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SCHEDULES

SCHEDULE 1

PARLIAMENTARY ELECTIONS RULES

PART III

CONTESTED ELECTIONS

ACTION TO BE TAKEN BEFORE THE POLL

Notice of poll

- 23 (1) The returning officer shall in the statement of persons-nominated include a notice of the poll, stating the day on which and hours during which the poll will be taken.
- (2) The returning officer shall also give public notice (which may be combined with the statement of persons nominated) of—
- (a) the situation of each polling station ;
 - (b) the description of voters entitled to vote there; and
 - (c) the mode in which voters are to vote.
- (3) The returning officer shall as soon as practicable after publication of a notice of poll give to each of the election agents a description in writing of the polling districts.

Postal ballot papers

- 24 The returning officer shall as soon as practicable send to those entitled to vote by post, at the addresses provided by them for the purpose, a ballot paper and a declaration of identity in the prescribed form, together with an envelope for their return.

Provision of polling stations

- 25 (1) The returning officer shall provide a sufficient number of polling stations and, subject to the following provisions of this rule, shall allot the electors to the polling stations in such manner as he thinks most convenient.
- (2) One or more polling stations may be provided in the same room.
- (3) The polling station allotted to electors from any polling district shall be in the polling place for that district.
- (4) In a constituency in Scotland comprising the whole or any part of more districts than one, there shall be at least one polling station in each of those districts.

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- (5) The returning officer shall provide each polling station with such number of compartments as may be necessary in which the voters can mark their votes screened from observation.

Appointment of presiding officers and clerks

- 26 (1) The returning officer shall appoint and pay a presiding officer to attend at each polling station and such clerks as may be necessary for the purposes of the election, but he shall not appoint any person who has been employed by or on behalf of a candidate in or about the election.
- (2) The returning officer may, if he thinks fit, preside at a polling station and the provisions of these rules relating to a presiding officer shall apply to a returning officer so presiding with the necessary modifications as to things to be done by the returning officer to the presiding officer or by the presiding officer to the returning officer.
- (3) A presiding officer may do, by the clerks appointed to assist him, any act (including the asking of questions) which he is required or authorised by these rules to do at a polling station except order the arrest, exclusion or removal of any person from the polling station.

Special lists

- 27 The registration officer shall as soon as practicable prepare the following special lists-
- (a) a list (in these rules referred to as "the absent voters list") giving the name and number on the register of every person entitled to vote at the election as an absent voter;
- (b) a list (in these rules referred to as " the list of proxies ") giving—
- (i) the names and numbers on the register of the electors for whom proxies have been appointed (omitting any of those electors who are registered as service voters and entitled to vote by post); and
- (ii) the names and addresses of the persons appointed;
- (c) a list of any persons entitled to vote by post as proxy at the election.

Issue of official poll cards

- 28 (1) The returning officer shall as soon as practicable send to electors and their proxies an official poll card, but a card need not be sent to any person—
- (a) as an elector if he is placed on the absent voters list for the election; or
- (b) as a proxy if his application to vote as such by post is allowed for the election.
- (2) An elector's official poll card shall be sent or delivered to his qualifying address, and a proxy's to his address as shown in the list of proxies.
- (3) The official poll card shall be in the prescribed form and shall set out—
- (a) the name of the constituency ;
- (b) the elector's name, qualifying address and number on the register;
- (c) the date and hours of the poll and the situation of the elector's polling station.
- (4) Paragraph (6) of rule 7 above applies for the interpretation of this rule.

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Equipment of polling stations

- 29 (1) The returning officer shall provide each presiding officer with such number of ballot boxes and ballot papers as in the returning officer's opinion may be necessary.
- (2) Every ballot box shall be so constructed that the ballot papers can be put in it, but cannot be withdrawn from it, without the box being unlocked.
- (3) The returning officer shall provide each polling station with—
- (a) materials to enable voters to mark the ballot papers;
 - (b) instruments for stamping on them the official mark;
 - (c) copies of the register of electors or such part of it as contains the names of the electors allotted to the station
 - (d) the parts of any special lists prepared for the election corresponding to the register of electors or the part of it provided under sub-paragraph (c) above.
- (4) A notice in the form in the Appendix, giving directions for the guidance of the voters in voting, shall be printed in conspicuous characters and exhibited inside and outside every polling station.
- (5) In every compartment of every polling station there shall be exhibited a notice as follows—
- (a) " The voter may vote for only one candidate " ; or
 - (b) " The voter may vote for not more than one candidate " .

Appointment of polling and counting agents

- 30 (1) Each candidate may, before the commencement of the poll, appoint—
- (a) polling agents to attend at polling stations for the purpose of detecting personation ; and
 - (b) counting agents to attend at the counting of the votes.
- (2) The returning officer may limit the number of counting agents, so however that—
- (a) the number shall be the same in the case of each candidate; and
 - (b) the number allowed to a candidate shall not (except in special circumstances) be less than the number obtained by dividing the number of clerks employed on the counting by the number of candidates.
- (3) Notice in writing of the appointment, stating the names and addresses of the persons appointed, shall be given by the candidate to the returning officer and shall be so given not later than the second day (computed like any period of time in the Timetable) before the day of the poll.
- (4) If an agent dies, or becomes incapable of acting, the candidate may appoint another agent in his place, and shall forthwith give to the returning officer notice in writing of the name and address of the agent appointed.
- (5) The foregoing provisions of this rule shall be without prejudice to the requirements of section 72(1) of this Act as to the appointment of paid polling agents, and any appointment authorised by this rule may be made and the notice of appointment given to the returning officer by the candidate's election agent, instead of by the candidate.
- (6) In the following provisions of these rules references to polling and counting agents shall be taken as references to agents—

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- (a) whose appointments have been duly made and notified; and (6) where the number of agents is restricted, who are within the permitted number.
- (7) Any notice required to be given to a counting agent by the returning officer may be delivered at or sent by post to the address stated in the notice of appointment.
- (8) A candidate may himself do any act or thing which any polling or counting agent of his, if appointed, would have been authorised to do, or may assist his agent in doing any such act or thing.
- (9) A candidate's election agent may do or assist in doing anything which a polling or counting agent of his is authorised to do ; and anything required or authorised by these rules to be done in the presence of the polling or counting agents may be done in the presence of a candidate's election agent instead of his polling agent or counting agents.
- (10) Where by these rules any act or thing is required or authorised to be done in the presence of the polling or counting agents, the non-attendance of any agents or agent 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.

Declaration of secrecy

- 31 (1) Before the opening of the poll a declaration of secrecy in the form in paragraph (4) of this rule, or in a form as near to it as circumstances admit, shall be made by—
- (a) the returning officer and the presiding officers ;
 - (b) every clerk authorised to attend at a polling station or the counting of the votes;
 - (c) every candidate attending at a polling station or at the counting of the votes and every election agent so attending;
 - (d) every candidate's wife or husband attending at the counting of the votes;
 - (e) every polling agent and counting agent;
 - (f) every person permitted by the returning officer to attend at the counting of the votes, though not entitled to do so,
- but the constables on duty at polling stations or at the counting of the votes shall not be required to make the declaration of secrecy.
- (2) Notwithstanding anything in paragraph (1) above, the following persons attending at the counting of the votes—
- (a) any candidate,
 - (b) any election agent, or any candidate's wife or husband attending by virtue of the rule authorising election agents and candidates' wives or husbands to attend as such,
 - (c) any person permitted by the returning officer to attend, though not entitled to do so,
 - (d) any clerk making the declaration in order to attend at the counting of the votes,
- need not make the declaration before the opening of the poll but shall make it before he or she is permitted to attend the counting, and a polling or counting agent appointed after the opening of the poll shall make the declaration before acting as such an agent

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- (3) The returning officer shall make the declaration in the presence of a justice of the peace, and any other person shall make the declaration in the presence either of a justice of the peace or of the returning officer, and subsections (1), (2), (3) and (6) of section 66 of this Act shall be read to the declarant by the person taking the declaration or shall be read by the declarant in the presence of that person; but—
- (a) in England and Wales the declaration may be made by the returning officer or any other person before a person who is chairman of the Greater London Council, a county council or a district council or mayor of a London borough, and may be made by a person other than the returning officer before a person who is the proper officer of any such council; and
 - (b) in Scotland the declaration may be made by a person other than the returning officer before the proper officer of an islands or regional council; and
 - (c) in Northern Ireland the declaration may be made by a person other than the returning officer before the clerk of a district council.
- (4) The declaration shall be as follows—
- “I solemnly promise and declare that I will not do anything forbidden by subsections (1), (2), (3) and (6) of section 66 of the Representation of the People Act 1983, which have been read to [by] me.”