

[^{F1}SCHEDULE 1

EUROPEAN PARLIAMENTARY ELECTIONS RULES

Textual Amendments

- F1** Sch. 1 substituted (30.1.2009) by [The European Parliamentary Elections \(Amendment\) Regulations 2009 \(S.I. 2009/186\)](#), regs. 1(2), 39, **Sch. 2**

Modifications etc. (not altering text)

- C1** Sch. 1 applied (with modifications) (18.2.2012) by [The Local Authorities \(Conduct of Referendums\) \(Council Tax Increases\) \(England\) Regulations 2012 \(S.I. 2012/444\)](#), reg. 1, **Sch. 4 para. 1** (with reg. 27)

PART 3

CONTESTED ELECTIONS

CHAPTER 1

General Provisions

Poll to be taken by ballot

21. The votes at the poll must be given by ballot in accordance with subsection (4) of section 2 of the 2002 Act and the seats must be allocated in accordance with subsections (5) to (9) of that section.

The ballot papers

22.—(1) The ballot of every voter must consist of a ballot paper, and the registered parties, together with their candidates shown in the statement of parties and individual candidates nominated and the individual candidates shown as standing nominated, and no others, are entitled to have their names inserted in the ballot paper.

(2) Every ballot paper must be in Form A in the Appendix, and must be printed in accordance with the directions in that Appendix, and—

- (a) must contain the names followed by the descriptions, if any, of the registered parties shown in the statement of parties and individual candidates nominated, together with the names of the candidates of those parties and the names, followed by the descriptions if any, of any individual candidate so shown;
- (b) must be capable of being folded up; and
- (c) must have a number and other unique identifying mark printed on the back.

(3) If a request is made by or on behalf of a nominating officer of a registered party, the ballot paper must contain adjacent to the party's name the party's registered emblem (or, as the case may be, one of the party's registered emblems).

(4) The request must—

- (a) be made in writing to the returning officer; and
- (b) be received by him before the last time for the delivery of nomination papers set out in the Timetable in rule 1.

Status: Point in time view as at 31/01/2017.

Changes to legislation: There are currently no known outstanding effects for the The European Parliamentary Elections Regulations 2004, CHAPTER 1. (See end of Document for details)

(5) The order of the names of the registered parties, together with their candidates, and of the individual candidates in the ballot paper must be the same as in the statement of parties and individual candidates nominated.

The corresponding number list

23.—(1) The local returning officer must prepare a list (“the corresponding number list”) containing the numbers and other unique identifying marks of all the ballot papers to be issued by him in pursuance of rule 28(1) or provided by him in pursuance of rule 32(1).

(2) The form of corresponding number list to be prepared by a local returning officer for the purpose of rule 28(1) and paragraph 48(1) of Schedule 2 must be in Form B in the Appendix.

(3) The form of corresponding number list to be prepared by the local returning officer for the purposes of rule 32(3)(d) and 41(1)(b) must be in Form C in the Appendix.

(4) The form of corresponding number list to be prepared by the local returning officer for the purpose of rule 28(1) and paragraph 48(1) of Schedule 2 when the poll at a European Parliamentary election is to be taken with—

- (a) the poll at an election under subsection (1) or (2) of section 15 of the 1985 Act (combination of polls at parliamentary, European Parliamentary and local government elections), or
- (b) the poll at a mayoral election or a referendum in accordance with regulations made under sections ^{F2}9HE and 105, 9MG and 105 or 44 and 105] of the Local Government Act 2000, ^{F3}or
- (c) the poll at a combined authority mayoral election in accordance with the Combined Authorities (Mayoral Elections) Order 2017],

must be in Form D in the Appendix.

(5) The form of corresponding number list to be prepared by the local returning officer for the purposes of rules 32(3)(d) and 41(1)(b) when the poll at a European Parliamentary election is to be taken with—

- (a) the poll at an election under subsection (1) or (2) of section 15 of the 1985 Act (combination of polls at parliamentary, European Parliamentary and local government elections), or
- (b) the poll at a mayoral election or referendum in accordance with regulations made under sections ^{F2}9HE and 105, 9MG and 105 or 44 and 105] of the Local Government Act 2000, ^{F4}or
- (c) the poll at a combined authority mayoral election in accordance with the Combined Authorities (Mayoral Elections) Order 2017],

must be in Form E in the Appendix.

Textual Amendments

- F2** Words in Sch. 1 para. 23(4)(5) substituted (4.4.2014) by [The European Parliamentary Elections \(Amendment\) Regulations 2014 \(S.I. 2014/923\)](#), regs. 1(2), **2(b)**
- F3** Sch. 1 rule 23(4)(c) and preceding word inserted (31.1.2017) by [The Combined Authorities \(Mayoral Elections\) Order 2017 \(S.I. 2017/67\)](#), reg. 1, **Sch. 4 para. 1(4)**
- F4** Sch. 1 rule 23(5)(c) and preceding word inserted (31.1.2017) by [The Combined Authorities \(Mayoral Elections\) Order 2017 \(S.I. 2017/67\)](#), reg. 1, **Sch. 4 para. 1(4)**

Modifications etc. (not altering text)

- C1** Sch. 1 para. 23(4)(5) modified (3.8.2012) by [The Neighbourhood Planning \(Referendums\) Regulations 2012 \(S.I. 2012/2031\)](#), regs. 1, 8, 12, 13, **Sch. 4 para. 12**

The official mark

- 24.**—(1) Every ballot paper must contain an appropriate security marking (the official mark).
- (2) The official mark must be kept secret, and an interval of not less than five years must intervene between the use of the same official mark at elections for the same local counting area.
- (3) The local returning officer may use a different official mark for different purposes at the same election.

Prohibition of disclosure of vote

- 25.** No person who has voted at the election must, in any legal proceeding to question the election, be required to state for whom he has voted.

Use of schools and public rooms

- 26.**—(1) The local returning officer may use, free of charge, for the purpose of taking the poll—
- (a) a room in a school to which this rule applies;
 - (b) a room the expense of maintaining which is payable out of any rate.
- (2) This rule applies—
- (a) in England and Wales, to a school maintained or assisted by a [^{F5}local authority (as defined in the Education Act 1996)] or a school in respect of which grants are made out of moneys provided by Parliament to the person or body of persons responsible for the management of the school;
 - (b) in Scotland, to a school other than an independent school within the meaning of the Education (Scotland) Act 1980;
 - (c) in Gibraltar, to a school, club or sports house or other premises, the expense of maintaining which is payable wholly or partly out of public funds or out of any rate, or by a body whose expenses are so payable.
- (3) The local returning officer must make good any damage done to, and defray any expense incurred by the persons having control over, any room which has been used in accordance with this rule by reason of its being used for the purpose of taking the poll.]

Textual Amendments

- F5** Words in Sch. 1 para. 26(2)(a) substituted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) \(Local and Subordinate Legislation\) Order 2010 \(S.I. 2010/1172\)](#), art. 1(1), **Sch. 3 para. 50(2)**

Status:

Point in time view as at 31/01/2017.

Changes to legislation:

There are currently no known outstanding effects for the The European Parliamentary Elections Regulations 2004, CHAPTER 1.