

## <sup>F1</sup>SCHEDULE 5

Regulations 11 and 13

### The Local Government Act Referendums (Combination of Polls) Rules

#### Textual Amendments

- F1** Sch. 5 Pt. 8 Forms substituted (16.1.2023) by [The Voter Identification Regulations 2022 \(S.I. 2022/1382\)](#), regs. 1(3), **50(17)** (with reg. 1(6)(7))

## PART 1

### Citation and Interpretation

#### Citation

1. These Rules may be cited as the Local Government Act Referendums (Combination of Polls) Rules.

#### Interpretation

- 2.—(1) In these Rules—

[<sup>F2</sup>“anonymous elector’s document” has the meaning given in regulation 3(1) of the Voter Identification Regulations 2022;]

“relevant returning or counting officer” means the returning officer or the counting officer discharging the functions under (as the case may be)—

- (a) regulation 5 of the Combination of Polls Regulations <sup>F3</sup>; or  
(b) regulation 13(2);

“voter” means a person entitled to vote on his or her own behalf.

[<sup>F4</sup>“temporary electoral identity document” has the meaning given in regulation 3(1) of the Voter Identification Regulations 2022;]

- (2) Subject to paragraph (1), expressions used both in these Rules and the 1983 Act (as it applies to local government elections) have the same meaning in these Rules as they have in that Act.

#### Textual Amendments

- F2** Words in Sch. 5 rule 2(1) inserted (16.1.2023) by [The Voter Identification Regulations 2022 \(S.I. 2022/1382\)](#), regs. 1(3), **50(3)(a)** (with reg. 1(6)(7))
- F3** [S.I. 2004/294](#); as amended by [SI 2006/3278](#).
- F4** Words in Sch. 5 rule 2(1) inserted (16.1.2023) by [The Voter Identification Regulations 2022 \(S.I. 2022/1382\)](#), regs. 1(3), **50(3)(b)** (with reg. 1(6)(7))

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## PART 2

### Provisions as to Time

#### Timetable

3. The proceedings at the referendum shall be conducted in accordance with the following Timetable.

#### Timetable

<i>Proceedings</i>	<i>Time</i>
Publication of notice of referendum	Not later than the twenty-fifth day before the day of the referendum.
Notice of poll	Not later than the sixth day before the day of the referendum.
Polling	Between the hours of 7 in the morning and 10 at night on the day of the referendum.

#### Computation of time

4. In computing any period of time for the purposes of the Timetable the days mentioned in regulation 18(2)(a) to (c) shall be disregarded, and any such day shall not be treated as a day for the purpose of any proceedings up to the completion of the poll nor shall the relevant returning or counting officer, nor the counting officer, be obliged to take any step in relation to the counting of the votes on such a day.

## PART 3

### General Provisions

#### Notice of referendum

5.—(1) The counting officer must publish notice of the referendum stating the date of the poll.

(2) The notice of referendum must state the date by which—

- (a) applications to vote by post or by proxy; and
- (b) other applications and notices about postal or proxy voting,

must reach the registration officer in order that they may be effective for the referendum.

#### Poll to be taken by ballot

6. A poll must be taken at the referendum and the votes at the poll must be given by ballot.

#### The ballot papers

7.—(1) The ballot of every person entitled to a vote at the referendum must consist of a ballot paper.

(2) Every ballot paper to be used in the referendum must be in the appropriate form in the Appendix (depending on the question to be asked in the referendum).

- (3) Every ballot paper must—
- (a) be capable of being folded up;
  - (b) have a number and other unique identifying mark printed on the back; and
  - (c) be a different colour from the ballot papers used at any other relevant election or referendum.

### **The corresponding number list**

**8.**—(1) Subject to paragraph (2), the relevant returning or counting officer must prepare a list containing the numbers and other unique identifying marks of all of the ballot papers to be issued by that person in pursuance of rule 13(1) or provided by him or her in pursuance of rule 17(1).

(2) Where proceedings on the issue and receipt of postal ballot papers in the referendum are not taken together with such proceedings at one or more relevant elections and referendums, the counting officer must prepare the list mentioned in paragraph (1) in respect of all of the ballot papers to be issued by him or her in pursuance of rule 13(1).

- (3) The list must be in the form M1 in the Appendix or a form to like effect.

### **The official mark**

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

(2) The official mark must be kept secret.

(3) The counting officer may use a different official mark for different purposes at the same referendum.

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

**10.** No person who has voted at the referendum shall, in any legal proceeding to question the referendum, be required to state for which answer he or she has voted.

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

**11.**—(1) The counting officer and the relevant returning or counting officer may use, free of charge, for relevant purposes—

- (a) a room in a school maintained or assisted by a 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) a room the expense of maintaining which is payable out of any rate.

(2) That officer must make good any damage done to, and defray any expense incurred by the persons having control over, any such room as mentioned above by reason of its being used for the purpose of taking the poll or counting the votes.

(3) In paragraph (1) “relevant purposes” means—

- (a) in the case of the counting officer, the counting of the votes; and
- (b) in the case of the relevant returning or counting officer, the taking of the poll and the discharging of the functions under rule 38(1).

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## PART 4

### Action to be taken Before the Poll

#### Notice of Poll

12.—(1) The counting officer must publish notice of the poll stating—

- (a) the day and hours fixed for the poll; and
- (b) the question to be asked in the referendum [<sup>F5</sup>, using the words in the relevant paragraph in Schedule 1 to the Local Authorities (Conduct of Referendums) (England) Regulations 2012].

(2) The notice of the poll must be published no later than the sixth day before the date of the referendum.

(3) The relevant returning or counting officer must, not later than the time of the publication of the notice of the poll, also give public notice of—

- (a) the situation of each polling station; and
- (b) the description of persons entitled to vote there.

(4) The notice published under paragraph (3) must—

- (a) state that the poll at the referendum is to be taken together with the poll at a relevant election or referendum;
- (b) specify the parliamentary constituency <sup>F6</sup>, <sup>F7</sup> ... Assembly constituency, voting area or, as the case may be, the relevant local authority and, in the case of an election to fill a casual vacancy, the electoral area for which the relevant election is held; and
- (c) where any of the polls are to be taken together in part of the electoral area only, specify that part.

#### Textual Amendments

**F5** Words in Sch. 5 rule 12(1)(b) inserted (6.4.2014) by [The Local Authorities \(Conduct of Referendums\) \(England\) \(Amendment\) Regulations 2014 \(S.I. 2014/924\)](#), regs. 1(3), **12** (with reg. 1(4))

**F6** For the meaning of “parliamentary constituency”, see section 1 of the [Parliamentary Constituencies Act 1986 \(c.56\)](#).

**F7** Words in Sch. 5 rule 12(4)(b) revoked (31.12.2020) by [The European Parliamentary Elections Etc. \(Repeal, Revocation, Amendment and Saving Provisions\) \(United Kingdom and Gibraltar\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1310\)](#), reg. 1, **Sch. 1 Pt. 2** (as amended by S.I. 2019/1389, regs. 1, 2(2))

#### Postal ballot papers

13.—(1) The relevant returning or counting officer must, in accordance with regulations made under the 1983 Act <sup>F8</sup>, issue to those entitled to vote by post a ballot paper and a postal voting statement in the appropriate form in the Appendix, or a form to like effect, together with such envelopes for their return as may be prescribed by such regulations.

(2) The relevant returning or counting officer must also issue to those entitled to vote by post such information as he or she thinks appropriate about how to obtain—

- (a) translations into languages other than English of any directions to or guidance for voters and proxies sent with the ballot paper;
- (b) a translation into Braille of such directions or guidance;

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- (c) graphical representations of such directions or guidance;
- (d) the directions or guidance in any other form (including any audible form).

(3) The postal voting statement must include provision for the form to be signed and for stating the date of birth of the voter or proxy.

(4) In the case of a ballot paper issued to a person at an address in the United Kingdom, the relevant returning or counting officer must ensure that the return of the ballot paper and postal voting statement is free of charge to the voter or proxy.

(5) In paragraphs (1), (2) and (4) for “relevant returning or counting officer” substitute “counting officer” where proceedings on the issue and receipt of postal ballot papers at the referendum are not taken together with such proceedings at one or more relevant elections or referendums.

#### Textual Amendments

**F8** See the Representation of the People (England and Wales) Regulations 2001 [S.I. 2001/341](#) as amended by SI 2002/1871, 2006/752 and SI 2006/2910.

#### Provision of polling stations

**14.**—(1) The relevant returning or counting officer must provide a sufficient number of polling stations and, subject to the following provisions of this rule, must allot the voters to the polling stations in such manner as he or she thinks most convenient.

(2) The polling stations are the polling places or polling stations (as the case may be) designated for the purposes of the election or referendum for which the relevant returning or counting officer discharges functions which are not combined functions.

(3) In paragraph (2) “combined functions” means functions under regulation 5 of the Combination of Polls Regulations or regulation 13(2).

(4) One or more polling stations may be provided in the same room.

(5) The polling station allotted to voters from any parliamentary polling district wholly or partly within the voting area must, in the absence of special circumstances, be in the parliamentary polling place for that district.

(6) The relevant returning or counting officer must provide each polling station with such number of compartments as may be necessary in which the voters and proxies can mark their votes screened from observation.

[<sup>F9</sup>(7) The counting officer must ensure that each polling station contains an area in which voters and proxies can produce proof of identity in private.]

#### Textual Amendments

**F9** [Sch. 5 rule 14\(7\)](#) inserted (16.1.2023) by [The Voter Identification Regulations 2022 \(S.I. 2022/1382\)](#), regs. 1(3), **50(4)** (with [reg. 1\(6\)\(7\)](#))

#### Appointment of presiding officers and clerks

**15.**—(1) The relevant returning or counting officer must appoint and pay a presiding officer to attend at each polling station and such clerks as may be necessary for the purposes of the referendum.

(2) The relevant returning or counting officer may, if he or she thinks fit, preside at a polling station and the provisions of these Rules relating to a presiding officer shall apply to a relevant returning or counting officer so presiding with the necessary modifications as to things to be done

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by the relevant returning or counting officer to the presiding officer or by the presiding officer to the relevant returning or counting officer.

(3) A presiding officer may do, by the clerks appointed to assist him or her, any act (including the asking of questions) which he or she is required or authorised by these Rules to do at a polling station <sup>F10</sup>except—

- (a) order the arrest, exclusion or removal of any person from the polling station,
- (b) refuse to deliver a ballot paper under rule 26(3) or rule 28(1E) (including that rule as applied by rule 29, 30 or 31), or
- (c) resolve doubts over identity as mentioned in rule 28(1F) (including that paragraph as applied by rule 29, 30 or 31).]

#### Textual Amendments

**F10** Words in [Sch. 5 rule 15\(3\)](#) substituted (16.1.2023) by [The Voter Identification Regulations 2022 \(S.I. 2022/1382\)](#), regs. 1(3), **50(5)** (with reg. 1(6)(7))

#### Issue of official poll cards

**16.**—(1) The counting officer must as soon as practicable after the publication of the notice of referendum send to each voter and proxy an official poll card.

(2) The official poll card must be sent or delivered—

- (a) in the case of a voter, to his or her qualifying address; and
- (b) in the case of a proxy, to his or her address as shown in the list of proxies.

(3) The official poll card must be in the appropriate form in the Appendix, or a form to the like effect, and must set out—

- (a) the name of the council and of the voting area;
- (b) the name of the voter, his or her qualifying address and number on the register;
- (c) the date and hours of the poll and the situation of the voter's polling station;
- (d) such other information as the counting officer thinks appropriate,

and different information may be provided in pursuance of sub-paragraph (d) to different voters or to different descriptions of voter.

(4) In the case of a voter with an anonymous entry, instead of containing the matter mentioned in paragraph (3)(b), the poll card must contain such matter as is specified in the appropriate form in the Appendix.

(5) In this rule references to a voter—

- (a) mean a person who is registered in the register of local government electors for the voting area in question on the last day for the publication of notice of the referendum; and
- (b) include a person then shown in the register as below voting age if (but only if) it appears from the register that he or she will be of voting age on the day fixed for the poll.

(6) If the counting officer and the returning or counting officer (as the case may be) for each relevant election or referendum think fit, an official poll card issued under this rule may be combined with the official poll card issued at every relevant election or referendum.

## Equipment of polling stations

17.—(1) The relevant returning or counting officer must provide each presiding officer with such number of ballot boxes and ballot papers as in the former officer's opinion may be necessary.

(2) The same ballot box may be used for the poll at the referendum and the poll at every relevant election or referendum, if the relevant returning or counting officer thinks fit.

(3) Every ballot box must be so constructed that the ballot papers can be put in it, but cannot be withdrawn from it, without the box being unlocked or, where the box has no lock, the seal being broken.

(4) The relevant returning or counting officer must provide each polling station with—

- (a) materials to enable voters and proxies to mark the ballot papers;
- (b) copies of the register of electors for the voting area or such part of it as contains the names of the voters allotted to the station;
- (c) the parts of any special lists prepared for the referendum corresponding to the register of electors for the voting area or the part of it provided under sub-paragraph (b);
- (d) a list, in the form M2 in the Appendix or a form to like effect, consisting of that part of the list prepared under rule 8 which contains the numbers (but not the other unique identifying marks) corresponding to those on the ballot papers provided to the presiding officer of the polling station.

(5) The reference in paragraph (4)(b) to the copies of the register of electors includes a reference to copies of any notices issued under section 13B(3B) or (3D) of the 1983 Act <sup>F11</sup> in respect of alterations to the register.

[<sup>F12</sup>(5A) The counting officer must provide each polling station with a ballot paper refusal list, in the form in the Appendix or a form to like effect, on which entries are to be made as mentioned in rule 32A (refusal to deliver ballot paper).]

(6) The relevant returning or counting officer must also provide each polling station with—

- (a) at least one large version of each ballot paper which must be printed on the same colour paper as the corresponding ballot paper and displayed inside the polling station for the assistance of voters and proxies who are partially sighted; and

[<sup>F13</sup>(b) such equipment as it is reasonable to provide for the purposes of enabling, or making it easier for, relevant persons to vote independently in the manner directed by rule 28 (voting procedure), including in relation to voting secretly; and for this purpose “relevant persons” means persons who find it difficult or impossible to vote in that manner because of—

- (i) blindness or partial sight; or
- (ii) another disability.]

[<sup>F14</sup>(6A) Paragraph (10) of rule 29 of Schedule 1 to the 1983 Act (Parliamentary elections rules: guidance to returning officers) applies for the purposes of paragraph (6)(b) of this rule as it applies for the purposes of that rule, but as if—

- (a) the reference in that paragraph to the returning officer were a reference to the relevant returning or counting officer, and
- (b) the reference in that paragraph to paragraph (3A)(b) were a reference to paragraph (6)(b) of this rule.]

(7) Where notwithstanding paragraph (2) separate ballot boxes are to be used, each ballot box must be clearly marked with—

- (a) the election or referendum to which it relates, as shown on the ballot papers for that election or referendum; and

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(b) the words “Place the [*specify colour of ballot papers in question*] ballot papers in here”.

(8) A notice in the form in the Appendix, giving directions for the guidance of voters and proxies in voting, must be printed in conspicuous characters and exhibited inside and outside every polling station.

[<sup>F15</sup>(8A) A large notice must be displayed inside each polling station containing—

(a) details of the documents the voter or proxy needs to produce when applying for a ballot paper, namely—

(i) in the case of a voter (other than a voter with an anonymous entry) or a proxy, any of the forms of identification for the time being referred to in rule 37(1H) of Schedule 1 to the 1983 Act (parliamentary elections rules);

(ii) in the case of a voter with an anonymous entry, the voter’s official poll card and an anonymous elector’s document showing the same electoral number as the electoral number shown on the official poll card; and

(b) a statement that further proof of identity may be required to resolve any discrepancy between the name of the holder of a form of identification and the name of the voter or proxy that the voter or proxy claims to be.]

(9) The relevant returning or counting officer may also provide copies of the notice mentioned in paragraph (8) in Braille or translated into languages other than English as he or she considers appropriate, provided that these notices are accurate reproductions in Braille or that other language of that notice.

[<sup>F16</sup>(10) In every compartment of every polling station there must be exhibited the notice—

“\*PARLIAMENTARY ELECTION

([*Specify colour*] ballot paper)

Vote for ONLY ONE CANDIDATE by putting a cross [X] in the box next to your choice.

<sup>F17</sup>  
...

\*[*Specify name of council*] COUNCIL ELECTION

([*Specify colour*] ballot paper)

\*[Vote for NO MORE THAN ... CANDIDATES by putting a cross [X] in the box next to EACH of your choices]

\*[Vote ONLY ONCE by putting a cross [X] in the box next to your choice].

\*ELECTION OF THE MAYOR OF LONDON

([*Specify colour*] ballot paper)

#On the ballot paper for the election of the Mayor, vote ONCE for your first choice and ONCE for your second choice.

\*ELECTION OF THE LONDON ASSEMBLY

#On the constituency members ballot paper [(*specify colour*)] vote for ONE candidate only.

#On the London members ballot paper [(*specify colour*)] vote for ONE party or individual candidate only.

\*REFERENDUM ON HOW [*specify name of Council*] COUNCIL IS RUN.

([*Specify colour*] ballot paper)

Vote ONLY ONCE by putting a cross [X] in the box next to your choice.

\*[*Specify other*] ELECTION/REFERENDUM

([*Specify colour*] ballot paper)



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\*[Specify voting instructions in accordance with the legislation governing the election or referendum]

PUT NO OTHER MARK ON THE BALLOT PAPER OR YOUR VOTE MAY NOT COUNT

\*[PLEASE DO NOT FOLD THE BALLOT PAPERS FOR [specify the election(s) and/or referendum(s) at which the votes are to be counted electronically]. Post them, face downwards, in the [\*appropriate] ballot box.]

\*Complete or omit as necessary.

#Alternatively, insert such information as the GLRO may decide.”]

<sup>F18</sup>(11) .....

**Textual Amendments**

**F11** Section 13B of the 1983 Act was inserted by paragraph 3 of Schedule 2 to the [Representation of the People Act 2000 \(c.2\)](#) and amended by section 11(3) of the [Electoral Administration Act 2006 \(c.22\)](#). Subsections (3B) and (3D) of section 13B were inserted by section 11(4) of the [Electoral Administration Act 2006 \(c.22\)](#).

**F12** Sch. 5 rule 17(5A) inserted (16.1.2023) by [The Voter Identification Regulations 2022 \(S.I. 2022/1382\)](#), regs. 1(3), **50(6)(a)** (with reg. 1(6)(7))

**F13** Sch. 5 rule 17(6)(b) substituted (29.12.2022) by [The Assistance with Voting for Persons with Disabilities \(Amendments\) Regulations 2022 \(S.I. 2022/1309\)](#), regs. 1(3), **8(3)(a)(i)** (with reg. 1(4))

**F14** Sch. 5 rule 17(6A) inserted (29.12.2022) by [The Assistance with Voting for Persons with Disabilities \(Amendments\) Regulations 2022 \(S.I. 2022/1309\)](#), regs. 1(3), **8(3)(a)(ii)** (with reg. 1(4))

**F15** Sch. 5 rule 17(8A) inserted (16.1.2023) by [The Voter Identification Regulations 2022 \(S.I. 2022/1382\)](#), regs. 1(3), **50(6)(b)** (with reg. 1(6)(7))

**F16** Sch. 5 rule 17(10) substituted (6.4.2014) by [The Local Authorities \(Conduct of Referendums\) \(England\) \(Amendment\) Regulations 2014 \(S.I. 2014/924\)](#), regs. 1(3), **13** (with reg. 1(4))

**F17** Words in Sch. 5 rule 17(10) revoked (31.12.2020) by [The European Parliamentary Elections Etc. \(Repeal, Revocation, Amendment and Saving Provisions\) \(United Kingdom and Gibraltar\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1310\)](#), reg. 1, **Sch. 1 Pt. 2** (as amended by S.I. 2019/1389, regs. 1, 2(2))

**F18** Sch. 5 rule 17(11) omitted (29.12.2022) by virtue of [The Assistance with Voting for Persons with Disabilities \(Amendments\) Regulations 2022 \(S.I. 2022/1309\)](#), regs. 1(3), **8(3)(a)(iii)** (with reg. 1(4))

**Appointment of counting observers**

18.—(1) The counting officer must appoint persons to observe the counting of the votes and the verification of the ballot paper account (“counting observers”).

(2) Where the counting officer is not the relevant returning or counting officer, he or she must give notice in writing of the appointments of counting observers to that officer as soon as is practicable following the appointment.

(3) For the purpose of assisting the counting officer in the discharge of his or her functions under paragraph (1), a petition organiser may nominate persons who in the opinion of the petition organiser are suitable for appointment as counting observers.

(4) A nomination under paragraph (3) must be made by notice in writing to the counting officer not later than the fifth day before the poll (disregarding any day which is to be disregarded by virtue of rule 4) and the notice must contain the address of each nominee.

(5) Subject to paragraph (6), the counting officer must not, without good cause, decline to appoint as a counting observer a person nominated by a petition organiser under paragraph (3).

(6) The counting officer may limit the number of counting observers, so however that—

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- (a) the number must be the same in the case of each petition organiser; and
- (b) the number allowed to a petition organiser must not (except in special circumstances) be fewer than the number obtained by dividing the number of clerks employed on the counting by the number of petition organisers.

For the purposes of the calculations required by this paragraph, a counting observer who has been appointed on the nomination of more than one petition organiser is a separate counting observer for each of the petition organisers by whom he or she has been nominated.

(7) Where a counting observer appointed on the nomination of a petition organiser dies or becomes incapable of acting, the petition organiser who made the nomination may nominate another person to be appointed as a counting observer in his or her place by giving notice in writing to the counting officer.

(8) Paragraphs (4) and (5) apply to a nomination under paragraph (7), with the substitution in paragraph (4) for “fifth day” of “final day”.

(9) In the following provisions of these Rules references to counting observers shall be taken as references to counting observers whose appointments have been duly made.

(10) Any notice required to be given by the counting officer to a counting observer appointed on the nomination of a petition organiser may be delivered at, or sent by post to, the address stated in the notice of nomination.

(11) A petition organiser may do any act or thing which any counting observer is authorised to do, or may assist any counting observer appointed on his or her nomination in doing any such act or thing.

(12) Where by these Rules any act or thing is required or authorised to be done in the presence of the counting observers, the non-attendance of any such 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.

### **Appointment of polling observers**

**19.**—(1) The counting officer may appoint persons to attend at polling stations for the purpose of detecting personation (“polling observers”).

(2) Where the counting officer is not the relevant returning or counting officer, he or she must give notice in writing of the appointment to the relevant returning or counting officer.

(3) That notice must state the names and addresses of the persons appointed and must be given not later than the fifth day (disregarding any day specified in rule 4) before the day of the poll.

(4) Not more than four polling observers or polling agents, or such greater number as the relevant returning or counting officer may by notice allow, shall be permitted to attend at any particular polling station and if the number of such polling observers or agents exceeds that number, the relevant returning or counting officer must determine which polling observers or agents are permitted to attend by lot and only the polling observers and agents on whom the lot falls shall be deemed to have been duly appointed.

(5) In the following provisions of these Rules references to polling observers shall be taken as references to polling observers whose appointments have been duly made.

(6) Where by these Rules any act or thing is required or authorised to be done in the presence of the polling observers, the non-attendance of any such 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 in respect of polling stations**

**20.**—<sup>[F19]</sup>(1) The relevant returning or counting officer must make such arrangements as he or she thinks fit to ensure that every person attending at a polling station (otherwise than for the purpose

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of voting or assisting a voter or proxy with disabilities to vote or as a constable on duty there) has been given a copy in writing of the provisions of subsections (1), (3) and (6) of section 66 of the 1983 Act, as applied by Schedule 4 <sup>F20</sup>.

[<sup>F21</sup>(2) In this rule, a reference to a constable includes a person designated as a community support officer under section 38 of the Police Reform Act 2002 (police powers for employees).]

#### Textual Amendments

- F19** Sch. 5 rule 20 renumbered as Sch. 5 rule 20(1) (6.4.2014) by [The Local Authorities \(Conduct of Referendums\) \(England\) \(Amendment\) Regulations 2014 \(S.I. 2014/924\)](#), regs. 1(3), **14** (with reg. 1(4))
- F20** Subsections (1), (2) and (3) of section 66 of the 1983 Act were amended by paragraphs 69, 82, 86(b) and 96 of Schedule 1 to the [Electoral Administration Act 2006 \(c.22\)](#); subsection (6) was amended by paragraph 3 of Schedule 3 to the [Representation of the People Act 1985 \(c.50\)](#).
- F21** Sch. 5 rule 20(2) inserted (6.4.2014) by [The Local Authorities \(Conduct of Referendums\) \(England\) \(Amendment\) Regulations 2014 \(S.I. 2014/924\)](#), regs. 1(3), **14** (with reg. 1(4))

#### Notification of requirement of secrecy in respect of the count

**21.**—[<sup>F22</sup>(1)] The counting officer must make such arrangements as he or she thinks fit to ensure that every person attending at the counting of the votes (other than any constable on duty at the counting) has been given a copy in writing of the provisions of subsections (2) and (6) of section 66 of the 1983 Act, as applied by Schedule 4.

[<sup>F23</sup>(2) In this rule, a reference to a constable includes a person designated as a community support officer under section 38 of the Police Reform Act 2002 (police powers for employees).]

#### Textual Amendments

- F22** Sch. 5 rule 21 renumbered as Sch. 5 rule 21(1) (6.4.2014) by [The Local Authorities \(Conduct of Referendums\) \(England\) \(Amendment\) Regulations 2014 \(S.I. 2014/924\)](#), regs. 1(3), **15** (with reg. 1(4))
- F23** Sch. 5 rule 21(2) inserted (6.4.2014) by [The Local Authorities \(Conduct of Referendums\) \(England\) \(Amendment\) Regulations 2014 \(S.I. 2014/924\)](#), regs. 1(3), **15** (with reg. 1(4))

#### Return of postal ballot papers

**22.**—(1) Where—

- (a) a postal vote has been returned in respect of a person who is entered on the postal voters list; or
- (b) a proxy postal vote has been returned in respect of a proxy who is entered on the proxy postal voters list,

the relevant returning or counting officer must mark the list in the manner prescribed by regulations made under the 1983 Act <sup>F24</sup>.

(2) In paragraph (1) for “relevant returning or counting officer” substitute “ counting officer ” where proceedings on the issue and receipt of postal ballot papers at the referendum are not taken together with such proceedings at one or more relevant elections or referendums.

(3) Rule 38(5) does not apply for the purpose of determining whether, for the purposes of this rule, a postal vote or a proxy postal vote is returned.

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#### Textual Amendments

**F24** See regulation 84A of the Representation of the People (England and Wales) Regulations 2001 [S.I. 2001/341](#) as amended by [S.I. 2006/2910](#).

## PART 5

### The Poll

#### Admission to the polling station

- 23.**—(1) The presiding officer must exclude all persons from the polling station except—
- (a) voters and proxies;
  - (b) persons under the age of 18 who accompany voters and proxies to the polling station;
  - (c) the polling observers appointed to attend at the polling station;
  - (d) the clerks appointed to attend at the polling station;
  - (e) persons who are entitled to attend by virtue of any of sections 6A to 6D of the Political Parties, Elections and Referendums Act 2000 <sup>F25</sup>;
  - (f) the constables on duty;
  - (g) the companions of voters and proxies with disabilities;
  - (h) the elected mayor, if any, of the council in respect of which the referendum is held;
  - (i) any petition organiser; and
  - (j) persons entitled to be admitted to the polling station at a relevant election or referendum with which the poll at the referendum is combined.

(2) The presiding officer must regulate the total number of voters and proxies and persons under the age of 18 who accompany them to be admitted to the polling station at the same time.

(3) A constable or person employed by any returning or counting officer at any relevant election or referendum must not be admitted to vote in person elsewhere than at his or her own polling station allotted to him or her under these Rules, except on production and surrender of a certificate as to his or her employment which must be in the form in the Appendix, or a form to the like effect, and signed by an officer of police of or above the rank of inspector or by the returning or counting officer by whom the person is employed, as the case may be.

(4) Any certificate surrendered under this rule must forthwith be cancelled.

<sup>F26</sup>(5) In this rule, a reference to a constable includes a person designated as a community support officer under section 38 of the Police Reform Act 2002 (police powers for employees).]

#### Textual Amendments

**F25** Sections 6A to 6F of the [Political Parties, Elections and Referendums Act 2000 \(c.41\)](#) were inserted by section 29 of the [Electoral Administration Act 2006 \(c.22\)](#).

**F26** [Sch. 5 rule 23\(5\)](#) inserted (6.4.2014) by [The Local Authorities \(Conduct of Referendums\) \(England\) \(Amendment\) Regulations 2014 \(S.I. 2014/924\)](#), regs. 1(3), **16** (with reg. 1(4))

### Keeping of order in station

24.—(1) It is the presiding officer's duty to keep order at his or her polling station.

(2) If a person misconducts himself or herself in a polling station, or fails to obey the presiding officer's lawful orders, that person may immediately, by the presiding officer's order, be removed from the polling station—

- (a) by a constable in or near that station; or
- (b) by any other person authorised in writing by the relevant returning or counting officer to remove him or her,

and the person so removed shall not, without the presiding officer's permission, again enter the polling station during the day.

(3) Any person so removed may, if charged with the commission in the polling station of an offence, be dealt with as a person taken into custody by a constable for an offence without a warrant.

(4) The powers conferred by this rule must not be exercised so as to prevent a voter or proxy who is otherwise entitled to vote at a polling station from having an opportunity of voting at that station.

### Sealing of ballot boxes

25. Immediately before the commencement of the poll, the presiding officer must show the ballot box is empty to such persons, if any, as are present in the polling station, so that they may see that it is empty, and must then lock it up, if it has a lock and (in any case) place his or her seal on it in such a manner as to prevent its being opened without breaking the seal and must place it in his or her view for the receipt of ballot papers, and keep it so locked and sealed or sealed (as the case may be).

### Questions to be put to voters and proxies

26.—(1) At the time of the application for a ballot paper (but not afterwards), the questions specified in the second column of the following Table—

- (a) may be put by the presiding officer to a person applying for a ballot paper who is mentioned in the first column; and
- (b) must be put if the letter “R” appears after the question and a petition organiser or a polling observer requires the question to be put:

<i>Q no</i>	<i>Person applying for ballot paper</i>	<i>Question</i>
1	A person applying as a voter	[ <sup>F27</sup> (za) What is your name?] [ <sup>F27</sup> (zb) What is your address?] (a)—Are you the person registered in the register of local government electors for this voting area as follows? <i>(read the whole entry from the register)</i> [R] (b)—Have you already voted here or elsewhere at this referendum, otherwise than as proxy for some other person? [R]
2	A person applying as proxy	[ <sup>F27</sup> (za) What is your name?] [ <sup>F27</sup> (zb) What is your name?]

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- (a)—Are you the person whose name appears as AB in the list of proxies for this voting area as entitled to vote as proxy on behalf of CD? [R]
- (b)—Have you already voted here or elsewhere at this referendum as proxy on behalf of CD? [R]
- (c)—Are you the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild of CD? [R]
- 3 A person applying as proxy for a voter with an anonymous entry (instead of the questions at entry 2) [F<sup>27</sup>(za) What is your name?]  
[F<sup>27</sup>(zb) What is your address?]
- (a)—Are you the person entitled to vote as proxy on behalf of the voter whose number on the register of electors is (*read out the number*)? [R]
- (b)—Have you already voted here or elsewhere as proxy on behalf of the voter whose number on the register of electors is (*read out the number*)? [R]
- (c)—Are you the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild of the person whose number on the register of electors is (*read out the number*)? [R]
- 4 A person applying as proxy if the question at entry 2(c) or 3(c) is not answered in the affirmative Have you already voted at this referendum on behalf of two persons of whom you are not the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild? [R]
- 5 A person applying as a voter in relation to whom there is an entry in the postal voters list [F<sup>27</sup>(za) What is your name?]  
[F<sup>27</sup>(zb) What is your address?]
- (a)—Did you apply to vote by post?  
(b)—Why have you not voted by post?
- 6 A person applying as proxy who is named in the proxy postal voters list [F<sup>27</sup>(za) What is your name?]  
[F<sup>27</sup>(zb) What is your address?]
- (a)—Did you apply to vote by post as proxy?  
(b)—Why have you not voted by post as proxy?

(2) In the case of a person in respect of whom a notice has been issued under section 13B(3B) or (3D) of the 1983 Act, the references in the questions at entries 1(a) and 3(a), (b) and (c) to reading from the register shall be taken as references to reading from the notice issued under section 13B(3B) or (3D) of the 1983 Act.

[F<sup>28</sup>(2A) Where a clerk—

- (a) gives a person the required information (see paragraph (5)),  
(b) puts a question specified in paragraph (1) to the person, and

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(c) decides that the person has failed to answer the question satisfactorily,  
the clerk must refer the matter to the presiding officer, who must put the question to the person again.]

[<sup>F29</sup>(3) Where the presiding officer—

- (a) gives the person the required information,
- (b) puts a question specified in paragraph (1) to the person (whether or not following a referral under paragraph (2A)), and
- (c) decides that the person has failed to answer the question satisfactorily,

the officer must refuse to deliver a ballot paper to the person (and see rule 32A for the procedure where a ballot paper is refused under this paragraph).

(3A) For the purposes of this rule, a person answers the question “What is your name?” or “What is your address?” satisfactorily if—

- (a) where one of those questions is put, the answer matches a name or address (as the case may be) in the register of electors;
- (b) where both those questions are put, the answers match a name and address in that register that relate to the same person.

(3B) In the case of a person in respect of whom a notice has been issued under section 13B(3B) or (3D) of the 1983 Act, the references to the register in paragraph (3A) are to be read as references to the notice issued under section 13B(3B) or (3D).]

(4) Except as authorised by this rule, no inquiry shall be permitted as to the right of any person to vote [<sup>F30</sup>(and for the purposes of this paragraph, an inquiry relating to the production of identification by a person is not to be regarded as an inquiry as to the right of the person to vote)].

[<sup>F31</sup>(5) For the purposes of this rule, a person to whom any question is to be put is given “the required information” if the person is first informed that—

- (a) a ballot paper will be refused if the person fails to answer each question satisfactorily, and
- (b) giving false information may be an offence.]

#### Textual Amendments

- F27** Words in Sch. 5 rule 26 Table inserted (16.1.2023) by [The Voter Identification Regulations 2022 \(S.I. 2022/1382\)](#), regs. 1(3), **50(7)(a)** (with reg. 1(6)(7))
- F28** Sch. 5 rule 26(2A) inserted (16.1.2023) by [The Voter Identification Regulations 2022 \(S.I. 2022/1382\)](#), regs. 1(3), **50(7)(b)** (with reg. 1(6)(7))
- F29** Sch. 5 rule 26(3)-(3B) substituted for Sch. 5 rule 26(3) (16.1.2023) by [The Voter Identification Regulations 2022 \(S.I. 2022/1382\)](#), regs. 1(3), **50(7)(c)** (with reg. 1(6)(7))
- F30** Words in Sch. 5 rule 26(4) inserted (16.1.2023) by [The Voter Identification Regulations 2022 \(S.I. 2022/1382\)](#), regs. 1(3), **50(7)(d)** (with reg. 1(6)(7))
- F31** Sch. 5 rule 26(5) inserted (16.1.2023) by [The Voter Identification Regulations 2022 \(S.I. 2022/1382\)](#), regs. 1(3), **50(7)(e)** (with reg. 1(6)(7))

#### Challenge of voter or proxy

27. A person must not be prevented from voting by reason only that—

- (a) any petition organiser or polling observer permitted to be present in accordance with rule 23(1) declares that he or she has reasonable cause to believe that the person has committed an offence of personation; or

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- (b) the person is arrested on the grounds that he or she is suspected of committing or of being about to commit such an offence.

**Voting procedure**

**28.**—(1) [<sup>F32</sup>Subject to rule 26(3) and to paragraphs (1A) to (1M), a] ballot paper must be delivered to a voter or proxy who applies for one, and immediately before delivery—

- <sup>F33</sup>(a) .....
- (b) the number of the voter as stated in the register must be marked on the list mentioned in rule 17(4)(d) beside the number of the ballot paper to be issued to him or her;
- (c) a mark must be placed in the copy of the register of electors against the number of the voter to note that a ballot paper has been received but without showing the particular ballot paper which has been received; and
- (d) in the case of a person applying for a ballot paper as proxy, a mark must also be placed against his or her name in the list of proxies.

[<sup>F34</sup>(1A) A ballot paper must not be delivered to a voter or proxy unless the voter or proxy produces a specified document to the presiding officer or a clerk.

(1B) The presiding officer or clerk must arrange for the voter or proxy to produce any document in a private area of the polling station if the voter or proxy so requests, and, in such a case, must ensure that no other persons witness the production except as permitted by the voter or proxy.

(1C) Paragraph (1D) applies in relation to a voter or proxy where—

- (a) the voter or proxy produces a specified document to a clerk and the clerk decides that the document raises a reasonable doubt as to whether the voter or proxy is the voter or proxy that the voter or proxy claims to be, or
- (b) the voter or proxy produces a document to a clerk that the clerk reasonably suspects to be a forged document.

(1D) Where this paragraph applies, the clerk must refer the matter and produce the document to the presiding officer, who must proceed as if the voter or proxy had produced the document to the presiding officer in the first place.

(1E) The presiding officer must refuse to deliver a ballot paper to a voter or proxy where—

- (a) the voter or proxy produces a specified document to the officer and the officer decides that the document raises a reasonable doubt as to whether the voter or proxy is the voter or proxy that the voter or proxy claims to be, or
- (b) the voter or proxy produces a document to the officer that the officer reasonably suspects to be a forged document.

(1F) Paragraph (1E)(a) does not apply where—

- (a) a discrepancy between the name of the holder of a specified document and the name of the voter or proxy that the voter or proxy claims to be is resolved to the presiding officer’s satisfaction at the time of the application by the voter or proxy producing further proof of identity, and
- (b) the presiding officer has no other reason (arising from any document produced by the voter or proxy) to doubt that the voter or proxy is the voter or proxy that the voter or proxy claims to be.

(1G) The refusal to deliver a ballot paper to a voter or proxy under paragraph (1E) does not prevent the voter or proxy making a further application under paragraph (1), and paragraphs (1A) to (1F) apply on any further application.



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(1H) In this rule, a “forged document” means a false document made to resemble a specified document.

(1I) In this rule, a “specified document”—

- (a) except in the case of a voter or proxy who has an anonymous entry in the register of electors, is one which for the time being falls within the list specified in rule 37(1H) of Schedule 1 to the 1983 Act (parliamentary election rules);
- (b) in the case of a voter or proxy who has an anonymous entry in the register of electors, means an anonymous elector’s document which—
  - (i) was issued by the registration officer for the local authority in whose area the referendum is held, and
  - (ii) contains the number—
    - (aa) allocated to the voter or proxy as stated in the copy of the register of electors, or
    - (bb) where an entry relating to the voter or proxy is added to the register in pursuance of a notice issued under section 13B(3B) or (3D) of the 1983 Act, as stated in the copy of that notice.

(1J) Subject to paragraph (1K), a reference in this rule to a document that is a specified document is a reference to the document regardless of any expiry date relating to it.

(1K) Paragraph (1J) does not apply to a temporary electoral identity document where the date of the poll for the referendum is after the date for which the document is issued.

(1L) No person other than the presiding officer or a clerk may inspect a document produced as proof of a voter’s or proxy’s identity, except as permitted by the voter or proxy.

(1M) References in this rule to producing a document are to producing it for inspection.]

(2) In the case of a voter who has an anonymous entry, that person must show the presiding officer his or her official poll card <sup>F35</sup>....

(3) In the case of a voter or proxy who is added to the register in pursuance of a notice issued under section 13B(3B) or (3D) of the 1983 Act <sup>F36</sup>, paragraph (1) is modified as follows—

- <sup>F37</sup>(a) .....
- (b) in sub-paragraph (b), for “in the register” substitute “ on the copy of the notice issued under section 13B(3B) or (3D) of the 1983 Act ”;
- (c) in sub-paragraph (c), for “in the copy of the register of electors” substitute “ on the copy of the notice issued under section 13B(3B) or (3D) of the 1983 Act ”.

(4) The voter or proxy, on receiving the ballot paper, must forthwith proceed into one of the compartments in the polling station and there secretly mark his or her paper and fold it up so as to conceal his or her vote, and must then show to the presiding officer the back of the paper, so as to disclose the number and other unique identifying mark, and put the ballot paper so folded up into the ballot box in the presiding officer's presence.

(5) The voter or proxy must vote without undue delay, and must leave the polling station as soon as he or she has put his or her ballot paper into the ballot box.

[<sup>F38</sup>(5A) A voter or proxy who at the close of the poll is in the polling station, or in a queue outside the polling station, for the purpose of voting shall (despite the close of the poll) be entitled to apply for a ballot paper under paragraph (1); and these rules apply in relation to such a voter or proxy accordingly.]

(6) The same copy of the register of electors which is used under paragraph (1) for the referendum or, where paragraph (3) applies, the same copy of the notice issued under section 13B(3B) or (3D) of the 1983 Act, may be used for each relevant election or referendum, and—

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- (a) one mark may be placed in that copy of the register or on that notice under paragraph (1) (c) or in the list of proxies under paragraph (1)(d) to denote that a ballot paper has been issued in respect of each election or referendum; but
- (b) where a ballot paper has not been issued in respect of a relevant election or referendum, a different mark must be placed in the copy of that register or, as the case may be, on that notice or in that list so as to identify each election or referendum in respect of which a ballot paper was issued.

#### Textual Amendments

- F32** Words in Sch. 5 rule 28(1) substituted (16.1.2023) by [The Voter Identification Regulations 2022 \(S.I. 2022/1382\)](#), regs. 1(3), **50(8)(a)(i)** (with reg. 1(6)(7))
- F33** Sch. 5 rule 28(1)(a) omitted (16.1.2023) by virtue of [The Voter Identification Regulations 2022 \(S.I. 2022/1382\)](#), regs. 1(3), **50(8)(a)(ii)** (with reg. 1(6)(7))
- F34** Sch. 5 rule 28(1A)-(1M) inserted (16.1.2023) by [The Voter Identification Regulations 2022 \(S.I. 2022/1382\)](#), regs. 1(3), **50(8)(b)** (with reg. 1(6)(7))
- F35** Words in Sch. 5 rule 28(2) omitted (16.1.2023) by virtue of [The Voter Identification Regulations 2022 \(S.I. 2022/1382\)](#), regs. 1(3), **50(8)(c)** (with reg. 1(6)(7))
- F36** Section 13B of the 1983 Act was inserted by paragraph 3 of Schedule 2 to the [Representation of the People Act 2000 \(c.2\)](#) and amended by section 11(3) of the [Electoral Administration Act 2006 \(c.22\)](#). Subsections (3B) and (3D) of section 13B were inserted by section 11(4) of the [Electoral Administration Act 2006 \(c.22\)](#).
- F37** Sch. 5 rule 28(3)(a) omitted (16.1.2023) by virtue of [The Voter Identification Regulations 2022 \(S.I. 2022/1382\)](#), regs. 1(3), **50(8)(d)** (with reg. 1(6)(7))
- F38** Sch. 5 rule 28(5A) inserted (6.4.2014) by [The Local Authorities \(Conduct of Referendums\) \(England\) \(Amendment\) Regulations 2014 \(S.I. 2014/924\)](#), regs. 1(3), **17** (with reg. 1(4))

#### Votes marked by presiding officer

**29.**—(1) The presiding officer, on the application of a voter or proxy—

- (a) who is incapacitated by blindness or other disability from voting in the manner directed by these Rules; or
- (b) who declares orally that he or she is unable to read,

must, in the presence of the polling observers (if any), cause that person's vote to be marked on a ballot paper in the manner directed by that person, and the ballot paper to be placed in the ballot box.

(2) The name and number on the register of electors of every person whose vote is marked in pursuance of this rule, and the reason why it is so marked, must be entered on a list (in these Rules called “the list of votes marked by the presiding officer”).

(3) In the case of a person voting as proxy for a voter, the number to be entered together with the proxy's name shall be the number in the register of the voter.

(4) In the case of a person in respect of whom a notice has been issued under section 13B(3B) or (3D) of the 1983 Act, paragraph (2) applies as if for “on the register of electors of every person” there were substituted “relating to every person in respect of whom a notice has been issued under section 13B(3B) or (3D) of the 1983 Act”.

(5) The same list may be used for the referendum and each relevant election or referendum and, where it is so used, an entry in that list shall be taken to mean that the ballot papers were so marked in respect of each election or referendum, unless the list identifies the election or referendum at which the ballot paper was so marked.

## Voting by persons with disabilities

**30.**—(1) If a voter or proxy makes an application to the presiding officer to be allowed, on the ground of—

- (a) blindness or other disability; or
- (b) inability to read,

to vote with the assistance of another person by whom he or she is accompanied (in these Rules referred to as “the companion”), the presiding officer must require the voter or proxy to declare, orally or in writing, whether he or she is so incapacitated by his or her blindness or other disability, or by his or her inability to read, as to be unable to vote without assistance.

(2) [<sup>F39</sup>Subject to paragraph (2A), if] the presiding officer—

- (a) is satisfied that the voter or proxy is so incapacitated; and
- (b) is also satisfied by a written declaration made by the companion (in these Rules referred to as “the declaration made by the companion of a voter or proxy with disabilities”) that the companion—
  - (i) is a qualified person within the meaning of this rule; and
  - (ii) has not previously assisted more than one voter or proxy with disabilities to vote at the referendum,

the presiding officer must grant the application, and then anything which is by these Rules required to be done to or by that voter or proxy in connection with the giving of his or her vote may be done to, or with the assistance of, the companion.

[<sup>F40</sup>(2A) Paragraphs (1A) to (1M) of rule 28 apply in the case of a voter or proxy who applies under paragraph (a) as they apply in the case of a voter or proxy who applies under rule 28(1), but as if—

- (a) references to delivering a ballot paper to a voter or proxy were to granting a voter’s or proxy’s application, and
- (b) in rule 28(1G), the reference to paragraph (1) of rule 28 were to paragraph (1) of this rule.]

(3) For the purposes of these Rules, a person is a voter or proxy with disabilities if he or she has made such a declaration as is mentioned in paragraph (1), and a person [<sup>F41</sup>is qualified to assist a voter or proxy with disabilities to vote if that person is aged 18 or over.]

(4) The name and number in the register of electors of every person whose vote is given in accordance with this rule and the name and address of the companion must be entered on a list (in these Rules referred to as “the list of voters and proxies with disabilities assisted by companions”).

In the case of a person voting as proxy for a voter, the number to be entered together with the proxy’s name shall be the number in the register of the voter.

(5) In the case of a person in respect of whom a notice has been issued under section 13B(3B) or (3D) of the 1983 Act, paragraph (4) applies as if for “in the register of electors of every person” there were substituted “relating to every person in respect of whom a notice has been issued under section 13B(3B) or (3D) of the 1983 Act”.

(6) The same list may be used for the referendum and each relevant election or referendum and, where it is so used, an entry in that list shall be taken to mean that the votes were so given in respect of each election or referendum, unless the list identifies the election or referendum at which the vote was so given.

(7) The declaration made by the companion of a voter or proxy with disabilities—

- (a) must be in the form in the Appendix;

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- (b) must be made before the presiding officer at the time when the voter or proxy applies to vote with the assistance of a companion; and
  - (c) must forthwith be given to the presiding officer who must attest and retain it.
- (8) No fee or other payment shall be charged in respect of the declaration.

#### Textual Amendments

- F39** Words in Sch. 5 rule 30(2) substituted (16.1.2023) by The Voter Identification Regulations 2022 (S.I. 2022/1382), regs. 1(3), **50(10)(a)** (with reg. 1(6)(7))
- F40** Sch. 5 rule 30(2A) inserted (16.1.2023) by The Voter Identification Regulations 2022 (S.I. 2022/1382), regs. 1(3), **50(10)(b)** (with reg. 1(6)(7))
- F41** Words in Sch. 5 rule 30(3) substituted (29.12.2022) by The Assistance with Voting for Persons with Disabilities (Amendments) Regulations 2022 (S.I. 2022/1309), regs. 1(3), **8(3)(b)** (with reg. 1(4))

#### Tendered ballot papers: circumstances where available

- 31.**—(1) If a person, representing himself or herself to be—
- (a) a particular voter named on the register and not named in the absent voters list; or
  - (b) a particular person named in the list of proxies as proxy for a voter and not entitled to vote by post as proxy,

applies for a ballot paper after another person has voted in person either as the voter or his or her proxy, the applicant shall, on satisfactorily answering the questions permitted by law to be asked at the poll, be entitled, subject to the provisions of rule 32, to mark a ballot paper (in these Rules referred to as “a tendered ballot paper”) in the same manner as any other voter.

- (2) Paragraph (4) applies if—
- (a) a person applies for a ballot paper representing himself or herself to be a particular voter named on the register;
  - (b) he or she is also named in the postal voters list; and
  - (c) he or she claims that he or she did not make an application to vote by post.

- (3) Paragraph (4) also applies if—
- (a) a person applies for a ballot paper representing himself or herself to be a particular person named as a proxy in the list of proxies;
  - (b) he or she is also named in the proxy postal voters list; and
  - (c) he or she claims that he or she did not make an application to vote by post as proxy.

(4) The person shall, on satisfactorily answering the questions permitted by law to be asked at the poll, be entitled, subject to the provisions of rule 32, to mark a ballot paper (in these Rules referred to as a “tendered ballot paper”) in the same manner as any other voter.

- (5) Paragraph (6) applies if, before the close of the poll but after the last time at which a person may apply for a replacement postal ballot paper, a person represents himself or herself to be—
- (a) a particular voter named on the register who is also named in the postal voters list; or
  - (b) a particular person named as a proxy in the list of proxies and who is also named in the proxy postal voters list,

and claims that he or she has lost or has not received his or her postal ballot paper.

(6) The person shall, on satisfactorily answering the questions permitted by law to be asked at the poll, be entitled, subject to the provisions of rule 32, to mark a ballot paper (in these Rules referred to as a “tendered ballot paper”) in the same manner as any other voter.

[<sup>F42</sup>(7) Paragraphs (1A) to (1M) of rule 28 apply in the case of a person who seeks to mark a tendered ballot paper under this rule as they apply in the case of a voter or proxy who applies for a ballot paper under rule 28(1), but as if in rule 28(1G), the reference to making a further application under paragraph (1) of rule 28 were to seeking a further time to mark a tendered ballot paper under the paragraph of this rule under which a previous such attempt was made.]

#### Textual Amendments

**F42** Sch. 5 rule 31(7) inserted (16.1.2023) by [The Voter Identification Regulations 2022 \(S.I. 2022/1382\)](#), regs. 1(3), **50(11)** (with reg. 1(6)(7))

### Tendered ballot papers: general provisions

**32.**—(1) A tendered ballot paper must—

- (a) be of a colour differing from that of the other ballot papers;
- (b) instead of being put into the ballot box, be given to the presiding officer and endorsed by him or her with the name of the person who has marked a tendered ballot paper and that person's number in the register of electors, and set aside in a separate packet.

(2) The name of the person who has marked a tendered ballot paper and his or her number in the register of electors must be entered on a list (in these Rules referred to as the “tendered votes list”).

(3) The same list may be used for the referendum and each relevant election or referendum and, where it is so used, an entry in that list shall be taken to mean that tendered ballot papers were marked in respect of each election or referendum, unless the list identifies the election or referendum at which a tendered ballot paper was marked.

(4) In the case of a person voting as proxy for a voter, the number to be endorsed or entered together with the proxy's name shall be the number in the register of the voter.

(5) In the case of a voter who has an anonymous entry, this rule and rule 31 apply subject to the following modifications—

- (a) in paragraphs (1)(b) and (2) above, the references to the name of the person who has marked a tendered ballot paper shall be ignored;
- (b) otherwise, a reference to a person named on a register or list shall be construed as a reference to a person whose number appears on the register or list (as the case may be).

(6) In the case of a person in respect of whom a notice has been issued under section 13B(3B) or (3D) of the 1983 Act, this rule and rule 31 shall apply as if—

- (a) in rule 31(1)(a), (2)(a) and (5)(a), for “named on the register” there were substituted “ in respect of whom a notice under section 13B(3B) or (3D) of the 1983 Act has been issued ”;
- (b) in paragraph (1)(b) of this rule, for “that person's number in the register of electors” there were substituted “ the number relating to him or her on a notice issued under section 13B(3B) or (3D) of the 1983 Act ”;
- (c) in paragraph (2) of this rule, for “his or her number in the register of electors” there were substituted “ the number relating to him or her on a notice issued under section 13B(3B) or (3D) of the 1983 Act ”.

### Spoilt ballot papers

**33.** A voter or proxy who has inadvertently dealt with his or her ballot paper in such manner that it cannot be conveniently used as a ballot paper may, on delivering it to the presiding officer and proving to his or her satisfaction the fact of the inadvertence, obtain another ballot paper in the place

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of the ballot paper so delivered (in these Rules referred to as “a spoiled ballot paper”), and the spoiled ballot paper must be immediately cancelled.

### **Correction of errors on day of poll**

**34.**—(1) The presiding officer must keep a list of persons to whom ballot papers are delivered in consequence of an alteration to the register made by virtue of section 13B(3B) or (3D) of the 1983 Act which takes effect on the day of the poll.

(2) The same list may be used for each relevant election or referendum and, where it is so used, an entry in that list shall be taken to mean that ballot papers were issued in respect of each election or referendum, unless the list identifies the election or referendum for which a ballot paper was issued.

### **Adjournment of poll in case of riot**

**35.**—(1) Where the proceedings at any polling station are interrupted or obstructed by riot or open violence, the presiding officer must adjourn the proceedings till the following day and must forthwith give notice to the relevant returning or counting officer.

(2) Where the poll is adjourned at any polling station—

- (a) the hours of polling on the day to which it is adjourned must be the same as for the original day; and
- (b) references in these Rules to the close of the poll shall be construed accordingly.

### **Procedure on close of poll**

**36.**—(1) As soon as practicable after the close of the poll, the presiding officer must, in the presence of the polling observers appointed for the purposes of the referendum and the polling agents or observers appointed for the purposes of each relevant election or referendum, make up into separate packets, sealed with his or her own seal and the seals of such polling observers and agents as desire to affix their seals—

- (a) each ballot box in use at the station, sealed so as to prevent the introduction of additional ballot papers and unopened, but with the key, if any, attached;
- (b) the unused and spoiled ballot papers placed together;
- (c) the tendered ballot papers;
- (d) the marked copies of the register of electors (including any marked copy notices issued under section 13B(3B) or (3D) of the 1983 Act) and of the list of proxies;
- [<sup>F43</sup>(da) the ballot paper refusal list completed in accordance with rule 32A;]
- (e) the lists prepared under rule 8 including the parts which were completed in accordance with rule 28(1)(b) (together referred to in these Rules as “the completed corresponding number lists”);
- (f) the certificates as to employment on duty on the day of the poll;
- (g) the tendered votes list, the list of voters and proxies with disabilities assisted by companions, the list of votes marked by the presiding officer, a statement of the number of voters and proxies whose votes are so marked by the presiding officer under the heads “disability” and “unable to read”, the list maintained under rule 34 (correction of errors on day of poll) and the declarations made by the companions of voters and proxies with disabilities,

and must deliver the packets or cause them to be delivered to the relevant returning or counting officer to be taken charge of by that person; but if the packets are not delivered by the presiding

officer personally to the relevant returning or counting officer, the arrangements for their delivery shall require that officer's approval.

(2) The contents of the packets referred to in sub-paragraphs (b), (c) and (f) of paragraph (1) must not be combined with the contents of the packets made under the corresponding rule that applies at any relevant election or referendum; nor shall the statement prepared under paragraph (4) be so combined.

(3) The marked copies of the register of electors and of the list of proxies must be in one packet but must not be in the same packet as the completed corresponding number lists or the certificates as to employment on duty on the day of the poll.

(4) The packets must be accompanied by a statement (in these Rules referred to as “the ballot paper account”) made by the presiding officer showing the number of ballot papers entrusted to him or her, and accounting for them under the heads of ballot papers issued and not otherwise accounted for, unused, spoilt and tendered ballot papers.

#### Textual Amendments

**F43** Sch. 5 rule 36(1)(da) inserted (16.1.2023) by [The Voter Identification Regulations 2022 \(S.I. 2022/1382\)](#), regs. 1(3), **50(13)** (with reg. 1(6)(7))

## PART 6

### Counting of Votes

#### Attendance at counting of votes

**37.—**(1) Where the counting officer at the referendum is the relevant returning or counting officer, he or she must—

- (a) make arrangements for—
  - (i) discharging the functions under rule 38(1) in the presence of the counting observers appointed for the purposes of the referendum and the election agents and counting agents or observers appointed for the purpose of each relevant election or referendum as soon as practicable after the close of the poll; and
  - (ii) thereafter counting the votes at the referendum in the presence of the counting observers appointed for the purpose of that referendum; and
- (b) give to the counting observers appointed for the purposes of the referendum and the election agents and counting agents or observers appointed for the purpose of each relevant election or referendum notice in writing of the time and place at which he or she will begin to discharge the functions under rule 38(1).

(2) Where the counting officer at the referendum is not the relevant returning or counting officer, he or she must—

- (a) make arrangements for counting the votes in the presence of the counting observers as soon as practicable after the delivery of the ballot papers to him or her by the relevant returning or counting officer; and
- (b) give to the counting observers notice in writing of the time after which he or she will begin to count the votes if by then he or she has received the ballot papers and of the place at which that count will take place.

(3) No person other than—

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- (a) the counting officer and his or her clerks;
- (b) the counting observers;
- (c) the elected mayor, if any, of the council in respect of which the referendum is held;
- (d) the petition organisers; and
- (e) persons who are entitled to attend by virtue of any of sections 6A to 6D of the Political Parties, Elections and Referendums Act 2000,

may be present at the counting of the votes, unless permitted by the counting officer to attend.

(4) No person other than a person entitled to be present at the counting of the votes at the referendum under paragraphs (4) to (13) of rule 38 or at a relevant election or referendum may be present at the proceedings under rule 38(1) unless permitted by the relevant returning or counting officer to attend.

- (5) A person not entitled to attend at—
- (a) the proceedings under rule 38(1); or
  - (b) the counting of the votes,

must not be permitted to do so by, respectively, the relevant returning or counting officer or the counting officer unless he or she is satisfied that the efficient separation of the ballot papers or, as the case may be, the efficient counting of the votes will not be impeded.

- (6) The—
- (a) relevant returning or counting officer, in respect of proceedings under rule 38(1); and
  - (b) counting officer, in respect of the counting of votes,

must give the counting observers all such reasonable facilities for overseeing the proceedings, and all such information with respect to them, as he or she can give them consistently with the orderly conduct of the proceedings and the discharge of his or her duties in connection with them.

(7) In particular, where the votes are counted by sorting the ballot papers according to the answer for which the vote is given and then counting the number of ballot papers for each answer, the counting observers shall be entitled to satisfy themselves that the ballot papers are correctly sorted.

## **The count**

**38.—(1)** Where the counting officer at the referendum is the relevant returning or counting officer, he or she must—

- (a) in the presence of the counting observers appointed for the purposes of the poll at the referendum and the election agents and counting agents or observers appointed for the purposes of the poll at each relevant election or referendum, open each ballot box and record separately the number of ballot papers used in each election;
- (b) in the presence of the counting observers appointed for the purposes of the poll at the referendum and the election agents and counting agents or observers appointed for the purposes of each relevant election or referendum, verify each ballot paper account;
- (c) count such of the postal ballot papers as have been duly returned and record separately the number counted at the referendum and each relevant election or referendum;
- (d) separate the ballot papers relating to the referendum from the ballot papers relating to each relevant election or referendum;
- (e) make up into packets the ballot papers for each relevant election or referendum and seal them up in separate containers endorsing on each a description of the area to which the ballot papers relate;



- (f) deliver or cause to be delivered to the returning or counting officer for the relevant election or referendum to which the ballot papers relate—
  - (i) those containers, together with a list of them and of the contents of each; and
  - (ii) the ballot paper accounts together with a copy of the statement as to the result of their verification in respect of that election; and
- (g) at the same time deliver or cause to be delivered to that officer packets that so relate containing—
  - (i) the unused and spoilt ballot papers;
  - (ii) the tendered ballot papers; and
  - (iii) the certificates as to employment on duty on the day of the poll.

(2) Where separate ballot boxes are used, no vote for any candidate or answer shall be rendered invalid by the ballot paper being placed in the ballot box intended for use at any relevant election or referendum.

(3) After completion of the proceedings under paragraph (1), the counting officer must mix together all of the ballot papers used at the referendum and count the votes given on them.

(4) Where the counting officer at the referendum is not the relevant returning or counting officer, he or she must—

- (a) on receipt of containers from the relevant returning or counting officer, and after the time specified in the notice given under rule 37(2)(b), in the presence of the counting observers open each container;
- (b) where the proceedings on the issue and receipt of postal ballot papers are not taken together with such proceedings at a relevant election or referendum under regulation 65 of the Representation of the People (England and Wales) Regulations 2001<sup>F44</sup>, or under that regulation as applied by these Regulations or by regulations made under sections 44 and 105 of the Local Government Act 2000, count such of the postal ballot papers as have been duly returned and record the number counted; and
- (c) mix together the postal ballot papers and the ballot papers from all of the containers and count the votes given on them,

and paragraph (11) shall not apply to these proceedings.

- (5) A postal ballot paper must not be taken to be duly returned unless—
  - (a) it is returned in the manner set out in paragraph (6) and reaches the relevant returning or counting officer or any polling station in the appropriate electoral area (as defined in paragraph (7)) before the close of the poll;
  - (b) the postal voting statement, duly signed, is also returned in the manner set out in paragraph (6) and reaches the counting officer or such a polling station before that time;
  - (c) the postal voting statement also states the date of birth of the voter or proxy; and
  - (d) in a case where steps for verifying the date of birth and signature of a voter or proxy have been prescribed by regulations made under the 1983 Act<sup>F45</sup>, the relevant returning or counting officer (having taken such steps) verifies that date of birth and that signature.

[<sup>F46</sup>(5A) A postal ballot paper or postal voting statement that reaches the relevant returning or counting officer or a polling station on or after the close of the poll is treated for the purposes of paragraph (5) as reaching that officer or polling station before the close of the poll if it is delivered by a person who, at the close of the poll, is in the polling station, or in a queue outside the polling station, for the purpose of returning it.]

- (6) The manner in which any postal ballot paper or postal voting statement may be returned—

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- (a) to the relevant returning or counting officer, is by hand or by post;
  - (b) to a polling station, is by hand.
- (7) The appropriate electoral area in respect of any voter or proxy shall be—
- (a) the area which is common to the parliamentary constituency <sup>F47</sup>, electoral area, <sup>F48</sup>... local authority area or voting area (as the case may be) in which the polls at the referendum and any relevant election or referendum are being taken together; and
  - (b) in respect of which polls the voter or proxy has been issued with a postal ballot paper.
- (8) In paragraphs (5)(a) and (d) and (6)(a) for “relevant returning or counting officer” substitute “counting officer” where proceedings on the issue and receipt of postal ballot papers at the referendum are not taken together with such proceedings at one or more relevant elections or referendums.
- (9) The counting officer must not count any tendered ballot papers.
- (10) The—
- (a) relevant returning or counting officer, in respect of the proceedings under paragraph (1); and
  - (b) the counting officer, while counting the votes,
- must keep the ballot papers with their faces upwards and take all proper precautions for preventing any person from seeing the numbers or other unique identifying marks printed on the back of the papers.
- (11) The relevant returning or counting officer must verify each ballot paper account by comparing it with the number of ballot papers recorded by him or her, and the unused and spoilt ballot papers in his or her possession and the tendered votes list (opening and resealing the packets containing the unused and spoilt ballot papers and the tendered votes list) and must draw up a statement as to the result of the verification, which any counting observer may copy.
- (12) The—
- (a) relevant returning or counting officer, in respect of the proceedings under paragraph (1); and
  - (b) counting officer, in respect of the counting of the votes,
- must so far as practicable proceed continuously, allowing only time for refreshment, except that they may exclude the hours between 7 in the evening and 9 on the following morning.
- (13) During the time so excluded the relevant returning or counting officer or counting officer (as the case may be) must—
- (a) place the ballot papers and other documents relating to the referendum under his or her own seal and the seals of such of the counting observers as desire to affix their seals; and
  - (b) otherwise take proper precautions for the security of the papers and documents.

#### Textual Amendments

- F44** [S.I. 2001/341](#).
- F45** See Regulations 85 and 85A of [the Representation of the People \(England and Wales\) Regulations 2001 \(S.I. 2001/341\)](#), which were inserted by [S.I. 2006/2910](#).
- F46** [Sch. 5 rule 38\(5A\)](#) inserted (6.4.2014) by [The Local Authorities \(Conduct of Referendums\) \(England\) \(Amendment\) Regulations 2014 \(S.I. 2014/924\)](#), regs. 1(3), **18** (with reg. 1(4))
- F47** For the meaning of “parliamentary constituency”, see section 1 of the [Parliamentary Constituencies Act 1986 \(c.56\)](#).

**F48** Words in Sch. 5 rule 38(7)(a) revoked (31.12.2020) by [The European Parliamentary Elections Etc. \(Repeal, Revocation, Amendment and Saving Provisions\) \(United Kingdom and Gibraltar\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1310\)](#), reg. 1, **Sch. 1 Pt. 2** (as amended by [S.I. 2019/1389](#), regs. 1, 2(2))

## Re-count

**39.**—(1) A petition organiser, if present when the counting or any re-count of the votes is completed, may require the counting officer to have the votes re-counted or again re-counted, but the counting officer may refuse to do so if in his or her opinion the request is unreasonable.

(2) No step shall be taken on the completion of the counting or any re-count of votes until such petition organisers as are present at its completion have been given a reasonable opportunity to exercise the right conferred by this rule.

## Rejected ballot papers

**40.**—(1) Any ballot paper—

- (a) which does not bear the official mark; or
- (b) on which votes are given for more than one answer; or
- (c) on which anything is written or marked by which the voter or proxy can be identified except the printed number on the back and other unique identifying mark; or
- (d) which is unmarked or void for uncertainty,

shall, subject to paragraph (2), be void and not counted.

(2) A ballot paper on which the vote is marked—

- (a) elsewhere than in the proper place; or
- (b) otherwise than by means of a cross; or
- (c) by more than one mark,

shall not for such reason be deemed to be void if an intention that the vote shall be for one or the other of the answers clearly appears, and the way the paper is marked does not itself identify the voter or proxy and it is not shown that he or she can be identified by it.

(3) The counting officer must endorse the word “rejected” on any ballot paper which under this rule is not to be counted, and must add to the endorsement the words “rejection objected to” if any objection is made by a counting observer to the counting officer's decision.

(4) The counting officer must draw up a statement showing the number of ballot papers rejected under the several heads of—

- (a) want of official mark;
- (b) voting for more than one answer;
- (c) writing or mark by which the voter or proxy could be identified;
- (d) unmarked or void for uncertainty.

## Decisions on ballot papers

**41.** The decision of the counting officer on any question arising in respect of a ballot paper shall be final, but shall be subject to review on a referendum petition.

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## Equality of votes

42. Where, after the counting of the votes (including any re-count) is completed, an equality of votes is found to exist between the answers the counting officer must forthwith decide the referendum by lot.

# PART 7

## Final Proceedings and Miscellaneous

### Declaration of result

43. When the result of the poll has been ascertained, the counting officer must forthwith—
- (a) declare the result of the referendum;
  - (b) inform the proper officer of the authority by or in respect of which the referendum was held of the result of the referendum;
  - (c) give public notice of—
    - (i) the result of the referendum;
    - (ii) the number of ballot papers counted;
    - (iii) the total number of votes cast for each answer; and
    - (iv) the number of rejected ballot papers under each head shown in the statement of rejected ballot papers.

### Sealing up of ballot papers

44.—(1) On the completion of the counting at a referendum, the counting officer must seal up in separate packets the counted and rejected ballot papers.

- (2) The counting officer must not open the sealed packets of—
- (a) tendered ballot papers; or
  - [<sup>F49</sup>(aa) the completed ballot paper refusal list; or]
  - (b) certificates as to employment on duty on the day of the poll.
- (3) The relevant returning or counting officer must not open the sealed packets of—
- (a) the completed corresponding number lists; or
  - (b) the marked copies of the register of electors (including any marked copy notices issued under section 13B(3B) or (3D) of the 1983 Act) and lists of proxies.

#### Textual Amendments

**F49** Sch. 5 rule 44(2)(aa) inserted (16.1.2023) by [The Voter Identification Regulations 2022 \(S.I. 2022/1382\)](#), regs. 1(3), **50(14)** (with reg. 1(6)(7))

### Delivery of documents to relevant registration officer

45.—(1) Where the counting officer is the relevant returning or counting officer, he or she must then forward to the relevant registration officer the following documents—

- (a) the packets of ballot papers in the counting officer's possession;

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- (b) the ballot paper accounts and the statements of rejected ballot papers and of the result of the verification of the ballot paper accounts;
- (c) the tendered votes lists, the lists of voters and proxies with disabilities assisted by companions, the lists of votes marked by the presiding officer and the related statements, the lists maintained under rule 34, and the declarations made by the companions of voters and proxies with disabilities;
- (d) the packets of the completed corresponding number lists;
- [<sup>F50</sup>(da) the packet containing the completed ballot paper refusal list;]
- (e) the packets of certificates as to employment on duty on the day of the poll; and
- (f) the packets containing marked copies of registers (including any marked copy notices issued under section 13B(3B) or (3D) of the 1983 Act) and of the postal voters list, of the lists of proxies and of the proxy postal voters list,

endorsing on each packet a description of its contents, the date of the referendum to which they relate and the name of the local authority by which or in respect of which the referendum was held.

(2) Where the counting officer at the referendum is not the relevant returning or counting officer, paragraph (1) has effect as if sub-paragraphs (c), (d) and (f) were omitted.

(3) In this rule and in rules 46 and 47 references to the relevant registration officer are to—

- (a) the registration officer of the local authority by or in respect of which the referendum is held;
- (b) if the electoral area of the relevant election or referendum comprises any part of the area of more than one local authority, the registration officer of the local authority in whose area the greater or greatest (as the case may be) number of electors is registered,

and for these purposes “local authority” does not include the Greater London Authority.

#### Textual Amendments

**F50** Sch. 5 rule 45(1)(da) inserted (16.1.2023) by [The Voter Identification Regulations 2022 \(S.I. 2022/1382\)](#), regs. 1(3), **50(15)** (with reg. 1(6)(7))

#### Orders for production of documents

**46.—**(1) An order—

- (a) for the inspection or production of any rejected ballot papers in the custody of the relevant registration officer; or
- (b) for the opening of a sealed packet of the completed corresponding number lists or certificates as to employment on duty on the day of the poll or for the inspection of any counted ballot papers in the relevant registration officer's custody,

may be made by a county court, if the court is satisfied by evidence on oath that the order is required for the purpose of instituting or maintaining a prosecution for an offence in relation to ballot papers, or for the purpose of a referendum petition.

[<sup>F51</sup>(1A) An order—

- (a) for the opening of the sealed packet containing a completed ballot paper refusal list, or
- (b) for the inspection or production of that list,

may be made by the county court if satisfied by evidence on oath that the order is required for the purpose of a referendum petition.]

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(2) An order for the opening of a sealed packet of the completed corresponding number lists or certificates as to employment on duty on the day of the poll or for the inspection of any counted ballot papers in the custody of the relevant registration officer may be made by an election court.

(3) An order under this rule may be made subject to such conditions as to—

- (a) persons;
- (b) time;
- (c) place and mode of inspection;
- (d) production or opening,

as the court making the order may think expedient.

(4) In making and carrying into effect an order for the opening of a packet of the completed corresponding number lists or certificates as to employment on duty on the day of the poll or for the inspection of counted ballot papers, care must be taken that the way in which the vote of any particular person has been given shall not be disclosed until it has been proved—

- (a) that that person's vote was given; and
- (b) that the vote has been declared by a competent court to be invalid.

(5) An appeal lies to the High Court from any order of a county court under this rule.

(6) Any power given under this rule to a county court may be exercised by any judge of the court otherwise than in open court.

(7) Where an order is made for the production by the relevant registration officer of any document in his or her possession relating to any specified referendum—

- (a) the production by the relevant registration officer or his or her agent of the document ordered in such manner as may be directed by that order shall be conclusive evidence that the document relates to the specified referendum; and
- (b) any endorsement on any packet of ballot papers so produced shall be prima facie evidence that the ballot papers are what they are stated to be by the endorsement.

(8) The production from proper custody of—

- (a) a ballot paper purporting to have been used at any referendum; and
- (b) a completed corresponding number list with a number marked in writing beside the number of the ballot paper,

shall be prima facie evidence that the person whose vote was given by that ballot paper was the person whose entry in the register of electors or on a notice issued under section 13B(3B) or (3D) of the 1983 Act at the time of the referendum contained the same number as the number written as mentioned in sub-paragraph (b) of this paragraph.

(9) Save as by this rule provided, no person shall be allowed to inspect any rejected or counted ballot papers in the possession of the relevant registration officer or open any sealed packets of the completed corresponding number lists or of certificates as to employment on duty on the day of the poll.

#### Textual Amendments

**F51** Sch. 5 rule 46(1A) inserted (16.1.2023) by The Voter Identification Regulations 2022 (S.I. 2022/1382), regs. 1(3), **50(16)** (with reg. 1(6)(7))

## Retention of documents

47. The relevant registration officer must retain for one year all documents relating to a referendum forwarded to him or her in pursuance of these Rules by the relevant returning or counting officer and the counting officer and then, unless otherwise directed by an order of a county court, the Crown Court, a magistrates' court or an election court, must cause them to be destroyed.

## Countermand or abandonment of poll at election on death of candidate

48. Where at a contested election the notice of poll is countermanded, or the polling is abandoned, due to the death of a candidate, the polling at the referendum shall not be affected.

# F52F53F54F55F56F57 PART 8

## Appendix of Forms

### Textual Amendments

- F52** Sch. 5 Pt 8: in the Appendix of Forms, in the "Form of Postal Voting Statement (for use where there is joint issue and receipt of postal ballot papers)", the words "\*European Parliamentary election ([insert colour] ballot paper) \*[Vote only once by putting a cross x in the box next to your choice.]" are revoked (31.12.2020) by [The European Parliamentary Elections Etc. \(Repeal, Revocation, Amendment and Saving Provisions\) \(United Kingdom and Gibraltar\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1310\)](#), reg. 1, **Sch. 1 Pt. 2** (as amended by S.I. 2019/1389, regs. 1, **2(2)**)
- F53** Sch. 5 Pt 8: in the Appendix of Forms, in the "Form of declaration made by the companion of a voter or proxy with disabilities", the words "\*[Election of Members of the European Parliament for the [insert name of Region, e.g. 'North-West Region']]" are revoked (31.12.2020) by [The European Parliamentary Elections Etc. \(Repeal, Revocation, Amendment and Saving Provisions\) \(United Kingdom and Gibraltar\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1310\)](#), reg. 1, **Sch. 1 Pt. 2** (as amended by S.I. 2019/1389, regs. 1, **2(2)**)
- F54** Sch. 3 Pt. 8 Forms substituted (16.1.2023) by [The Voter Identification Regulations 2022 \(S.I. 2022/1382\)](#), regs. 1(3), 48(17)(b), **Sch. 8 Pt. 1** (with reg. 1(6)(7))
- F55** Sch. 5 Pt. 8 Form substituted (16.1.2023) by [The Voter Identification Regulations 2022 \(S.I. 2022/1382\)](#), regs. 1(3), 50(17)(c), **Sch. 8 Pt. 2** (with reg. 1(6)(7))
- F56** Sch. 5 Pt. 8 Form inserted (16.1.2023) by [The Voter Identification Regulations 2022 \(S.I. 2022/1382\)](#), regs. 1(3), 50(17)(d), **Sch. 8 Pt. 2** (with reg. 1(6)(7))
- F57** Sch. 5 Pt. 8 Form substituted (16.1.2023) by [The Voter Identification Regulations 2022 \(S.I. 2022/1382\)](#), regs. 1(3), 50(17)(e), **Sch. 8 Pt. 2** (with reg. 1(6)(7))

*Note:*—The forms contained in this Appendix may be adapted so far as circumstances require.

Form of Ballot Paper: Question in referendum as specified in paragraph 1 of Schedule 1

Form of Ballot Paper: Question in referendum as specified in paragraph 2 of Schedule 1

Form of Ballot Paper: Question in referendum as specified in paragraph 3 of Schedule 1

Form of Ballot Paper: Question in referendum as specified in paragraph 4 of Schedule 1

Form of Ballot Paper: Question in referendum as specified in paragraph 5 of Schedule 1

Form of Ballot Paper: Question in referendum as specified in paragraph 6 of Schedule 1

Corresponding Number List M1

Corresponding Number List M2

Form of Postal Voting Statement (for use where there is joint issue and receipt of postal ballot papers)

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Local Authorities (Conduct of Referendums)(England) Regulations 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

Form of Postal Voting Statement (for use when a referendum poll is combined with another poll but the postal ballot papers are not combined)

Official Poll Card (to be sent to a voter voting in person)

Official Postal Poll Card (to be sent to a voter voting by post)

Official Proxy Poll Card (to be sent to an appointed proxy voting in person)

Official Proxy Postal Poll Card (to be sent to an appointed proxy voting by post)

[<sup>F58</sup>Ballot Paper Refusal List]

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**Textual Amendments**

**F58** Words in [Sch. 5 Pt. 8 Table of Contents](#) inserted (16.1.2023) by [The Voter Identification Regulations 2022 \(S.I. 2022/1382\)](#), regs. 1(3), **50(17)(a)** (with reg. 1(6)(7))

Form of directions for the guidance of the voters and proxies in voting

Form of Certificate of Employment

Declaration to be made by the companion of a voter or proxy with disabilities



**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Local Authorities (Conduct of Referendums)(England) Regulations 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

Form of Ballot Paper: Question in referendum as specified in paragraph 1 of Schedule 1

**Front of ballot paper**

<b>Referendum on how _____ Council is run</b>
Vote only <b>once</b> by marking a cross (X) in the box next to your choice
<b>How would you like _____ Council to be run?</b>
By a <b>leader</b> who is an elected councillor chosen by a vote of the other elected councillors. This is how the council is run now. <input type="checkbox"/>
By a <b>mayor</b> who is elected by voters. This would be a change from how the council is run now. <input type="checkbox"/>

**Back of ballot paper**

Ballot Paper Number

Other Unique Identifying Mark

Council referendum on [insert date] [name of voting area].....

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Local Authorities (Conduct of Referendums)(England) Regulations 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

Form of Ballot Paper: Question in referendum as specified in paragraph 2 of Schedule 1

**Front of ballot paper**

<b>Referendum on how _____ Council is run</b>	
Vote only <b>once</b> by marking a cross (X) in the box next to your choice	
<b>How would you like _____ Council to be run?</b>	
By one or more <b>committees</b> made up of elected councillors. This is how the council is run now.	<input type="checkbox"/>
By a <b>mayor</b> who is elected by voters. This would be a change from how the council is run now.	<input type="checkbox"/>

**Back of ballot paper**

Ballot Paper Number

Other Unique Identifying Mark

Council referendum on [insert date] [name of voting area].....

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Local Authorities (Conduct of Referendums)(England) Regulations 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

Form of Ballot Paper: Question in referendum as specified in paragraph 3 of Schedule 1

**Front of ballot paper**

<b>Referendum on how _____ Council is run</b>
Vote only <b>once</b> by marking a cross (X) in the box next to your choice
<b>How would you like _____ Council to be run?</b>
By a <b>mayor</b> who is elected by voters. This is how the council is run now. <input type="checkbox"/>
By a <b>leader</b> who is an elected councillor chosen by a vote of the other elected councillors. This would be a change from how the council is run now. <input type="checkbox"/>

**Back of ballot paper**

Ballot Paper Number

Other Unique Identifying Mark

Council referendum on [insert date] [name of voting area].....

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Local Authorities (Conduct of Referendums)(England) Regulations 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

Form of Ballot Paper: Question in referendum as specified in paragraph 4 of Schedule 1

**Front of ballot paper**

<b>Referendum on how _____ Council is run</b>
Vote only <b>once</b> by marking a cross (X) in the box next to your choice
<b>How would you like _____ Council to be run?</b>
By one or more <b>committees</b> made up of elected councillors. This is how the council is run now. <input type="checkbox"/>
By a <b>leader</b> who is an elected councillor chosen by a vote of the other elected councillors. This would be a change from how the council is run now. <input type="checkbox"/>

**Back of ballot paper**

Ballot Paper Number

Other Unique Identifying Mark

Council referendum on [insert date] [name of voting area] .....

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Local Authorities (Conduct of Referendums)(England) Regulations 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

Form of Ballot Paper: Question in referendum as specified in paragraph 5 of Schedule 1

**Front of ballot paper**

<b>Referendum on how _____ Council is run</b>	
Vote only <b>once</b> by marking a cross (X) in the box next to your choice	
<b>How would you like _____ Council to be run?</b>	
By a <b>mayor</b> who is elected by voters. This is how the council is run now.	<input type="checkbox"/>
By one or more <b>committees</b> made up of elected councillors. This would be a change from how the council is run now.	<input type="checkbox"/>

**Back of ballot paper**

Ballot Paper Number

Other Unique Identifying Mark

Council referendum on [insert date] [name of voting area].....

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Local Authorities (Conduct of Referendums)(England) Regulations 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

Form of Ballot Paper: Question in referendum as specified in paragraph 6 of Schedule 1

**Front of ballot paper**

<b>Referendum on how _____ Council is run</b>	
Vote only <b>once</b> by marking a cross (X) in the box next to your choice	
<b>How would you like _____ Council to be run?</b>	
By a <b>leader</b> who is an elected councillor chosen by a vote of the other elected councillors. This is how the council is run now.	<input type="checkbox"/>
By one or more <b>committees</b> made up of elected councillors. This would be a change from how the council is run now.	<input type="checkbox"/>

**Back of ballot paper**

Ballot Paper Number

Other Unique Identifying Mark

Council referendum on [insert date] [name of voting area] .....







**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Local Authorities (Conduct of Referendums)(England) Regulations 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

<b>Postal voting statement</b>	[Space for barcode]						
<b>Referendum on how [insert name of council] Council is run</b> <i>[Relevant Returning or Counting Officer to insert title(s) of other elections and referendums as appropriate]</i>							
Date of [election(s) and] referendum(s) <b>[day] [date] [month] [year]</b>							
<b>Important – you must fill in and return this postal voting statement with your completed ballot papers for them to be counted.</b> <b>Please read the instructions carefully and use a black pen.</b>  * Name _____ Ballot paper numbers _____ * <i>Relevant Returning or Counting Officer to insert name but omit where sent to an anonymous voter</i>  (!) Check that the numbers on the backs of your ballot papers match the numbers shown above. If they do not match, call us <b>immediately</b> on <i>(insert helpline number)</i> .							
<b>I am the person the ballot papers numbered above were sent to.</b> <b>My Date of Birth is:</b> <table border="1" style="display: inline-table; vertical-align: middle;"><tr><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td></tr></table> Day                  Month                  Year  * <b>My Signature is:</b> <b>(You must sign inside the box)</b> * <i>Relevant Returning or Counting Officer to omit box where the voter has been granted a waiver</i>							
We will check this information against our records for security. It is an offence to vote using a ballot paper that was not sent for your use or interfere with another voter's ballot paper. It is an offence to vote more than once at the same [election or] referendum (unless you are appointed as a proxy). <i>Relevant Returning or Counting Officer to add pictorial guidance as appropriate.</i>							

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Local Authorities (Conduct of Referendums)(England) Regulations 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

## Instructions for voting by post

Please read through carefully. If you need help, please call us on *[insert helpline number]*

- For your votes to be counted, you must fill in and return this postal voting statement with all your ballot papers (listed below).
- Make sure you have filled in the date of birth *\*[and signature] box[es]* on this postal voting statement.  
*\*Relevant Returning or Counting Officer to delete where voter is granted a waiver.*

*\* UK Parliamentary election ([insert colour] ballot paper)*

- [Vote for only one candidate by putting a cross  in the box next to your choice.]

*\* European Parliamentary election ([insert colour] ballot paper)*

- [Vote only once by putting a cross  in the box next to your choice.]

*\* [Local government election]/[Parish/Town council election] ([insert colour] ballot paper)*

- [Vote for only one candidate by putting a cross  in the box next to your choice.]
- [Vote for no more than \_\_\_ candidates by putting a cross  in the box next to each of your choices.]

*\* London Assembly constituency members election ([insert colour] ballot paper)*

- [Vote for only one candidate by putting a cross  in the box next to your choice.]

*London Assembly London members election ([insert colour] ballot paper)*

- [Vote only once by putting a cross  in the box next to your choice.]

*\* London Mayoral election ([insert colour] ballot paper)*

- [Vote for only one candidate by putting a cross  in the box next to your choice.]
- [Vote by putting a cross  in the box  
In column 1 next to your first choice candidate  
In column 2 next to your second choice candidate  
Your first and second choices should be different.]

*\* Referendum on how [insert name of council] Council is run ([insert colour] ballot paper)*

- Vote only once by putting a cross  in the box next to your choice.

*\* [Specify other] election/referendum ([insert colour] ballot paper)*

- [Specify voting instructions in accordance with the legislation governing the election or referendum.]

*\* Relevant Returning or Counting Officer to add/amend as appropriate.*

(!) Do not mark the ballot papers in any other way or your votes may not count.

(!) We must get your postal vote by 10pm on *[day] [date of poll]*. If you miss the post, you can hand it in at our office or at any polling station in the \_\_\_\_\_ area before 10pm on *[day] [date of poll]*.

(!) After receiving this postal vote, you cannot vote in person at a polling station in *[this] [these]* *[election(s) and] referendum(s)*.

## Getting help

- If you need help to vote, you can ask someone you know or get independent help by calling the helpline on *[insert helpline number]*. The person helping you must not tell anyone how you voted.
- Please call the helpline if you require copies of this form or guidance in Braille or languages other than English.
- If you make a mistake, or lose your postal ballot papers or this statement, you can get a replacement. Call us immediately as we can only issue a replacement before 5pm on *[day] [date] [month]*. If you apply after 5pm on *[day before poll]* we can only issue a replacement if you return this ballot pack by hand.

Electoral fraud is a crime. It is an offence to vote more than once at the same *[election or] referendum* (unless you are voting on your own behalf and as a proxy for another person).

The *[Counting / Returning] Officer* issued this statement.  
*Relevant Returning or Counting Officer to add pictorial guidance as appropriate.*

]  
[F60

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Local Authorities (Conduct of Referendums)(England) Regulations 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

<b>Postal voting statement</b>	[Space for barcode]																
Referendum on how <i>[insert name of council]</i> Council is run																	
Date of referendum <i>[day] [date] [month] [year]</i>																	
<b>Important – you must fill in and return this postal voting statement with your completed ballot paper for it to be counted.</b>																	
<b>Please read the instructions carefully and use a black pen.</b>																	
* Name _____ Ballot paper number _____																	
* Counting Officer to insert name but omit where sent to an anonymous voter																	
(I) Check that the number on the back of your ballot paper matches the number shown above. If these do not match, call us <b>immediately</b> on <i>(insert helpline number)</i> .																	
<b>I am the person the ballot paper numbered above was sent to.</b>																	
<b>My Date of Birth is:</b>	<table border="1"><tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr><tr><td colspan="2">Day</td><td colspan="2">Month</td><td colspan="4">Year</td></tr></table>									Day		Month		Year			
Day		Month		Year													
<b>* My Signature is: (You must sign inside the box)</b>	<div style="border: 1px solid black; height: 60px; width: 100%;"></div>																
* Counting Officer to omit box where the voter has been granted a waiver																	
We will check this information against our records for security.																	
It is an offence to vote using a ballot paper that was not sent for your use or interfere with another voter's ballot paper. It is an offence to vote more than once at the same referendum (unless you are appointed as a proxy).																	
<i>Counting Officer to add pictorial guidance as appropriate.</i>																	

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Local Authorities (Conduct of Referendums)(England) Regulations 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

## Instructions for voting by post

**Please read through carefully. If you need help, please call us on [insert helpline number]**

- For your vote to be counted, you must fill in and return this postal voting statement with your ballot paper for the **Referendum on how [insert name of council] Council is run**
- Make sure you have filled in the **date of birth** \*[and signature] box[es] on this postal voting statement.  
\*Counting Officer to delete where voter is granted a waiver.

**Referendum on how [insert name of Council] Council is run ([insert colour] ballot paper)**

- Vote **only once** by putting a cross  in the box next to your choice.
- Do not mark the ballot paper in any other way or your vote may not count.
- We must get your postal vote by **10pm on [day] [date of poll]**. If you miss the post, you can hand it in at our office or at any polling station used for the referendum before **10pm on [day] [date of poll]**.
- After receiving this postal vote, you cannot vote in person at a polling station in this referendum.

## Getting help

- If you need help to vote, you can ask someone you know or get independent help by calling the helpline on [insert helpline number]. The person helping you must not tell anyone how you voted.
- Please call the helpline if you require copies of this form or guidance in Braille or languages other than English.
- If you make a mistake, or lose your postal ballot paper or this statement, you can get a replacement. Call us immediately as **we can only issue a replacement before 5pm on [day] [date] [month]**. If you apply after **5pm on [day before poll]** we can only issue a replacement if you return this ballot pack by hand.

**Electoral fraud is a crime. It is an offence to vote more than once at the same referendum (unless you are voting on your own behalf and as a proxy for another person).**

The Counting Officer issued this statement.  
Counting Officer to add pictorial guidance as appropriate.

] [F61

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Local Authorities (Conduct of Referendums)(England) Regulations 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

**YOU MUST BRING PHOTOGRAPHIC IDENTIFICATION TO VOTE**  
You will not be able to vote unless you show photographic identification to the polling station staff.  
A full list of accepted photographic identification is set out overleaf.

**Your details:**

- \* [Voter's name and qualifying address details here]
- \* Counting Officer to omit where poll card sent to an anonymous voter. Poll card to an anonymous voter must be delivered in a sealed envelope

**Electoral register number:**


- \*\* [You do not need to take this card with you in order to vote.]
- \*\* [You must have this card with you. You cannot vote without it.]
- \*\* If anonymous voter omit the words in the first set of brackets, if not omit the words in the second set of brackets.

[Insert helpline and other details including website].

This space for map or other information such as helpline and website details

**It is an offence to:**

- vote more than once at this referendum, unless you are voting on your own behalf and as a proxy for another person
- vote as a proxy at this referendum for more than two people, unless you are their spouse, civil partner, parent, grandparent, brother, sister, child or grandchild
- vote as a proxy for someone if you know that by law they are not allowed to vote

** If you need any help or to find out if your polling station is accessible, please contact us.**

If undelivered, return to:  
[Insert return address]

**Please turn over**

<b>Poll card</b>	
Referendum on how [insert name of council] Council is run	
Date of referendum: [Day] [Date] [Month] [Year]	
<b>Voting information</b>	
Polling day	
Voting hours	
Your polling station will be	

If you are away or cannot go to the polling station on [day] [date of poll] you can do one of the following:

- Apply to vote by post. Completed applications must reach us before 5pm on [day] [date of deadline]. If you are given a postal vote, you will not be able to vote in person at this referendum.

OR

- Apply to vote by proxy (this means someone else can vote on your behalf). Completed applications must reach us before 5pm on [day] [date of deadline]. If you appoint a proxy, you can vote if you wish, but only if your proxy has not already voted on your behalf and has not got a postal vote for you.

If after 5pm on [the sixth day before the date of the poll] you are unable to vote in person because:

- You have a medical emergency after 5pm on [day] [date of deadline]
- You learn you cannot go to the polling station because of work reasons
- The form of accepted photographic identification that you were intending to use to vote has been lost, stolen, damaged or destroyed, or has not yet been received if applied for recently

You can apply to vote by proxy. Completed applications must reach us before 5pm on [day] [date of deadline]. To find out how to apply, call the helpline immediately.

The Counting Officer issued this card.

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Local Authorities (Conduct of Referendums)(England) Regulations 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

**[Where the voter is not an anonymous voter, insert the text below]**

### Accepted forms of photographic identification

You must present one of the following forms of photographic identification in order to vote in person at a polling station:

- A passport issued by the UK, any of the Channel Islands, the Isle of Man, a British Overseas Territory, an EEA state or a Commonwealth country
- A driving licence issued by the UK, any of the Channel Islands, the Isle of Man or an EEA state
- A biometric immigration document
- An identity card bearing the Proof of Age Standards Scheme hologram (a PASS card)
- Ministry of Defence Form 90 (Defence Identity Card)
- A Blue Badge
- A national identity card issued by an EEA state
- An Older Person's Bus Pass
- A Disabled Person's Bus Pass
- An Oyster 60+ Card
- A Freedom Pass
- A Scottish National Entitlement Card issued in Scotland
- A 60 and Over Welsh Concessionary Travel Card issued in Wales
- A Disabled Person's Welsh Concessionary Travel Card issued in Wales
- A Senior SmartPass issued in Northern Ireland
- A Registered Blind SmartPass or Blind Person's SmartPass issued in Northern Ireland
- A War Disablement SmartPass or War Disabled SmartPass issued in Northern Ireland
- A 60+ SmartPass issued in Northern Ireland
- A Half Fare SmartPass issued in Northern Ireland
- An Electoral Identity Card issued in Northern Ireland
- A Voter Authority Certificate or a temporary Voter Authority Certificate

If you do not possess any of the above forms of photographic identification, you can apply to your local Electoral Registration Officer for a free Voter Authority Certificate. Completed applications must reach us before 5pm on *[day]* *[date of deadline]*.

If your photographic identification document has expired it will still be accepted so long as the photograph is still a good likeness of you, unless it is a temporary Voter Authority Certificate which is not valid for use on the date of poll.

You may be required to provide further proof of identity if there is any discrepancy between your name as shown on your form of photographic identification and the name of the voter that you claim to be.

**[Where the voter is an anonymous voter, insert the text below]**

### Accepted form of photographic identification

You must present your Anonymous Elector's Document in addition to this poll card in order to vote in person at a polling station. The electoral register number on the Anonymous Elector's Document must match the electoral register number shown on this poll card to be accepted.

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Local Authorities (Conduct of Referendums)(England) Regulations 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

] F62

<b>Postal poll card</b>
Referendum on how <i>[insert name of council]</i> Council is run
Date of referendum <i>[day] [date] [month] [year]</i>

<b>Voting information</b>
We will send your postal vote around <i>[day] [date] [month] [year]</i> * <i>[addressed to:]</i>
<i>*[Voter's name and address]</i>

<b>Your details:</b>
<i>* [Voter's name and qualifying address details here]</i>
<i>* Counting Officer to omit in both places where poll card sent to an anonymous voter. Poll card to an anonymous voter must be delivered in a sealed envelope</i>
Number on register:

- Your postal vote**
- You will receive a postal vote for this referendum because you asked to vote by post.
  - You will not be able to vote in a polling station.
  - If you have not received your postal vote by *[day] [date] [month]* call *[insert helpline number]*.

Please turn over

<b>How to vote</b>
1. When you receive your postal vote, read the instructions carefully.
2. Your postal vote includes your ballot paper and a postal voting statement.
3. Complete both of these and return them immediately.
4. We need to receive your postal vote by <b>10pm on <i>[day/date of poll]</i></b>

- 📞 **If you need information in another format, please call our helpline below.**
  - 📞 **If you need help to vote, you can ask someone you know or get independent help by calling our helpline:**
- [insert helpline and other details including website]*

<b>If you lose your postal vote or make a mistake</b>
<ul style="list-style-type: none"><li>• Please phone the helpline immediately.</li><li>• We can only issue a replacement postal vote <b>before 5pm on <i>[day/date of deadline]</i></b>.</li></ul>
If you would rather vote in person, or ask someone else to vote on your behalf, you must cancel your postal vote <b>before 5pm on <i>[day/date of deadline]</i></b> . For more information, please call the helpline.

<b>It is an offence to:</b>
<ul style="list-style-type: none"><li>• vote using a ballot paper that was not sent for your use or interfere with another voter's ballot paper</li><li>• vote more than once at the same referendum, unless you are voting on your own behalf and as a proxy for another person</li><li>• vote as a proxy at the same referendum for more than two people, unless you are their spouse, civil partner, parent, grandparent, brother, sister, child or grandchild</li><li>• vote as a proxy for someone if you know that by law they are not allowed to vote</li></ul>

The Counting Officer issued this card.  
If undelivered return to *[insert return address]*

] F63

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Local Authorities (Conduct of Referendums)(England) Regulations 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

**YOU MUST BRING PHOTOGRAPHIC IDENTIFICATION TO VOTE**

You will not be able to vote unless you show photographic identification to the polling station staff.  
 You will need to bring your own photographic identification, not that of the person you are proxy for.  
 A full list of accepted photographic identification is set out overleaf.

**Your details:**

- \* [Proxy's name and qualifying address details here]
- \* Counting Officer to omit where poll card sent to an anonymous voter. Poll card to an anonymous voter must be delivered in a sealed envelope

**For this referendum you are proxy for:**

\*[(Voter's name)  
 (Voter's Address  
 (Voter's electoral register number))  
 [The person with this electoral register number: (insert voter's electoral register number)]

\*if anonymous voter omit the words in the first set of square brackets, if not omit the words in the second set of square brackets

<b>Proxy Poll card</b>	
<b>Referendum on how [insert name of council] Council is run</b>	
Date of referendum: [Day] [Date] [Month] [Year]	
<b>Voting information</b>	
Polling day	
Voting hours	
Your polling station will be	

**You will receive a proxy vote**

- \*\* [The person named on this card] [Another person] has appointed you as a proxy to vote on their behalf at this referendum.
  - \*\* [You do not need to take this card with you to vote.] [You must have this card with you when you vote. You cannot vote as a proxy without it.]
  - \*\* If sent to the proxy of an anonymous voter omit the words in each of the first sets of brackets, if not omit the words in each of the second sets of brackets.
- [Insert helpline and other details including website].

**If you are away or cannot go to the polling station on [day] [date of poll]**

- You can apply to vote by post. The deadline for completed applications is **5pm on [day] [date of deadline]**.
- If you are given a postal vote, you or the person you are proxy for will not be able to vote in person at this referendum.
- To find out how to apply, please call us on [insert helpline number or other contact details].

**It is an offence to:**

- vote more than once at this referendum, unless you are voting on your own behalf and as a proxy for another person
- vote as a proxy at this referendum for more than two people, unless you are their spouse, civil partner, parent, grandparent, brother, sister, child or grandchild
- vote as a proxy for someone if you know that by law they are not allowed to vote

**How to vote as a proxy**

1. \* [At the polling station, tell the staff that you are a proxy for the person named above. They will give you that person's ballot paper.] \* [At the polling station, ask to speak to the presiding officer and show them this card. They will give you the ballot paper of the person you are proxy for.]  
 \* if anonymous voter omit the words in the first set of square brackets, if not omit the words in the second set of square brackets
2. Go to one of the voting booths.
3. Follow the instructions on how to mark the ballot paper.
4. Fold the ballot paper and put in the ballot box

**If you need any help, just ask the staff.**

**If you need any help or to find out if your polling station is accessible, please contact us.**

If undelivered, return to:  
 [Insert return address]

**The person you are proxy for can vote themselves if they wish – but only if you have not already voted on their behalf.**

The Counting Officer issued this card

**Please turn over**



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#### **You will receive a proxy vote**

\*\* [The person named on this card] [Another person] has appointed you as a proxy to vote on their behalf at this referendum.

\*\* [You do not need to take this card with you to vote.] [You must have this card with you when you vote. You cannot vote as a proxy without it.]

\*\* If sent to the proxy of an anonymous voter omit the words in each of the first sets of brackets, if not omit the words in each of the second sets of brackets.

[Insert helpline and other details including website].

**[Where the voter is not an anonymous voter, insert the text below]**

#### **Accepted forms of photographic identification**

You must present one of the following forms of photographic identification in order to vote in person at a polling station:

- A passport issued by the UK, any of the Channel Islands, the Isle of Man, a British Overseas Territory, an EEA state or a Commonwealth country
- A driving licence issued by the UK, any of the Channel Islands, the Isle of Man or an EEA state
- A biometric immigration document
- An identity card bearing the Proof of Age Standards Scheme hologram (a PASS card)
- Ministry of Defence Form 90 (Defence Identity Card)
- A Blue Badge
- A national identity card issued by an EEA state
- An Older Person's Bus Pass
- A Disabled Person's Bus Pass
- An Oyster 60+ Card
- A Freedom Pass
- A Scottish National Entitlement Card issued in Scotland
- A 60 and Over Welsh Concessionary Travel Card issued in Wales
- A Disabled Person's Welsh Concessionary Travel Card issued in Wales
- A Senior SmartPass issued in Northern Ireland
- A Registered Blind SmartPass or Blind Person's SmartPass issued in Northern Ireland
- A War Disablement SmartPass or War Disabled SmartPass issued in Northern Ireland
- A 60+ SmartPass issued in Northern Ireland
- A Half Fare SmartPass issued in Northern Ireland
- An Electoral Identity Card issued in Northern Ireland
- A Voter Authority Certificate or a temporary Voter Authority Certificate

You will need to bring your own photographic identification, not that of the person you are proxy for.

If you do not possess any of the above forms of photographic identification, you can apply to your local Electoral Registration Officer for a free Voter Authority Certificate. Completed applications must reach us before 5pm on [day] [date of deadline].

If your photographic identification document has expired it will still be accepted so long as the photograph is still a good likeness of you, unless it is a temporary Voter Authority Certificate which is not valid for use on the date of poll.

You may be required to provide further proof of identity if there is any discrepancy between your name as shown on your form of photographic identification and the name of the proxy that you claim to be.

**[Where the voter is an anonymous voter, insert the text below]**

#### **Accepted form of photographic identification**

You must present your Anonymous Elector's Document in addition to this poll card in order to vote in person at a polling station. The electoral register number on the Anonymous Elector's Document must match the electoral register number shown on this poll card to be accepted.

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] F64

<b>Proxy postal poll card</b>
Referendum on how <i>[Insert name of council]</i> Council is run
Date of referendum <i>[day] [date] [month] [year]</i>

**Voting as a proxy**

\*\* [The person named on the back of this card] [Another person] has appointed you as a proxy to vote on their behalf at this referendum.

\*\* If sent to the proxy of an anonymous voter omit the words in the first set of brackets, if not omit the words in the second set of brackets.

<b>Voting information</b>
We will send your postal vote around <i>[day] [date] [month] [year]</i> * <b>addressed to:</b>
* <i>[Proxy's name and qualifying address details here]</i> * <i>Counting Officer to omit where poll card sent to the proxy of an anonymous voter. Poll card to proxy of an anonymous voter must be delivered in a sealed envelope.</i>

**Your postal vote**

- You will receive a postal vote for this referendum because you asked to vote by post.
- You will not be able to vote as a proxy in a polling station.
- **If you have not received your postal vote by *[day] [date] [month]* call *[insert helpline number]*.**

**Please turn over**

For this referendum you are proxy for:

\* *[(Voter's name)  
(Voter's address)  
(Voter's number on register)]*

*[the person with this elector number: (insert voter's number on register)]*

\* *If anonymous voter omit the words in the first set of square brackets, if not omit the words in the second set of square brackets*

<b>How to vote</b>
<ol style="list-style-type: none"> <li>1. When you receive your postal vote, read the instructions carefully.</li> <li>2. Your postal vote includes your ballot paper and a postal voting statement.</li> <li>3. Complete both of these and return them straight away.</li> <li>4. We need to receive your postal vote by <b>10pm on <i>[day/date of poll]</i></b></li> </ol>

**1** If you need information in another format, please call our helpline below.

**1** If you need help to vote, you can ask someone you know or get independent help by calling our helpline:

*[insert helpline or other details including website]*

<b>If you lose your postal vote or make a mistake</b>
<ul style="list-style-type: none"> <li>• Please phone the helpline immediately.</li> <li>• We can only issue a replacement postal vote before <b>5pm on <i>[day/date of deadline]</i></b>.</li> </ul> <p>If you would rather vote in person, you must cancel your postal vote before <b>5pm on <i>[day/date of deadline]</i></b>. For more information, please call the helpline.</p>

**It is an offence to:**

- vote using a ballot paper that was not sent for your use or interfere with another voter's ballot paper
- vote more than once at the same referendum, unless you are voting on your own behalf and as a proxy for another person
- vote as a proxy at the same referendum for more than two people, unless you are their spouse, civil partner, parent, grandparent, brother, sister, child or grandchild
- vote as a proxy for someone if you know that by law they are not allowed to vote

The Counting Officer issued this card.

If undelivered return to *[insert return address]*

]

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**Ballot Paper Refusal List**

**Guidance**

You should only record a refusal to issue a ballot paper on this List when a voter or proxy presents one of the required forms of identification, but **either**:

1. You are not satisfied the identification is of who they claim to be (e.g. the photo was not a good likeness); **or**
2. You believe the document is a forgery; **or**
3. The voter or proxy was asked the Voter Identification statutory questions and did not answer as required.

Please enter 1, 2 or 3 based on the reasons outlined above in the ‘reason for refusal’ column.

If a voter or proxy is initially refused for one of the above reasons, but then produces an accepted document before leaving the desk and is issued a ballot paper – you do not need to record their details on this form.

If you refuse to issue a ballot paper to a voter **for any other reason** (e.g. they did not bring any identification or do not have one of the required forms of identification) - **DO NOT record this on this form.**

A voter or proxy can only be refused for one reason at a time but can be refused more than once if they return and attempt to vote again. **If you refuse a voter or proxy more than once, mark each reason for refusal in order on the same row for that voter.**

<b>Voter’s elector number</b> <i>OR</i> <b>If a proxy voted on behalf of that voter, the proxy’s name and address</b>	Reason for refusal(s) – separate by comma if voter or proxy refused more than once 1. You are not satisfied the identification is of who they claimed to be 2. You believe the document is a forgery 3. The voter or proxy was asked the Voter Identification statutory questions, and did not answer as required	Tick if voter or proxy later returned and was issued a ballot paper

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## How to vote at [this] [these] election(s) [and referendum(s)]

1

Go to the desk and tell the staff your name and address. They will ask you to present your photographic identification. They will then give you your ballot papers.



2

Take your ballot papers to a voting booth.



3

Read the instructions in the booth and mark your ballot papers.



4

When you have marked your ballot papers, fold them so that nobody can see how you have voted.



5

Put your folded ballot papers into the [appropriate] ballot box[es].



**(!) Voting is secret. Do not let anyone see how you have voted.**  
**(i) If you make a mistake or need some help, just ask the staff.**

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<b>Certificate of Employment</b>
<b>Referendum on how <i>[insert name of council]</i> Council is run</b>
Voting area of <i>[insert name of voting area]</i>
Date of referendum <i>[day] [date] [month] [year]</i>
The person named below is entitled to vote at any polling station in the above voting area on production and surrender of this certificate to the Presiding Officer
I certify that _____ (name of voter) who is numbered* _____ in the register of electors for the voting area named above, cannot reasonably be expected to go in person to the polling station allotted to them at this referendum by reason of his/her employment on the above date for a purpose connected with this referendum – as a constable** – as a Police Community Support Officer** – by me (Only applies to Counting Officer's staff)**
Signature _____ Counting Officer/Police Officer ( <i>Inspector or above</i> )**
Date _____
* The voter's number can be found on the poll card which was sent to them shortly after the referendum was announced, or can be checked by contacting the Electoral Registration Officer. ** Person completing the form to delete whichever does not apply.

I

[<sup>F67</sup>Declaration to be made by the companion of a voter or proxy with disabilities

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<b>Declaration for the companion of a voter with disabilities</b>	
<p>*[Election of Member of Parliament for the <i>[insert name of constituency]</i> constituency]</p> <p>*[Election of councillors to <i>[insert name of local authority/parish council in full]</i>]</p> <p>*[Referendum on how <i>[insert name of council]</i> Council is run]</p> <p>*[Election of London Assembly [London member] [constituency member for <i>[insert name of constituency]</i>]]</p> <p>*[Election of the Mayor [of London] [for <i>[insert name of authority]</i>]]</p> <p>*[[<i>Insert title of election/referendum</i>] election/referendum]</p> <p>* <i>Delete or amend as appropriate</i></p>	
Date of election(s) [and referendum(s)] <i>[day] [date] [month] [year]</i>	
<p>A voter with disabilities is a voter who has made a declaration that he or she is so incapacitated by his or her blindness or other disability, or by his or her inability to read, as to be unable to vote at <i>[this] [these]</i> election(s) [and referendum(s)] without assistance.</p> <p>In this form, "voter" means the person casting the vote at the election or referendum and includes a person voting as a proxy.</p>	
<b>Part 1 To be completed by the voter's companion</b>	
Companion's name	
Companion's address	
Voter's name	
<p><i>[Only for use if the disabled voter is acting as a proxy]</i></p> <p>Voter is acting as proxy for:</p>	
<p>Elector's number</p> <p><i>[If the disabled voter is acting as a proxy, this is the number of the person for whom the voter is acting]</i></p>	

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<p><b>I have been requested to assist the voter named above to record their vote at [this] [these] election(s) [and referendum(s)]. I declare that:</b></p> <p>(1)</p> <ul style="list-style-type: none"> <li>• I am aged 18 or over</li> </ul> <p><b>AND</b></p> <p>(2)</p> <ul style="list-style-type: none"> <li>• I have not previously assisted more than one voter with disabilities at [this] [these] election(s) [or referendum(s)]. If I have assisted one other voter their name and address is:</li> </ul>			
<p>[Complete if appropriate] Name and address of other person assisted</p>			
<p><b>NOTE – It is a criminal offence to knowingly make a false statement in this form.</b></p>			
Companion's signature		Date	
<p><b>Part 2 To be completed by the Presiding Officer</b></p>			
<p>I, the undersigned, being the Presiding Officer for:</p>			
Polling station		Voting area of	
<p>Hereby certify that the above declaration was signed in my presence.</p>		Presiding Officer signature	
Date		Time (exact)	

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### Textual Amendments

- F59** Sch. 5 Pt. 8 Form substituted (6.4.2014) by [The Local Authorities \(Conduct of Referendums\) \(England\) \(Amendment\) Regulations 2014 \(S.I. 2014/924\)](#), regs. 1(3), 19(a)(i), **Sch. 3** (with reg. 1(4))
- F60** Sch. 5 Pt. 8 Form substituted (6.4.2014) by [The Local Authorities \(Conduct of Referendums\) \(England\) \(Amendment\) Regulations 2014 \(S.I. 2014/924\)](#), regs. 1(3), 19(a)(ii), **Sch. 3** (with reg. 1(4))
- F61** Sch. 5 Pt. 8 Form substituted (6.4.2014) by [The Local Authorities \(Conduct of Referendums\) \(England\) \(Amendment\) Regulations 2014 \(S.I. 2014/924\)](#), regs. 1(3), 19(b)(i), **Sch. 1** (with reg. 1(4))
- F62** Sch. 5 Pt. 8 Form substituted (6.4.2014) by [The Local Authorities \(Conduct of Referendums\) \(England\) \(Amendment\) Regulations 2014 \(S.I. 2014/924\)](#), regs. 1(3), 19(b)(ii), **Sch. 1** (with reg. 1(4))
- F63** Sch. 5 Pt. 8 Form substituted (6.4.2014) by [The Local Authorities \(Conduct of Referendums\) \(England\) \(Amendment\) Regulations 2014 \(S.I. 2014/924\)](#), regs. 1(3), 19(b)(iii), **Sch. 1** (with reg. 1(4))
- F64** Sch. 5 Pt. 8 Form substituted (6.4.2014) by [The Local Authorities \(Conduct of Referendums\) \(England\) \(Amendment\) Regulations 2014 \(S.I. 2014/924\)](#), regs. 1(3), 19(b)(iv), **Sch. 1** (with reg. 1(4))
- F65** Sch. 5 Pt. 8 Form substituted (6.4.2014) by [The Local Authorities \(Conduct of Referendums\) \(England\) \(Amendment\) Regulations 2014 \(S.I. 2014/924\)](#), regs. 1(3), 19(a)(iii), **Sch. 3** (with reg. 1(4))
- F66** Sch. 5 Pt. 8 Form substituted (6.4.2014) by [The Local Authorities \(Conduct of Referendums\) \(England\) \(Amendment\) Regulations 2014 \(S.I. 2014/924\)](#), regs. 1(3), 19(b)(v), **Sch. 1** (with reg. 1(4))
- F67** Sch. 5 Pt. 8 Form substituted (29.12.2022) by [The Assistance with Voting for Persons with Disabilities \(Amendments\) Regulations 2022 \(S.I. 2022/1309\)](#), reg. 1(3), **Sch. 3 Pt. 2** (with reg. 1(4))



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**Changes and effects yet to be applied to :**

- Sch. 5 Pt. 8 forms substituted by [S.I. 2023/1225 Sch. 4 Pt. 2](#)
- Sch. 5 Forms modified (temp.) by [S.I. 2023/1147 Sch. 2 para. 13\(2\)](#)
- Sch. 5 Forms modified (temp.) by [S.I. 2023/1147 Sch. 2 para. 13\(3\)](#)
- Sch. 5 Pt. 8 Forms modified (temp.) by [S.I. 2023/1147, Sch. 2 para. 13\(4\)\(5\)](#) (as inserted) by [S.I. 2024/99 reg. 2\(4\)](#)
- Sch. 5 Pt. 8 Forms substituted by [S.I. 2023/1147 Sch. 6 Pt. 2](#)

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

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

- Sch. 3 rule 21(1)(ba) inserted by [S.I. 2023/1225 reg. 6\(2\)\(a\)](#)
- Sch. 3 rule 36(3)(e) and word inserted by [S.I. 2023/1225 reg. 6\(2\)\(b\)\(ii\)](#)
- Sch. 3 rule 24 modified (temp.) by [S.I. 2023/1147 Sch. 2 para. 11\(2\)\(3\)](#)
- Sch. 3 rule 36(3)(c) word omitted by [S.I. 2023/1225 reg. 6\(2\)\(b\)\(i\)](#)
- Sch. 3 rule 24(1)(b) words inserted by [S.I. 2023/1147 reg. 15\(3\)\(a\)](#)
- Sch. 3 rule 24 table words omitted by [S.I. 2023/1147 reg. 15\(3\)\(b\)\(ii\)](#)
- Sch. 3 rule 24 table words substituted by [S.I. 2023/1147 reg. 15\(3\)\(b\)\(i\)](#)
- Sch. 3 rule 24(2) words substituted by [S.I. 2023/1147 reg. 15\(3\)\(c\)](#)
- Sch. 5 rule 23(1)(ba) inserted by [S.I. 2023/1225 reg. 6\(4\)\(b\)](#)
- Sch. 5 rule 38(5)(e) and word inserted by [S.I. 2023/1225 reg. 6\(4\)\(c\)\(ii\)](#)
- Sch. 5 rule 26 modified (temp.) by [S.I. 2023/1147 Sch. 2 para. 11\(2\)\(3\)](#)
- Sch. 5 rule 38(5)(c) word omitted by [S.I. 2023/1225 reg. 6\(4\)\(c\)\(i\)](#)
- Sch. 5 rule 26(1)(b) words inserted by [S.I. 2023/1147 reg. 15\(7\)\(a\)](#)
- Sch. 5 rule 26 table words omitted by [S.I. 2023/1147 reg. 15\(7\)\(b\)\(ii\)](#)
- Sch. 5 rule 26 table words substituted by [S.I. 2023/1147 reg. 15\(7\)\(b\)\(i\)](#)
- Sch. 5 rule 26(2) words substituted by [S.I. 2023/1147 reg. 15\(7\)\(c\)](#)
- Sch. 5 rule 17(10) words substituted by [S.I. 2023/1225 reg. 6\(4\)\(a\)](#)