

## PART III — ADAPTATION OF BALLOT ACT, 1872 (THIRD SCHEDULE TO PRINCIPAL ORDER).

The Third Schedule to the original Order (which adapts and alters the provisions of the Ballot Act, 1872, in their application to the election of Aldermen and Councillors in County Boroughs) shall have effect as if in the Form of Directions for the Guidance of the Voter in Voting prescribed by the Second Schedule to the Ballot Act, 1872, the following additional direction were included therein :—

“ The Voter, at the time of applying for a ballot paper, must produce for the inspection of the Presiding Officer a document of identity which may be any one of the following :—

- (a) a National Registration Identity Card ; or
- (b) a valid British Passport ; or
- (c) a Travel Permit Card ; or
- (d) a Document of Identity issued by the Head or other Constable of the Royal Ulster Constabulary in charge of a Station

which bears the same name and address as are shown on the entry in the Register in respect of which the person is applying to vote.

Unless such a document of identity is produced a ballot paper will not be issued.”

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### County and Rural District Councillors

REGULATIONS, DATED 7TH AUGUST, 1946, MADE BY THE MINISTRY OF HOME AFFAIRS UNDER THE ELECTIONS AND FRANCHISE ACT (NORTHERN IRELAND), 1946.

1946. No. 117

WHEREAS 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 1923, made an Order entitled The County and Rural District Councillors (Northern Ireland) Election Order, 1924, framing Rules for the conduct of elections of County and Rural District Councillors, (hereinafter referred to as the “ original Order ”) ;

AND WHEREAS the original Order has from time to time been amended by the County and Rural District Councillors (Northern Ireland) No. 2 Election Order, 1924, and by the County and Rural District Councillors (Northern Ireland) Orders of 1929, 1930 and 1931 ;

AND WHEREAS it is provided by Sub-Section (2) of Section Fifty-one of the Elections and Franchise Act (Northern Ireland), 1946 (hereinafter referred to as “ the Act of 1946 ”) that any rules relating to the conduct of such elections in force at the passing of the Act of 1946 in so far as they are not repugnant to the provisions of the Act of 1946 shall continue in force until amended or revoked by regulations made under the Act of 1946 ;

AND WHEREAS certain of the provisions of the original Order as amended are repugnant to the provisions of the Act of 1946 ;

AND WHEREAS for the purposes of the election of County and Rural District Councillors in the year 1946, it is expedient that the original Order as amended should be further amended in manner hereinafter appearing ;

NOW, THEREFORE, the Ministry of Home Affairs in exercise of the powers vested in it by Section Fifty-one of the Act of 1946 and of all other powers in that behalf thereunto enabling the Ministry, hereby makes the following regulations amending the original Order, that is to say :—

1. The following shall be substituted for Article 1 of the original Order as amended :—

- “1. (1) The Returning Officers for the election of County Councillors and Rural District Councillors shall be the officers specified in that behalf in Section Twenty of the Act of 1946.
- (2) If the office of Secretary of a County Council or of the Clerk of a Rural District is vacant at the time when any duty relative to the election of County or Rural District Councillors respectively has to be performed by him, or if he, from illness or other sufficient cause is unable to perform such duty or fails to do so the County Council or Rural District Council of which he is respectively Secretary or Clerk shall immediately appoint some other competent 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. The person so appointed shall give to the Council such security for the performance of his duties as it may require.
- (3) The Returning Officer for the election of County Councillors shall appoint some place or places within the administrative County as an office or offices for the purpose of the election of County Councillors, and the Returning Officer for Rural District Councillors in each Rural District shall appoint some place or places within the said Rural District as an office or offices for the election of Rural District Councillors ;

Provided that where the office of a Rural District Council, or the Workhouse of the Union in which such Rural District is situated is within an Urban District in the same County, such office or Workhouse may be used as an office for the election of Rural District Councillors for the Rural District.

- (4) (a) A Returning Officer for the election of County Councillors may, if he thinks fit, in writing appoint a Deputy for any purposes for which a Deputy may be required in any County Electoral Division in connection with the election of County Councillors, and may also, in writing, appoint one or more other competent persons to act as his Deputy or Deputies in respect of the custody and opening of ballot boxes, 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.
- (b) In any County Electoral Division containing, or contained in, a Borough or an Urban District, the Deputy appointed shall be the Town Clerk of the Borough or the Clerk of the Urban District Council.
- (c) In any County Electoral Division wholly contained in a Rural District the Deputy shall be the Clerk of the Rural District Council.
- (d) If the office of the Town Clerk of a Borough or Clerk of an Urban or a Rural District Council is vacant, or such Clerk, from illness or other sufficient cause, is or becomes unable to perform the duties of Deputy, the Returning Officer may, if he thinks fit, appoint some other competent person to perform the duties of Deputy or such of the said duties as remain to be performed as the case may be in the County Electoral Division.
- (e) The Returning Officer for the election of Rural District Councillors may, if he thinks fit, appoint some competent person or persons to act as his Deputy or Deputies in respect of 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.
- (5) Where the position of Clerk of two or more Rural District Councils is held by the same officer, that officer shall act as Returning Officer for such one of the said Rural Districts as he may elect and shall appoint some other competent person to act as Returning Officer in his stead in each of the other Rural Districts to the Council of which he is Clerk, and for the purposes of these Rules the person so appointed shall be deemed to be the Returning Officer

for all purposes in connection with the election of Rural District Councillors for the Rural District for which he is so appointed.

- (6) A Deputy Returning Officer shall have all the powers, duties, and liabilities of the Returning Officer by whom he is appointed in relation to the matters in respect of which he is appointed as Deputy.

2. The following shall be substituted for Article 2 of the original Order :—

“ 2. The day of election of County and Rural District Councillors in the year 1946 shall be that prescribed in paragraph (a) of sub-section (2) of Section Forty-five of the Act of 1946.”

3. Article 3 of the original Order shall be read and have effect as if the words “ or his Deputy ” were omitted.

4. Paragraph (2) of Article 4 of the original Order shall be read and have effect as if after the words “ his consent to such nomination ” there were inserted the words “ and his intention to take his seat, if elected ”, and as if for the references to Form No. 1A and (in the proviso) to Form No. 1B there were substituted references to Form No. 1B and Form No. 1C respectively.

5. Paragraph 3 of Article 4 of the original Order shall be read and have effect as if for the last sentence thereof there were substituted the words “ It shall be in the Form No. 1A in the Second Schedule to this Order or in a Form to the like effect ”.

6. Articles 5, 6 and 7 of the original Order shall be read and have effect as if the words “ or his Deputy ” were omitted, wherever such words occur.

7. The following shall be substituted for Article 8 of the original Order :—

“ 8. Not later than the day prescribed for that purpose by the First Schedule to this Order, the Returning Officer for the election of County Councillors in each County 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 nominated for election as County Councillors for the several County Electoral Divisions, and the Returning Officer for the election of Rural District Councillors in each Rural District shall make out a similar statement containing the names, places of abode and descriptions of

the persons nominated for election as Rural District Councillors for the several District Electoral Divisions of the District.

Every such statement, whether it refers to nominations for election to the office of County Councillor, or to that of Rural District Councillor, shall contain a notice of the decision of the Returning Officer with respect to each candidate as to whether he has been deemed to have been duly nominated or not. The Returning Officer shall forthwith cause a copy thereof to be suspended in the Courthouse or room in which the meetings of the County Council, or of the Rural District Council, as the case may be, are held, and in the Board Room of the Guardians of the Union in which any of the County or District Electoral Divisions affected by the statement are situated, and also a copy to be affixed on the principal external gate or door of the Workhouse of every such Union or other office of the Rural District Council, and on that of the Courthouse or other office of the County Council, as the case may be."

8. Articles 9 and 10 of the original Order shall be read and have effect as if the words "or his Deputy" were omitted, wherever such words occur.

9. Article 11 of the original Order shall cease to have effect, and the conditions affecting Deposits shall be in accordance with the provisions of Sections Thirty and Thirty-one of the Act of 1946.

10. The following shall be substituted for Article 12 of the original Order :—

" 12. The poll, if any, in any County or District Electoral Division shall, in accordance with the provisions of the Act of 1946, be held on the Third day of October, 1946, and the hours during which the polls shall be open shall be from 8.30 a.m. to 8.30 p.m."

11. The following shall be substituted for Article 14 of the original Order :—

" 14. The Returning Officer for the election of County Councillors shall determine the number and situation of the polling stations in all County and District Electoral Divisions in the County of the Council of which he is Secretary :  
Provided that :—

(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 County and Rural District Councillors when the polls for the two elections are taken together shall be the same.
- (c) The number and situation of the polling stations shall be subject to the approval of the Ministry."

12. The following shall be substituted for paragraph (1) of Article 21 of the original Order :—

" 21. (1) If a Returning Officer appoints a person to act as Deputy Returning Officer in respect of 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 decision of any question as to any ballot paper and otherwise as to the ballot papers."

13. The following shall be substituted for paragraph (6) of Article 27 of the original Order :—

" 27. (6) In Section Thirty-four of the Act " Burgess Roll " shall mean the Register of Electors published in the year 1946 pursuant to the Act of 1946."

14. The following shall be substituted for Article 29 of the original Order :—

" 29. The non-acceptance of office by a person elected or deemed to be re-elected shall in every case create a Casual Vacancy which shall be filled in the manner prescribed by Section Fifty of the Act of 1946.

15. The following shall be substituted for Article 31 of the original Order :—

" 31. Subject to any specific provision to the contrary contained in these Rules any public notice required by this Order shall be given either by advertisement in one or more newspapers circulating in the area to which the notice relates or by the exhibition of posters in suitable positions throughout the area ;

Provided that the Returning Officer may, if he thinks fit, give any public notice as aforesaid by both such methods and may also publish any notice in any other manner which is, in his opinion, desirable for the purpose of bringing the contents of the document to the notice of the persons interested."

16. The First, Second and Third Schedules to the original Order shall have effect subject to the amendments set out in the Schedule to these Regulations.

17. The following shall be substituted for Article 34 of the original Order :—

“ 34. In these Regulations the expression “ election ” means the election of County Councillors or Rural District Councillors as the case may be in the year 1946.”

18. These Regulations may be cited as the Electoral (Election of County and Rural District Councillors) Regulations (Northern Ireland), 1946, and shall be construed as one with the original Order as amended.

Sealed with the Official Seal of the Ministry of Home Affairs for Northern Ireland this 7th day of August, 1946, in the presence of

(L.S.)

*J. B. O'Neill,*  
Assistant Secretary.

SCHEDULE.

PART I — TIME-TABLE (FIRST SCHEDULE TO ORIGINAL ORDER).

The following table shall be substituted for the table of “ Times for the Proceedings at the Ordinary Triennial Elections of County and Rural District Councillors ” appearing in the First Schedule to the Original Order.

Times for the Proceedings at the Elections of County and Rural District Councillors in the year 1946.

Proceeding	Time
1. Notice of Election	Not later than 10th September, 1946.
2. Receipt of Nomination Papers	Not later than 1 o'clock p.m. on 19th September, 1946.
3. Withdrawal of Candidates	Not later than 1 o'clock p.m. on 20th September, 1946.
4. Sending Notice of decision as to validity of Nomination Papers	20th September, 1946.
5. Making out Statement as to persons validly nominated	
6. Notice of Poll	Not later than 23th September, 1946.
7. Day of Election	3rd October, 1946.

## PART II — FORMS (SECOND SCHEDULE TO ORIGINAL ORDER).

The following amendments shall be made in the Second Schedule to the original Order as amended :—

1. The following Form shall be substituted for Form No. 1 — Notice of Election :

Form No. 1.

## NOTICE OF ELECTION.

County of \_\_\_\_\_ County  
 District \_\_\_\_\_ Electoral Division of  
 A County Councillor [or Councillors]  
 Election of \_\_\_\_\_  
 Rural District Councillors

## NOTICE IS HEREBY GIVEN THAT—

1. The day of election of \_\_\_\_\_ a Councillor [or Councillors] for the said \_\_\_\_\_ County  
 Rural District Councillors \_\_\_\_\_ District  
 Electoral Division will be \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_.
2. The number of \_\_\_\_\_ County  
 \_\_\_\_\_ Rural District  
 \_\_\_\_\_ Electoral Division is  
 \_\_\_\_\_ District
3. Each candidate for election as a \_\_\_\_\_ County  
 \_\_\_\_\_ Rural District Councillor must be  
 nominated in writing, and the Nomination Paper must be delivered to me by the  
 candidate or by his proposer or seconder at \_\_\_\_\_ (which is my office for  
 the purpose of the election) during the usual office hours not later than one o'clock p.m.  
 on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_.
4. Each candidate for election as a \_\_\_\_\_ County  
 \_\_\_\_\_ Rural District Councillor must in the  
 prescribed form or a form to the like effect, signify, in writing, his consent to his  
 nomination and his intention to take his seat if he is elected; such consent and de-  
 claration of intention must be delivered to me by the candidate or some person duly  
 authorised on his behalf at my office not later than one o'clock p.m. on \_\_\_\_\_ day  
 of \_\_\_\_\_ 19 \_\_\_\_\_.
- \* 5. Each candidate for election as a County Councillor must deposit or cause to  
 be deposited with me at my office not later than one o'clock p.m. on the  
 day of \_\_\_\_\_ 19 \_\_\_\_\_, the sum of twenty-five pounds.
- † Each candidate for election as a Rural District Councillor must deposit or cause  
 to be deposited with me at my office not later than one o'clock p.m. on the  
 day of \_\_\_\_\_ 19 \_\_\_\_\_, the sum of ten pounds.
6. A Local Government Elector must not sign more than \_\_\_\_\_ Nomination  
 \_\_\_\_\_ County  
 Papers for the \_\_\_\_\_ Electoral Division, and he must not sign a Nomination Paper  
 \_\_\_\_\_ District  
 for such \_\_\_\_\_ County  
 \_\_\_\_\_ District Electoral Division unless he is registered as a Local Government  
 Elector in respect of a qualification therein.

\* Omit this paragraph in the case of an election of Rural District Councillors.

† Omit this paragraph in the case of an election of County Councillors.



7. 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 \_\_\_\_\_ County Councillors to be elected  
Rural District

for the said \_\_\_\_\_ County Electoral Division.  
District

8. Any candidate nominated for election may, not later than one o'clock p.m. on \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, withdraw his (or her) 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 (or her).

9. Not later than \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, I shall cause a copy of a statement containing the names, places of abode, and descriptions of the persons nominated for the office of \_\_\_\_\_ County Councillor for the Rural District

\_\_\_\_\_ County said \_\_\_\_\_ Electoral Division, and also containing a notice of my decision as District

regards each candidate as to whether he (or she) has been deemed to have been duly nominated or not, to be suspended in the Board Room of the \_\_\_\_\_ County Council

Rural District Council and another to be affixed on the principal external gate or door of the offices of the County Council or Workhouse as the case may be.

10. If more than \_\_\_\_\_ candidate is \_\_\_\_\_ deemed to be duly nominated for the \_\_\_\_\_ candidates are

\_\_\_\_\_ County Electoral Division and the number is not from any cause reduced to \_\_\_\_\_, District

a poll will be taken on \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, of which due notice will be given.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
Returning Officer.  
(Deputy Returning Officer).

\_\_\_\_\_  
Office for purpose of election.

NOTE.—There shall be added to every notice of election to be published under Rule 3 of this Order the notification following with respect to claims against returning officers, namely :—

“ 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.”

2. The following forms shall be inserted between Form No. 1 and Form No. 2 :—

Form 1A.

FORM OF NOMINATION PAPER.

County of \_\_\_\_\_ County \_\_\_\_\_ Electoral Division of \_\_\_\_\_  
 District \_\_\_\_\_  
 Election of \_\_\_\_\_ County \_\_\_\_\_ County \_\_\_\_\_  
 Rural District \_\_\_\_\_ District \_\_\_\_\_  
 Councillor for the above \_\_\_\_\_ Electoral Division in  
 the year 19 \_\_\_\_\_

We, the undersigned, being respectively Local Government Electors of the said  
 County \_\_\_\_\_  
 Electoral Division, do hereby nominate the under-mentioned person as a  
 District  
 candidate at the said Election.

No. on Register (if any) and Names of Candidate.		Place of Abode 3.	Description 4.	Qualification 5.
Surname 1.	Other Names (in full) 2.			

Signature of Proposer .....

Place of Abode .....

Number on Register of Electors.....

Signature of Seconder .....

Place of Abode .....

Number on Register of Electors.....

INSTRUCTIONS FOR FILLING UP 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" or "married woman" or "spinster" or "widow" as the case may be.

\* These instructions form part of the nomination paper.

(5) (1) No person is eligible as a County Councillor for any County Electoral Division unless he is registered as a Local Government Elector in respect of a qualification in the County of which such County Electoral Division forms a part, or unless he or she is the owner of property held by freehold, copyhold, leasehold or any other tenure within the County or unless he has during the whole of the twelve months preceding the election resided in the County.

(2) No person is eligible as a Rural District Councillor for any District Electoral Division unless he or she is registered as a Local Government Elector in respect of a qualification in the Rural District of which such District Electoral Division forms a part, or unless he or she has during the whole of the twelve months preceding the election resided in such Rural District, or unless he or she is the owner of property held by freehold, copyhold, leasehold or any other tenure within the District.

If the candidate has more than one of such qualifications it will be sufficient to insert in Column 5 one of such qualifications, but all may be inserted.

(6)---(1) The paper must be signed by two Local Government Electors of the County

Electoral Division and no more ; by one as Proposer, and by the other as District Secunder. The places of abode of the Proposer and Secunder and their numbers on the Register must also be inserted. Instead of signing, the Proposer or Secunder may affix his mark, if it is witnessed by two Local Government Electors.

(2) A Local Government Elector must not sign more than County Nomination Paper for Electoral Division, and he must not sign a Nomination Paper for such County District Electoral Division unless he is registered as a Local Government Elector in respect of a qualification therein.

Form No. 1B.

FORM OF CONSENT OF CANDIDATE TO NOMINATION.

County of Rural District

I, of County Councillor \* hereby consent to my nomination as a candidate for election as Rural District Councillor for the County Electoral Division of District Electoral Division and I declare my intention to take my seat if I am elected.

Signature of Candidate.

Date. 19

Witnesses :

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

Received by the Returning Officer on the day of 19

Returning Officer.

\* Insert Surname, Christian Names in full and place of abode.



- (e) That a person registered as possessing qualifications in two or more Rural Districts within the same County may vote at the election of Councillors for each such Rural District.
- (d) That a person registered as the nominee of one or more Limited Companies possessing Company qualifications may vote on behalf of any or all of such Companies in any local government electoral area in addition to voting on his own behalf once in each area in which he is registered by virtue of a qualification possessed by himself."

PART III — ADAPTATION OF BALLOT ACT, 1872 (THIRD SCHEDULE TO ORIGINAL ORDER).

The Third Schedule to the original Order (which adapts and alters the provisions of the Ballot Act, 1872, in their application to the election of County and Rural District Councillors) shall have effect as if in the Form of Directions for the Guidance of the Voter in Voting prescribed by the Second Schedule to the Ballot Act, 1872, the following additional direction were included therein :—

"The voter, at the time of applying for a ballot paper, must produce for the inspection of the Presiding Officer a document of identity which may be any one of the following :—

- (a) a National Registration Identity Card ; or
- (b) a valid British Passport ; or
- (c) a Travel Permit Card ; or
- (d) a Document of Identity issued by the Head or other Constable of the Royal Ulster Constabulary in charge of a Station,

which bears the same name and address as are shown on the entry in the Register in respect of which the person is applying to vote.

Unless such a document of identity is produced a ballot paper will not be issued."

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**Urban District Councillors and Town Commissioners**

REGULATIONS, DATED 6TH AUGUST, 1946, MADE BY THE MINISTRY OF HOME AFFAIRS UNDER THE ELECTIONS AND FRANCHISE ACT (NORTHERN IRELAND), 1946.

1946. No. 116

WHEREAS the Ministry of Home Affairs (hereinafter referred to as "the Ministry") in exercise of the powers vested in it by the Local Government Acts (Northern Ireland), 1898 to 1922, made an Order entitled the Urban District Councillors and Town Commissioners (Northern Ireland) Election Order, 1922, applying the provisions of the Urban District Councillors and Town Commissioners (Ireland) Election Order, 1898 (hereinafter referred to as "the original Order") as subsequently amended for the purpose of the election of Urban District Councillors and of Town Commissioners in towns not being Urban Districts in Northern Ireland, subject to the additions and amendments therein contained ;

AND WHEREAS the Urban District Councillors and Town Commissioners (Northern Ireland) Election Order, 1922, has been amended