

## SCHEDULE 3

### Combined Authority Mayoral Election (Combination of Polls) Rules

## PART 4

### Contested elections

#### Voting by persons with disabilities

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

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

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

(2) If the presiding officer—

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

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

(3) For the purposes of these Rules—

- (a) a person is a voter with disabilities if the voter has made such a declaration as is mentioned in paragraph (1), and
- (b) a person shall be qualified to assist a voter with disabilities to vote if that person is either—
  - (i) a person who is entitled to vote as an elector at the election, or
  - (ii) the father, mother, brother, sister, spouse, civil partner, son or daughter of the voter and has attained the age of 18 years.

(4) Subject to paragraph (5), the name and number in the register of electors of every voter whose vote is given in accordance with this rule and the name and address of the companion must be entered on a list (in these Rules referred to as “the list of voters with disabilities assisted by companions”).

(5) In the case of a person voting as proxy for an elector, the number to be entered together with the voter’s name shall be the elector’s number.

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

(7) The same list may be used for the combined authority mayoral election and each relevant election or referendum and, where it is so used, an entry in that list shall be taken to mean that the

votes were so given in respect of each election or referendum, unless the list identifies the election or referendum at which the vote was so given.

- (8) The declaration made by the companion of a voter with disabilities—
  - (a) must be in the appropriate form in the Appendix or a form to the like effect,
  - (b) must be made before the presiding officer at the time when the voter applies to vote with the assistance of the companion, and
  - (c) must forthwith be given to the presiding officer who must attest and retain it.
- (9) No fee or other payment shall be charged in respect of the declaration.