entitled to be registered in pursuance of an overseas elector's declaration, the registration officer shall make the appropriate amendment to the list of overseas electors.

(2) If any amendment is made to the list of overseas electors under paragraph (1) above, the registration officer shall, at the time when he publishes the register, publish in the manner described in Regulation 34(3) above either—

- (a) the list of overseas electors, as amended, or
- (b) any such amendment;

and he shall keep that list or any such amendment published as long as the register remains in force.

(3) The registration officer shall supply free of charge a copy of any document published under sub-paragraph (a) or (b) of paragraph (2) above to each person to whom he has supplied copies of the list of overseas electors under Regulation 36 above.

The register

Separate part of register for each polling district

47. The register shall be framed in separate parts for each polling district.

Different number for each polling district

48. There shall be a different number in the register for each polling district and each such number shall be deemed to form part of an elector's number in the register.

Order and numbering of names

49.— (1) Subject to paragraph (2) below, the names and addresses in each separate part of the register shall be arranged in street order unless for any part of the register street order is not reasonably practicable in which case the names and addresses shall be arranged in alphabetical order or partly in street order and partly in alphabetical order as the registration officer may determine.

(2) The names of—

- (a) each service voter and voluntary mental patient to whom Regulation 31(4) above applies, and
- (b) each overseas elector,

shall be grouped together in alphabetical order at the end of that part of the register which relates to—

- (i) the address given by that service voter or patient in his declaration, or
- (ii) the address specified by the overseas elector in his declaration in accordance with section 2(4) of the Act of 1985,

beneath the heading “Other electors”, but without giving those addresses.

(3) The names in the register shall be numbered so far as is reasonably practicable consecutively; and there shall be a separate series of numbers (beginning with the number one) for each polling district.

Marking of names

50.— (1) To indicate that a person is registered as an overseas elector, the letter “F” shall be placed against his name in the register.

(2) To indicate that an Assembly overseas elector is registered only as an elector at Assembly elections (and included in the register by virtue of Regulation 14(5) above), the letter “E” shall be placed against his name in the register.

Publication of register

51.— (1) The registration officer shall publish the register by making a copy of it available for inspection at his office and by making copies of the part of the register relating to each polling district available for inspection as soon as practicable thereafter at the place at which copies of the part of the electors lists relating to that polling district have been made available for inspection.

(2) The register shall be kept published until the coming into force of the next register.

(3) In the case of electors lists which have been prepared in accordance with Regulation 32 above and published as a draft register, those lists shall take effect as the register on the publication of a notice under paragraph (4) below.

(4) In the case of electors lists to which paragraph (3) above applies, the registration officer may not later than 15th February publish a notice stating that the draft register, as published, shall take effect as the register in accordance with paragraph (3) above, subject to any amendments to the electors lists which have been made in accordance with Regulation 37 above and which shall be set out in that notice.

(5) Any notice under paragraph (3) above shall be published by the same means as the register is required to be published under paragraph (1) above and shall be kept published until the coming into force of the next register.

(6) Any reference (whether in a provision made by or under the Representation of the People Acts, the Act of 1962, the Act of 1978 or elsewhere) to:—

- (a) the register of electors includes electors lists to which paragraph (3) above applies, as those lists take effect by virtue of a notice published under paragraph (4) above and subject to any amendments in that notice;
- (b) the publication of the register of electors includes the publication of such a notice; and
- (c) the register of electors as first published includes those lists as they take effect on the publication of such a notice.

Information about register

52.— (1) The registration officer shall, as soon as practicable after publication of the register, supply to the Secretary of State a document setting out the information about electors which is required by paragraphs (2) and (3) below.

(2) The document referred to in paragraph (1) above shall state the name of the constituency and shall list the following total numbers of electors in that constituency, namely—

- (a) parliamentary electors (including those referred to in sub-paragraph (b) below);
- (b) those registered by virtue of section 12(5) of the Act of 1983; and
- (c) those registered as Assembly overseas electors in pursuance of an Assembly overseas elector's declaration.

(3) The document referred to in paragraph (1) above shall set out separately as respects those electors referred to in sub-paragraphs (a) and (b) of paragraph (2) above the following totals, namely—

- (a) those registered by virtue of residence at a qualifying address on the qualifying date;
- (b) those registered in pursuance of a service declaration;
- (c) those registered in pursuance of an overseas elector's declaration; and
- (d) those registered in pursuance of a patient's declaration.

Supply of registers etc.

Free copies of register etc.

53.— (1) The registration officer shall, on request, supply free of charge to the Member of Parliament for a constituency one copy of the register and one copy of the list of overseas electors for that constituency.

(2) The registration officer shall, on request, supply free of charge—

- (a) four copies of the register (which may be printed on one side only) for a constituency to any person who satisfies the registration officer that he requires them for use in connection with his own or some other person's prospective candidature at a parliamentary election for that constituency:

Provided that not more than one person in respect of the same candidature shall be so supplied; and

- (b) two copies of the register for a constituency to each candidate at a parliamentary election for that constituency or his election agent.

(3) A copy of the register and of the list of overseas electors shall, on publication, be supplied free of charge by the registration officer to the Secretary of State and the British Library.

(4) References in this Regulation to the list of overseas electors are references to that list as amended under Regulation 46(2) above; and the reference in paragraph (3) above to the publication of that list shall be construed as a reference to its publication as amended under Regulation 46(2).

Sale of lists and register

54.— (1) So long as there are sufficient copies available after allowing for the number which may be required for his registration duties (including the

purposes of Regulation 36 above), the registration officer shall supply to any person copies of any part or parts of the electors lists on payment—

- (a) in the case of a person who has been supplied under Regulation 36 above with copies of any part of the electors lists, of a fee at the rate of 20p for each thousand (or remaining part of one thousand) names in such copy; or
- (b) in the case of any other person, of a fee at the rate of £2 for each thousand (or remaining part of one thousand) names in such copy.

(2) So long as there are sufficient copies available after allowing for the number which may be required for his registration duties (including the purposes of Regulations 36 and 53 above) the registration officer shall supply to any person copies of any part or parts of the list of overseas electors on payment—

- (a) in the case of a person who has been supplied in pursuance of Regulation 36 or 53 above with a copy of the list of overseas electors, of a fee at the rate of 20p for each hundred (or remaining part of one hundred) names in such copy; or
- (b) in the case of any other person, of a fee at the rate of £2 for each hundred (or remaining part of one hundred) names in such copy.

(3) So long as there are sufficient copies available after allowing for the number which may be required for the purposes of any election, including an Assembly election, the purposes of Regulation 53 above, the purposes of the Act of 1962, or an order made under section 2(5) of the Northern Ireland Assembly Act 1973(a), the registration officer shall supply to any person copies of any part or parts of the register on payment—

- (a) in the case of a person who has been supplied in pursuance of Regulation 53 above with a copy of the register, of a fee at the rate of 20p for each thousand (or remaining part of one thousand) names in such copy; or
- (b) in the case of any other person, of a fee at the rate of £2 for each thousand (or remaining part of one thousand) names in such copy.

Supply of data

55.— (1) This Regulation applies where the registration officer is a data user.

(2) In this Regulation:—

“data to which this Regulation applies” means data consisting of the names of those persons included in the register, together with any data, other than data to which paragraph (3) below applies, consisting of information relating to them including—

- (i) their electoral numbers;
- (ii) except where the address is excluded from the register under Regulation 49(2) above, their addresses and
- (iii) any distinguishing letter; and

(a) 1973 c.17.

“holds” has the same meaning as in section 1(5) of the Data Protection Act 1984.

(3) The registration officer shall not supply data which consists of information (including addresses) which is not required to be published in the register in accordance with those provisions of the Act of 1983, the Act of 1962 or these Regulations which relate to the registration of electors.

(4) Any obligation on the registration officer to supply data under this Regulation imposes only an obligation to supply such data recorded in the form in which he holds it.

(5) An application under this Regulation may request the registration officer to supply data to which this Regulation applies in respect of part only of the area for which the registration officer is authorised by this Regulation to supply such data; and, if the registration officer supplies or is required to supply data under this Regulation, he shall comply with such a request where it is practicable to do so.

(6) The registration officer shall, on payment of a fee determined in accordance with paragraph (7) below, supply to a person, who is entitled to a free copy (or copies) of the register under Regulation 53 above, so much of the data to which this Regulation applies as relates to that register:

Provided that not more than one person in respect of the same candidature shall be so supplied by virtue of the entitlement deriving from sub-paragraph (a) of Regulation 53(2) above.

(7) The fee for a person supplied with data under paragraph (6) above shall be at the rate of £1.50 for each thousand (or remaining part of one thousand) names in the data supplied or £25, whichever is the greater.

(8) The registration officer may, on payment of a fee at the rate of £15 for each thousand (or remaining part of one thousand) names in the data supplied, supply data to which this Regulation applies to a person other than a person to whom paragraph (6) above applies.

Supply of labels

56.— (1) This Regulation applies where the registration officer is a data user.

(2) In this Regulation, “relevant information” means the name and address of any elector whose name and address appear on the register; and such other information as appears on the register as the registration officer thinks fit, but not information constituting data to which Regulation 55(3) above applies.

(3) An application under this Regulation may request the registration officer to supply labels containing relevant information extracted from data to which Regulation 55 above applies in respect of part only of the constituency; and, if the registration officer supplies labels under this Regulation, he shall comply with such a request.

(4) The registration officer may, on payment of a fee at the rate of £10 for each thousand (or remaining part of one thousand) labels supplied, supply to a person, who is entitled to a free copy (or copies) of the register under paragraph

(1) or (2) of Regulation 53 above, labels containing relevant information extracted from so much of the data to which Regulation 55 above applies as relates to that register:

Provided that not more than one person in respect of the same candidature shall be so supplied by virtue of the entitlement deriving from sub-paragraph (a) of Regulation 53(2) above.

(5) The registration officer may, on payment of a fee at the rate of £20 for each thousand (or remaining part of one thousand) labels supplied, supply labels containing relevant information extracted from data to which Regulation 55 above applies to a person other than a person to whom paragraph (4) above applies.

Alterations to published register

Adaptation of register in consequence of altered polling districts

57.— (1) Paragraph (2) below sets out an exception to the rule in section 18(8) of the Act of 1983 (which provides that an alteration of polling districts is not effective until the coming into force of the first register prepared from electors lists published after the alteration is made).

(2) Where any alteration of polling districts is made (by virtue of changes to the boundaries of wards) the registration officer may adapt the register to the alteration.

Claims for inclusion in register and objections thereto

58.— (1) A claim for inclusion in the register under section 11(2) of the Act of 1983(a) shall indicate that it is such a claim and may be made by or on behalf of the person who makes such a claim.

(2) Such a claim shall state the particulars referred to in sub-paragraphs (a) to (e) of paragraph (1) of Regulation 39 above and paragraph (2) of that Regulation shall apply to a claim under paragraph (1) of this Regulation as it applies to a claim under that Regulation.

(3) Where the claim is made by a person who is not entitled to be registered except in pursuance of—

- (a) an appropriate service declaration (within the meaning of section 12(3) of the Act of 1983),
- (b) an overseas elector's declaration, or
- (c) a patient's declaration

it shall be accompanied by whichever of those declarations is appropriate unless the registration officer already has possession of it.

(4) The registration officer shall keep a list of claims made under paragraph (1) above and shall—

(a) Subsection (2) of section 11 was substituted by paragraph 2 of Schedule 4 to the Act of 1985.

- (a) on receipt of a claim, forthwith enter in that list the name and qualifying address of the claimant together with the date of that entry;
- (b) subject to paragraph (5) below, at the first opportunity having regard to the provisions of paragraph (6)(c) below publish a notice stating that a new name has been added to that list, and
- (c) record in that list against the name of any claimant the date when the notice in respect of his claim was published.

In this paragraph and paragraph (8) below “qualifying address” includes the address specified in an overseas elector’s declaration in accordance with section 2(4) of the Act of 1985.

(5) Where a claim made under paragraph (1) above is received by the registration officer after 16th December but before 16th February in the next following year, he shall, unless it appears that the claim relates to the existing register, treat the claim as one relating to the register which will come into force on the next 16th February and shall not publish a notice under paragraph (4)(b) above in respect of such a claim until that register is published.

(6) A notice under paragraph (4)(b) above—

- (a) shall be published by means of the registration officer posting a copy of it in some conspicuous place or places in the area for which he acts and may also be given in such other manner as he thinks fit for publicising it;
- (b) may be published in respect of one or more claims;
- (c) shall be published on any day between the 11th and 20th day of any month, or in February between the 11th and 22nd day; but only one notice shall be published in any month;
- (d) shall state that any claim in respect of which the notice was published is available for inspection at the registration officer’s office; and
- (e) shall specify the manner in which any objection to the claim may be made and that any such objection must be delivered to the registration officer not later than the last day of the month in which the notice is published.

(7) As soon as practicable after the publication of a notice under paragraph (4)(b) above, the registration officer shall supply free of charge to each person to whom he has supplied a copy of so much of the register as relates to a particular constituency under Regulation 53(2)(a) above a copy of so much of the list of claims kept under paragraph (4) above as relates to—

- (a) claims to which that notice applies, and
- (b) that constituency.

(8) An objection to the inclusion of a name in the register under section 11(2) of the Act of 1983 shall be made in writing to the registration officer by a person who is included in the register and shall—

- (a) be signed and dated by him;
- (b) state the name and qualifying address of the person against whom the objection is made and the grounds of the objection, and
- (c) state the name of the objector and his address as shown in the register

(if so shown), together with the address to which correspondence should be sent if that address is different or is not shown in the register.

(9) Claims and objections shall be made available for inspection in the registration officer's office until such time as the claim has been disposed of, or, in the case of an objection which has been disallowed before disposal of the claim to which it relates, the time when it is disallowed.

Preliminary disposal of claims and objections made under Regulation 58

59.— (1) The registration officer shall keep a separate list of objections made under Regulation 58 above and shall, on receipt of an objection, forthwith enter in that list the name and qualifying address of the claimant in respect of whom the objection is made.

In this paragraph and paragraph (7) below "qualifying address" includes the address specified in an overseas elector's declaration in accordance with section 2(4) of the Act of 1985.

(2) If the registration officer is of opinion—

- (a) that the particulars given in a claim or objection are insufficient, he may ask for further information and take no further action until such information is supplied;
- (b) that the objector is not entitled to object or that the objection was delivered after the expiry of the month in which the claims notice in respect of the claim objected to was published, he may disallow the objection and shall so inform the objector;
- (c) that a claim relates to a register which is no longer in force, he shall disallow the claim and shall so inform the person making the claim;
- (d) that a claim or objection cannot be allowed because—
 - (i) the matter has been concluded by the decision of a court, or
 - (ii) the particulars given in a claim or objection do not entitle the claimant or objector to succeed,

he may send to the person making the claim or objection a notice stating his opinion, the grounds for it and that he intends to disallow the claim or objection unless that person gives the registration officer notice within three days from the date of the registration officer's notice that he requires the claim or objection to be heard and, if he receives no such notice within that time, he may disallow the claim or objection.

(3) If after the expiry of the month in which the claims notice in respect of a claim has been published the registration officer is of opinion that the claim may be allowed without a hearing, he may allow the claim provided that no objection has been made to it, and shall so inform the person making the claim.

(4) Except where the registration officer allows or disallows a claim or objection under paragraph (2) or (3) above, he shall, as soon as practicable after the expiry of the month in which the claims notice in respect of a claim was published, send a notice, in the case of a claim, to the person making the claim and, in the case of an objection, to the objector and the person objected to,

stating the time and place at which he proposes to hear the claim or objection; and the notice sent to a person objected to shall also state the name and address of the objector and the grounds of the objection.

(5) The time fixed for the hearing of a claim or objection shall not be earlier than the third day nor later than the fourteenth day after the date of the notice of hearing referred to in paragraph (4) above.

(6) The registration officer shall make available for inspection at his office the lists of claims and objections together with (when available) the time and place at which he proposes to hear any claim or objection.

(7) When a claim has been disposed of, the name and qualifying address of the claimant shall be deleted from the list of claims referred to in Regulation 58(4) above and the list of objections referred to in paragraph (1) above:

Provided that, where an objection has been disallowed before the disposal of the claim to which it relates the name and qualifying address of the claimant shall be deleted from the list of objections at the time when the objection is disallowed.

(8) For the purposes of this Regulation—

(a) the expression “claims notice” means a notice published under Regulation 58 above, and

(b) a particular claims notice is published in respect of a particular claim where the date of that notice is recorded against the name of that claimant in the list of claims kept by the registration officer in accordance with Regulation 58(4) above.

Hearing of claims and objections made under Regulation 58

60. Regulation 43 above shall apply for the hearing of claims to be included in a register in force and objections to them as it applies for the hearing of claims and objections in respect of the electors lists.

Appeals in respect of claims and objections made under Regulation 58

61. Regulation 44 above shall apply in respect of an appeal under section 56(1)(d) of the Act of 1983 as it applies in respect of an appeal under section 56(1)(a) of that Act.

Correction of register

62.— (1) Where a registration officer makes an alteration in a register pursuant to subsection (1) or (2) of section 11 of the Act of 1983, he shall—

(a) send to the person affected by the alteration and, if he gives effect to a decision on an objection, to the objector a notice stating the alteration;

(b) make a copy of the alteration available for inspection at his office;

(c) make copies of the alteration available for inspection at the place at which copies of the part of the register to which the alteration relates have been made available for inspection; and

(d) supply free of charge a copy of the alteration to each person to whom

he has supplied a copy of the part of the register to which the alteration relates in pursuance of Regulation 53 above or paragraph (a) of Regulation 54(3) above.

(2) Copies of alterations made available for inspection under this Regulation shall be kept available for the same length of time as the register is kept published.

PART IV

ABSENT VOTERS

General requirements for applications

63.— (1) Applications under section 6, 7, 8 or 9 of the Act of 1985 shall, in addition to the address which is required by section 6(6), 7(5) or 9(12) (as the case may be) in the case of a person applying to vote by post, state:—

- (a) the applicant's full name,
- (b) except in the case of an application under section 9, the address in respect of which the applicant is or will be registered in the register,
- (c) in the case of an application under section 9, the address of the applicant, together with the name of the elector for whom he acts as proxy and the address of that elector for the purposes of sub-paragraph (b) above, and
- (d) in the case of an application under section 6(1), 7(1) or 9(4) or (7), the grounds on which the applicant claims to be entitled to an absent vote;

and the application shall be signed by the applicant and made and sent or delivered in accordance with Regulation 7(1) above.

For the purposes of sub-paragraph (b) above, the address in respect of which the applicant is or will be registered includes:

- (i) in the case of a service voter, the address given in the service declaration in accordance with section 16(d) of the Act of 1983;
- (ii) in the case of a voluntary mental patient, the address given in the patient's declaration in accordance with section 7(4)(d)(iv) of the Act of 1983; and
- (iii) in the case of an overseas elector, the address given in the overseas elector's declaration in accordance with section 2(4) of the Act of 1985.

(2) An application to vote by proxy under section 6(1) or (5) or 7(1) or (2) of the Act of 1985 shall include an application for the appointment of a proxy which meets the requirements of Regulation 67 below.

(3) An application under section 6, 7, 8 or 9 of the Act of 1985 shall comply with such further requirements of this Part of these Regulations as applies to such an application and with the requirements as to time set out by Regulation 69 below.

Additional requirements for applications on grounds of physical incapacity

64.— (1) An application under paragraph (b) of section 6(2) of the Act of

1985 shall specify the physical incapacity by reason of which the application is made.

(2) Subject to paragraph (4) below, such an application shall be attested and signed by—

- (a) a registered medical practitioner;
- (b) a first level nurse trained in general nursing registered in Part I of the register maintained under section 10(1) of the Nurses, Midwives and Health Visitors Act 1979^(a) in accordance with Article 2 of, and Schedule 1 to, the Nurses, Midwives and Health Visitors (Parts of the Register) Order 1983^(b);
- (c) a Christian Science practitioner;
- (d) in the case of an application in which the applicant states that he is resident in a home for persons in need within the meaning of the definition in Article 2(2) of the Health and Personal Social Services (Northern Ireland) Order 1972^(c) or a nursing home within the meaning of the definition in section 10(1) of the Nursing Homes and Nursing Agencies Act (Northern Ireland) 1971^(d) which is required to be registered under Schedule 5 to that Order or Part I of that Act, as the case may be, by the person registered under that Order or that Act respectively as carrying on that home;
- (e) in the case of an application in which the applicant states that he is resident in residential accommodation provided under Article 15 of the Health and Personal Social Services (Northern Ireland) Order 1972, by the officer in charge of that accommodation; or
- (f) in the case of an application in which the applicant states that he resides in premises forming part of a group of premises—
 - (i) which are provided for persons of pensionable age or physically disabled persons, and
 - (ii) for which there is a resident warden,by that warden.

(3) The person attesting an application under paragraph (2) above shall state—

- (a) his name and address and the qualification by virtue of which he is authorised to attest the application;
- (b) that, to the best of his knowledge and belief, the applicant is suffering from the physical incapacity specified in the application and that he cannot reasonably be expected to go in person to his allotted polling station or to vote unaided there, by reason of that incapacity; and
- (c) that, to the best of his knowledge and belief, the physical incapacity specified in the application is likely to continue either indefinitely or for a period specified by the person attesting the application.

(a) 1979 c.36.

(b) S.I. 1983/667.

(c) S.I. 1972/1265 (N.I. 14); that definition was repealed in part by the Health and Personal Social Services (Northern Ireland) Order 1978 (S.I. 1978/1907 (N.I. 26)), Schedule 2.

(d) 1971 c.32 (N.I.); that definition was repealed in part by the Health and Personal Social Services (Northern Ireland) Order 1972, Schedule 18.

(4) Paragraphs (2) and (3) above shall not apply where—

- (a) the application is based on the applicant's blindness and the applicant is registered as a blind person by a Health and Social Services Board, which is specified in the application, or
- (b) the applicant is in receipt of a mobility allowance under section 37A of the Social Security (Northern Ireland) Act 1975(a) and the reference number of such an allowance is set out in the application.

(5) The fact that an applicant is either—

- (a) registered with a Health and Social Services Board as a blind person, or
- (b) in receipt of a mobility allowance,

shall be deemed sufficient evidence that he is eligible for an absent vote on the grounds set out in paragraph (b) of section 6(2) of the Act of 1985.

(6) In this Regulation and Regulations 65 and 66 below, "his allotted polling station", in relation to an elector, means the polling station allotted or likely to be allotted to him under the elections rules.

Additional requirements for applications based on occupation, service or employment

65.— (1) An application under paragraph (c) of section 6(2) of the Act of 1985 shall state:—

- (a) whether the occupation, service or employment, in respect of which it is made, is that of the applicant or his spouse;
- (b) the nature of the occupation, service or employment in respect of which it is made;
- (c) where the person in respect of whose occupation, service or employment it is made (in this Regulation referred to as "the employed person") is self-employed, that fact; and in any other case the name of that person's employer;
- (d) why the applicant cannot reasonably be expected to go in person to his allotted polling station (within the meaning of Regulation 64(6) above) by reason of the general nature of the occupation, service or employment referred to in sub-paragraph (b) above.

(2) Such an application shall be attested and signed—

- (a) where the employed person is self-employed, by a person who—
 - (i) is aged 18 years or over;
 - (ii) resides in the United Kingdom;
 - (iii) knows the employed person; and
 - (iv) is not related to him, and
- (b) in any other case, by the employer of the employed person or by

(a) 1975 c.15; section 37A was inserted by article 24(1) of the Social Security Pensions (Northern Ireland) Order 1975 (S.I. 1975/1503 (N.I. 15)).

another employee to whom this function is designated by the employer.

For the purposes of sub-paragraph (a) above and sub-paragraph (i) of paragraph (3) below, one person is related to another if he is the husband, wife, parent, grandparent, brother, sister, child or grandchild of the other.

- (3) The person attesting an application under paragraph (2) above shall—
- (a) where the applicant is the employed person, certify that the statements included in the application in accordance with the requirements of sub-paragraphs (a) to (d) of paragraph (1) above are true; or
 - (b) where the applicant is the spouse of the employed person, certify that the statements included in the application in accordance with the requirements of sub-paragraphs (a) to (c) of paragraph (1) are true;

and in addition, he shall state:—

- (i) in the case of a person who attests an application under sub-paragraph (a) of paragraph (2) above, his name and address, and that he is aged 18 years or over, resides in the United Kingdom, knows the employed person, but is not related to him; or
- (ii) in the case of a person who attests an application under sub-paragraph (b) of that paragraph, either that he is the employer of the employed person or the position he holds in the employment of that employer.

Additional requirements for applications in respect of a particular election

66.— (1) An application under section 7(1) of the Act of 1985 shall set out why the applicant's circumstances on the date of the poll for the election in respect of which it is made will be or are likely to be such that he cannot reasonably be expected to vote in person at his allotted polling station (within the meaning of Regulation 64(6) above).

(2) Except in respect of an application to which paragraph (4) below applies, such an application shall be signed and attested by a person who—

- (a) is aged 18 years or over,
- (b) resides in the United Kingdom,
- (c) knows the applicant but is not related to him, and
- (d) has not attested under this paragraph any other application in respect of the election for which the application he attests is made.

For the purposes of sub-paragraph (c) above and sub-paragraph (d) of paragraph (3) below, one person is related to another if he is the husband, wife, parent, grandparent, brother, sister, child or grandchild of the other.

(3) The person attesting an application under paragraph (2) above shall state—

- (a) his full name and address,
- (b) that he is aged 18 years or over,
- (c) that he resides in the United Kingdom,
- (d) that he knows the applicant, but is not related to him, and

- (e) that he has not attested under paragraph (2) above any other application in respect of the election for which the application he attests is made;

and shall certify that, to the best of his knowledge and belief, the statement included in the application in accordance with the requirements of paragraph (1) above is true.

(4) This paragraph applies in respect of an application under section 7(1) of the Act of 1985 which—

- (a) states that it is made on the grounds that the applicant cannot reasonably be expected to vote in person at his allotted polling station (within the meaning of Regulation 64(6) above) because he will be or is likely to be physically ill on the date of the poll,
- (b) specifies that illness, and
- (c) is attested and signed by one of the persons specified in sub-paragraphs (a), (b) and (c) of Regulation 64(2) above.

(5) The person attesting an application under paragraph (4) above shall state—

- (a) his name and address and the qualification by virtue of which he is authorised to attest it; and
- (b) that, to the best of his knowledge and belief, the applicant is suffering from the physical illness specified in the application, that he will be or is likely to be so suffering on the date of the poll, and that he cannot reasonably be expected to vote in person at his allotted polling station by reason of that illness.

Additional requirements for applications for appointment of a proxy

67. An application for the appointment of a proxy under section 8(6) or (7) of the Act of 1985 shall state the full name and address of the person whom the applicant wishes to appoint as his proxy, together with his family relationship, if any, with the applicant, and—

- (a) if it is signed only by the applicant, shall contain a statement by him that he has consulted the person so named and that that person is capable of being and willing to be appointed to vote as his proxy, or
- (b) if it is also signed by the person to be appointed, shall contain a statement by that person that he is capable of being and willing to be appointed to vote as the applicant's proxy.

Additional requirements for applications by proxies to vote by post at a particular election

68. An application under section 9(7) of the Act of 1985 shall set out why the applicant's circumstances on the date of the poll for the election in respect of which it is made will be or are likely to be such that he cannot reasonably be expected to vote in person at the polling station allotted or likely to be allotted to the elector under the elections rules.

*Closing dates for applications***69.**— (1) An application—

- (a) to vote by post or proxy under section 6(1) of the Act of 1985;
- (b) by an absent voter to alter his choice as to the manner of absent voting under section 6(5) of that Act;
- (c) for the appointment of a proxy under section 8(6) of that Act; or
- (d) from a proxy to vote by post under section 9(4) of that Act,

shall be disregarded for the purposes of any particular election if it is received by the registration officer after noon on the thirteenth day before the date of the poll at that election.

(2) Subject to paragraphs (3) and (4) below, an application—

- (a) to vote by post or proxy under section 7(1) of the Act of 1985;
- (b) by a postal voter for his ballot paper to be sent to a different address or to vote instead by proxy at a particular election under section 7(2) of that Act;
- (c) for the appointment of a proxy under section 8(7) of that Act;
- (d) from a proxy to vote by post under section 9(7) of that Act; or
- (e) from a postal proxy for his ballot paper to be sent to a different address at a particular election under section 9(8) of that Act,

shall be disallowed if it is received by the registration officer after noon on the thirteenth day before the date of the poll at the election for which it was made.

(3) Paragraph (2) above shall not apply to an application—

- (a) to which paragraph (4) of Regulation 66 above applies and which is attested in accordance with paragraph (5) of that Regulation, and
- (b) in which, in addition to those requirements, the applicant states that on the thirteenth day before the date of the poll at the election for which the application is made (calculated in accordance with paragraph (6) below) he could not reasonably have foreseen that he would be or was likely to be physically ill on the date of the poll and the attester states that, so far as he is aware, that statement is true;

and such an application shall be disallowed if it is received by the registration officer after noon on the sixth day before the date of the poll at the election for which it was made.

(4) Paragraph (2) above shall not apply to an application to vote by post or proxy under section 7(1) of the Act of 1985 in which the applicant's circumstances on the date of the poll for the election in respect of which it is made are stated to be his employment, either as a constable or by the returning officer, on that date for a purpose connected with that election; and such an application may be disallowed if it is received by the registration officer after noon on the thirteenth day before that date.

(5) An application—

- (a) under section 6(4)(a) of the Act of 1985, by an elector to be removed from the record kept under section 6(3), and

(b) under section 9(11)(a) of that Act, by a proxy to be removed from the record kept under section 9(6), and

a notice under section 8(9) of that Act of the cancellation of a proxy's appointment may be disregarded for the purposes of any particular election if it is received by the registration officer after noon on the thirteenth day before the date of the poll at that election.

(6) In computing a period of days for the purposes of this Regulation—

(a) a Saturday or Sunday, or

(b) Christmas Eve, Christmas Day, Maundy Thursday, Good Friday or a bank holiday,

shall be disregarded.

In sub-paragraph (b) above, “bank holiday” means—

(i) in relation to a general election, a day which is a bank holiday under the Banking and Financial Dealings Act 1971(a) in any part of the United Kingdom, and

(ii) in relation to a by-election, a day which is a bank holiday under that Act in Northern Ireland;

but at a general election, sub-paragraph (ii) and not sub-paragraph (i) above applies in relation to any proceedings commenced afresh by reason of a candidate's death.

Grant or refusal of applications

70.— (1) Where the registration officer grants an application under section 6, 7, 8 or 9 of the Act of 1985 he shall, where practicable, notify the applicant of his decision.

(2) The proxy paper to be issued by the registration officer on the appointment of a proxy shall be in Form D.

(3) Where the registration officer disallows an application under section 6, 7, 8 or 9 of the Act of the 1985, he shall notify the applicant of his decision and, in the case of an application under section 6(1) or 9(4), of the reason for his decision; and he shall date such notification.

(4) Where under Regulation 69(1) or (5) above the registration officer disregards an application for the purposes of any particular election, he shall, where practicable, notify the applicant of this.

Notice of appeal

71.— (1) A person desiring to appeal under section 56(1)(b) of the Act of 1983(b) against the decision of a registration officer must give notice of the appeal to the registration officer within 14 days of the receipt of the notice given under Regulation 70(3) above specifying the grounds of the appeal.

(a) 1971 c.80.

(b) Section 56(1)(b) was amended by paragraph 1 of Schedule 2 to the Act of 1985.

(2) The registration officer shall forward any such notice to the county court together in each case with a statement of the material facts which in his opinion have been established in the case, of his decision upon the whole case and on any point which may be specified as a ground of appeal.

(3) Where it appears to the registration officer that any notices of appeal given to him are based on similar grounds, he shall inform the county court of this to enable the court (if it thinks fit) to consolidate the appeals or select a case as a test case.

Cancellation of proxy appointment

72. Where the appointment of a proxy is cancelled by notice given to the registration officer under section 8(9) of the Act of 1985 or ceases to be in force under that provision or is no longer in force under section 8(10)(b) of that Act, the registration officer shall—

- (a) notify the person whose appointment as proxy has been cancelled or ceases to be or is no longer in force, unless the registration officer has previously been notified by that person that he no longer wishes to act as proxy, and
- (b) remove his name from the record kept under section 6(3)(c) of that Act.

Inquiries by registration officer

73.— (1) The registration officer may, at such times as he thinks fit, make inquiries of a person—

- (a) who is shown in the record kept under subsection (3) of section 6 of the Act of 1985 by virtue of an application under that section on the grounds set out in paragraph (b) or (c) of subsection (2) of that section, or
- (b) who immediately before the date of the commencement of sections 5 to 9 of that Act was entitled to vote by post or by proxy for an indefinite period at parliamentary elections, in pursuance of an application or applications to be treated as an absent voter based on the grounds set out in paragraph (b)(i), (c), (g) or (h) of section 19(1) of the Act of 1983 and in respect of whom section 6 of the Act of 1985 has effect, by virtue of paragraph 9(1)(a) of Schedule 2 to that Act, as if an application under that section so to vote had been granted on that date,

for the purpose of determining whether there has been a material change of circumstances.

(2) In the case of a person—

- (a) who is shown in the record kept under subsection (3) of section 6 of the Act of 1985 by virtue of an application under subsection (1) of that section on the grounds set out in paragraph (c) of subsection (2) of that section, or
- (b) to whom paragraph (1)(b) above applies and whose application to be treated as an absent voter was based on the ground set out in

paragraph (b)(i), (g) or (h) (general nature of the applicant's occupation, service or employment or that of his spouse) of section 19(1) of the Act of 1983,

the registration officer shall make the inquiries referred to in paragraph (1) above not later than three years after the date of the granting of the application or the last such inquiries, as the case may be.

In respect of a person to whom paragraph (1)(b) above applies, the date of the commencement of sections 5 to 9 of the Act of 1985 shall be treated as the date of the granting of the application.

(3) The registration officer may treat the failure by a person of whom inquiries have been made under paragraph (1) or (2) above to respond to such inquiries within one month of the date on which they were made as sufficient evidence of a material change in circumstances.

Records and lists kept under sections 6, 7 and 9 of Act of 1985

74.— (1) Subject to the provisions of this Regulation, the records kept under section 6(3) and 9(6) of the Act of 1985 and the lists kept under sections 7(4) and 9(9) of that Act shall be in such form as the registration officer thinks fit.

(2) In that part of the absent voters list referred to in paragraph (a) of section 7(4) of the Act of 1985, the address to which the ballot paper is to be sent to a person who is entitled to vote by post as an elector shall be placed on the right hand side of his name and electoral number.

(3) In that part of the absent voters list referred to in paragraph (b) of section 7(4) of the Act of 1985 (the list of proxies), the name and address of the proxy shall be placed on the right hand side of the elector's name and electoral number.

(4) In the list kept under section 9(9) of the Act of 1985 (those proxies who are entitled to vote by post), the name of the proxy, together with the address to which his ballot paper is to be sent, shall be placed on the right hand side of the elector's name and electoral number.

(5) The registration officer shall make available for inspection at his office a copy of the records kept under sections 6(3) and 9(6) of the Act of 1985.

(6) As soon as practicable after the day referred to in Regulation 69(1) above, the registration officer shall publish the lists kept under sections 7(4) and 9(9) of the Act of 1985 by making a copy of them available for inspection at his office; and he shall continue to make a copy of those lists so available until the date of the poll.

(7) As soon as practicable after the publication of the lists referred to in paragraph (6) above, the registration officer shall, on request, supply free of charge a copy of them to each candidate or his election agent:

Provided that, if such a request is made before any issue of postal ballot papers, he shall before that issue supply a copy of those lists or so much of them as relates to that issue.

(8) In this Regulation, “electoral number” means a person’s number in the register to be used at the election or, pending publication of the register, his number (if any) in the electors lists for that register.

Marked register for polling stations

75. To indicate that an elector or his proxy is entitled to vote by post and is for that reason not entitled to vote in person, the letter “A” shall be placed against the name of that elector in any copy of the register, or part of it, provided for a polling station.

Certificate of employment

76. The certificate as to the employment of constables and persons employed by the returning officer on the date of the poll at an election (to enable such a constable or person to vote elsewhere than at his own polling station) shall be in Form G, and shall be signed, in the case of a constable, by an officer of the Royal Ulster Constabulary of or above the rank of chief inspector.

PART V

ISSUE AND RECEIPT OF POSTAL BALLOT PAPERS

Interpretation of Part V

77. For the purposes of this Part of these Regulations, unless the context otherwise requires:—

“agent” includes the election agent and a person appointed to attend in the election agent’s place;

“ballot paper envelope” and “covering envelope” mean the envelopes as referred to in Regulation 84 below;

“issue” includes the original and any subsequent issue;

“list of postal proxies” means the list kept under section 9(9) of the Act of 1985;

“postal ballot paper” means a ballot paper issued to a postal voter;

“postal voter” means a voter who is entitled to vote by post (and includes a postal proxy);

“postal voters’ ballot box” means the ballot box referred to in Regulation 86 below;

“receptacle for ballot paper envelopes” and “receptacle for declarations of identity” mean the receptacles referred to in Regulation 91(4) below, “receptacle for postal ballot papers” means the receptacle referred to in Regulation 90(4) below and “receptacle for rejected votes” means the receptacle referred to in Regulation 91(2) below; and

“spoilt postal ballot paper” means a ballot paper referred to in Regulation 88(1) below.

*Issue of postal ballot papers**Form of declaration of identity*

78. The declaration of identity sent with the ballot paper to a postal voter shall be in Form E.

Persons entitled to be present at issue and receipt of postal ballot papers

79.— (1) No person other than:—

- (a) the returning officer and his clerks,
- (b) a candidate,
- (c) an election agent or any person appointed by a candidate to attend in his election agent's place,
- (d) any agents appointed under paragraph (2) below,

may be present at the proceedings on the issue or receipt of postal ballot papers.

(2) Where postal ballot papers are to be issued, or the envelopes contained in the postal voters' ballot boxes are to be opened, simultaneously in two or more batches, each candidate may appoint one or more agents up to the number he may be authorised by the returning officer to appoint not exceeding the number of such batches so, however, that the number authorised shall be the same in the case of each candidate.

(3) Notice of the appointment stating the names and addresses of the persons appointed shall be given by the candidate to the returning officer before the time fixed for the issue of the postal ballot papers or the opening of the postal voters' ballot boxes, as the case may be.

(4) If an agent dies or becomes incapable of acting, the candidate may appoint another agent in his place and shall forthwith give to the returning officer notice in writing of the name and address of the agent appointed.

(5) Agents may be appointed and notice of appointment given to the returning officer by the candidate's election agent instead of by the candidate.

(6) In this Part of these Regulations references to agents shall be taken as reference to agents whose appointments have been duly made and notified and, in the case of agents appointed under paragraph (2) above, who are within the number authorised by the returning officer.

(7) A candidate may himself do any act or thing which any agent of his, if appointed, would have been authorised to do, or may assist his agent in doing any such act or thing.

(8) Where in this Part of these Regulations any act or thing is required or authorised to be done in the presence of the candidates or their agents, the non-attendance of any such persons or person at the time and place appointed for the purpose shall not, if the act or thing is otherwise duly done, invalidate the act or thing done.

Notification of requirement of secrecy

80. The returning officer shall make such arrangements as he thinks fit to ensure that every person attending the proceedings in connection with the issue and receipt of postal ballot papers has been given a copy in writing of the provisions of subsections (4) and (6) of section 66 of the Act of 1983(a).

Notice of issue of postal ballot papers

81.— (1) The returning officer shall give each candidate not less than 48 hours' notice in writing of the time and place at which he will issue postal ballot papers and of the number of agents he may appoint under Regulation 79(2) above to attend that issue.

(2) Where any subsequent issue of postal ballot papers is made, the returning officer shall notify each candidate as soon as practicable of the time and place at which he will make such subsequent issue and of the number of agents the candidate may appoint under Regulation 79(2) above to attend such issue.

Marking of postal ballot paper etc.

82.— (1) Each postal ballot paper issued shall be stamped with the official mark, and the name and number of the elector as stated in the register shall be called out, and such number shall be marked on the counterfoil, and a mark shall be placed in the absent voters list or the list of postal proxies against the number of the elector to denote that a ballot paper has been issued to the elector or his proxy but without showing the particular ballot paper issued.

(2) The number of a postal ballot paper shall be marked on the declaration of identity sent with that paper.

Refusal to issue postal ballot paper

83. Where a returning officer is satisfied that two or more entries in either the absent voters list or the list of postal proxies or in each of those lists relates to the same elector he shall not issue more than one ballot paper in respect of the same elector.

Envelopes

84. The returning officer shall, in addition to the ballot paper, declaration of identity and envelope for their return (referred to as a "covering envelope") which he is required by rule 24 of the elections rules to send to a postal voter, send a smaller envelope marked "ballot paper envelope" bearing the number of the ballot paper.

Delivery of postal ballot papers to post office

85.— (1) Envelopes addressed to postal voters shall be counted and forthwith delivered by the returning officer to the nearest head post office, or such other office as may be arranged with the head postmaster, and the

(a) Section 66(6) was amended by paragraph 3 of Schedule 3 to the Act of 1985.

postmaster shall stamp with the post office date stamp a form of receipt to be presented by the returning officer stating the number of envelopes so delivered, and shall immediately forward such envelopes for delivery to the persons to whom they are addressed.

(2) First class postage of all such envelopes and all covering envelopes shall be prepaid by the returning officer.

Provision of postal voters' ballot box

86.— (1) The returning officer shall, at the proceedings on the original issue of postal ballot papers, provide a ballot box or ballot boxes for the reception of the covering envelopes when returned by the postal voters.

(2) Every such ballot box shall be shown open and empty to the agents present and shall then be locked by the returning officer and sealed with the seal of the returning officer and the seals of such of the agents as desire to affix their seals in such manner as to prevent its being opened without breaking the seal.

(3) Every such ballot box shall be marked “postal voters' ballot box” and with the name of the constituency for which the election is held.

(4) The returning officer shall make provision for the safe custody of every such ballot box.

Sealing up of special lists and counterfoils

87.— (1) The returning officer, as soon as practicable after the completion of the issue of the postal ballot papers, and in the presence of the agents, shall make up in separate packets:—

(a) the marked copies of the absent voters list and of the list of postal proxies, and

(b) the counterfoils of those ballot papers which were issued,
and shall seal such packets.

(2) The sealed packet containing the copies of the absent voters list and of the list of postal proxies may be opened by the returning officer for the purposes of a subsequent issue, and on completion of that issue the copies shall be again made up and sealed in accordance with paragraph (1) above.

Spoilt postal ballot paper

88.— (1) If a postal voter has inadvertently dealt with his postal ballot paper in such manner that it cannot be conveniently used as a ballot paper (referred to as “a spoilt postal ballot paper”) he may return (either by hand or by post) to the returning officer the spoilt postal ballot paper, the declaration of identity, the ballot paper envelope and the covering envelope.

(2) The returning officer on receipt of those documents, shall, unless the documents are received too late for another postal ballot paper to be returned before the close of the poll, issue another postal ballot paper.

(3) Regulations 79 to 87 above, except:—

- (a) sub-paragraphs (b), (c) and (d) of paragraph (1) and paragraphs (2) to (8) of Regulation 79,
- (b) Regulation 81, and
- (c) any reference to the presence of the agents,

shall apply to the issue of postal ballot papers under paragraph (2) above.

(4) The spoilt postal ballot paper, the declaration of identity and the ballot paper envelope shall be immediately cancelled.

(5) The returning officer, as soon as practicable after cancelling those documents, shall make up those documents in a separate packet and shall seal the packet; and if on any subsequent occasion documents are cancelled as mentioned above, the sealed packet shall be opened and the additional cancelled documents included in it and the packet shall then be again made up and sealed.

Receipt of postal ballot papers

Receipt of covering envelope

89. The returning officer shall, immediately on receipt (whether by hand or by post) of a covering envelope before the close of the poll, place it unopened in a postal voters' ballot box locked and sealed in accordance with Regulation 86 above.

Opening of postal voters' ballot box

90.— (1) Each postal voters' ballot box shall be opened by the returning officer in the presence of the agents.

(2) So long as the returning officer ensures that there is at least one postal voters' ballot box for the reception of covering envelopes up to the time of the close of the poll, the other postal voters' ballot boxes may previously be opened by him.

(3) The returning officer shall give each candidate not less than 48 hours' notice in writing of the time and place of the opening of each postal voters' ballot box and the envelopes contained in it and of the number of agents the candidate may appoint under Regulation 79(2) above to be present at each opening.

(4) The returning officer shall provide a ballot box as a receptacle for postal ballot papers (referred to as "receptacle for postal ballot papers") and every such ballot box shall be shown open and empty to the agents present and shall then be locked by the returning officer and sealed with the seal of the returning officer and the seals of such of the agents as desire to affix their seals in such manner as to prevent its being opened without breaking the seal.

(5) Every ballot box referred to in paragraph (4) above shall be marked "postal voters' ballot papers" and with the constituency for which the election is held.

(6) The returning officer shall make provision for the safe custody of every such ballot box.

(7) The ballot box shall be opened at the counting of the votes under rule 45 of the elections rules.

Opening of covering envelopes

91.— (1) When a postal voters' ballot box has been opened, the returning officer shall count and note the number of covering envelopes and shall then open each covering envelope separately.

(2) Where a covering envelope does not contain both a declaration of identity and a ballot paper envelope or, if there is no ballot paper envelope, a ballot paper, he shall mark the covering envelope "rejected", attach to it the contents (if any) of the covering envelope and place in a separate receptacle (referred to as "the receptacle for rejected votes"); and if the covering envelope does not contain the declaration separately, the returning officer shall open the ballot paper envelope to ascertain if the declaration is inside that envelope.

(3) On opening a covering envelope, other than one to which paragraph (2) above applies, the returning officer shall first satisfy himself that the declaration of identity has been duly signed and authenticated and, if he is not so satisfied, he shall mark the declaration "rejected", attach to it the ballot paper envelope or, if there is no such envelope, the ballot paper, and place it in the receptacle for rejected votes.

Provided that before so doing he shall show the declaration to the agents and, if any objection is made by any agent to his decision, he shall add the words "rejection objected to".

(4) Where the number on the declaration of identity duly signed and authenticated agrees with the number on the ballot paper envelope, he shall place the declaration in a separate receptacle (referred to as "the receptacle for declarations of identity") and the ballot paper envelope in another separate receptacle (referred to as "the receptacle for ballot paper envelopes").

(5) Where there is no ballot paper envelope or the ballot paper envelope has been opened under paragraph (2) above, he shall:—

(a) where the number on the declaration of identity duly signed and authenticated agrees with the number on the ballot paper, place the declaration in the receptacle for declarations of identity and the ballot paper in the receptacle for postal ballot papers;

(b) where the number on the declaration does not agree with the number on the ballot paper, mark the declaration "rejected", attach to it the ballot paper and place it in the receptacle for rejected votes.

(6) Where the number on the declaration of identity duly signed and authenticated does not agree with the number on the ballot paper envelope or that envelope has no number on it, he shall open the envelope and shall:—

(a) where the number on the declaration agrees with the number on the ballot paper, place the declaration in the receptacle for declarations of identity and the ballot paper in the receptacle for postal ballot papers;

(b) where the number on the declaration does not agree with the number

on the ballot paper or there is no ballot paper, mark the declaration “rejected”, attach to it the ballot paper (if any) and place it in the receptacle for rejected votes.

(7) Except for the purposes of ascertaining under paragraph (2) above whether a ballot paper envelope contains a declaration of identity or under paragraph (6) above whether the number on the declaration agrees with the number on the ballot paper, the returning officer shall not open the ballot paper envelopes before they are opened under Regulation 93 below.

Sealing up of rejected votes and declarations of identity

92. On the conclusion of the proceedings under Regulation 91 above the returning officer shall put the contents of the receptacle for rejected votes and the contents of the receptacle for declarations of identity into two separate packets and shall seal up such packets.

Opening of ballot paper envelopes

93.— (1) After sealing up the packets referred to in Regulation 92 above the returning officer shall open separately each ballot paper envelope placed in the receptacle for ballot paper envelopes.

(2) Where a ballot paper envelope does not contain a ballot paper, he shall mark the envelope “rejected”.

(3) Where the number on the ballot paper envelope agrees with the number on the ballot paper contained in it, he shall place the ballot paper in the receptacle for postal ballot papers.

(4) Where the number on the ballot paper envelope does not agree with the number on the ballot paper contained in it, he shall mark the ballot paper “rejected” and attach the ballot paper envelope to it.

(5) He shall put into a separate packet the envelopes and the ballot papers marked “rejected” under the provisions of this Regulation and shall seal up such packet.

Abandoned poll

94. Where a poll is abandoned or countermanded after postal ballot papers have been issued, by reason of the death of a candidate, the returning officer:—

- (a) shall not take any step or further step to open covering envelopes or deal with their contents in accordance with the provisions of this Part of these Regulations, and
- (b) shall, notwithstanding Regulation 92 or 93 above, treat all unopened covering envelopes and the contents of those which have been opened as if they were counted ballot papers.

Forwarding of documents

95.— (1) The returning officer shall forward to the Clerk of the Crown for

Northern Ireland at the same time as he forwards the documents mentioned in rule 55 of the elections rules:—

- (a) any packets referred to in Regulation 87, 88, 92 or 93 above, subject to the provisions of Regulation 94 above, endorsing on each packet a description of its contents, the date of the election to which it relates and the name of the constituency for which the election was held; and
- (b) a completed statement in Form L of the number of postal ballot papers issued.

(2) Where any covering envelopes are received by the returning officer after the close of the poll or any envelopes addressed to postal voters are returned as undelivered too late to be readdressed, or any spoilt ballot papers are returned too late to enable other postal ballot papers to be issued, he shall put them unopened into a separate packet, seal up such packet and forward it at a subsequent date in the manner described in paragraph (1) above.

(3) Any packet or statement forwarded under this Regulation shall be deemed to have been forwarded in pursuance of the elections rules.

(4) A copy of the statement referred to in paragraph (1)(b) above shall be provided by the returning officer to the Secretary of State.

Tom King,
One of Her Majesty's Principal
Secretaries of State.

Northern Ireland Office.
26th June 1986.

SCHEDULE 1

ENABLING POWERS

These Regulations are made under the following provisions of the Representation of the People Act 1983 (“the Act of 1983”) and, having regard to section 27(2) of the Representation of the People Act 1985 (“the Act of 1985”), the following provisions of that Act, namely—

- (a) sections 15(2) and (4), 18(8), 53(a) and 201(1) of, and Schedule 2(b) to, the Act of 1983,
- (b) rule 37(1F) (e) of Schedule 1 to the Act of 1983, and
- (c) section 3(5), (6) and (7) of the Act of 1985, and

having regard to the definition of “prescribed” in section 202(1) of the Act of 1983, the following provisions of those Acts, namely—

- (i) sections 7(4), 10(b)(d), 14(1), 16, 56(1) and (5), 75(3) and 89(1) of the Act of 1983;
- (ii) rules 24(e), 28(3) and 32(3) in Schedule 1 to the Act of 1983; and
- (iii) sections 2(3), 6(1) and (5), 7(1) and (3), 8(6) and (7) and 9(4), (7) and (8) of the Act of 1985.

SCHEDULE 2

FORMS

ARRANGEMENT OF FORMS

- Form A: Return by occupier as to residents.
- Form B: Notice of publication of draft register.
- Form C: Notice of publication of electors lists.
- Form D: Proxy paper.
- Form E: Elector’s official poll card.
- Form F: Proxy’s official poll card.
- Form G: Certificate of employment.
- Form H: Declaration of identity.
- Form J: Form of return of expenses required by section 75 of the Act of 1983.
- Form K: Form of declaration as to expenses required by section 75 of Act of 1983.
- Form L: Statement as to postal ballot papers.

-
- (a) Section 53 of the Act of 1983 was amended by paragraph 13 of Schedule 4 to the Act of 1985.
 - (b) Schedule 2 to the Act of 1983 was amended by section 4(7) of, paragraph 8 of Schedule 2 to, paragraph 11 of Schedule 3 to, and paragraph 87 of Schedule 4 to, the Act of 1985.
 - (c) Rule 37(1F) was inserted by section 1(2) of the Elections (Northern Ireland) Act 1985 (c.2).
 - (d) Section 10(b) of the Act of 1983 was amended by section 4(2)(b) of the Act of 1985.
 - (e) Rule 24 was amended by paragraph 78 of Schedule 4 to the Act of 1985, but the additional power conferred is not exercised in these Regulations.

FORM A: RETURN BY OCCUPIER
AS TO RESIDENTS

Your right to vote

You can vote in elections only if your name appears in the register of electors. A new register is being prepared now.

About this form

The law requires the householder to give the information requested in this form. So please fill it in, sign it and return it to the electoral registration officer *as quickly as possible*.

Remember to include the names of those in your household who will be eligible—their right to vote is important too.

The qualifying date for the new register is 15 September 1986. But you need not wait until then to fill in the form. And you should still give the information even if you intend to move home after 15 September.

Inside this form there are details of who is eligible to vote and instructions on how to answer the questions.

If there is anything you don't understand or if you would like more information, contact your electoral registration officer at the address shown on the form. He will be pleased to help.

Checking the register

The draft register is published on 28 November and between then and 16 December you should check at your local council offices to make sure that your name has been included. If for some reason you have been missed off, you should apply immediately to have your name added to the register.

Adding your name to the register in force

The full register of electors for 1987 comes into force on 16 February. If you find that your name is not on the register for your address and you were resident there on 15 September, and in Northern Ireland for the whole of the period of three months ending on that date, apply as soon as possible to have your name added.

Absent votes for blind and disabled people

People who are blind, disabled or seriously ill may be entitled to a postal or proxy vote to save them having to go to the polling station in person. The electoral registration officer can give further information.

Does your work take you away from home?

If you think you will be unable to vote in person at elections because your work regularly takes you away from home, you may be entitled to a postal or proxy vote. Details are available from the electoral registration officer.

REGISTER OF ELECTORS 19

You are required by law to complete this form.

1 Please fill in 1 & 2, 4 & 5 or 1, 3, 4 & 5 if no one in your household is eligible to vote. Please write your full address.
(Please write in BLOCK LETTERS.)

2 Please read the instructions below and then write here the names of all those living in your household on 15 September 1986 **who are British, other Commonwealth or Irish citizens and are aged 18 or over on that date and who have resided in Northern Ireland for the whole of the period of three months ending on that date.**

Please remember to include the following:

- (a) **16 and 17 year olds**—they can vote as soon as they are 18. Please give their dates of birth in the special box opposite. The electoral registration officer will ensure that only those who reach 18 during the life of the register will be included in it.
- (b) **Those who normally live in your household but are temporarily away**—for example, on holiday, as students, in hospital (including voluntary patients in psychiatric hospitals).
- (c) **Anyone who is away working**, unless his or her absence will total more than six months.
- (d) **Any other residents, lodgers or guests** (but not short stay visitors) in your household, whether this is a private address, or hostel or a club, including merchant seamen who live there when not at sea.

Please do not include:

- * **Foreign nationals.**
Citizens of other European Community member states are foreign nationals and (except for citizens of the Republic of Ireland) are not eligible to vote.
- * **People under 16.**
- * **Members of HM Forces, Crown servants serving abroad and British Council staff serving abroad.**†
- * **Wives or husbands of members of HM Forces**† who have made a service declaration which they have not cancelled.
- * **Wives or husbands of Crown servants and British Council staff serving abroad** †if living abroad to be with their husbands or wives.

† Special voting arrangements are made for these people.

DON'T LOSE YOUR RIGHT TO VOTE X

| | | | |
|--|--|---------------------------|----------|
| 1 Address | | | |
| No. of flat bedsit or floor (where applicable) | No. of house (or name if not numbered) | Name of street, road etc. | Postcode |
| | | Remainder of address | |

| | |
|--|---|
| 2 Names | |
| Please read the instructions on the left before filling in | |
| Title Mr, Mrs, Miss, etc. | Surname (BLOCK LETTERS) Full Christian names or forenames (BLOCK LETTERS) |
| | 16/17 year olds (see note '2a') Please give dates of birth of 16/17 year olds |
| | |
| | |

| |
|---|
| 5 Declaration |
| It is an offence to give false information in completing this form. I declare that to the best of my knowledge and belief the particulars given above are true and accurate and that all those whose names are entered are British citizens, other Commonwealth citizens or citizens of the Irish Republic. |
| Sign here Date |

| |
|---|
| 3 No one eligible |
| If no one in your household is eligible to vote, please write 'NO ONE' here |

| | | |
|--|------------------------------|-----------------------------|
| 4 Other households | | |
| Is where you live part of a house or other property that has been converted into flats or bedsits? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| The electoral registration officer would like to make sure that other people living there are given a form so that they are not missed off the register. | | |

| |
|---|
| How to return this form |
| First, check that you have read and completed 1 to 5 of the form. Then, if an extra or reusable envelope was provided, please return the form in that—no stamp necessary. If no envelope was supplied the form will be collected. |

| |
|-----------------------------|
| For office use only. |
| |

Regulation 38

FORM B: NOTICE OF PUBLICATION OF DRAFT REGISTER

REPRESENTATION OF THE PEOPLE ACTS

DRAFT REGISTER OF ELECTORS

WHAT THE DRAFT REGISTER IS FOR

1. The register of electors for the twelve months beginning on 16th February next will be based on the draft register. Unless your name is on the register of electors you will not be able to vote at any election. To make sure that you will be on the new register and able to vote you should therefore look at the draft register to see that your name is included on it.

HOW TO FIND YOUR NAME IN THE DRAFT REGISTER

2. Before you can trace your name in the draft register you must know in which polling district you live. If you do not know, ask whether an index of streets is available showing where your address appears in the register.

WHAT TO DO IF YOU FIND THAT YOUR NAME IS NOT ON THE DRAFT REGISTER

3. If your name is not on the draft register and you think it ought to be, you should submit a claim to the electoral registration officer not later than noon on 16th December on a form which he will give you.

4. Your name ought to be on the register of parliamentary electors if you are over 18 now, or your 18th birthday is not later than 15th February in the year after next, and either

- (i) you were resident at an address in the constituency on 15th September last and resident in Northern Ireland for the whole of the period of three months ending on that date;
- or (ii) you had, as a service voter, made a service declaration on or before 15th September last in respect of an address in the constituency,
- or (iii) you had made a patient's declaration or an overseas elector's declaration on or before 15th September last in respect of an address in the constituency.

OBJECTIONS TO OR ALTERATION OF ENTRIES

5. A request for the alteration of any entry, or an objection to the inclusion of any other person's name, should be submitted to the electoral registration officer not later than noon on 16th December on a form which he will give you.

Address of the electoral registration officer
.....

Regulation 38

FORM C: NOTICE OF PUBLICATION OF ELECTORS LISTS

REPRESENTATION OF THE PEOPLE ACTS

ELECTORS LISTS

WHAT THE LISTS ARE FOR

1. The register of electors for the twelve months beginning on 16th February next will be based on these electors lists. Unless your name is on the register of electors you will not be able to vote at any election. To make sure that you will be on the new register and able to vote you should therefore look at these lists.

HOW TO FIND YOUR NAME IN THE LISTS

2. Before you can trace your name in the lists you must know in which polling district you live. If you do not know, ask whether an index of streets is available showing where your address appears in the register.

3. There are three lists, marked A, B and C.

List A is the register for the present year.

List B shows the names which will be added to it next year.

List C shows the names which will be removed from it next year.

(i) Look at List A first.

(ii) If your name is in List A, look at List C. If your name is not in List C, then it will be included in the new register, and you will be able to vote.

(iii) If your name is not in List A, look at List B. If your name is in List B, then it will be included in the new register, and you will be able to vote.

WHAT TO DO IF YOU FIND THAT YOUR NAME WILL NOT BE ON THE REGISTER

4. If you think your name ought to be on the register, you should submit a claim to the electoral registration officer not later than noon on 16th December on a form which he will give you.

5. Your name ought to be on the register of parliamentary electors if you are over 18 now, or your 18th birthday is not later than 15th February in the year after next, and either

(i) you were resident at an address in the constituency on 15th September last and resident in Northern Ireland for the whole of the period of three months ending on that date;

or (ii) you had, as a service voter, made a service declaration on or before 15th September last in respect of an address in the constituency,

or (iii) you made a patient's declaration or an overseas elector's declaration on or before 15th September last in respect of an address in the constituency.

OBJECTIONS TO OR ALTERATION OF ENTRIES

6. A request for the alteration of any entry, or an objection to the inclusion of any other person's name, should be submitted to the electoral registration officer not later than noon on 16th December on a form which he will give you.

Address of the electoral registration officer
.....

Regulation 70(2)

FORM D: PROXY PAPER

REPRESENTATION OF THE PEOPLE ACTS

Constituency

Polling District

Name of Proxy

Address

.....

is hereby appointed as proxy for

(Name of elector)

*[who is qualified to be registered for

(Qualifying address)]

*[who qualifies as an overseas elector in respect of the above constituency] to vote for him/her at

*[the parliamentary election for the above constituency on (date)]

*[any parliamentary election for the above parliamentary constituency.]

*[This proxy appointment is not valid until]

Signature

**Delete whichever is inappropriate*

Electoral Registration Officer

Address

.....

.....

Date

YOUR RIGHT TO VOTE AS PROXY

1. This proxy paper gives you the right to vote as proxy on behalf of the elector whose name is given above.
2. Your appointment as proxy may be for a particular election only, or it may be for an indefinite period. If it is for a particular election, you have the right to vote as proxy only at the election specified in the proxy paper. If it is for an indefinite period, you have the right to vote as proxy at any parliamentary election until the electoral registration officer informs you to the contrary.
3. When the elector applied for you to be appointed as proxy EITHER he or she was asked to state that he or she had consulted you and that you were capable of being and willing to be appointed as proxy OR you signed a statement stating that you were capable of being and willing to be appointed. You are capable of being appointed as proxy if you are at least 18 years old on polling day, a British or other Commonwealth citizen or a citizen of the Republic of Ireland and not for any reason disqualified from voting. If for some reason you are not capable of being, or willing to be, appointed as proxy, please write to the elector asking him to cancel the appointment.
4. You may vote as proxy at the polling station allotted to the elector on whose behalf you are appointed. However, you may not vote as proxy at the same election for more than two electors of whom you are not the husband, wife, parent, grandparent, brother, sister, child or grandchild. Shortly before polling day you will be sent a proxy poll card telling you where the polling station is. You do not need to take either the poll card or this proxy paper to the polling station but you may find it helpful to do so. Remember that the elector may still vote in person. If he or she applies for a ballot paper at the polling station before you do you will not be able to vote as proxy on his or her behalf.
5. If you cannot vote in person at the polling station the electoral registration officer may be able to allow you to vote as proxy by post. If your appointment is for an indefinite period, you may apply to vote by post throughout the period your appointment is in force if you live in a different ward from the elector's qualifying address. If you are registered for the same ward as the elector, you may apply if you are entitled to vote by post or proxy on your own behalf. In addition, you may vote by post at a particular election if the electoral registration officer is satisfied that you cannot reasonably be expected to vote in person at the elector's polling station. But the electoral registration officer cannot allow an application to vote by post at a particular election if he receives it after midday on the thirteenth working day before the poll.

Regulation 10

FORM E: ELECTOR'S OFFICIAL POLL
CARD*Front of card*

| OFFICIAL POLL CARD | |
|---|--------------------------|
| Constituency | Name |
| Polling day | Number on register |
| Polling hours 7 a.m. to 10 p.m. | Address |
| Your polling station is at | |
| | |
| <p>VOTING INSTRUCTIONS Mark your vote on the ballot paper secretly in one of the voting compartments. Put a X in the box on the right hand side of the ballot paper opposite the name of the candidate you are voting for. Vote for one candidate only. Put no other mark on the ballot paper, or your vote may not be counted.</p> <p>IMPORTANT—PLEASE READ NOTES ON BACK OF THIS CARD</p> | |

Back of card

THE LAW PREVENTS YOU BEING GIVEN A BALLOT PAPER UNLESS YOU PRODUCE ONE OF THE FOLLOWING DOCUMENTS:—

- (a) a *current* Northern Ireland or Great Britain full driving licence or a Northern Ireland provisional licence;
- (b) a *current* United Kingdom or Republic of Ireland passport (including a U.K. Visitor's passport);
- (c) a *current* book for the payment of allowances, benefits or pensions issued by the Department of Health and Social Services for Northern Ireland;
- (d) a medical card issued by the Northern Ireland Central Services Agency;
- (e) a *current* British seaman's card;
- (f) in the case ONLY of a woman married within 2 years of polling day, a certified copy or extract of an entry of marriage issued by a Registrar General in the U.K.

Issued by the Returning Officer

**FORM F: PROXY'S OFFICIAL POLL
CARD**

Front of card

| | |
|--|--|
| Constituency Polling day Polling hours 7 a.m. to 10 p.m. Elector's polling station is at | <p style="text-align: center;">PROXY'S OFFICIAL POLL CARD</p> Proxy's name Proxy's address Elector's name Elector's number on register Elector's address |
| <p>INSTRUCTIONS To vote as proxy for the elector named above you must go to the polling station named above. Tell the clerk you wish to vote as proxy and give the name, number and address of elector as given above. The method of voting as proxy is the same as voting as an elector. The person who appointed you as his proxy may vote himself if he votes before you.</p> | |
| <p>It is an offence to vote as proxy for some other person, if you know that person is subject to a legal incapacity to vote, e.g. if that person has been convicted and is detained in a penal institution in pursuance of his sentence. It is also an offence to vote at this election for more than two persons of whom you are not the husband, wife, parent, grandparent, brother, sister, child or grandchild.</p> | |
| <p>IMPORTANT: YOU MUST IDENTIFY <i>YOURSELF</i> BY ONE OF THE DOCUMENTS SET OUT ON THE BACK OF THIS CARD</p> | |

Back of card

THE LAW PREVENTS YOU BEING GIVEN A BALLOT PAPER UNLESS YOU PRODUCE ONE OF THE FOLLOWING DOCUMENTS:—

- (a) a *current* Northern Ireland or Great Britain full driving licence or a Northern Ireland provisional licence;
- (b) a *current* United Kingdom or Republic of Ireland passport (including a U.K. Visitor's passport);
- (c) a *current* book for payment of allowances, benefits or pensions issued by the Department of Health and Social Services for Northern Ireland;
- (d) a medical card issued by the Northern Ireland Central Services Agency;
- (e) a *current* British seaman's card;
- (f) in the case **ONLY** of a woman married within 2 years of polling day, a certified copy or extract of an entry of marriage issued by a Registrar General in the U.K.

Issued by the Returning Officer

Regulation 76

FORM G: CERTIFICATE OF EMPLOYMENT

REPRESENTATION OF THE PEOPLE ACTS

ELECTION IN THE

.....

CONSTITUENCY

I certify that (name), who is numbered in the register of electors for the constituency named above, cannot reasonably be expected to go in person to the polling station allotted to him or her at the election on (date of poll) by reason of the particular circumstances of his employment on that date, for a purpose connected with the election,

**Delete whichever is inapplicable*

*(a) as a constable,
*(b) by me.

Signature

*Returning officer/Police Officer
(Chief Inspector or above)

Date

Note:— The person named above is entitled to vote at any polling station of the above constituency on production and surrender of this certificate to the presiding officer.

FORM H: DECLARATION OF IDENTITY

Front of form

REPRESENTATION OF THE PEOPLE ACTS

Ballot Paper No

I hereby declare that I am the person to whom the ballot paper numbered as above was sent.

Voter's signature (or mark)

CERTIFICATION BY WITNESS

The voter, who is personally known to me, has signed (or marked) this declaration in my presence.

Witness's signature

Name of Witness
(BLOCK CAPITALS)

Address
(BLOCK CAPITALS)

.....
.....

SEE INSTRUCTIONS ON THE BACK OF THIS FORM

Back of form

INSTRUCTIONS TO THE VOTER

1. Vote for one candidate only. Put no other mark on the ballot paper, or your vote may not be counted.
2. Place a cross (X) on the right-hand side of the ballot paper opposite the name of the candidate for whom you vote. Do this secretly; if you cannot vote without assistance, the person assisting you must not disclose how you have voted.
3. Immediately after voting place the marked ballot paper in the enclosed small envelope on which are printed the words "Ballot paper envelope" and seal it.
4. Then take the sealed ballot paper envelope and the voter's declaration to another person known to you as a witness and sign the declaration in his presence. He should then certify your signature on the declaration by signing the certification, adding his name and address. Without this, the declaration will be invalid.
5. Enclose the signed and witnessed declaration and the sealed ballot paper

envelope in the large enclosed envelope addressed to the returning officer and return it without delay. In order to be counted, the ballot paper must be received by the returning officer not later than the close of the poll.

6. If you receive more than one ballot paper, remember it is illegal to vote more than once (otherwise than as a proxy) at this election.

7. If you lose or destroy the stamped addressed envelope provided for the return of your vote you may use another envelope but any such envelope should be addressed and marked as nearly as possible in the same way as the printed envelope provided.

8. In no circumstances should you share your return envelope with another voter nor share his. If more than one voter's declaration or more than one ballot paper are received together in one covering envelope, the whole contents of the envelope will be disregarded by the returning officer and your vote will be void.

9. At this election you cannot vote in person at a polling station, even if you receive an official poll card.

10. If you inadvertently spoil your postal ballot paper, you can apply to the returning officer for another one. With your application you must return (in a fresh envelope) the spoiled ballot paper, the declaration of identity and the envelope sent to you with your ballot paper. Remember that there is little time available if a fresh ballot paper is to be issued to you for completion and return before the close of the poll.

Regulation 11

FORM J: FORM OF RETURN OF EXPENSES
REQUIRED BY SECTION 75 OF
THE ACT OF 1983

REPRESENTATION OF THE PEOPLE ACTS

ELECTION IN THECONSTITUENCY

Date of publication of notice of election

The expenses incurred at the above election in support of

a candidate thereat, by
(insert name of person or association or body of persons incurring the expenses)
being expenses required by section 75 of the Representation of the People Act 1983 to be
authorised by the election agent, amounted to £

That written authority is annexed to this return.

Signature Date

Regulation 11

FORM K: FORM OF DECLARATION AS TO EXPENSES REQUIRED BY SECTION 75 OF THE ACT OF 1983

REPRESENTATION OF THE PEOPLE ACTS

ELECTION IN THE CONSTITUENCY

Date of publication of notice of election

I hereby declare that—

1. I am the person or a director, general manager, secretary or similar officer of the association or body of persons named as incurring expenses in the accompanying return, marked, of expenses required by section 75 of the Representation of the People Act 1983 to be authorised by an election agent.

2. To the best of my knowledge and belief that return is complete and correct.

3. The matters for which the expenses referred to in that return were incurred as follows

.....

Signature

Office held (In the case of an association or body of persons)

Date

Regulation 95(1)(b)

FORM L: STATEMENT AS TO
POSTAL BALLOT PAPERS

REPRESENTATION OF THE PEOPLE ACTS

PARLIAMENTARY ELECTION

Constituency Date of poll

| <i>A. Issue and receipt of postal ballot papers</i> | <i>Number</i> |
|---|---------------|
| 1. Total number of postal ballot papers issued (including papers issued under Regulation 88(2)). | |
| 2. Number of postal ballot papers issued under Regulation 88(2). | |
| 3. Number of ballot papers returned as part of sets of documents under Regulation 88(1) too late for another ballot paper to be issued. | |
| 4. Number of covering envelopes received by the Returning Officer before the close of the poll, excluding any returned either as undelivered or under Regulation 88(1). | |
| 5. Number of covering envelopes received by the Returning Officer after the close of the poll, excluding any returned as undelivered. | |
| 6. Number of covering envelopes returned as undelivered up to the date of this statement. | |
| 7. Number of covering envelopes which have not been received by the Returning Officer at the date of this statement. | |

| <i>B. Count of ballot papers</i> | <i>Number</i> |
|---|---------------|
| 1. Number of covering envelopes received by the Returning Officer before the close of the poll, excluding any returned either as undelivered or under Regulation 88(1). | |
| 2. Number of ballot papers returned by postal voters which were included in the count of ballot papers. | |
| 3. Number of cases in which the covering envelope or its contents were marked "rejected". | |

Date Signed
Returning Officer

Address

.....

NOTES

1. In columns A and B the figure entered against the first item should equal the sum of the figures entered against the remaining items in the column.

2. At the same time as this statement is sent to the Clerk of the Crown for Northern Ireland, a copy must be sent to the Secretary of State for Northern Ireland.

Regulation 14

SCHEDULE 3
APPLICATION WITH MODIFICATIONS OF PROVISIONS OF THE ACTS OF 1983 AND 1985
FOR REGISTRATION OF ASSEMBLY OVERSEAS ELECTORS

| 1. Provision applied | 2. Modifications |
|---|--|
| PART I: ACT OF 1983 | |
| Section 10 (preparation of registers)(a). | For the word "registers" there shall be substituted the words "the register"; paragraph (a) shall be omitted; and in paragraph (c) the words from "including claims" to the end shall be omitted. |
| Section 11 (correction of registers)(b). | In subsection (1), paragraph (b) shall be omitted. |
| In section 13 (publication of registers), subsection (1). | For the words from the beginning to the end of paragraph (a) there shall be substituted the words "The register shall be"; and for the word "registers" there shall be substituted the words "the register". |
| Section 50 (effect of misdescription). | For paragraphs (a), (b) and (c) there shall be substituted the words "in the register". |
| In section 52 (discharge of registration duties)(c), subsections (1) and (5). | In subsection (1) after the word "Act" there shall be added the words "and Regulation 14 of the Representation of the People (Northern Ireland) Regulations 1986". |
| Section 54 (payment of expenses of registration)(d). | In subsection (1) after the word "Act" in the first place where it occurs there shall be inserted the words "and Regulation 14 of the Representation of the People (Northern Ireland) Regulations 1986". |
| Section 56 (registration appeals: England and Wales)(e). | Subsection (3) shall be omitted. |
| Section 58 (registration appeals: Northern Ireland)(f). | In subsection (1), paragraph (b) shall be omitted. |
| Section 63 (breach of official duty)(g). | In subsection (3), for paragraphs (a) to (d) there shall be substituted:— " <i>(a)</i> any registration officer," and for the words from "relating to" to the end of the subsection there shall be substituted the words "relating to the registration of Assembly overseas electors". |

(a) Section 10 was amended by section 4(2)(b) of the Act of 1985.

(b) Subsections (2) and (3) of section 11 were substituted by paragraph 2 of Schedule 4 to the Act of 1985.

(c) Subsection (1) of section 52 was amended by, and subsection (5) was substituted by, paragraph 12 of Schedule 4 to the Act of 1985.

(d) Section 54 was amended by paragraph 14 of Schedule 4 to the Act of 1985.

(e) Subsections (1)(c) and (6) were repealed by Schedule 5 to the Act of 1985 and subsection (4A) was inserted by paragraph 16(b) of Schedule 4 to that Act.

(f) Section 58 was amended by paragraph 17 of Schedule 4 to the Act of 1985.

(g) Section 63 was substituted by paragraph 19 of Schedule 4 to the Act of 1985.

SCHEDULE 3 (continued)

| 1. Provision applied | 2. Modifications |
|---|--|
| <p>PART II: ACT OF 1985</p> <p>Section 2 (registration of British citizens overseas).</p> | <p>In subsection (1):</p> <p>(a) for the words "section 12(1) of the principal Act" there shall be substituted the words "Regulation 14(1) of the Representation of the People (Northern Ireland) Regulations 1986";</p> <p>(b) for the words "section 1" there shall be substituted the words "section 3";</p> <p>(c) for the word "parliamentary" there shall be substituted the word "Assembly"; and</p> <p>(d) for the words "in respect of the constituency" there shall be substituted the words "in respect of that part of the Assembly constituency".</p> <p>In subsection (6):—</p> <p>(a) for the words "section 1" there shall be substituted the words "section 3";</p> <p>(b) for the words "constituency or part of a" there shall be substituted the words "part of an Assembly";</p> <p>(c) the words "constituency or, as the case may be," shall be omitted; and the words from "and for the purposes" to the end of the subsection shall be omitted.</p> |
| <p>In section 12 (offences as to declarations etc.), subsections (1), (2) and (4).</p> | <p>In subsection (1)(a), for the word "parliamentary" there shall be substituted the word "Assembly".</p> |

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations replace the Representation of the People (Northern Ireland) Regulations 1983, as amended by the Representation of the People (Northern Ireland) (Amendment) Regulations 1985, ("the 1983 Regulations"). The principal changes made are in consequence of, and to give effect to, the Representation of the People Act 1985 ("the Act of 1985"); in particular, the extension of the franchise made by sections 1 to 4 of that Act and the changes to the entitlement to an absent vote made by sections 5 to 9. In addition Part III of these Regulations sets out the procedure on registration; this procedure is currently set out in Schedule 3 to the Electoral Law Act (Northern Ireland) 1962. An order under section 28(5) of that Act will be made to make amendments to that Schedule consequential on the coming into force of these Regulations.

Part I of these Regulations repeats much of the substance of Parts I and VI of the 1983 Regulations. Certain provisions which were included in that Part VI appear in the Part of these Regulations to which the subject matter of those provisions relates. The substance of Regulation 53 (appeals) of the 1983 Regulations is included as Regulations 44, 61 and 71 in these Regulations. Regulation 60(2) (time) is included (in modified form) as Regulation 69(6) and Regulation 61(1) (penalties) is included as Regulation 29(3) (with the maximum fine increased from £100 to £400). The definition of "available for inspection" in Regulation 4(1) makes provision equivalent to that in Regulation 58(2) of the 1983 Regulations. The provisions about the calculation of time made by Regulation 9 of these Regulations differ from the provisions in Regulation 60 of the 1983 Regulations, and Regulation 9(3) reflects the changes made by section 19(1), (4) and (5) of the Act of 1985. The fees which were prescribed by paragraphs (2) and (3) of Regulation 55 (return and declaration of election expenses) of the 1983 Regulations have been increased from £1 and 10p to £1.20 and 12p respectively by paragraphs (2) and (3) of Regulation 11 of these Regulations. The maximum fine in Regulation 61(2) (interference with notices etc.) of the 1983 Regulations which was £100 is now £400 in Regulation 12 of these Regulations.

In addition to these changes, Regulation 13 of these Regulations amends the list of documents in rule 37(1E) of the parliamentary elections rules in Schedule 1 to the Representation of the People Act 1983 ("the 1983 Act"). That provision sets out the documents one of which must be produced at a polling station before a ballot paper can be delivered to a voter. Regulation 13 adds a provisional driving licence issued in Northern Ireland and a British seaman's card to that list of documents.

Regulation 14, together with Schedule 3 to these Regulations, provides for the first time for the registers to be kept under section 3 of the Act of 1985 in respect of those peers who are entitled to vote at elections of representatives to the Assembly of the European Communities under subsections (2), (3) and (4) of that section. Paragraphs (1) and (2) of Regulation 14 require registration officers to prepare and publish registers of such peers. Certain provisions about registration in the Acts of 1983 and 1985 are applied by paragraph (3) of Regulation 14 and column 1 of Schedule 3, subject to the modifications and exceptions in column 2 of that Schedule and paragraph (4) of that Regulation. Amongst the provisions that are applied with such modifications and exceptions is section 2 of the Act of 1985 which requires a person entitled to vote at parliamentary elections in pursuance of section 1 of that Act to make an

overseas elector's declaration. As applied by Regulation 14 and Schedule 3, section 2 of that Act makes a similar requirement in respect of peers to whom section 3 applies. Paragraph (5) of Regulation 14 applies Parts I, II and III of these Regulations for the purposes of declarations by such peers and registration in pursuance of them and makes certain general adaptations for that purpose. Specific adaptations to particular regulations are made where necessary (for example, by Regulations 27(3) and 28(3)).

Part II of these Regulations replaces the supplementary provisions about service declarations and patients' declarations made by Part II of the 1983 Regulations as well as making new supplementary provisions about overseas electors' declarations. No provision is included equivalent to Regulation 8 of the 1983 Regulations (which exercised the power in section 15(1)(b) of the 1983 Act) and the provision about service declarations ceasing to be in force on a change in circumstances has been expanded to include all service declarations (Regulation 16). Additional attestation requirements in respect of a patient's declaration have been included (Regulation 22(3)).

As respects overseas electors' declarations Part II of these Regulations supplements section 2 of the Act of 1985 by prescribing further information to be included in such declarations (Regulation 23) by whom such declarations are to be attested (Regulation 24) and the conditions and manner of such attestation (Regulation 25). Regulations 26 and 27 provide for the transmission of overseas electors' declarations and their evidential value and Regulation 28 provides for notification about registration as an overseas elector.

Part III of these Regulations makes detailed provision about the registration of parliamentary electors corresponding to the provision made in equivalent regulations for England and Wales and Scotland. The register of parliamentary electors and electors lists for that register were formerly prepared and published in the same time, place and manner as the register and electors lists of local electors prepared under Schedule 3 to the Electoral Law Act (Northern Ireland) 1962 (Regulation 12(2) of the 1983 Regulations). New provisions include those in respect of the registration of overseas electors (principally Regulations 31(3)(b), 34, 46, 49(2)(ii), 50(2) and 54(2)) and for the means by which electors lists published in the form of a draft register may take effect as the register (paragraphs (3) to (6) of Regulation 51).

Part IV of these Regulations makes fresh provision about absent voting to supplement the provisions of sections 6 to 9 of the Act of 1985. In addition, Regulations 74, 75 and 76 make provision about records, specially marked copies of the register for polling stations and the certificate of employment under rule 32 of the parliamentary elections rules similar to the provision made by Regulations 30, 31 and 32 of the 1983 Regulations. Unlike the 1983 Regulations, forms for use in connection with applications to vote by post or by proxy are not prescribed by these Regulations. Instead the Regulations set out general requirements about the information that all such applications must provide (Regulation 63) as well as additional requirements which must be satisfied in respect of applications under particular provisions (Regulations 64 to 68). In particular, an application under section 7(1) of the Act of 1985 is required to be attested (Regulation 66). Regulation 69 makes provision for the closing date for applications, including new provision allowing a late closing date where an application under section 7(1) of the Act of 1985 is made on the grounds of illness (Regulation 69(3)). Regulation 73 is a new provision about periodic inquiries to be made by the registration officer as to the circumstances

of persons shown in the lists of those entitled to an absent vote for an indefinite period on the grounds set out in paragraphs (b) and (c) of section 6(2) of the Act of 1985.

Part V of these Regulations is based on Part V of the 1983 Regulations and only minor changes have been made. Regulation 80 provides for the notification of the requirement of secrecy, thereby replacing Regulation 37 of the 1983 Regulations with a provision similar to rule 31 of the parliamentary elections rules (as substituted by paragraph 80 of Schedule 4 to the Act of 1985). No provision is made equivalent to Regulation 34 of the 1983 Regulations (form of postal ballot paper) since rule 19 of those rules already requires all ballot papers to be printed in the same form.

By virtue of the Representation of the People Act 1985 (Commencement No. 3) Order 1986 (S.I. 1986/1080 (C.29)) sections 1 to 4 of the Act of 1985 come into force on 11th July, and sections 6 to 9 of, and Schedule 2 to, the Act come into force on 16th February 1987.

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