

SCHEDULE 5

THE NEIGHBOURHOOD PLANNING REFERENDUMS (COMBINATION OF POLLS) RULES

PART 5

The Poll

Tendered ballot papers: general provisions

31.—(1) A tendered ballot paper must—

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

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

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

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

(5) In the case of a voter who has an anonymous entry, this rule and rule 30 apply subject to the following modifications—

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

(6) In the case of a person in respect of whom a notice has been issued under section 13B(3B) or (3D) of the 1983 Act, this rule and rule 30 apply as if—

- (a) in rule 30(1)(a), (2)(a) and (5)(a), for “named on the register” there were substituted “in respect of whom a notice under section 13B(3B) or (3D) of the 1983 Act has been issued”;
- (b) in paragraph (1)(b) of this rule for “their number in the register of electors” there were substituted “the number relating to that person on a notice issued under section 13B(3B) or (3D) of the 1983 Act”;
- (c) in paragraph (2) of this rule, for “their number in the register of electors” there were substituted “the number relating to that person on a notice issued under section 13B(3B) or (3D) of the 1983 Act”;
- (d) in paragraph (4) of this rule, for “the number in the register of the voter” there were substituted “the number relating to the voter on a notice issued under section 13(3B) or (3D) of the 1983 Act”.