

Elections : County Boroughs.

THE ALDERMEN AND COUNCILLORS OF COUNTY BOROUGHS (NORTHERN IRELAND) ELECTION (CONSOLIDATION) ORDER, 1929, DATED 5TH DECEMBER, 1929, MADE BY THE MINISTRY OF HOME AFFAIRS FOR NORTHERN IRELAND.

1929. No. 135.

To the Council of each County Borough in Northern Ireland ;
To the Town Clerk of each such County Borough ; and
To all others whom it may concern.

WHEREAS by the Local Government (Application of Enactments) Order, 1898, being an Order in Council, made on the 22nd day of December, 1898, by the Lord Lieutenant in pursuance of Section 104 of the Local Government (Ireland) Act, 1898, it was, amongst other things, ordered that the election of Aldermen and Councillors of County Boroughs in Ireland should, subject to the provisions of the Act, be conducted according to rules framed under the said Order by the Local Government Board for Ireland, and that the rules should provide for the matters and things in the said Order mentioned :

And whereas the powers and duties of the Local Government Board for Ireland, under the said Order and Act, are now vested as respects Northern Ireland in the Ministry of Home Affairs for Northern Ireland :

And whereas it is enacted by Section 2 of the Local Government Act (Northern Ireland), 1922, that no person shall be deemed to have been duly nominated for election as a member of a Borough Council unless his consent, in writing, to such nomination has been signified to the Returning Officer and a deposit of an amount of twenty-five pounds has been paid to the Returning Officer not later than the date prescribed for the receipt of nomination papers : and that the power of the Ministry of Home Affairs for Northern Ireland to frame rules for the conduct of elections shall include power—

- (a) to prescribe conditions upon which deposits made by an unsuccessful candidate may be returned ; and
- (b) to prescribe the manner in which consents may be given by candidates to their nomination as Aldermen or Councillors of the Council of a Borough.

Now, therefore, the Ministry of Home Affairs for Northern Ireland in exercise of the powers vested in it by the Local Government Acts (Northern Ireland), 1898 to 1929, and of all other powers enabling the Ministry in that behalf, hereby orders and directs that, subject to any directions that may be given by the said Ministry, or until the Ministry otherwise orders,

the following rules shall be observed in connection with the election of Aldermen and Councillors of County Boroughs in Northern Ireland :

Returning Officer.

1.—(1) The Town Clerk shall be the Returning Officer for the election of Aldermen and Councillors of a County Borough.

(2) If the office of Town Clerk is vacant when any duty relative to the election has to be performed by him, or if he from illness or other cause is unable to perform or to complete the performance of such duty, the Council shall appoint some other person to act as Returning Officer or to perform such of the duties of the Returning Officer as then remain to be performed, as the case may be.

(3) The Returning Officer shall appoint some place within the County Borough as an Office for the purpose of the election.

(4) The Returning Officer may, in writing, appoint a fit person to be his deputy for all or any of the purposes relating to the election of Councillors and in those years in which Aldermen are elected, to the election of Aldermen and Councillors. A Deputy Returning Officer shall have all the powers, duties, and liabilities of the Returning Officer in relation to the matters in respect of which he is appointed as deputy.

Day of Election.

2.—(1) The day of the election of Councillors and, in those years in which Aldermen are elected, of Aldermen and Councillors shall be that prescribed by the Act, and mentioned in Table (a) of the First Schedule to this Order.

(2) In the case of an election specially held to fill one or more casual vacancies the day of election shall be fixed by the Returning Officer, provided that the same shall be within the time prescribed by Rule 28 of this Order.

Notice of Election.

3. Not later than the day prescribed for that purpose by the First Schedule to this Order, the Returning Officer shall prepare and sign a notice of the election of Councillors and, in those years in which Aldermen are elected, of Aldermen and Councillors in the Wards in which the election is to be held, and shall cause notice to be given of the same in accordance with Rule 32 of this Order in each such Ward. The notice shall be in the Form No. 1 in the Second Schedule to this Order, or in a form to the like effect.

Nomination of Candidates.

4.—(1) Each candidate for election as an Alderman or Councillor shall be nominated in writing.

(2) The nomination paper shall state the name of the ward for which the candidate is nominated, the surname and other name or names in full of the candidate, who must be a local government elector for the county borough or the owner of property held by freehold, leasehold, or any other tenure within the county borough, and his place of abode and description. It shall be signed by two Local Government Electors of the Ward as proposer and seconder and no more, and shall state their respective places of abode and their respective numbers on the register of electors, and the Polling District letter. It shall be in the form set out in the notice in the Form No. 1 in the Second Schedule to this Order or in a form to the like effect.

(3) The name of more than one candidate shall not be inserted in any one nomination paper.

(4) A Local Government Elector shall not sign more nomination papers than there are Aldermen or Councillors to be elected for the Ward : nor shall he sign a nomination paper for any Ward other than one in respect of which he is registered as an elector.

(5) If any Local Government Elector shall sign nomination papers for more than one Ward, the nomination papers signed by him relating to the first Ward for which a nomination paper signed by him is received by the Returning Officer shall alone be valid, and of the nomination papers signed by him which relate to that Ward such as are first received by the Returning Officer up to the number of Aldermen or Councillors respectively to be elected shall alone be valid. Provided that for the purposes of this paragraph nomination papers not properly filled up and signed shall be excluded .

(6) Each person who shall be nominated for election as alderman or councillor shall signify in writing to the Returning Officer not later than the date prescribed for the receipt of nomination papers his consent to such nomination. Every such consent shall be witnessed by two Local Government Electors of the borough, who shall state their places of abode and respective numbers on the register of electors, the name of the Ward and the Polling District letter, and shall be in the form set out in the notice in the Form No. 1A in the Second Schedule to this Order or in a form to the like effect, and delivered at the office of the Returning Officer within the time prescribed during the usual office hours by either the candidate or his proposer or seconder.

Provided that where a candidate is prevented by reason of illness or other sufficient cause from signifying his consent in writing, such consent may be given on his behalf in the form set out in the notice in the Form No. 1B in the Second Schedule to this order, or in a form to the like effect by a Local Government Elector of the borough duly authorised to signify such consent.

Nomination Papers to be provided.

5. The Returning Officer shall provide nomination papers and forms for candidates' consent to nomination. Any Local Government Elector may obtain nomination papers and forms of consent to nomination from the Returning Officer free of charge, provided that no such elector shall be entitled to obtain from the Returning Officer more nomination papers or forms of consent to nomination than there are Aldermen and Councillors to be elected for the Ward.

Time for sending in Nomination Papers.

6. Every nomination paper shall be delivered by the candidate or by his proposer or seconder to the Returning Officer at his office, during the usual office hours, within the time prescribed for that purpose by the First Schedule to this Order. A nomination paper delivered after that time shall not be valid. The Returning Officer shall note on each nomination paper whether it was delivered before or after that time.

Dealing with Nominations by Returning Officer.

7.—(1) The Returning Officer shall number the nomination papers in the order in which they are received by him; and the first valid nomination paper received for a candidate for election either as Alderman or Councillor, as the case may be, shall be deemed to be the nomination of that candidate, and no other nomination paper subsequently received for such candidate shall have any force or effect whatever.

(2) The Returning Officer shall, as soon as practicable after the receipt of any nomination paper, examine and decide whether it has or has not been properly filled up and signed by two Local Government Electors, and whether it is or is not invalid under Rule 4 (5) or Rule 6. His decision that a nomination paper has been so filled up and signed, and is not invalid as aforesaid, shall be final, and shall not be questioned in any proceeding whatever, nor shall he examine any nomination paper subsequently received for the same candidate.

(3) If the Returning Officer shall decide that a nomination paper is invalid, he shall put a note on it to this effect, stating the grounds of his decision and he shall sign such note.

(4) After deciding that the nomination of any candidate is valid, or (except where some other nomination of the candidate has been decided to be valid) that a nomination paper for any candidate is invalid, the Returning Officer shall, not later than the day prescribed for that purpose by the First Schedule to this Order, send, by post or otherwise, notice of his decision to the candidate.

Statement as to Persons nominated.

8. Not later than the day prescribed for that purpose by the First Schedule to this Order, the Returning Officer shall make out a Statement in the Form No. 2 in the Second Schedule to this Order, or in a form to the like effect, containing the names, places of abode, and descriptions of the persons validly nominated for election as Councillors and, in a year in which Aldermen are to be elected, as Aldermen or Councillors respectively for the several Wards for which the election is to be held, who have not withdrawn their candidature and also containing the names of the persons signing their respective nomination papers as proposers and seconders. He shall forthwith cause a copy thereof to be suspended in the room in which meetings of the Council are held, and also one to be affixed on the principal external gate or door of the City or Town Hall.

Withdrawal of Candidate.

9. Any candidate may withdraw his candidature by delivering or causing to be delivered at the Office of the Returning Officer, within the time prescribed for that purpose by the First Schedule to this Order, a notice in writing of such withdrawal, signed by him. Such notice of withdrawal shall be delivered by the candidate or by his proposer or seconder.

Relation of Nomination to Election.

10. Section 56 of the Municipal Corporations Act, 1882, shall be altered and adapted in its application to the election of Aldermen and Councillors of a County Borough so as to be read as follows :—

- (1) If the number of candidates who receive valid nominations for election to the office of Aldermen or Councillor, as the case may be, for any Ward, and who do not withdraw their candidature under Rule 9, exceeds the number of Aldermen or Councillors respectively to be elected for the Ward, the Alderman or Aldermen and the Councillor or Councillors, as the case may be, shall be elected from among the persons in each case respectively so nominated.
- (2) If the number of candidates who receive valid nominations is in any case equal to, or is, by the withdrawal of any candidate as provided by Rule 9 or otherwise in any case, reduced to a number equal to the number of vacancies, the Returning Officer shall, as early as practicable, give public notice, in accordance with Rule 31 of this Order, that no poll will be taken and that the candidate or candidates so nominated will be declared to be elected.

- (3) If the number of candidates at any election of Aldermen or Councillors for a Ward who receive valid nominations is less than, or is, by the withdrawal of any candidate, as provided by Rule 9, or otherwise reduced to a number less than the number of vacancies, the Returning Officer shall give public notice, in accordance with Rule 32 of this Order, that no poll will be taken, and that the candidate or candidates so nominated will be declared to be elected ; and also that such of any retiring Councillors for the Ward as were highest on the poll at their election, or if the poll was equal or there was no poll, as shall have been selected by the Returning Officer by lot to make up the required number will be declared to be deemed to be re-elected.
- (4) If after due notice has been given of an ordinary election to fill the office of Alderman for a Ward no candidate receives a valid nomination, the Returning Officer shall give public notice, in accordance with Rule 32 of this Order, that the retiring Alderman will be declared to be deemed to be re-elected.
- (5) If after due notice has been given of an ordinary election of Councillors for a Ward no candidate receives a valid nomination, the Returning Officer shall give public notice, in accordance with Rule 32 of this Order, that the retiring Councillors will be declared to be deemed to be re-elected.
- (6) If, at an election specially held to fill two or more casual vacancies in the office of Alderman or Councillor for any Ward, the number of candidates who receive valid nominations is, in any case, less, or is any way reduced to a number less than the number of vacancies to be filled, the Returning Officer shall give public notice, in accordance with Rule 32 of this Order, that no poll will be taken, and that the candidate or candidates so nominated will be declared to be elected, the order of rotation being determined by the Council, and the Council may choose, by ballot, some duly qualified person or persons to fill the remaining vacancy or the several remaining vacancies, as the case may be.
- (7) If, after due notice has been given that an election will be specially held to fill one or more casual vacancies in the office of Alderman or Councillor for any Ward, no candidate receives a valid nomination, the Council may choose, by ballot, some duly qualified person or persons to fill the vacancy or the several vacancies, as the case may be.

- (8) The Returning Officer shall forthwith send, by post or otherwise, a copy of any notice under this Rule to each of the persons who will be declared to be elected or to be deemed to be re-elected.
- (9) The notice shall be in the Form No. 3 or the Form No. 4, as the case may be, in the Second Schedule to this Order, or in a form to the like effect.

Conditions affecting Deposits.

11.—(1) The deposit prescribed by section 2 of the Local Government Act (Northern Ireland), 1922, may be made by the deposit of any legal tender, and in a case where any person is a candidate for election for more than one ward, he shall make a separate deposit in respect of his candidature for each ward.

(2) If after the amount of the deposit prescribed by Section 2 of the Local Government Act (Northern Ireland), 1922, has been paid—

- (a) the candidate is not deemed to be validly nominated, the returning officer shall return to him the deposit ; or
- (b) if the candidate dies before the day of election the deposit, if made by him, shall be returned to his legal personal representative, or if not made by him shall be returned to the person by whom the deposit was made.

(3) If a candidate who has made the required deposit is not elected, and the number of votes polled by him exceeds one-eighth of the total number of votes polled at the election, the returning officer shall, as soon as practicable after the day of the election, return the amount of the deposit to the candidate.

Provided that where a candidate is nominated for election as alderman or councillor for more than one ward, or an alderman and councillor for the same ward of the borough, he shall in no case recover his deposit more than once.

(4) For the purpose of this article the number of votes polled shall be deemed to be the number of ballot papers (other than spoilt ballot papers) counted in respect of an election of aldermen or councillors as the case may be for any ward.

Day and Hours of Poll.

12. The poll, if any shall be held on the day of election as prescribed or defined in the first Schedule to this Order, and the hours during which the poll shall be open shall be from 8 a.m. till 8 p.m.

13. Whenever an Alderman, or Aldermen, and a Councillor, or Councillors, are to be elected for any Ward, the polls for both elections shall be taken together.

14. The Returning Officer shall determine the number and situation of the polling places and stations.

Provided as follows :—

- (a) No premises licensed for the sale of intoxicating liquor shall be used for a polling station.
- (b) The polling stations for the election of Aldermen and Councillors when the polls for the two elections are taken altogether shall be the same.
- (c) Where the number of Local Government Electors in the Ward is not more than five hundred, only one polling station shall, unless the Council otherwise direct, be provided for the Ward ; and so on for each additional five-hundred Local Government Electors, or for any number of Local Government Electors over and above the last five hundred. Provided that nothing in this sub-section shall make it obligatory upon him to have a separate polling station for every five hundred such electors.

Notice of Poll.

15.—(1) If a poll has to be taken, the Returning Officer shall, within the time prescribed for that purpose by the First Schedule to this Order, give public notice thereof in accordance with Rule 32 of this Order. The notice shall specify :—

- (a) the day and hours fixed for the poll ;
- (b) the names, place of abode, and description of each candidate for the Ward whom he has decided to have been nominated by a valid nomination paper, and who has not withdrawn his candidature ;
- (c) the names of the proposer and seconder who signed the nomination paper of each candidate ;
- (d) a description of the polling districts, if any, and
- (e) the situation and allotment of the polling places and polling stations, and the description of the persons entitled to vote thereat.

(2) The notice shall be in the Form No. 5 in the Second Schedule to this Order, or in a form to the like effect.

Presiding Officers.

16. The Returning Officer, or some person appointed by him for the purpose, shall preside at each polling station. The person presiding at any polling station shall be called the Presiding Officer. Provided that at any polling station the same person shall act as Presiding Officer for the elections of Aldermen and Councillors when the polls for these elections are taken together.

Compartments of Polling Stations—Ballot Papers.

17. The Returning Officer shall furnish every polling station with a sufficient number of compartments in which the voters can mark their votes screened from observation, and shall furnish each Presiding Officer with such number of ballot papers as may be necessary for effectually taking the poll at the election.

Polling Agents.

18. Each candidate may, in writing, appoint a polling agent for each polling station, who may be paid or unpaid. Any such appointment shall be delivered at the office of the Returning Officer not less than two clear days before the date of the poll. Except as aforesaid no polling or personation agent, whether paid or unpaid, shall be appointed for the purposes of the election.

Prohibition of Voting in more than one Ward—Questions to Elector.

19.--(1) A Local Government Elector shall not vote in more than one Ward in the County Borough; provided that this shall not prevent a person registered as a local government elector in respect of several company qualifications possessed by different companies from voting in one or more wards by virtue of each company qualification in respect of which he is registered or from voting by virtue of a qualification other than a company qualification in respect of which he is registered.

(2) The Presiding Officer may, and if required by any polling agent appointed under Rule 18 shall, put to any elector at the time of his applying for a ballot paper, but not afterwards, the following questions, or one of them, and no other :—

- (a) Are you the person entered in the Local Government register for this Ward as follows (read the whole entry from the register) ?
- (b) Have you already voted at the present election of Councillors (or Aldermen, or Aldermen and Councillors, as the case may be) in this or any other Ward of the County Borough in respect of a qualification other than a company qualification ?

(3) A person required to answer either of these questions shall not receive a ballot paper or be permitted to vote until he has answered it in the manner and to the effect prescribed in Section 27 of the First Schedule to the Ballot Act, 1872, as adapted and printed in the Third Schedule to this Order.

Counting the Votes.

20. The Returning Officer when he does not act as a Presiding Officer at any polling station for the Ward, shall appoint some one of the Presiding Officers to act as Deputy Returning Officer for the Ward as regards the custody and opening of the ballot boxes, the counting and recording of the votes, and the declaration of the number of votes given for each candidate, and of the election of the candidate or candidates to whom the largest number of votes has been given. The person so appointed shall, in addition to his other powers and duties, have all the powers and duties of the Returning Officer in relation to the matters aforesaid and to the decision of any question as to any ballot paper and otherwise as to the ballot papers.

(2) When polls for the election both of an Alderman or Aldermen and a Councillor or Councillors in any Ward of a County Borough are taken together, the same person shall discharge the duties referred to in Paragraph (1) of this Rule in relation to both elections.

(3) The votes shall be counted in the Ward or in some place near thereto as soon as practicable after the close of the poll.

Equality of Votes.

21. If an equality of votes is found to exist between any candidates, and the addition of a vote would entitle any of such candidates to be declared elected, the Returning Officer or Deputy Returning Officer, who counts the votes, shall determine by lot which of the candidates whose votes are equal shall be elected.

Declaration of Result of Poll.

22.—(1) The declaration of the result of the poll shall be in the Form No. 6 in the Second Schedule to this Order, or in a form to the like effect.

(2) The Returning Officer or Deputy Returning Officer, as the case may be, making the declaration shall forthwith cause a copy of it to be affixed to the front of the building in which the votes have been counted. If the declaration is made by a Deputy Returning Officer, he shall forthwith send it to the Returning Officer.

Publication of Result of Elections.

23.—(1) The Returning Officer shall prepare and sign a notice of the result of the elections in all the Wards in the County Borough for which elections are held, and shall by such notice declare to be elected or to be deemed to be re-elected the persons

who, under Rule 10, are to be declared to be elected or to be deemed to be re-elected without a poll being taken. The Notice shall be in the Form No. 7 in the Second Schedule to this Order, or in a form to the like effect.

(2) The Returning Officer shall cause a copy of the notice to be suspended in the room in which meetings of the Council are held, and another copy to be affixed to the principal external gate or door of the City or Town Hall, and he shall also cause public notice thereof to be given in accordance with Rule 32 of this Order. The Returning Officer shall also send copies of the notice to the persons elected or deemed to be re-elected.

Application and Adaptation of Ballot Act, 1872.

24. The provisions of the Ballot Act, 1872, which, with adaptations and alterations, are set out in the Third Schedule to this Order, and only such provisions of that Act shall, subject to such adaptations and alterations, apply to the election of Aldermen and Councillors of a County Borough.

Provided as follows :—

- (a) Such applications shall be subject to the provisions of this Order.
- (b) When polls are taken together for the election of Alderman or Aldermen and Councillor or Councillors of any Ward of a County Borough, one ballot box may, if the Returning Officer thinks fit, be used for the two elections ; but if separate ballot boxes are used for the two elections respectively, no vote for any Alderman shall be rendered invalid by the ballot paper being placed in the box intended for the reception of ballot papers for Councillors, nor shall any vote for a Councillor be rendered invalid by the ballot paper being placed in the box intended for the reception of ballot papers for Aldermen.
- (c) That ballot papers used at the election of an Alderman shall be of a different colour from that of any ballot papers used in the election of any Councillors of the Ward when the polls for both elections are taken together.

Adaptation of Municipal Corporations Act, 1882.

25.—(1) The provisions of Sections 74 and 75 of the Municipal Corporations Act, 1882, which with adaptations and alterations, are set out in the Fourth Schedule to this Order, shall, subject to such adaptations and alterations, apply to the election of Aldermen and Councillors in County Boroughs, and to the persons elected or deemed to be re-elected thereat.

(2) The provisions of Part IV. of the Municipal Corporations Act, 1882 (relating to Corrupt Practices and Election Petitions),

as amended by the Municipal Elections (Corrupt and Illegal Practices) Act, 1884, shall apply to an election of Aldermen or Councillors of a County Borough as if such election were a municipal election within the meaning of those Acts. Always provided that :—

- (a) Such application shall be subject to the provisions of this Order.
- (b) In the application of Sub-section (2) of Section 89 such Sub-section shall be adapted and altered so as to read as follows :—

“(2) The security shall be to the amount of Fifty Pounds, unless in any case the High Court of Justice in Northern Ireland, or a Judge thereof on summons, order that the same shall be to a lesser amount, or to a larger amount not exceeding Three Hundred Pounds, and shall be given in the prescribed manner, either by a deposit of money or by a recognizance entered into by not more than four sureties, or partly in one way and partly in the other.”

Application of Municipal Elections (Corrupt and Illegal Practices) Act, 1884.

26. The Municipal Elections (Corrupt and Illegal Practices) Act, 1884, shall apply to an election of Aldermen or Councillors of a County Borough as if such election were a Municipal Election within the meaning of that Act : always provided that :—

- (1) Such application shall be subject to the provisions of this Order.
- (2) An election petition complaining of the election on the ground of an illegal practice may be presented at any time within six weeks after the day of election.
- (3) In Section 34 of the Act “ Burgess Roll ” shall mean the Local Government Register.
- (4) Section 37 of the Act shall be read as if a reference to an election of Aldermen and Councillors of a County Borough or of Councillors only, as the case may be, was substituted for a reference to any of the elections mentioned in the First Schedule to the Act.

27. For the purposes of this Order the words “ High Court and Judge of the High Court ” in the Municipal Corporations Act, 1882, and the Municipal Elections (Corrupt and Illegal Practices) Act, 1884, shall mean the High Court of Justice in Northern Ireland and a Judge of the said Court, respectively, and the words “ Director of Public Prosecutions ” shall mean the Attorney-General for Northern Ireland.

Special Elections to fill Casual Vacancies

28.—(1) In the event of a casual vacancy occurring by death, resignation, or otherwise, in the office of Alderman or Councillor of any Ward of a County Borough, the vacancy shall be filled in the following manner :

An election shall be held to fill the office within twenty-one days after notice in writing of the vacancy shall have been given to the Town Clerk by two Local Government Electors of the Ward in respect of which the vacancy has occurred, and the usual proceedings for such election shall be taken at the times and within the periods mentioned in the First Schedule to this Order with respect to elections not held at the time of ordinary elections.

(2) In case of more than one casual vacancy being filled at the same election, not being the ordinary election, the person elected by the smallest number of votes shall be deemed to be elected in the place of him who would regularly have first gone out of office, and the person elected by the next smallest number of votes shall be deemed to be elected in the place of him who would regularly have next gone out of office, and so with respect to the others : and if there has not been a contested election or if any doubt arises by reason of equality of votes or from any other cause, the order of rotation shall be determined by the Council.

(3) Provided that :

Nothing in this Order shall authorize or require a Returning Officer to hold an election to fill a casual vacancy which occurs within six months before the ordinary day of retirement from the office in which the vacancy occurs, and the vacancy shall be filled at the next ordinary election.

Who to be deemed to fill Casual Vacancies at Ordinary Elections.

29. In the event of one or more casual vacancies being filled up at the ordinary election, where there is a poll, the persons elected by the fewest votes shall be deemed elected to fill such vacancies. Should there be an equality of votes between such persons, the Council shall determine which of such persons shall be deemed elected to fill the casual vacancy. If the persons elected to fill the casual vacancies will hold office for different periods, the person elected by the fewest votes, or if the votes are equal, the person selected by the Council from the persons so elected shall hold office for the shorter period. When there is no poll the person or persons to be deemed to be elected to fill the casual vacancy or vacancies shall be determined by the Council.

30.—(1) Every person elected to fill a casual vacancy shall hold the office until the time when the person in whose place he is elected or deemed to be elected would regularly have gone out of office.

(2) Non-acceptance of office by a person elected or deemed to be re-elected creates a casual vacancy.

Expenses.

31.—(1) Any sum which may be payable to the Returning Officer in respect of his services in taking a poll in the Ward, or in respect of expenses incurred in relation to such poll, shall be defrayed by the Council out of any fund or rate applicable to the general expenses of the County Borough.

(2) Any other sum which may be payable to the Returning Officer in respect of his services in the conduct of the election, or in respect of expenses incurred in relation to the election, shall in like manner be defrayed by the Council.

Publication of Notices.

32. Any public notice required by this Order shall be given by posting the same at every courthouse, police station, markethouse and other usual place for posting public notices within the ward.

Register of Electors.

33. For the purpose of effectually conducting the elections of Aldermen or Councillors or Aldermen and Councillors the Returning Officer shall in the Register of Electors to be used at each polling station rule out with green ink the names of all persons not entitled to vote as Local Government Electors.

Mark instead of Signature.

34. In place of any signature required by this Order it shall be sufficient for the signatory to affix his mark if the same is witnessed by two Local Government Electors.

Misnomer—Inaccurate Descriptions.

35. No misnomer or inaccurate description of any person or place named in any notice or nomination paper under this Order shall hinder the full operation of such notice or paper with respect to that person or place, provided the description of that person or place is such as to be commonly understood.

Revocation of previous Orders.

36. The Aldermen and Councillors of County Boroughs (Ireland) Election Order, 1898, and any Orders amending or applying the same, are hereby revoked.

37. This Order may be cited as the Aldermen and Councillors of County Boroughs (Northern Ireland) Election (Consolidation) Order, 1929.

Given under the Seal of the Ministry of Home Affairs for Northern Ireland, this fifth day of December, in the year One Thousand Nine Hundred and Twenty-nine.

(L.S.)

D. L. Clarke,

Assistant Secretary.

FIRST SCHEDULE.

a.—TIMES FOR THE PROCEEDINGS AT THE ORDINARY ELECTION OF COUNCILLORS [OR ALDERMEN AND COUNCILLORS] IN COUNTY BOROUGHS.

Proceeding.	Time.
1. Notice of Election	Not later than January 1.
2. Receipt of Nomination Papers	Not later than five o'clock p.m. on January 5.
3. Withdrawal of Candidates	Not later than five o'clock p.m. on January 6.
4. Sending Notice of decision as to validity of Nomination Papers. ..	As soon as practicable after receipt, but in any case not later than January 7.
5. Making out Statement as to persons validly nominated.	Not later than January 7.
6. Notice of Poll	Not later than January 8.
7. Day of Election	January 15.

Note.—If any of the dates in the above Table falls on a Sunday the reference to it shall be construed as a reference to the following day, and references to subsequent dates, other than the date for the day of election, shall be construed in like manner.

b.—TIMES FOR THE PROCEEDINGS AT ELECTIONS NOT HELD AT THE TIME OF THE ORDINARY ELECTIONS.

Proceeding.	Time.
1. Notice of Election	Not later than fourteen days before the day of Election.
2. Receipt of Nomination Papers	Not later than five o'clock p.m. on the fourth day after the day on which the Notice of Election was given.
3. Withdrawal of Candidates	Not later than five o'clock p.m. on the day after the last day for the receipt of Nomination Papers.
4. Sending notice of decision as to validity of Nomination Papers	Not later than the second day after the last day for the receipt of Nomination Papers.
5. Making out Statement as to persons validly nominated	
6. Notice of Poll	Five clear days at least before day of Election.
7. Day of Election	Such day as may be fixed by the Returning Officer, in accordance with Rule 28 of this Order.

SECOND SCHEDULE

Form No. 1.

NOTICE OF ELECTION.

County Borough of

Ward

Election of Councillor (or Councillors) or Alderman and Councillor.

Notice is hereby given that—

1. The day of election of councillor (or alderman and councillors, &c.) for the said ward will be the day of 19 .
2. Each candidate must be nominated in writing, and the nomination paper must be delivered to me at (which is my office for the purpose of the election) not later than five o'clock p.m. on the day of 19 .
3. Each candidate for election as alderman or councillor must in the prescribed form or a form to the like effect signify in writing his consent to his nomination ; such consent must be delivered to me by the candidate or his proposer or seconder at my office not later than five o'clock p.m. on the day of 19 .
4. Each candidate for election as alderman or councillor must deposit or cause to be deposited with me at my office not later than five o'clock p.m. on the day of 19 , a sum of twenty-five pounds.
5. A local government elector must not sign more nomination papers than there are aldermen or councillors to be elected for the ward, and he must not sign a nomination paper for the ward unless he is registered as a local government elector in respect of a qualification therein.
6. Forms of nomination paper and of consent to nomination may be obtained free of charge, from me at the above-named office, by any local government elector ; but no local government elector will be entitled to obtain more nomination papers or forms of consent to nomination than there are aldermen or councillors to be elected for the ward.
7. The nomination paper must be in the following form, or in a form to the like effect :—

FORM OF NOMINATION PAPER.

County Borough of

Ward

Election of Councillor (or Councillors or Alderman) for the above ward in the year 19 .

We, the undersigned, being respectively electors of the said ward for the year do hereby nominate the undermentioned person as a candidate at the said election.

NAMES OF CANDIDATES.		Place of Abode.	Description.
Surname.	Other Names in full.		
1	2	3	4

Signature of Proposer.....
 Place of Abode.....
 Number on Register of Electors.....
 Polling District.....
 Signature of Seconder.....
 Place of Abode.....
 Number on Register of Electors.....
 Polling District.....

INSTRUCTIONS FOR FILLING UP NOMINATION PAPER*

* These instructions form part of the Nomination Paper.

- (1) The surname of only one candidate for election must be inserted in column 1.
- (2) The other names of the candidate must be inserted in full in column 2.
- (3) Insert in column 3 the place of abode of the candidate.
- (4) In column 4 state the occupation, if any, of the candidate. If the candidate has no occupation, insert some such description as "gentleman."

8.—(1) The paper must be signed by two local government electors of the ward and no more; by one as proposer, and by the other as seconder. The place of abode of the proposer and seconder, and their respective numbers on the Register of Electors, and the Polling District letter must also be inserted. Instead of signing, the proposer or seconder may affix his mark, if it is witnessed by two local government electors of the ward.

(2) A local government elector must not sign more nomination papers than there are (aldermen or) councillors to be elected for the ward, and he must not sign a nomination paper for the ward unless he is registered as a local government elector in respect of a qualification therein.

9. The consent of the candidate must be signified in the following form, or in a form to the like effect :—

FORM No. 1A.

FORM OF CONSENT OF CANDIDATE TO NOMINATION.

County Borough of _____ Ward

I _____ of _____
 hereby consent to my nomination as a candidate for election as Councillor (or
 Alderman) for the _____ Ward of the County Borough
 of _____

.....Signature of Candidate.

.....Date.

Witnesses.

(1)Local Government Elector.

.....Place of Abode.

.....Number on Register of Electors.

.....Polling District.

(2)Local Government Elector.

.....Place of Abode.

.....Number on Register of Electors.

.....Polling District.

Received by the Returning Officer on the _____ day of _____

.....Returning Officer.

* Insert Surname and Christian Names in full and Place of Abode.

LOCAL GOVERNMENT

FORM No. 1B.

Form of consent on behalf of a candidate who is prevented by illness or other sufficient cause from signifying consent.

County Borough of ... Ward of ... I, ... of ... hereby on behalf of ... consent to his nomination as a candidate for election as Councillor (or Alderman) for the ... Ward of the County Borough of ... and I hereby declare that I have been duly authorised by the said ... to signify such consent.

* Insert Surname and Christian name in full and Place of Abode.

..... Signature.
.....Number on Register of Electors.
.....Polling District
.....Date.

Witnesses.

(1)Local Government Elector.
.....Place of Abode.
.....Number on Register of Electors.
.....Polling District.
(2)Local Government Elector.
.....Place of Abode.
.....Number on Register of Electors.
.....Polling District.

Received by the Returning Officer on the ... day of ... 19 .

.....
Returning Officer.

10. Not later than ... the ... day of ... I shall cause a copy of a statement containing the names, places of abodes, and descriptions of the persons validly nominated for election to the office of councillor (or alderman) for the said ward, and also the names of their respective proposers and seconders, to be suspended in the city or town hall (or other place where the meetings of the council are held), and another to be affixed on the principal external gate or door of the city or town hall (or other place where the meetings of the council are held).

11. Any candidate nominated for election may, not later than five o'clock p.m. on ... the ... day of ... 19 , withdraw his candidature by delivering or causing to be delivered at my office for the purposes of the election a notice in writing of such withdrawal signed by him.

12. If more candidates are validly nominated for the ward than there are vacancies to be filled, and the number is not from any cause reduced to a number equal to the number of vacancies, a poll will be taken on ... the ... day of ... 19 , of which due notice will be given.

Dated this ... day of ... 19 .

.....Returning Officer.

.....
Office for purpose of election.

Note.—The following notification must be added to every Notice of Election given under Rule 3 of this Order:—

Take Notice, that every person having any claims against a returning officer for work, labour, material, services, or expenses in respect of any contract made with him by or on behalf of the returning officer, for the purposes of an election, shall, within fourteen days after the day on which the return is made of the person or persons elected at the election, transmit to the returning officer the detailed particulars of such claim in writing, and the returning officer shall not be liable in respect of anything which is not duly stated in such particulars.

FORM NO. 2.

Statement as to Persons nominated.

County Borough of

Ward

The following is a statement as to the persons validly nominated for election to the office of [Alderman or] Councillor for the above-named Ward.

ELECTION OF ALDERMAN [OR ALDERMEN].

Ward.	Persons nominated.			Proposed by	Seconded by
	Names (Surnames first).	Place of Abode.	Description.		
1.	2.	3.	4.	5.	6.

ELECTION OF COUNCILLORS.

Ward.	Persons nominated.			Proposed by	Seconded by
	Names (Surnames first).	Place of Abode.	Description.		
1.	2.	3.	4.	5.	6.

Dated this

day of

19

.....
Returning Officer.

.....
Office for purpose of election.

LOCAL GOVERNMENT

FORM No. 3.

Notice that no Poll will be taken.

County Borough of

Ward

WHEREAS the following candidates have been validly nominated for election to the office of [Alderman or] Councillor for the Ward. (*Insert names places of abode, and description of candidates.*)

And whereas the said [*insert name or names*] has [*or have*] since withdrawn his [*or their*] candidature [*or if some other event has occurred causing a person to cease to be a candidate state what it is,*] and candidates only remain to be elected to the office of Alderman or Councillor for the said Ward [*or whereas the following candidate [*or candidates*] only has [*or have*] been validly nominated for election to the office of Alderman or Councillor for the* Ward].

I do hereby give notice that a Poll will not be taken, and that the said [*insert name*] will be declared elected as [Alderman or Aldermen or] Councillors for the said Ward.

Dated this day of , 19

.....
Returning Officer.

FORM No. 4.

Notice where no Candidates are Nominated.

County Borough of

Ward

I do hereby give notice that no candidate has been validly nominated for election to the Office of Councillor [*or Alderman*] for the said Ward,* and that [*insert names*] the retiring Councillors [*or Aldermen*] for the said Ward will be declared to be deemed to be re-elected.

Dated this day of , 19

.....
Returning Officer.

FORM No. 5.

Notice of Poll.

County Borough of

Ward

Election of Councillors [*or an Alderman and Councillors*] for the above Ward, in the year 19

NOTICE IS HEREBY GIVEN—

1. That a poll [*or polls*] for the election of Councillors [*or of an Alderman or Aldermen and Councillors*] for the above-named Ward will be held on the day of 19 , between the hours of and .

2. That the names in alphabetical order, places of abode, and descriptions of the Candidates for election, and the names of their respective Proposers and Seconders are as follows :—

Names of Candidates (Surname first).*	Place of Abode.	Description.	For Office of	Names of Proposer (Surname first).	Names of Seconder (Surname first).

* Insert particulars as to each Candidate for the Ward, whose nomination is valid, and who has not withdrawn his candidature.

3.—(1) That each elector must vote in the Ward in which the property in respect of which he votes is situate, and if it is situate in more than one Ward, he may vote in any one (but in one only) of such Wards in respect of a qualification other than a company qualification.

4.† The situation and allotment of the Polling Stations and the description of persons entitled to vote thereat are as follows :—

If only one Polling Place or Station, adapt form accordingly.

[Insert particulars.]

5. The poll will be taken by ballot, and the colour of the ordinary ballot paper used in the election will be (*insert colour*).

6.* The polls will be taken by ballot, and the colour of the ordinary ballot paper used in the election of an Alderman will be (*insert colour*), and in the election of Councillors will be (*insert colour*).

*To be used when there is a double poll.

Dated this day of 19 .

.....
Returning Officer.

.....
Office for purpose of election.

FORM No. 6.

Declaration of Result of Poll.

County Borough of

Ward

Election of Councillors [*or Alderman or Aldermen and Councillors*] for the above Ward in the year 19 .

I, the undersigned, being the Returning Officer [*or Deputy Returning Officer duly authorised in that behalf*] at the poll for the election of Councillors [*or of an Alderman or Aldermen and Councillors*] for the said Ward held on the day of , 19 ., do hereby give notice that the number of votes recorded for each candidate at the election is as follows :—

FOR OFFICE OF ALDERMAN.

Names of Candidates.		Places of Abode.	Number of Votes Recorded.
Surnames.	Other Names.		

FOR OFFICE OF COUNCILLOR.

Names of Candidates.		Places of Abode.	Number of Votes Recorded.
Surnames.	Other Names.		

And I do hereby declare the said duly elected Alderman [*or Aldermen*] and the said duly elected Councillors for the said Ward.

Dated this day of , 19 .

.....
Returning Officer
 [*or Deputy Returning Officer*].

FORM No. 7.

Notice of Result of Elections.

County Borough of

Election of [Aldermen and] Councillors
for the above County-Borough in the year 19 .

I, the undersigned, being the Returning Officer at the election of [Aldermen and] Councillors for the said County Borough, do hereby give notice that the persons whose names are entered in column 6 of the Statement hereunder opposite to the numbers entered in column 5 have been declared duly elected [Aldermen and] Councillors ; and I hereby declare that the persons whose names are entered in the said column 6 [or in column 7],* and opposite to whose names no numbers are entered in column 5, where no Polls have been taken, were duly elected [or are to be deemed to be re-elected]* [Aldermen and] Councillors for the Wards opposite to the names of which in column 1 the names of such candidates are entered.

*If the Election is a First Election or an Election to fill a casual vacancy, omit these words and column 7.

ALDERMEN.

Ward.	Names of Candidates.		Places of Abode.	Number of Votes recorded.	Names of Candidates elected.	Names of retiring Aldermen deemed to be re-elected.
	Surnames.	Other Names.				
1.	2.	3.	4.	5.	6.	7.

COUNCILLORS.

Ward.	Names of Candidates.		Places of Abode.	Number of Votes recorded.	Names of Candidates elected.	Names of retiring Councillors deemed to be re-elected.
	Surnames.	Other Names.				
1	2.	3.	4.	5.	6.	7.

Dated this day of , 19 .

.....
Returning Officer.

THIRD SCHEDULE:

PROVISION OF THE BALLOT ACT, 1872, AS ADAPTED AND ALTERED IN THEIR APPLICATION TO THE ELECTION OF ALDERMEN AND COUNCILLORS IN COUNTY BOROUGHES.

PROCEDURE AT ELECTIONS OF ALDERMEN OR COUNCILLORS.

Poll at Elections.

2. The ballot of each voter shall consist of a paper (in this Act called a ballot paper) showing the names and descriptions of the candidates. Each ballot paper shall have a number printed on the back, and shall have attached a counterfoil with the same number printed on the face. At the time of voting, the ballot paper shall be marked on both sides with an official mark, and delivered to the voter within the polling station, and the number of such voter on the register of voters shall be marked on the counterfoil, and the voter having secretly marked his vote on the paper, and folded it up so as to conceal his vote, shall place it in a closed box in the presence of the officer presiding at the polling station (in this Act called "the presiding officer") after having shown to him the official mark at the back.

If in the register of electors for a ward the same number is placed opposite to the name of more than one elector, the returning officer shall put a distinguishing mark on each part of the register which contains numbers used in other parts of the register, and when the number of any voter on any part of the register is entered on the counterfoil of a ballot paper, the mark on that part shall also be entered thereon.

Any ballot paper which has not on its back the official mark, or on which votes are given to more candidates than the voter is entitled to vote for, or on which anything, except the said number on the back, is written or marked by which the voter can be identified, shall be void and not counted.

After the close of the poll the ballot boxes shall be sealed up, so as to prevent the introduction of additional ballot papers, and shall be taken charge of by the returning officer, and that officer shall, in the presence of such agents, if any, of the candidates as may be in attendance, open the ballot boxes, and ascertain the result of the poll by counting the votes given to each candidate, and shall forthwith declare to be elected the candidate to whom the majority of votes have been given. The decision of the returning officer as to any question arising in respect of any ballot paper shall be final, subject to reversal on petition questioning the election or return.

OFFENCES.

Offences in respect of Ballot Papers and Ballot Boxes.

3. Every person who—

- (1) Forges and counterfeits or fraudulently defaces or fraudulently destroys any ballot paper, or the official mark on any ballot paper; or
- (2) Without due authority supplies any ballot paper to any person; or
- (3) Fraudulently puts into any ballot box any paper other than the ballot paper which he is authorised by law to put in; or
- (4) Fraudulently takes out of the polling station any ballot paper; or
- (5) Without due authority destroys, takes, opens, or otherwise interferes with any ballot box or packet of ballot papers then in use for the purposes of the election;

shall be guilty of a misdemeanour, and be liable, if he is a returning officer or an officer or clerk in attendance, at a polling station, to imprisonment for any term not exceeding two years, with or without hard labour, and if he is any other person, to imprisonment for any term not exceeding six months, with or without hard labour.

Any attempt to commit any offence specified in this section shall be punishable in the manner in which the offence itself is punishable.

In any indictment or other prosecution for an offence in relation to the ballot boxes, ballot papers, and marking instruments at an election, the property in such papers, boxes, and instruments may be stated to be in the returning officer at such election, as well as the property in the counterfoils.

Infringement of Secrecy.

4. Every officer, clerk, and agent in attendance at a polling station shall maintain and aid in maintaining the secrecy of the voting in such station, and shall not communicate, except for some purpose authorised by law, before the poll is closed, to any person any information as to the name or number in the register of electors of any elector who has or has not applied for a ballot paper or voted at that station, or as to the official mark, and no such officer, clerk, or agent, and no person whosoever, shall interfere with or attempt to interfere with a voter when marking his vote, or otherwise attempt to obtain in the polling station information as to the candidate for whom any voter in such station is about to vote or has voted, or communicate at any time to any person any information obtained in a polling station as to the candidate for whom any voter in such station is about to vote or has voted, or as to the number on the back of the ballot paper given to any voter at such station. Every officer, clerk, agent, and person in attendance at the counting of the votes shall maintain and aid in maintaining the secrecy of the voting, and shall not attempt to ascertain at such counting the number on the back of any ballot paper, or communicate any information obtained at such counting as to the candidate for whom any vote is given in any particular ballot paper. No person shall directly or indirectly induce any voter to display his ballot paper after he shall have marked the same, so as to make known to any person the name of the candidate for or against whom he has so marked his vote.

Every person who acts in contravention of the provisions of this section shall be liable, on summary conviction before two justices of the peace, to imprisonment for any term not exceeding six months, with or without hard labour.

USE OF SCHOOL AND PUBLIC ROOM FOR POLL.

6. The returning officer at an election of Councillors [or Aldermen and Councillors] in a County-Borough may use free of charge, for the purpose of taking the poll, hearing objections to nomination papers, and for counting the votes at such election, any room in a school receiving a grant out of moneys provided by Parliament, and any room the expense of maintaining which is payable out of any local rate, but he shall make good any damage done to such room, and defray any expense incurred by the person or body of persons, corporate or unincorporate, having control over the same on account of its being used for the purpose of taking the poll or for counting the votes as aforesaid. This section shall not apply to any school adjoining or adjacent to any church or other place of worship, nor to a school connected with a convent or other religious establishment.

For the purpose of enabling the returning officer to make proper arrangements in connection with the taking of the poll, the returning officer may obtain possession of any such room, which he proposes to use for taking the poll, twenty-four hours before the day of the poll, and may retain possession of it for twenty-four hours after the day of the poll.

The use of any room in an unoccupied house for taking the poll shall not render any person liable to be rated or to pay any rate for such house.

DUTIES OF RETURNING AND ELECTION OFFICERS.

General Powers and Duties of Returning Officer.

8. Subject to the provisions of this Act, every returning officer shall provide such nomination papers, polling stations, ballot boxes, ballot papers, stamping instruments, copies of register of electors, and other things, appoint and pay such officers, and do such other acts and things as may be necessary for effectually conducting the election.

Every deputy returning officer shall, in so far as he acts as returning officer, be deemed to be included in the term "returning officer."

Keeping of Order in Station.

9. If any person misconducts himself in the polling station, or fails to obey the lawful orders of the presiding officer, he may immediately, by order of the presiding officer, be removed from the polling station by any constable in or near that station, or any other person authorised in writing by the returning officer to remove him; and the person so removed shall not, unless with the permission of the presiding officer, again be allowed to enter the polling station during the day.

Any person so removed as aforesaid, if charged with the commission in such station of any offence, may be kept in custody until he can be brought before a justice of the peace.

Provided that the powers conferred by this section shall not be exercised so as to prevent any elector who is otherwise entitled to vote at any polling station from having an opportunity of voting at such station.

Powers of Presiding Officer and Administration of Oaths, &c.

10. For the purpose of the adjournment of the poll, a presiding officer shall have the power by law belonging to a deputy returning officer in a parliamentary election; and any presiding officer and any clerk appointed by the returning officer to attend at a polling station shall have the power of asking the questions and administering the oath authorised by law to be asked of and administered to voters, and any justice of the peace and any returning officer may take and receive any declaration authorised by this Act to be taken before him.

Liability of Officers for Misconduct.

11. Every returning officer, presiding officer, and clerk who is guilty of any wilful misfeasance or any wilful act or omission in contravention of this Act, shall, in addition to any other penalty or liability to which he may be subject, forfeit to any person aggrieved by such misfeasance, act, or omission a penal sum not exceeding one hundred pounds.

No returning officer or officer appointed by him in connection with the election of a county councillor for any county electoral division, nor any partner or clerk of any such officer, shall act as agent for any candidate in the management or conduct of his election as an Alderman or Councillor of a County Borough. If any returning officer or officer appointed by him, or the partner or clerk of any such officer, shall so act, he shall be guilty of a misdemeanor.

MISCELLANEOUS.

Prohibition of Disclosure of Vote.

12. No person who has voted at an election shall, in any legal proceeding to question the election or return, be required to state for whom he has voted.

Non-compliance with Rules.

13. No election shall be declared invalid by reason of a defect in the title or appointment of the returning officer or deputy returning officer or of a non-compliance with the rules contained in the First Schedule to this Act or in the Aldermen and Councillors of County Boroughs (Northern Ireland) Election (Consolidation) Order, 1929, or any mistake in the use of the forms in the Second Schedule to this Act or in the said Order, if it appears to the tribunal having cognizance of the question that the election was conducted in accordance with the principles laid down in the body of this Act and in the Local Government Acts (Northern Ireland), 1898 to 1929, and that such non-compliance or mistake did not affect the result of the election.

PERSONATION.

Definition and Punishment of Personation.

24. The following enactments shall be made with respect to personation at an election of Aldermen or Councillors of a County Borough:

It shall be the duty of the returning officer to institute a prosecution against any person whom he may believe to have been guilty of personation, or of aiding, abetting, counselling, or procuring the commission of the offence of personation by any person, at the election for which he is returning officer, and the costs and expenses of the prosecutor and the witnesses in such case, together with compensation for their trouble and loss of time, shall be allowed by the court in the same manner in which courts are empowered to allow the same in cases of felony.

Sections 93 to 96, both inclusive, of the Representation of the People (Ireland) Act, 1850, shall apply to personation at an election of Aldermen or Councillors of a County Borough in the same manner as they apply to a person who knowingly personates and falsely assumes to vote in the name of another person as mentioned in the said Act, but with the substitution of the words "any elector or any agent appointed under the Aldermen and Councillors of County Boroughs (Northern Ireland) Election (Consolidation) Order, 1929," for "any such agent so appointed as aforesaid" or for any reference to any such agent, and of "the presiding officer" for "the returning officer or his respective deputy."

EFFECT OF SCHEDULES.

28. The schedules to this Act, and the notes thereto, and directions therein shall be construed and have effect as part of this Act.

*Schedules to Act.**First Schedule to Act.*

RULES FOR ELECTIONS OF ALDERMEN AND COUNCILLORS IN COUNTY BOROUGHS.

The Poll.

15. In every Ward the returning officer shall, subject to the provisions of the Aldermen and Councillors of County Boroughs (Northern Ireland) Election (Consolidation) Order, 1929, provide a sufficient number of polling stations for the accommodation of the electors entitled to vote in such Ward and shall distribute the polling stations amongst those electors in such manner as he thinks most convenient.

17. A separate room or separate booth may contain a separate polling station, or several polling stations may be constructed in the same room or booth.

18. No person shall be admitted to vote at any polling station except the one allotted to him.

20. The returning officer shall provide each polling station with materials for voters to mark the ballot papers, with instruments for stamping thereon the official mark, and with copies of the register of voters, or such part thereof as contains the names of the voters allotted to vote at such station. He shall keep the official mark secret.

21. The presiding officer appointed to preside at each station shall keep order, at his station, shall regulate the number of electors to be admitted at a time, and shall exclude all other persons except the clerks, the agents of the candidates, and the constables on duty.

22. Every ballot paper shall contain a list of the candidates described as in their respective nomination papers, and arranged alphabetically in the order of their surnames, and (if there are two or more candidates with the same surname) of their other names; it shall be in the form set forth in the Second Schedule to this Act or as near thereto as circumstances admit and shall be capable of being folded up.

23. Every ballot box shall be so constructed that the ballot papers can be introduced therein, but cannot be withdrawn therefrom, without the box being unlocked. The presiding officer at any polling station, just before the commencement of the poll, shall show the ballot box empty to such persons, if any, as may be present in such station, so that they may see that it is empty, and shall then lock it up, and place his seal upon it in such manner as to prevent its being opened without breaking such seal, and shall place it in his view for the receipt of ballot papers, and keep it so locked and sealed.

24. Immediately before a ballot paper is delivered to an elector, it shall be marked on both sides with the official mark, either stamped or perforated, and the number, name, and description of the elector as stated in the copy of the register shall be called out, and the number of such elector, together with the distinguishing mark, if any, of the part of the register in which the number occurs shall, as required by Section 2 of this Act as adapted, be marked on the counterfoil, and a mark shall be placed in the register against the number of the elector, to denote that he has received a ballot paper, but without showing the particular ballot paper which he has received.

25. The elector, on receiving the ballot paper, shall forthwith proceed into one of the compartments in the polling station, and there mark his paper, and fold it up so as to conceal his vote, and shall then put his ballot paper, so folded up, into the ballot box; he shall vote without undue delay, and shall quit the polling station as soon as he has put his ballot paper into the ballot box.

26. The presiding officer, on the application of any voter who is incapacitated by blindness or other physical cause from voting in manner prescribed by this Act, or (if the poll be taken on Saturday) of any voter who declares that he is of the Jewish persuasion, and objects on religious grounds to vote in manner prescribed by this Act, or of any voter who makes such a declaration as hereinafter mentioned that he is unable to read, shall, in the presence of the agents of the candidates, cause the vote of such voter to be marked on a ballot paper in manner directed

by such voter, and the ballot paper to be placed in the ballot box, and the name and number on the register of voters of every voter whose vote is marked in pursuance of this rule, and the reason why it is so marked, shall be entered on a list, in this Act called "the list of votes marked by the presiding officer."

The said declaration, in this Act referred to as "the declaration of inability to read," shall be made by the voter at the time of polling, before the presiding officer, who shall attest it in the form hereinafter mentioned, and no fee, stamp, or other payment shall be charged in respect of such declaration, and the said declaration shall be given to the presiding officer at the time of voting.

27. If a person, representing himself to be a particular elector named on the register, applies for a ballot paper after another person has voted as such elector, the applicant shall, upon duly answering the questions permitted by the Aldermen and Councillors of County Boroughs (Northern Ireland) Election (Consolidation) Order, 1929, to be asked of voters at the time of polling, and upon taking an oath in the form hereinafter set out, which the presiding officer shall administer, be entitled to mark a ballot paper in the same manner as any other voter, but the ballot paper (in this Act called a tendered ballot paper) shall be of a colour differing from the other ballot papers, and, instead of being put into the ballot box, shall be given to the presiding officer and endorsed by him with the name of the voter and his number on the register of voters, and set aside in a separate packet, and shall not be counted by the returning officer. And the name of the voter and his number on the register shall be entered on a list, in this Act called "the tendered votes list."

The oath shall be administered in the following form :—

"I swear by Almighty God that I am the same person whose name appears as
 " A.B. on the Register of Local Government Electors for the Ward of
 " , and that I have not already voted at the
 " present election for this or any other Ward in respect of a qualification
 " other than a company qualification."

Provided that any person entitled to affirm in lieu of taking an oath may affirm in the following form :—

" I, A.B., do solemnly, sincerely, and truly declare and affirm that I am
 " the same person whose name appears as A.B. on the Register of
 " Local Government Electors for the Ward of , and
 " that I have not already voted at the present election for this or
 " any other Ward in respect of a qualification other than a company
 " qualification."

28. A voter who has inadvertently dealt with his ballot paper in such manner that it cannot be conveniently used as a ballot paper, may, on delivering to the presiding officer the ballot paper so inadvertently dealt with, and proving the fact of the inadvertence to the satisfaction of the presiding officer, obtain another ballot paper in the place of the ballot paper so delivered up (in this Act called a spoilt ballot paper), and the spoilt ballot paper shall be immediately cancelled.

29. The presiding officer of each station, as soon as practicable after the close of the poll, shall make up into separate packets sealed with his seal,—

- (1) Each ballot box in use at his station, unopened but with the key attached; and
- (2) The unused and spoilt ballot papers, placed together; and
- (3) The tendered ballot papers; and
- (4) The marked copies of the register of electors, and the counterfoils of the ballot papers; and
- (5) The tendered votes list, and the list of votes marked by the presiding officer, and a statement of the number of the voters whose votes are so marked by the presiding officer under the heads "physical incapacity," "Jews," and "unable to read," and the declarations of inability to read;

and shall deliver such packets to the returning officer, or deputy returning officer, by whom the votes are to be counted, unless he is himself such officer.

30. The packets shall be accompanied by a statement made by such presiding officer, showing the number of ballot papers entrusted to him, and accounting for them under the heads of ballot papers in the ballot box, unused, spoilt, and tendered ballot papers, which statement is in this Act referred to as the ballot paper account.

Counting Votes.

31. Each candidate may appoint an agent to attend the counting of the votes.
32. The returning officer shall make arrangements for counting the votes in the presence of the agents of the candidates as soon as practicable after the close of the poll, and shall give to the agents of the candidates appointed to attend at the counting of the votes notice in writing of the time and place at which he will begin to count the same.

33. The returning officer, his assistants and clerks, the agents of the candidates, and any person to whom Rule 51 of this Schedule applies, and no other person, except with the sanction of the returning officer, may be present at the counting of the votes.

34. If a poll has been taken as to the election of aldermen or councillors only, before the returning officer proceeds to count the votes, he shall, in the presence of the agents of the candidates, open each ballot box, and taking out the papers therein, shall count and record the number thereof, and then mix together the whole of the ballot papers contained in the ballot boxes. If polls have been taken at the same date for the election both of aldermen and councillors in a ward, before the returning officer proceeds to count the votes, he shall, in the presence of the agents of the candidates, open each of the ballot boxes and taking out the papers therein shall separate those relating to the election of aldermen from any relating to the election of councillors and shall count and record the number of ballot papers relating to each election. He shall then secure the ballot papers relating to each election by placing them in separate packets under his own seal, and the seals of such of the agents of the candidates as desire to affix their seals, and shall proceed in like manner with any other ballot boxes and the papers therein. When all the ballot boxes and the papers therein have been so dealt with, he shall open all the packets of ballot papers relating to one election, and shall mix all such papers together, and shall proceed to count the votes, keeping the papers relating to any other election sealed up until he has completed such counting. He shall afterwards deal in manner aforesaid with the packets and papers relating to the other election or elections.

The returning officer, while counting and recording the number of ballot papers and counting the votes, shall keep the ballot papers with their faces upwards, and take all proper precautions for preventing any person from seeing the numbers printed on the backs of such papers.

35. The returning officer shall, so far as practicable, proceed continuously with counting the votes, allowing only time for refreshment, and excluding, if and so far as he thinks it necessary, the hours between the close of the poll and nine o'clock on the succeeding morning. During the excluded time the returning officer shall place the ballot papers and other documents relating to the election under his own seal and the seals of such of the agents of the candidates as desire to affix their seals, and shall otherwise take proper precautions for the security of such papers and documents.

36. The returning officer shall endorse "rejected" on any ballot paper which he may reject as invalid, and shall add to the endorsement "rejection objected to," if an objection be in fact made by any agent to his decision. The returning officer shall draw up a statement showing the number of ballot papers rejected and not counted by him under the several heads of—

1. Want of official mark;
2. Voting for more candidates than entitled to;
3. Writing or mark by which voter could be identified;
4. Unmarked or void for uncertainty;

and shall on request allow any agents of the candidates to copy such statement. If the votes are counted by a deputy returning officer he shall, with the declaration of the result of the poll, report to the returning officer the number of ballot papers rejected and not counted by him, under the above heads, and no such statement as aforesaid shall be drawn up by the returning officer. The deputy returning officer shall, on request, allow any agents of the candidates, before such report is sent in, to copy it.

37. Upon the completion of the counting, the returning officer shall seal up in separate packets the counted and rejected ballot papers. He shall not open the sealed packet of tendered ballot papers or marked copy of the register of

voters and counterfoils, but shall proceed, in the presence of the agents of the candidates, to verify the ballot paper account given by each presiding officer by comparing it with the number of ballot papers recorded by him as aforesaid, and the unused and spoilt ballot papers in his possession and the tendered votes list, and shall reseal each sealed packet after examination. The returning officer shall draw up a statement as to the result of such verification, and shall, on request, allow any agents of the candidates to copy it.

If the votes are counted by a deputy returning officer, he shall report to the returning officer the result of the verification, and no such statement as aforesaid shall be drawn up by the returning officer. The deputy returning officer shall, on request, allow any agents of the candidates, before such report is sent in, to copy it. He shall with his report send to the returning officer the sealed packets of counted and rejected ballot papers, and the unopened sealed packets which he has received from any presiding officer.

38. Lastly, the returning officer shall carefully preserve for the period hereinafter mentioned all the packets of ballot papers in his possession, together with the said reports, the ballot paper accounts, tendered votes lists, lists of votes marked by the presiding officer, statements relating thereto, declarations of inability to read, and packets of counterfoils, and marked copies of registers, endorsing on each packet a description of its contents and the date of the election to which they relate, and the name of the district for which such election was held.

39. The returning officer shall retain for six months all documents relating to an election of Councillors, or Aldermen and Councillors of a County Borough, and then unless otherwise directed by an order of a court having jurisdiction in the matter, or of any tribunal in which the election is questioned, shall cause them to be destroyed.

40. No person shall be allowed to inspect any rejected ballot papers in the custody of the returning officer, except under the order of the court or tribunal aforesaid, to be granted by such court or tribunal on being satisfied by evidence on oath that the inspection or production of such ballot papers is required for the purpose of instituting or maintaining a prosecution for an offence in relation to ballot papers, or for the purposes of a petition questioning an election or return; and any such order for the inspection or production of ballot papers may be made subject to such conditions as to persons, time, place, and mode of inspection or production as the court or tribunal making the same may think expedient, and shall be obeyed by the returning officer.

41. No person shall, except by order of a court, or of any tribunal having cognizance of any question relating to the election, open the sealed packet of counterfoils after the same has been once sealed up, or be allowed to inspect any counted ballot papers in the custody of the returning officer. Such order may be made subject to such conditions as to persons, time, place, and mode of opening or inspection as the court or tribunal making the order may think expedient: provided that on making and carrying into effect any such order, care shall be taken that the mode in which any particular elector has voted shall not be discovered until he has been proved to have voted, and his vote has been declared by a competent court to be invalid.

42. All documents in the custody of a returning officer in pursuance of this Act, other than ballot papers and counterfoils, shall be open to public inspection at such time and under such regulations as may have been or may hereafter be prescribed by the Council of the County Borough in which the Ward is situate, and the returning officer shall supply copies of or extracts from the said documents to any person demanding the same, on payment of such fees and subject to such regulations as may have been or may hereafter be prescribed by the Council of the County Borough.

43. Where an order is made for the production by the returning officer of any document in his possession relating to any specified election of Aldermen or Councillors of a County Borough, or Ward of a County Borough, the production by such officer or his agent of the document ordered, in such manner as may be directed by such order, or by an order of the court having power to make such first-mentioned order, shall be conclusive evidence that such document relates to the specified election; and any endorsement appearing on any packet of ballot papers produced by such returning officer or his agent shall be evidence of such papers being what they are stated to be by the endorsement. The production

from proper custody of a ballot paper purporting to have been used at any election. and of a counterfoil marked with the same printed number and having a number marked thereon in writing, shall be *prima facie* evidence that the person who voted by such ballot paper was the person who at the time of such election had affixed to his name in the register of voters at such election the same number as the number written on such counterfoil.

General Provisions.

47. If the returning officer presides at any polling station, the provisions of this Act relating to a presiding officer shall apply to such returning officer with the necessary modifications as to things to be done by the returning officer to the presiding officer, or the presiding officer to the returning officer.

48. The returning officer may, in addition to any clerks, appoint competent persons to assist him in counting the votes.

49. No person shall be appointed by a returning officer for the purposes of an election who has been employed by any other person in or about the election.

50. The presiding officer may do, by the clerks appointed to assist him, any act which he is required or authorised to do by this Act at a polling station, except ordering the arrest, exclusion, or ejection from the polling station of any person.

51. A candidate may himself undertake the duties which any agent of his, if appointed under Rule 31 of this Schedule, might have undertaken, and may, if he does not appoint such an agent, be present at the counting of the votes, or may himself take the place of such agent; Provided that any person acting under this Rule, may at any time before so acting, make the statutory declaration as to secrecy required by Rule 54 of this Schedule, but he shall not so act until he has made such declaration.

52. The name and address of every agent of a candidate appointed to attend the counting of the votes shall be transmitted to the returning officer one clear day at the least before the opening of the poll; and the returning officer may refuse to admit to the place where the votes are counted any agent whose name and address has not been so transmitted, notwithstanding that his appointment may be otherwise valid, and any notice required to be given to an agent by the returning officer may be delivered at or sent by post to such address.

53. If any person appointed an agent for the purposes of attending a polling station, or at the counting of the votes dies, or becomes incapable of acting during the time of the election, another agent may be appointed in his place, and notice shall forthwith be given to the returning officer in writing of the name and address of any agent so appointed.

54. Every returning officer, and every officer, clerk, or agent authorised to attend at a polling station, and also every officer, clerk, or agent authorised to attend at the counting of the votes, shall, before the opening of the poll, make a statutory declaration of secrecy, in the presence, if he is the returning officer, of a justice of the peace, and if he is any other officer or an agent, of a justice of the peace or of the returning officer; but no such returning officer, clerk, or agent as aforesaid shall, save as aforesaid, be required, as such, to make any declaration or take any oath on the occasion of any election.

55. Where in this Act any expressions are used requiring or authorising or inferring that any act or thing is to be done in the presence of the agents of the candidates, such expressions shall be deemed to refer to the presence of such agents of the candidates as may be authorised to attend, and as have in fact attended, at the time and place where such act or thing is being done, and the non-attendance of any agents or agent at such time and place shall not, if such Act or thing be otherwise duly done, in anywise invalidate the act or thing done.

Second Schedule to Act.

Note.—The forms contained in this Schedule, or forms as nearly resembling the same as circumstances will admit, shall be used in all cases to which they refer and are applicable, and when so used shall be sufficient in law.

Form of Ballot Paper.

Form of Front of Ballot Paper.

ELECTION OF [AN ALDERMAN
OR] COUNCILLORS.

Counterfoil No.

1	DOYLE (James Doyle, of 10, High Street, Oilman).
2	O'BRIEN (John O'Brien, of 22, Wellclose Place, Accountant.)
3	O'CONNOR (Charles O'Connor, of 7 Green Street, Gentleman.)
4	THOMPSON (William Henry Thompson, of 14, Queen Street, Silversmith.)
5	WILSON (Robert Wilson, of 22, Ranelagh Square, Chemist.)

NOTE—

The counterfoil is to have a number to correspond with that on the back of the Ballot Paper.

FORM OF BACK OF BALLOT PAPER.

No.

Election of [an Alderman or] Councillors for the Ward.

Note.—The number on the ballot paper is to correspond with that on the counterfoil. , 19

Directions as to printing Ballot Paper.

Nothing is to be printed on the ballot paper except in accordance with this schedule.

The surname of each candidate, and if there are two or more candidates of the same surname, also the other names of such candidates, shall be printed in large characters, and the names, places of abode, and descriptions and the number on the back of the paper shall be printed in small characters.

Form of Directions for the Guidance of the Voter in voting, which shall be printed in conspicuous Characters, and placarded outside every Polling Station and in every Compartment of every Polling Station.

The voter may give one vote and no more for each of any number of candidates up to the number of [Aldermen or] Councillors to be elected for the Ward.

The voter will go into one of the compartments, and, with the pencil provided in the compartment, place a cross on the right-hand side, opposite the name of each candidate for whom he votes, thus X.

The voter will then fold up the ballot paper so as to show the official mark on the back, and leaving the compartment will, without showing the front of the paper to any person, show the official mark on the back to the presiding officer, and then, in the presence of the presiding officer, put the paper into the ballot box and forthwith quit the polling station.

If the voter inadvertently spoils a ballot paper, he can return it to the officer, who will, if satisfied of such inadvertence, give him another paper.

If the voter votes for more candidates than there are [Aldermen or] Councillors to be elected or places any mark on the paper by which he may be afterwards identified, his ballot paper will be void, and will not be counted.

If the voter takes a ballot paper out of the polling station, or deposits in the ballot box any other paper than the one given him by the officer, he will be guilty of a misdemeanour and be subject to imprisonment for any term not exceeding six months, with or without hard labour.

The ballot paper will be in the following form :—

(Here set out copy of ballot paper.)

Form of Statutory Declaration of Secrecy.

I solemnly promise and declare, That I will not at this election of [an Alderman or Aldermen and] Councillors for the Ward of _____ in the County Borough of _____ do anything forbidden by section four of the Ballot Act, 1872, which has been read to me.

Note.—The section must be read to the declarant by the person taking the declaration.

Form of Declaration of inability to read.

I, A.B., of _____, being numbered _____ on the Register of Local Government Electors for the Ward of _____ in the County Borough of _____, do hereby declare that I am unable to read.

_____ A.B., _____ his mark.
day of _____, 19 _____

I, the undersigned, being the presiding officer for the polling station for the Ward of _____ in the County Borough of _____, do hereby certify that the above declaration, having been first read to the above-named A.B., was signed by him in my presence with his mark.

Signed, C.D.,

Presiding Officer for _____ polling station for the
Ward of _____ in the County Borough
of _____ day of _____, 19 _____

Fourth Schedule.

SECTIONS 74 AND 75 OF THE MUNICIPAL CORPORATIONS ACTS, 1882, AS ADAPTED AND ALTERED IN THEIR APPLICATION TO THE ELECTION OF [ALDERMEN AND] COUNCILLORS IN A COUNTY BOROUGH.

Offences in relation to Nomination Papers.

74.—(1) If any person forges or fraudulently defaces or fraudulently destroys any nomination paper, or delivers to the Returning Officer any forged nomination paper, knowing it to be forged, he shall be guilty of a misdemeanour, and shall be liable to imprisonment for any term not exceeding six months, with or without hard labour.

(2) An attempt to commit any such offence shall be punishable as the offence is punishable.

Neglect of Duty by Returning Officer or Deputy Returning Officer.

75.—(1) If a person who has undertaken to act as returning officer or deputy returning officer, at an election of [Alderman and] Councillors, in a County Borough neglects or refuses to conduct or declare the election in manner provided by the Local Government Acts (Northern Ireland), 1898 to 1929, and the Aldermen and Councillors of County Boroughs (Northern Ireland) Election (Consolidation) Order, 1929, he shall for every such offence be liable to a fine not exceeding one hundred pounds, recoverable by action.

(2) An action under this section shall not lie after three months from the neglect or refusal.

Elections : County and Rural Districts.

1929. No. 43.

To the Council of every Administrative County in Northern Ireland and to the Secretary of every such Council :

To the District Council of every Rural and Urban District in Northern Ireland and to the Clerk of every such Council ;
and to all others whom it may concern :

WHEREAS in exercise of the powers vested in it by the Local Government Acts (Northern Ireland), 1898 to 1923, the Ministry of Home Affairs for Northern Ireland by an Order under Seal entitled The County and Rural District Councillors (Northern Ireland) Election Order, 1924 (hereinafter referred to as "the Principal Order"), did order and direct that, subject to any directions that might be given by the said Ministry or until the Ministry should otherwise order, the rules contained in the said Order should be observed in connection with the election of county and rural district councillors in Northern Ireland :

And whereas provision is contained in Rule 19 of the Principal Order to prevent a local government elector voting in more than one electoral division :

And whereas it is enacted by sub-section 6 of the Section substituted for Section 4 of the Representation of the People Act, 1918, by the Representation of the People Act (Northern Ireland), 1928, that nothing in sub-section (2) of Section 8 of the