

## SCHEDULES

### SCHEDULE 3

Rules for the conduct of PCC elections where poll not taken together with poll at another election

### PART 3

Contested PCC elections

GENERAL PROVISIONS

#### Poll to be taken by ballot

18. The votes at the poll must be given by ballot.

#### The ballot papers

19.—<sup>[F1]</sup>(1) The ballot of every voter must consist of a ballot paper which is in Form 8B set out in Part 8 of this Schedule and is printed according to the directions specified in that Part.]

(2) The persons remaining validly nominated for the police area after any withdrawals (and no other persons) are entitled to have their names shown on the ballot paper.

(3) Each ballot paper must—

- (a) contain the names and other particulars of the candidates as shown in the statement of persons nominated,
- (b) be capable of being folded up, and
- (c) have a number and other unique identifying mark printed on the back.

(4) If a request is made by or on behalf of a candidate whose description is authorised under rule 6(1) or (3) by a registered party, the ballot paper must contain the party's registered emblem (or one of its registered emblems) adjacent to the candidate's particulars.

(5) A request under paragraph (4) must—

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

(6) The order of the names in the ballot paper must be the same as in the statement of persons nominated (see rule 13).

#### Textual Amendments

**F1** Sch. 3 rule 19(1) substituted (21.12.2022) (with application in accordance with art. 1(2) of the amending S.I.) by [The Police and Crime Commissioner Elections and Welsh Forms \(Amendment\) Order 2022 \(S.I. 2022/1354\)](#), art. 5(3)

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Police and Crime Commissioner Elections Order 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

### **Corresponding number list**

**20.**—(1) The local returning officer must prepare a list containing the numbers and other unique identifying marks of all of the ballot papers which are to be issued by the officer in pursuance of rule 25 or provided by the officer in pursuance of rule 29(1).

(2) The corresponding number list to be prepared for the purpose of rule 25(1) (postal ballot papers) and of paragraph 36(1) of Schedule 2 (procedure on issue of postal ballot paper) must be in Form 9 set out in Part 8 of this Schedule or a form to like effect.

(3) The corresponding number list to be prepared for the purpose of rule 29(3)(d) (equipment of polling stations) and of rule 39(2)(b) (voting procedure) must be in Form 10 set out in Part 8 of this Schedule or a form to like effect.

### **The official mark**

**21.**—(1) Every ballot paper must contain an appropriate security marking (the official mark).

(2) The official mark must be kept secret.

(3) An interval of not less than five years must intervene between the use of the same official mark at PCC elections for the same police area.

(4) A police area returning officer or local returning officer may use a different official mark for different purposes at the same PCC election.

### **Prohibition of disclosure of vote**

**22.** In any legal proceeding to question a PCC election, no person who has voted at the election may be required to state for whom he or she has voted.

### **Use of schools and public rooms**

**23.**—(1) The local returning officer may use, free of charge, for the purpose of taking the poll or counting the votes—

(a) a room in a school maintained or assisted by—

(i) in relation to England, a county council in England, a metropolitan district council, a non-metropolitan district council for an area for which there is no county council or the Council of the Isles of Scilly, or

(ii) in relation to Wales, a county council or a county borough council in Wales;

(b) a room in 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;

(c) a room the expense of maintaining which is met by—

(i) in relation to England, a county council in England, a district council, a parish council or the Council of the Isles of Scilly, or

(ii) in relation to Wales, a county council or a county borough council in Wales or a community council.

(2) The local returning officer must make good—

(a) any damage done to any such room, and

(b) defray any expense incurred by the persons having control over any such room,

by reason of its being used for that purpose.

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

- Order applied by [2022 c. 37 Sch. 11 para. 6\(3\)](#)

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. A1 para. 4 applied by [S.I. 2023/1150 reg. 23](#)
- Sch. A1 inserted by [S.I. 2023/1150 Sch. 1](#)
- Sch. 2 para. 3(10) amendment to earlier affecting provision S.I. 2023/1147, reg. 17(5)(a)(iii) by [S.I. 2023/1406 reg. 19\(2\)\(a\)\(ii\)](#)
- Sch. 2 para. 3(10) inserted by [S.I. 2023/1147 reg. 17\(5\)\(a\)\(iii\)](#)
- Sch. 2 para. 4(6) inserted by [S.I. 2023/1147 reg. 17\(5\)\(b\)\(iii\)](#)
- Sch. 2 para. 10A inserted by [S.I. 2023/1147 reg. 17\(5\)\(d\)](#)
- Sch. 2 para. 11(1)(aa) inserted by [S.I. 2023/1147 reg. 17\(5\)\(e\)\(i\)](#)
- Sch. 2 para. 11(5A)(5B) inserted by [S.I. 2023/1147 reg. 17\(5\)\(e\)\(ii\)](#)
- Sch. 2 para. 11(8)-(10) inserted by [S.I. 2023/1147 reg. 17\(5\)\(e\)\(iii\)](#)
- Sch. 2 para. 14(7A)(7B) inserted by [S.I. 2023/1147 reg. 17\(5\)\(f\)\(ii\)](#)
- Sch. 2 para. 16(2)(ab) inserted by [S.I. 2023/1147 reg. 17\(5\)\(h\)\(i\)](#)
- Sch. 2 para. 16(2E) inserted by [S.I. 2023/1147 reg. 17\(5\)\(h\)\(ii\)](#)
- Sch. 2 para. 16B-16D inserted by [S.I. 2023/1147 reg. 17\(5\)\(i\)](#)
- Sch. 2 para. 17(4A)-(4E) inserted by [S.I. 2023/1147 reg. 17\(5\)\(j\)\(ii\)](#)
- Sch. 2 para. 9A inserted by [S.I. 2023/1225 reg. 8\(6\)\(a\)](#)
- Sch. 2 para. 29(1A) inserted by [S.I. 2023/1225 reg. 8\(6\)\(b\)\(ii\)](#)
- Sch. 2 para. 43(3A) inserted by [S.I. 2023/1225 reg. 8\(6\)\(d\)\(ii\)](#)
- Sch. 2 para. 43A-43D inserted by [S.I. 2023/1225 reg. 8\(6\)\(e\)](#)
- Sch. 2 para. 46A-46E inserted by [S.I. 2023/1225 reg. 8\(6\)\(g\)](#)
- Sch. 2 para. 55(6)-(9) inserted by [S.I. 2023/1225 reg. 8\(6\)\(h\)\(ii\)](#)
- Sch. 2 para. 57(1)(g) and word inserted by [S.I. 2023/1225 reg. 8\(6\)\(i\)\(ii\)](#)
- Sch. 2 para. 59A(1)(a)(ii)(iii) inserted by [S.I. 2023/1225 reg. 8\(6\)\(k\)\(iii\)\(bb\)](#)
- Sch. 2 para. 59A(1)(c)(ii) inserted by [S.I. 2023/1225 reg. 8\(6\)\(k\)\(iv\)\(bb\)](#)
- Sch. 2 para. 16C(7)(ca) inserted by [S.I. 2024/43 reg. 24\(2\)](#)
- Sch. 2 para. 7(14) inserted by [S.I. 2023/1147, reg. 17\(5\)\(ca\)\(iii\)](#) (as inserted) by [S.I. 2023/1406 reg. 19\(2\)\(b\)](#)
- Sch. 2 para. 16C(6) omitted by [S.I. 2023/1406 reg. 12\(b\)](#)
- Sch. 2 para. 16C(5) substituted by [S.I. 2023/1406 reg. 12\(a\)](#)
- Sch. 2 para. 6(5)-(7) substituted for Sch. 2 para. 6(5) by [S.I. 2023/1147 reg. 17\(5\)\(c\)](#)
- Sch. 2 para. 16C(7) word substituted by [S.I. 2023/1406 reg. 12\(c\)\(i\)](#)
- Sch. 2 para. 59A(1)(a)(i) words in Sch. 2 para. 59A(1)(a) renumbered as Sch. 2 para. 59A(1)(a)(i) by [S.I. 2023/1225 reg. 8\(6\)\(k\)\(iii\)\(aa\)](#)
- Sch. 2 para. 59A(1)(c)(i) words in Sch. 2 para. 59A(1)(c) renumbered as Sch. 2 para. 59A(1)(c)(i) by [S.I. 2023/1225 reg. 8\(6\)\(k\)\(iv\)\(aa\)](#)
- Sch. 2 para. 16C(7)(b) words substituted by [S.I. 2023/1406 reg. 12\(c\)\(ii\)](#)
- Sch. 2 para. 16C(7)(c) words substituted by [S.I. 2023/1406 reg. 12\(c\)\(ii\)](#)
- Sch. 2 para. 16C(7)(d) words substituted by [S.I. 2023/1406 reg. 12\(c\)\(iii\)](#)
- Sch. 3 rule 11(2)(c) inserted by [S.I. 2023/1141 reg. 4\(4\)\(b\)](#)
- Sch. 3 rule 34(1)(ba) inserted by [S.I. 2023/1225 reg. 8\(7\)\(b\)](#)
- Sch. 3 rule 49(2)(e) and word inserted by [S.I. 2023/1225 reg. 8\(7\)\(c\)\(ii\)](#)
- Sch. 3 rule 37 Table modified (temp.) by [S.I. 2023/1147 Sch. 2 para. 21\(2\)\(3\)](#)
- Sch. 3 rule 70 Form 11 modified (temp.) by [S.I. 2023/1147 Sch. 2 para. 23\(2\)](#)
- Sch. 3 rule 70 Form 13 modified (temp.) by [S.I. 2023/1147 Sch. 2 para. 23\(2\)](#)
- Sch. 3 rule 70 Form 12 modified (temp.) by [S.I. 2023/1147 Sch. 2 para. 23\(3\)](#)

- Sch. 3 rule 70 Form 14 modified (temp.) by S.I. 2023/1147 Sch. 2 para. 23(3)
- Sch. 3 rule 5(3) substituted by S.I. 2023/1141 reg. 4(4)(a)(ii)
- Sch. 3 rule 70 Form 11 substituted by S.I. 2023/1147 Sch. 8 Pt. 2
- Sch. 3 rule 70 Form 13 substituted by S.I. 2023/1147 Sch. 8 Pt. 2
- Sch. 3 rule 70 Form 12 substituted by S.I. 2023/1225 Sch. 6 Pt. 2
- Sch. 3 rule 70 Form 14 substituted by S.I. 2023/1225 Sch. 6 Pt. 2
- Sch. 3 rule 49(2)(c) word omitted by S.I. 2023/1225 reg. 8(7)(c)(i)
- Sch. 3 rule 37(1)(b) words inserted by S.I. 2023/1147 reg. 17(7)(a)
- Sch. 3 rule 5(1) words omitted by S.I. 2023/1141 reg. 4(4)(a)(i)
- Sch. 3 rule 37 table words omitted by S.I. 2023/1147 reg. 17(7)(b)(ii)
- Sch. 3 rule 13(3) words substituted by S.I. 2023/1141 reg. 4(4)(c)(i)
- Sch. 3 rule 13(3) words substituted by S.I. 2023/1141 reg. 4(4)(c)(ii)
- Sch. 3 rule 37 table words substituted by S.I. 2023/1147 reg. 17(7)(b)(i)
- Sch. 3 rule 32(1)(a) words substituted by S.I. 2023/1225 reg. 8(7)(a)(i)
- Sch. 3 rule 32(1)(b) words substituted by S.I. 2023/1225 reg. 8(7)(a)(ii)
- Sch. 4 para. 27(1)(a) words substituted by S.I. 2023/1225 reg. 8(8)(a)(i)
- Sch. 4 para. 27(1)(b) words substituted by S.I. 2023/1225 reg. 8(8)(a)(ii)
- Sch. 4 para. 27(2) words substituted by S.I. 2023/1225 reg. 8(8)(b)
- Sch. 7 para. 14A inserted by S.I. 2024/428 reg. 4(3)
- Sch. 10 para. 3(1)(b)(v) inserted by S.I. 2023/1225 reg. 8(10)(b)
- art. 3A inserted by S.I. 2023/1150 reg. 36(3)
- art. 13(1)(ea) art. 13(1)(ee) renumbered as art. 13(1)(ea) by S.I. 2024/131 reg. 22(2)(a)
- art. 13(1)(ea) words inserted by S.I. 2024/131 reg. 22(2)(b)
- art. 18(1A) inserted by S.I. 2023/1147 reg. 17(3)(a)
- art. 18A inserted by S.I. 2023/1141 reg. 4(2)
- art. 22(5A)-(5F) inserted by S.I. 2023/1225 reg. 8(3)
- art. 87(5) inserted by S.I. 2023/1147 reg. 17(4)