

*Draft Regulations laid before Parliament under section 201(2) of the Representation of the People Act 1983, section 96(2)(b) of the Northern Ireland Act 1998 and paragraph 13(4) of Schedule 8 to the Elections Act 2022, for approval by resolution of each House of Parliament.*

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DRAFT STATUTORY INSTRUMENTS

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**2024 No.**

**REPRESENTATION OF THE PEOPLE, NORTHERN IRELAND**

**The Representation of the People (Postal Vote Handling etc.)  
(Northern Ireland) (Amendment) Regulations 2024**

*Made - - - -*

*Coming into force in accordance with regulation 1(2) and (4)*

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 13BA, 13BC, 53(1)(c) and 201(3) of, and rules 24(1)(c), 31A, 45(2)(a), 55(1)(f) and 57(3) of Schedule 1 and paragraphs 12(b) and (c) and 12ZB of Schedule 2 to, the Representation of the People Act 1983(a), section 15(5) of the Representation of the People Act 1985(b), section 34(4) and (6) of the Northern Ireland Act 1998(c) and paragraph 13(1) and (2) of Schedule 8 to the Elections Act 2022(d).

The Secretary of State has consulted the Electoral Commission in accordance with section 7(1) and (2)(e) and (h) of the Political Parties, Elections and Referendums Act 2000(e).

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(a) 1983 c. 2. Section 13BA was inserted by section 6(2) of the Northern Ireland (Miscellaneous Provisions) Act 2006 (c. 33). Section 13BC was inserted by paragraph 7 of Schedule 2 to the Recall of MPs Act 2015 (c. 25). Section 201(3) was inserted by paragraph 21 of Schedule 1 to the Representation of the People Act 2000 (c. 2) and amended by paragraph 6(7)(d) of Schedule 21 to the Political Parties, Elections and Referendums Act 2000 (c. 41). Rule 24 was substituted by section 37 of the Electoral Administration Act 2006 (c. 22). Rule 28(3) was amended by paragraph 70(3) of Schedule 1 to the Electoral Administration Act 2006. Rule 31A was inserted by section 45(2) of the Electoral Administration Act 2006 and amended by S.I. 2014/1116. Rule 45(2) was amended by paragraph 10(4)(b) of Schedule 6 to the Representation of the People Act 2000, section 3(4)(c) of the Electoral Fraud (Northern Ireland) Act 2002 (c. 13) and section 5(2) and (4)(b) of the Elections Act 2022 (c. 37). Rule 55(1)(f) was inserted by section 45(3) of the Electoral Administration Act 2006. Rule 57(3) was substituted by section 41(5)(b) of the Electoral Administration Act 2006. Paragraph 12(b) of Schedule 1 was substituted by paragraph 3 of Schedule 6 to the Representation of the People Act 2000. Paragraph 12ZB of Schedule 2 was inserted by section 5(5) of the Elections Act 2022. See section 202(1) for the meaning of “prescribed” in rules 24(1)(c), 31A, 45(2)(b) and 55(1)(f) of Schedule 1.

(b) 1985 c. 50.

(c) 1998 c. 47.

(d) 2022 c. 37.

(e) 2000 c. 41.

In accordance with section 201(2) of the Representation of the People Act 1983(a), section 96(2)(b) of the Northern Ireland Act 1998(b) and paragraph 13(4) of Schedule 8 to the Elections Act 2022, a draft of this instrument was laid before and approved by resolution of each House of Parliament.

## PART 1

### General

#### **Citation, commencement, transitional provision and extent**

1.—(1) These Regulations may be cited as the Representation of the People (Postal Vote Handling etc.) (Northern Ireland) (Amendment) Regulations 2024.

(2) Parts 1 to 3 come into force on the 22nd day after the day on which these Regulations are made.

(3) But Parts 2 and 3 do not have effect in relation to any election in respect of which the date of poll specified in the notice of election is on or before 1st May 2024.

(4) Part 4 comes into force on 7th May 2024.

(5) These Regulations extend to Northern Ireland.

## PART 2

### Amendment of the Representation of the People (Northern Ireland) Regulations 2008

#### **Amendment of the Representation of the People (Northern Ireland) Regulations 2008**

2. The Representation of the People (Northern Ireland) Regulations 2008(c) are amended in accordance with this Part.

#### **Amendment of regulation 70 (interpretation of Part 5)**

3. In regulation 70—

(a) the existing text becomes paragraph (1);

(b) in paragraph (1) insert the following definitions at the appropriate places—

““left behind postal voting document” has the same meaning as in regulation 84F(1);”;

““postal voting document” means a postal ballot paper(d) or declaration of identity;”;

““return of postal voting documents form” has the same meaning as in regulation 84A(2);”;

(c) after paragraph (1), insert—

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(a) Section 201(2) was substituted by paragraph 69 of Schedule 4 to the Representation of the People Act 1985 (c. 50) and amended by paragraph 6(7)(b) of Schedule 21 to the Political Parties, Elections and Referendums Act 2000, section 13(2) of the Northern Ireland (Miscellaneous Provisions) Act 2014 (c. 13), paragraph 1(9)(a) of Schedule 8 to the Elections Act 2022 and S.I. 1991/1728.

(b) Amendments have been made to section 96(2), but none is relevant.

(c) S.I. 2008/1741. Relevant amending legislation is referenced below.

(d) For the meaning of “postal ballot paper”, see regulation 70 of S.I. 2008/1741.

“(2) In this Part, a reference to a person seeking to hand in a postal voting document is a reference to a person seeking to hand in a covering envelope purporting to contain a postal voting document to the returning officer.”.

#### **Insertion of regulation 81B (alternative means of returning postal ballot paper)**

4. After the heading “Receipt of Postal Ballot Papers” and before regulation 82 (notice of opening of postal ballot paper envelopes) insert—

##### **“Alternative means of returning postal ballot paper**

**81B.** For the purposes of rule 45(2)(a) of the election rules<sup>(a)</sup>, a postal ballot paper—

- (a) may be returned to the returning officer by post or by hand, and
- (b) must be returned to the returning officer in a covering envelope.”.

#### **Amendment of regulation 84 (receipt of covering envelope)**

5. In regulation 84<sup>(b)</sup>—

- (a) in the heading, at the end insert “by post”;
- (b) in paragraph (1), for “(whether by hand or post)” substitute “by post”.

#### **Insertion of regulations 84A to 84I (postal voting documents returned by hand and left behind postal voting documents)**

6. After regulation 84 insert—

##### **“Return of postal voting documents by hand**

**84A.**—(1) This regulation applies where a person (“P”) seeks to hand in a postal voting document before the close of the poll.

(2) P must complete a form containing the information prescribed in regulation 84B(1) (a “return of postal voting documents form”) in relation to—

- (a) that postal voting document, and
- (b) any other postal voting documents which P is seeking to hand in at that time.

(3) The returning officer must then decide whether to reject any of the postal voting documents handed in by P.

(4) Where the returning officer does not reject any of the postal voting documents handed in by P, the returning officer must proceed under regulation 84D.

(5) Where the returning officer rejects one or more of the postal voting documents handed in by P, the returning officer must proceed under regulation 84E.

(6) For the purposes of this regulation and regulations 84B to 84E (so far as relevant), each covering envelope handed in by P is to remain unopened; and references to postal voting documents handed in by P in those regulations are to postal voting documents as contained in such envelopes.

(7) In this regulation, “reject” means reject under regulation 84C.

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(a) For the meaning of “election rules”, see regulation 3(1) of S.I. 2008/1741. Rule 45(2)(a) was substituted by section 5(4)(b) of the Elections Act 2022.

(b) Regulation 84 was amended by S.I. 2014/1808.

### **Return of postal voting documents form: prescribed information**

- 84B.**—(1) For the purposes of regulation 84A(2), the prescribed information is—
- (a) P’s name and address;
  - (b) the total number of covering envelopes that P is handing in;
  - (c) whether P is handing in postal voting documents issued to P as an elector;
  - (d) whether P is handing in postal voting documents issued to P as a proxy, and if so for how many electors;
  - (e) whether P is handing in postal voting documents which were not issued to P, and if so for how many electors and why;
  - (f) a declaration by P that—
    - (i) the number of electors for whom P has handed in postal voting documents for the election concerned, including those postal voting documents being handed in at that time, but excluding those issued to P and those rejected in accordance with regulation 84C on a previous occasion, does not exceed the permitted number (see further, regulation 84C), and
    - (ii) either—
      - (aa) to the best of P’s knowledge, P is not a political campaigner for whom it is an offence under section 112A of the 1983 Act (offences relating to handling of postal voting documents)(a) to handle the postal voting documents concerned, or
      - (bb) P is a political campaigner and is only handing in postal voting documents for one or more persons mentioned in paragraph (2).
- (2) The persons are—
- (a) P,
  - (b) P’s spouse, civil partner, parent, grandparent, brother, sister, child and grandchild, and
  - (c) someone for whom P provides regular care or for whom regular care is provided by an organisation which employs or engages P.
- (3) For the purposes of paragraph (2)—
- (a) two people living together as if they were a married couple or civil partners are treated as if they were spouses or civil partners of each other;
  - (b) a reference to a person who “engages” another person, or to a person who provides care for another person, includes a reference to a person who engages or provides care otherwise than for payment or promise of payment.

### **Rejection of postal voting documents handed in to the returning officer**

- 84C.**—(1) The returning officer must reject—
- (a) all postal voting documents handed in together by P, where P fails to provide all the information prescribed in regulation 84B(1) on the return of postal voting documents form;

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(a) Section 112A was inserted by section 4(2) of the Elections Act 2022 (c. 37). For the meaning of “the 1983 Act”, see regulation 3(1) of S.I. 2008/1741.

- (b) all postal voting documents handed in together by P, where the returning officer has reasonable cause to suspect that the documents are handed in on behalf of more than five electors;
- (c) all postal voting documents handed in together by P, where the returning officer has reasonable cause to suspect that, taking those documents together with any postal voting documents handed in by P on any previous occasion, disregarding any that were rejected in accordance with this regulation, P has handed in postal voting documents on behalf of more than five electors.

(2) In paragraph (1)(b) and (c)—

- (a) references to postal voting documents handed in by P are to postal voting documents relating to the same election, but do not include references to a postal voting document issued to P;
- (b) “electors” means persons who are electors in relation to the election to which the postal voting documents handed in by P relate.

(3) Where P hands in postal voting documents completed by P as proxy for one or more electors, for “five” in paragraph (1)(b) and (c), substitute the number that is five minus the number of electors for whom P is handing in, or has handed in on a previous occasion, postal voting documents as proxy.

(4) The returning officer may reject a postal voting document handed in by P where the returning officer knows or has reasonable cause to suspect that, in handing in the document, P commits an offence under section 112A of the 1983 Act.

**Procedure where no postal voting document handed in by P is rejected in accordance with regulation 84C**

**84D.**—(1) Where the returning officer is required by regulation 84A(4) to proceed under this regulation, the returning officer must take the following steps.

(2) The returning officer must immediately endorse the return of postal voting documents form completed by P to confirm—

- (a) that the returning officer—
  - (i) is satisfied that all the information prescribed in regulation 84B(1) has been provided on the form,
  - (ii) does not have reasonable cause to suspect that the number of electors for whom P has handed in postal voting documents for the election concerned, including those postal voting documents handed in at that time, but excluding those issued to P and those rejected on a previous occasion, exceeds the permitted number (see further, regulation 84C), and
  - (iii) does not know or have reasonable cause to suspect that P is a political campaigner who is committing an offence under section 112A of the 1983 Act, and
- (b) that none of the postal voting documents to which the return of postal voting documents form relates have been rejected.

(3) The returning officer must then immediately place each postal voting document handed in by P in a postal voters’ ballot box<sup>(a)</sup>.

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(a) For the meaning of “postal voters’ ballot box”, see regulation 70 of S.I. 2008/1741.

(4) The returning officer must include the return of postal voting documents form completed by P in a packet made up in accordance with regulation 84G(1)(a) before the end of the day on which the postal voting documents are handed in by P.

(5) Until such time as the form is included in such a packet, the returning officer must take proper precautions for its safe custody.

(6) In this regulation, “rejected” means rejected in accordance with regulation 84C.

**Procedure where at least one postal voting document handed in by P is rejected under regulation 84C**

**84E.**—(1) Where the returning officer is required by regulation 84A(5) to proceed under this regulation, the returning officer must take the following steps.

(2) The returning officer must immediately indicate on the return of postal voting documents form—

- (a) in relation to each rejected postal voting document handed in by P, the fact of the rejection and the reason or reasons for the rejection;
- (b) in relation to each postal voting document handed in by P which has not been rejected, the fact that it has not been rejected.

(3) The returning officer must then immediately—

- (a) place in a postal voters’ ballot box each postal voting document handed in by P which has not been rejected, and
- (b) attach the return of postal voting documents form to all the rejected postal voting documents handed in by P.

(4) The returning officer must, before the end of the day on which the postal voting documents are handed in by P, include in a packet made up in accordance with regulation 84G(1)(b)—

- (a) each rejected postal voting document handed in by P, and
- (b) the attached return of postal voting documents form.

(5) Until such time as each rejected postal voting document handed in by P and the attached form are included in such a packet, the returning officer must take proper precautions for their safe custody.

(6) In this regulation, “rejected” means rejected in accordance with regulation 84C.

**Postal voting documents left behind with the returning officer**

**84F.**—(1) This regulation applies in relation to a postal voting document (whether or not in a covering envelope) which is brought into the offices of the returning officer so that it may be handed in to a person but is left behind there without being handed in (a “left behind postal voting document”).

(2) The returning officer must, before the end of the day on which the postal voting document is found—

- (a) write on a return of postal voting documents form to confirm that the postal voting document is a left behind postal voting document,
- (b) attach the form to the left behind postal voting document, and
- (c) include the left behind postal voting document and the attached form in a packet made up in accordance with regulation 84G(1)(b).

(3) Until such time as the left behind postal voting document and the attached return of postal voting documents form are included in a packet made up in accordance with regulation 84G(1)(b), the returning officer must take proper precautions for their safe custody.

(4) For the purposes of paragraph (2), the returning officer must use a different return of postal voting documents form for each left behind postal voting document, except where the left behind postal voting documents—

- (a) are contained in the same covering envelope, or
- (b) otherwise, were issued to the same person.

(5) For the purposes of this regulation, each covering envelope which is brought into the offices of the returning officer so that it may be handed in to a person but is left behind there without being handed in is to remain unopened; and references to left behind postal voting documents in paragraphs (2) to (3) are, in appropriate cases, to left behind postal voting documents as contained in such envelopes.

#### **Packets of postal voting documents and return of postal voting documents forms**

**84G.**—(1) The returning officer must make up separate packets for each of the following—

- (a) return of postal voting documents forms endorsed by the returning officer under regulation 84D(2);
- (b) postal voting documents which have been rejected in accordance with regulation 84C or are left behind postal voting documents, together with the return of postal voting documents forms which are attached to those documents.

(2) Each packet must be sealed with a description of its contents written on the packet.

(3) The returning office must take proper precautions for the safe custody of each packet referred to in this regulation.

#### **List of electors whose postal voting documents have been rejected in accordance with regulation 84C or left behind**

**84H.**—(1) In respect of each election, subject to paragraph (5), the returning officer must compile a list of electors whose postal voting documents—

- (a) have been rejected in accordance with regulation 84C or were left behind postal voting documents, and
- (b) included a declaration of identity.

(2) The returning officer must record in the list the information specified in paragraph (3) in relation to each such elector.

(3) The information is—

- (a) the name and address of—
  - (i) the elector, and
  - (ii) if a proxy was entitled to vote on the elector's behalf, the proxy,
- (b) the number on the register of electors of—
  - (i) the elector, and
  - (ii) if a proxy was entitled to vote on the elector's behalf, the proxy,
- (c) where—

- (i) the elector’s postal voting documents were rejected in accordance with regulation 84C, the reason or reasons specified in paragraph (4) for the rejection of the postal voting documents;
  - (ii) the elector’s postal voting documents were left behind postal voting documents, that fact,
  - (d) an indication as to whether the elector’s postal voting documents included a postal ballot paper the number of which matched the postal ballot paper number marked on the elector’s declaration of identity, and
  - (e) any other information that the returning officer considers appropriate, but not the number of the postal ballot paper.
- (4) The specified reasons are—
- (a) the postal voting documents were handed in to the returning officer but the return of postal voting documents form was not fully completed with the required information;
  - (b) the postal voting documents were handed in to the returning officer but the number of electors for whom P handed in postal voting documents exceeded or was suspected to exceed the permitted number;
  - (c) the postal voting documents were handed in or were suspected to be handed in by a political campaigner (within the meaning of section 112A(7) of the 1983 Act) who was not permitted to hand in those postal voting documents.
- (5) For the purposes of compiling the list, the returning officer must—
- (a) open each packet made up in accordance with regulation 84G(1)(b),
  - (b) open separately each covering envelope in that packet and any ballot paper envelope(a) in that covering envelope, and
  - (c) having recorded all the relevant entries relating to that packet in the list, reseal the packet with its original contents.
- (6) In compiling the list, the returning officer—
- (a) must keep the postal ballot papers face downwards and take proper precautions for preventing any person from seeing the votes made on the postal ballot papers, and
  - (b) is not permitted to view the corresponding number list used at the issue of postal ballot papers.

**Notification of a postal ballot paper rejected in accordance with regulation 84C or left behind**

- 84I.**—(1) This regulation applies where—
- (a) an elector appears on the list compiled in accordance with regulation 84H(1),
  - (b) the information recorded on the list indicates that the elector’s postal voting documents included a postal ballot paper the number of which matched the postal ballot paper number marked on the elector’s declaration of identity, and
  - (c) the elector also appears on the record kept under section 6(3) of the 1985 Act (absent vote at elections for indefinite period)(b).

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(a) For the meaning of “ballot paper envelope”, see regulation 70 of S.I. 2008/1741.

(b) Section 6(3) was amended in relation to Northern Ireland by paragraph 14(5) of Schedule 6 to the Representation of the People Act 2000. For the meaning of “the 1985 Act”, see regulation 3(1) of S.I. 2008/1741.



(2) The registration officer<sup>(a)</sup> must notify the following persons that the elector’s postal ballot paper was rejected in accordance with regulation 84C or (as the case may be) was a left behind postal voting document—

- (a) the elector, and
- (b) if a proxy was entitled to vote on the elector’s behalf, the proxy.

(3) The notification must include—

- (a) where the elector’s postal ballot paper was rejected in accordance with regulation 84C, the reason or reasons for its rejection recorded on the list in accordance with regulation 84H(3)(c)(i), or
- (b) where the elector’s postal ballot paper was a left behind postal voting document, that fact.

(4) The registration officer must send the notification within the period of three months beginning with the date of poll for which the elector’s postal ballot paper was issued.

(5) The registration officer is not obliged to send a notification to any person—

- (a) who no longer appears on the record kept under section 6(3) of the 1985 Act at the time the registration officer proposes to send the notification, or
- (b) whom the returning officer suspects may have committed an offence, other than an offence under section 112A of the 1983 Act (offences relating to handling of postal voting documents), in relation to—
  - (i) the elector’s postal voting documents, or
  - (ii) the elector’s registration on the register<sup>(b)</sup>.

(6) A notification issued under paragraph (2) may include any additional information that the registration officer considers appropriate, subject to paragraph (7).

(7) The notification must not include the following information in relation to either the elector or, if a proxy was entitled to vote on the elector’s behalf, the proxy—

- (a) date of birth;
- (b) signature, or a record of the waiver by the registration officer of the requirement for a signature;
- (c) national insurance number;
- (d) (if applicable) digital registration number.

(8) In this regulation, “digital registration number” has the same meaning as in section 10B(1) of the 1983 Act<sup>(c)</sup>.”.

### **Amendment of regulation 86 (opening of covering envelopes)**

7. In regulation 86, after paragraph (4) insert—

“(5) In carrying out the procedures in this regulation and regulations 87 and 88, the returning officer—

- (a) must keep the ballot papers face downwards and must take proper precautions for preventing any person from seeing the votes made on the ballot papers, and
- (b) is not permitted to view the corresponding number list used at the issue of postal ballot papers.

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(a) For the meaning of “registration officer”, see regulation 3(1) of S.I. 2008/1741.

(b) For the meaning of “register”, see regulation 3(1) of S.I. 2008/1741.

(c) Section 10B was inserted by S.I. 2018/699, and sub-section (1) was substituted by S.I. 2020/581.

(6) Where a covering envelope opened in accordance with paragraph (1) contains a declaration of identity, the returning officer must place a mark in the marked copy of the absent voters list<sup>(a)</sup> or list of postal proxies<sup>(b)</sup> in a place corresponding to the number of the elector to denote that a postal vote has been returned.

(7) A mark made under paragraph (6) must be distinguishable from and must not obscure the mark made under regulation 76(2) (procedure on issue of postal ballot paper).

(8) As soon as practicable after the last covering envelope has been opened, the returning officer must—

- (a) make up into a packet the copy of the marked absent voters list and list of postal proxies that has been marked in accordance with paragraph (6), and
- (b) seal such a packet.”.

#### **Amendment of regulation 91 (forwarding of documents)**

8. In regulation 91 (forwarding of documents)—

- (a) in paragraph (1), after “81A(11)(c)” insert “, 84G(1)(a)”;
- (b) after paragraph (2) insert—

“(2A) The returning officer must also forward to the Clerk of the Crown for Northern Ireland the list compiled in accordance with regulation 84H(1), together with the packets made up in accordance with regulation 84G(1)(b) and resealed in accordance with regulation 84H(6)(c), as soon as reasonably practicable after the registration officer has met the duty in regulation 84I(2) in relation to each elector on the list.”;

- (c) at the end of paragraph (3) insert “, subject to paragraph (3A)”;
- (d) after paragraph (3) insert—

“(3A) For the purposes of the application of rules 56 and 57 of the election rules to the packets and documents forwarded under this regulation, the following are to be treated in the same manner as a counted ballot paper—

- (a) the list compiled in accordance with regulation 84H(1) and any extracts from it;
- (b) return of postal voting documents forms.”.

#### **Amendment of regulation 117 (inspection of documents open to public inspection)**

9. In regulation 117—

- (a) in paragraph (1)(b), at the end insert “, except the documents specified in paragraph (1A).”;
- (b) after paragraph (1) insert—

“(1A) The specified documents are—

- (a) ballot papers,
- (b) completed corresponding number lists,
- (c) certificates of employment on the day of the election, and
- (d) the list compiled in accordance with regulation 84H(1) and any extracts produced from that list.”.

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(a) For the meaning of “absent voters list”, see regulation 70 of S.I. 2008/1741.

(b) For the meaning of “list of postal proxies”, see regulation 70 of S.I. 2008/1741.

(c) The reference to regulation 81A in regulation 91 was inserted by S.I. 2014/1808.

### **Amendment of Schedule 3 (forms)**

#### **10.** In Schedule 3—

- (a) replace form A1 (elector’s official postal poll card)(a) with the form in Schedule 1;
- (b) replace form B1 (proxy’s official postal poll card)(b) with the form in Schedule 2;
- (c) replace form L (declaration of identity)(c) with the form in Schedule 3;
- (d) replace form M (declaration of identity (combined polls))(d) with the form in Schedule 4;
- (e) replace form N (statement as to postal ballot papers)(e) with the form in Schedule 5.

## **PART 3**

### **Amendment of the Northern Ireland Assembly (Elections) Order 2001**

#### **Amendment of the Northern Ireland Assembly (Elections) Order 2001**

**11.** The Northern Ireland Assembly (Elections) Order 2001(f) is amended in accordance with this Part.

#### **Amendment of Schedule 1 (application with modifications of provisions of primary legislation relating to elections)**

**12.—**(1) The table in Schedule 1(g) is amended as follows.

(2) In the right hand column, in the inserted rule 44B of the election rules(h) (preliminary proceedings and conduct of the count)(i), in paragraph (3)—

- (a) in sub-paragraph (a)—
  - (i) after “it is returned” insert “by post or by hand”;
  - (ii) omit “and” at the end;
- (b) after sub-paragraph (b) insert—

“and

  - (c) the postal ballot paper is not one that falls to be rejected in accordance with regulation 84C of the 2008 Regulations(j).”.

#### **Amendment of Schedule 2 (application with modifications of provisions of subordinate legislation relating to elections)**

**13.—**(1) The table in Schedule 2(k) is amended in accordance with paragraphs (2) to (7).

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- (a) Form A1 was substituted by S.I. 2015/221.
  - (b) Form B1 was substituted by S.I. 2015/221.
  - (c) Form L was substituted by S.I. 2015/221.
  - (d) Form M was substituted by S.I. 2015/221.
  - (e) Form N was amended by S.I. 2014/1808.
  - (f) S.I. 2001/2599.
  - (g) Schedule 1 was substituted in its entirety by S.I. 2009/256. Other relevant amendments are referenced below.
  - (h) For the meaning of “election rules”, see article 2 of S.I. 2001/2599.
  - (i) Rule 44B is inserted by Schedule 1 to S.I. 2001/2599 as a modification to the parliamentary elections rules when applied to Assembly elections as the Assembly elections rules. Paragraph (3)(a) was amended by S.I. 2015/222.
  - (j) See article 3(3)(i) of S.I. 2001/2599, according to which, in the provisions applied by Schedules 1 and 2 to S.I. 2001/2599, any reference to an enactment or instrument made under an enactment must be construed as a reference to that enactment or instrument as applied by S.I. 2001/2599.
  - (k) Schedule 2 was substituted in its entirety by S.I. 2009/256 and the table amended by S.I. 2014/1804 and 2015/222. There are other amendments made to Schedule 2, but none is relevant.

(2) For the entry for regulation 84 of the 2008 Regulations (receipt of covering envelopes) substitute—

“Regulation 84 (receipt of covering envelopes by post)”.	
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(3) After the entry for regulation 84 of the 2008 Regulations (receipt of covering envelopes by post) insert—

“Regulation 84A (return of postal voting documents by hand)	
Regulation 84B (return of postal voting documents form: prescribed information)	
Regulation 84C (rejection of postal voting documents handed in to the returning officer)	
Regulation 84 D (procedure where no postal voting document handed in by P is rejected in accordance with regulation 84C)	
Regulation 84E (procedure where at least one postal voting document handed in by P is rejected in accordance with regulation 84C)	
Regulation 84F (postal voting documents left behind with the returning officer)	
Regulation 84G (packets of postal voting documents and return of postal voting documents forms)	
Regulation 84H (list of electors whose postal voting documents have been rejected in accordance with regulation 84C or left behind)	
Regulation 84I (notification of a postal ballot paper rejected in accordance with regulation 84C or left behind)”.	

(4) For the entry for regulation 86 of the 2008 Regulations (opening of covering envelopes) substitute—

“Regulation 86 (opening of covering envelopes)	”.
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(5) In the entry for regulation 91 of the 2008 Regulations (forwarding of documents), in the right hand column of the table—

(a) in the substituted paragraph (1)—

- (i) after “84A(11)” insert “, 84G(1)(a), 84H(6)(c)”;
  - (ii) before “the list of tendered postal ballot papers” for “and” substitute “,”;
  - (iii) after “the list of tendered postal ballot papers” insert “and the list compiled in accordance with regulation 84H(1)”;
- (b) after the paragraph relating to paragraph (2) insert—
- “Omit paragraph (2A).”.
- (6) In the entry for Form A1 of Schedule 3 to the 2008 Regulations (elector's official postal poll card)(a), in the right hand column of the table, for the existing text substitute—
- “For the words “Election of Member of Parliament” substitute “Northern Ireland Assembly Election”.”.
- (7) In the entry for Form B1 of Schedule 3 to the 2008 Regulations (proxy's official postal poll card)(b), in the right hand column of the table, for the existing text substitute—
- “For the words “Election of Member of Parliament” substitute “Northern Ireland Assembly Election”.”.
- (8) In the Annex at the end of Schedule 2(c)—
- (a) replace the form entitled “form of declaration of identity” with the form entitled “form of declaration of identity” in Schedule 6;
  - (b) replace the form entitled “form of declaration of identity (combined polls)” with the form entitled “form of declaration of identity (combined polls)” in Schedule 7.
- (9) In this regulation, “2008 Regulations” means the Representation of the People (Northern Ireland) Regulations 2008.

## PART 4

### Provisions related to the voting and candidacy rights of EU citizens

#### **Amendment of the Representation of the People (Northern Ireland) Regulations 2008**

**14.**—(1) The Representation of the People (Northern Ireland) Regulations 2008(d) are amended as follows.

(2) In regulation 25B(2)(a)(iv) (regulation 25 supplementary: additional supporting material in relation to nationality)(e), for “or a relevant citizen of the Union” substitute “, a qualifying EU citizen(f) or an EU citizen with retained rights(g)”.

#### **Amendment of the Representation of the People (Franchise Amendment and Eligibility Review) (Northern Ireland) Regulations 2023**

**15.**—(1) The Representation of the People (Franchise Amendment and Eligibility Review) (Northern Ireland) Regulations 2023(h) are amended as follows.

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(a) The entry for Form A1 was inserted by S.I. 2014/1804 and amended by S.I. 2015/222.  
 (b) The entry for Form B1 was inserted by S.I. 2014/1804 and amended by S.I. 2015/222.  
 (c) The Annex was inserted by S.I. 2015/222.  
 (d) S.I. 2008/1741. Relevant amendments are made by S.I. 2024/NIOE.  
 (e) Regulation 25B was inserted by S.I. 2024/NIOE.  
 (f) For the meaning of “qualifying EU citizen”, see section 203A of the Representation of the People Act 1983 (c. 2).  
 (g) For the meaning of “EU citizen with retained rights”, see section 203B of the Representation of the People Act 1983.  
 (h) S.I. 2023/1176.

(2) In regulation 12 (procedure for removal following response to communications), after paragraph (5) insert—

“(6) Regulation 44(2)(c) of the 2008 Regulations(a) (copy of notice to be sent to affected persons)(b) does not apply in respect of a notice under section 13A(2) of the 1983 Act(c) resulting from the determination mentioned in paragraph (3).”.

(3) In regulation 14 (confirmation of ceased registration following non-response to communications), after paragraph (3) insert—

“(4) Regulation 44(2)(c) of the 2008 Regulations does not apply in respect of a notice under section 13A(2) of the 1983 Act resulting from the determination mentioned in paragraph (2)(a).”.

### **Transitional provision for certain elections re-run on or after 7th May 2024**

16.—(1) This regulation applies where—

- (a) the date of poll for a local election or an Assembly election is on or before 6th May 2024,
- (b) the proceedings with respect to the election are commenced afresh under—
  - (i) in the case of a local election, rule 62(3) or 63(3) of Schedule 5 to the Electoral Law Act (Northern Ireland) 1962 (proceedings commenced afresh by reason of an independent or party candidate’s death)(d);
  - (ii) in the case of an Assembly election, rule 61(4) or 63(3) of Schedule 1 to the Representation of the People Act 1983 (proceedings commenced afresh by reason of an independent or party candidate’s death) as applied and modified by the Northern Ireland Assembly (Elections) Order 2001(e), and
- (c) the date of poll for the re-run election is on or after 7th May 2024.

(2) The amendments made by paragraphs 7, 8 and 10 of Schedule 8 to the Elections Act 2022 (amendments in relation to certain elections in Northern Ireland) are to be disregarded for the purposes of a person’s eligibility to stand as a candidate at the re-run election.

(3) In this regulation—

“Assembly election” means an election to the Northern Ireland Assembly;

“local election” means an election in a district electoral area for a local authority;

“re-run election” means an election in respect of which proceedings have been commenced afresh under a provision referred to in paragraph (1)(b).

### **Transitional provision for persons elected following a re-run election**

17.—(1) This regulation applies where—

- (a) a person (“P”) is duly elected at an Assembly election which is a re-run election, and

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(a) For the meaning of “the 2008 Regulations”, see regulation 2 of S.I. 2023/1176.

(b) Regulation 44(2) was amended by S.I. 2016/295.

(c) Section 13A was substituted by paragraph 6 of Schedule 1 to the Representation of the People Act 2000 (c. 2). There are amendments made to section 13A, but none is relevant. For the meaning of “the 1983 Act”, see regulation 2 of S.I. NIFAER.

(d) 1962 c. 14 (N.I.). Rules 62 and 63 were substituted by S.I. 2010/2977.

(e) S.I. 2001/2599. Relevant amendments are made by S.I. 2009/256, which substituted Schedule 1 and applied with modifications rules 61 and 63 of Schedule 1 to the Representation of the People Act 1983. Rules 61 and 63 of Schedule 1 to the Representation of the People Act 1983 were substituted by section 24 of the Electoral Administration Act 2006 (c. 22) and rule 63 was amended by section 14(5) of the Electoral Registration and Administration Act 2013 (c. 6).

(b) apart from this regulation, P would be disqualified from holding the office as a result of the coming into force of paragraph 10 of Schedule 8 to the Elections Act 2022 (amendment of the Local Government Act (Northern Ireland) 1972<sup>(a)</sup>).

(2) The coming into force of paragraph 10 of Schedule 8 to the Elections Act 2022 does not affect P's qualification to hold the office until the end of the term in the office for which P was duly elected at the re-run election.

(3) In this regulation, "Assembly election" and "re-run election" have the same meaning as in regulation 16.

Minister of State  
Northern Ireland Office

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<sup>(a)</sup> 1972 c. 9.

# SCHEDULES

## SCHEDULE 1

Regulation 10(a)

### Parliamentary elections: Form A1

<b>Postal poll card</b>
<b>Election of Member of Parliament for</b> <i>[insert name of constituency] constituency</i>
Date of election <i>[day] [date] [month] [year]</i>
<b>Voting information</b>
<b>We will send your postal vote around</b> <i>[day] [date] [ month] [year]</i> <b>*[addressed to:]</b>
<i>*[Elector's name and address to which postal vote is sent inserted here]</i>
<i>* Returning Officer to omit where poll card sent to an anonymous elector.</i>
<b>If you make a mistake on your ballot paper</b>
<ul style="list-style-type: none"><li>You must phone the helpline immediately.</li><li>We can only issue a replacement postal vote <b>before 5pm on <i>[day/date of deadline]</i> if you return all of your postal voting documents before that time.</b></li></ul>

<b>Your details:</b>
<i>* [Elector's name and qualifying address details to which poll card is sent here]</i>
<i>* Returning Officer to omit where poll card sent to an anonymous elector. Poll card to an anonymous elector must be delivered in a sealed envelope.</i>
<b>Electoral register number:</b>

<b>Your postal vote</b>
<ul style="list-style-type: none"><li>You will receive a postal vote for this election because you successfully applied to vote by post.</li><li>You will not be able to vote in a polling station.</li><li><b>If you have not received your postal vote by <i>[day] [date] [month]</i> call <i>[insert helpline number]</i>.</b></li></ul>

**Please Turn Over**

<b>How to vote</b>	<b>If you would rather vote in person at a polling station, or ask someone else to vote on your behalf</b>
<ol style="list-style-type: none"><li>When you receive your postal vote, read the instructions carefully.</li><li>Your postal vote includes your ballot paper and a declaration of identity.</li><li>Complete both of these and return them immediately.</li><li>Return your postal voting papers in the envelope provided.</li><li>We need to receive your postal vote by <b>10pm on <i>[day/date of poll]</i></b>.  If you miss the post, you can hand in your postal vote and/or the postal vote of up to 5 others (including any for whom you are voting for as proxy) at the Electoral Office to a person authorised to receive postal votes before <b>10 pm on <i>[day] [date of poll]</i></b>.</li></ol>	<ul style="list-style-type: none"><li>You must cancel your postal vote before 5pm on <i>[day/ date of deadline]</i>. For more information, please <i>[insert suggestion to call helpline and/or visit relevant website]</i>.</li><li>Please note that, when voting in person at a polling station, you or someone who is voting on your behalf must show an accepted form of photographic identification. For more information, please <i>[insert suggestion to call helpline and/or visit a relevant website]</i>.</li><li>[*Note that if you have an anonymous entry on the register you will not be able to vote in person at a polling station, but you can ask someone to vote by post on your behalf.] *Returning Officer to only include on postal poll card sent to anonymous elector</li></ul>
<p><b>📞 If you need information in another format or language, please call our helpline below.</b></p> <p><b>📞 If you need help to vote, you can ask someone you know or get independent help by calling our helpline:</b></p> <p><i>[Insert helpline and other details including website]</i></p> <p>The Chief Electoral Officer issued this card.</p> <p><b>If undelivered return to</b> <i>[Insert return address]</i></p>	<b>It is an offence to:</b>
	<ul style="list-style-type: none"><li>vote using a ballot paper that was not sent for your use or interfere with another voter's ballot paper</li><li>vote more than once at the same election, unless you are voting on your own behalf and as a proxy for another person</li><li>vote as a proxy on behalf of more than four electors, of whom no more than two may be domestic electors (a domestic elector is one who is not an overseas or service elector)</li><li>vote as a proxy for someone if you know that by law they are not allowed to vote.</li></ul> <p><b>Whether you vote in person at a polling station or using a postal vote, it is an offence for someone to try to find out who you are voting for while you are about to mark, are marking or have just marked your ballot paper, or to then reveal that information.</b></p>



## SCHEDULE 2

Regulation 10(b)

### Parliamentary elections: Form B1

<b>Proxy postal poll card</b>
Election of Member of Parliament for <i>[insert name of constituency]</i> constituency
Date of election <i>[day] [date] [month] [year]</i>

<b>Voting information</b>
We will send your postal vote around <i>[day] [date] [month] [year]</i> * <b>[addressed to]:</b>
<p>* <i>[Proxy's name and address details here as on absent voters list]</i></p> <p>* <i>Returning Officer to omit where poll card sent to the proxy of an anonymous elector. Poll card to proxy of an anonymous elector must be delivered in a sealed envelope.</i></p>

**Please turn over**

#### Voting as a proxy

\*\* [The person named on the back of this card] [Another person] has appointed you as a proxy to vote on their behalf at this election.

\*\* *If sent to the proxy of an anonymous elector omit the words in the first set of brackets, if not omit the words in the second set of brackets.*

#### Your postal vote

- You will receive a postal vote for this election because you successfully applied to vote by post.
- You will not be able to vote as a proxy in a polling station.
- **If you have not received your postal vote by *[day] [date] [month]* call *[insert helpline number]*.**

**Whether you vote in person at a polling station or using a postal vote, it is an offence for someone else to try to find out who you are voting for while you are about to mark, are marking or have just marked your ballot paper, or to then reveal that information.**

#### For this election you are proxy for:

\* *[(Elector's name)  
(Elector's address)  
(Elector's number on register)]  
[the person with this elector number: (Insert elector's number on register)]*

\* *If anonymous elector omit the words in the first set of square brackets, if not omit the words in the second set of square brackets.*

#### How to vote

1. When you receive your postal vote, read the instructions carefully.
2. Your postal vote includes your ballot paper and your declaration of identity.
3. Complete both of these and return them immediately.
4. Return your postal voting papers in the envelope provided.
5. We need to receive your postal vote by **10pm on *[day/date of poll]***.  
If you miss the post, you can hand in your postal vote and/or the postal vote of up to 5 others (including any for whom you are voting as proxy) at the Electoral Office to a person authorised to receive postal votes before **10pm on *[day] [date of poll]***.

**📞** If you need information in another format or language, please call our helpline below.

**📞** If you need help to vote, you can ask someone you know or get independent help by calling our helpline:

*[insert helpline and any other details including website]*

*If undelivered return to: [insert return address]*

#### If you make a mistake

- You must phone the helpline immediately.
- We can only issue a replacement postal vote before 5pm on *[day/date of deadline]* if you return all of your postal voting documents to be cancelled before that time.

#### If you would rather vote in person at a polling station

- You must cancel your postal vote before 5pm on *[day/ date of deadline]*. For more information, *[insert suggestion to call helpline and/or visit relevant website]*.  
**[\*Note that if you are a proxy for a person with an anonymous entry on the register you will not be able to vote in person at a polling station.]** *[\* Returning Officer to only include on proxy postal poll card sent to the proxy of an anonymous elector.]*

#### It is an offence to:

- vote using a ballot paper that was not sent for your use or interfere with another voter's ballot paper
- vote more than once at the same election, unless you are voting on your own behalf and as a proxy for another person
- vote as a proxy on behalf of more than four electors, of whom no more than two may be domestic electors (a domestic elector is one who is not an overseas or service elector)
- vote as a proxy for someone if you know that by law they are not allowed to vote.

Issued by the Chief Electoral Officer.

# SCHEDULE 3

Regulation 10(c)

## Parliamentary elections: Form L

*Front of declaration*

<b>Declaration of Identity</b>	[Space for barcode]
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<b>Election of Member of Parliament for [insert name of constituency]</b>
Date of election [day] [date] [month] [year]

**Important – you must fill in and return this declaration of identity with your completed ballot paper for it to be counted. Please read the instructions on the back of this form carefully and use a black pen.**

\*Name \_\_\_\_\_ Ballot paper number \_\_\_\_\_

\* Returning Officer to omit name where sent to an anonymous elector

(!) Check that the number on the back of your ballot paper matches the number shown above. If these do not match, call us **immediately** on (insert helpline number).

**I am the person the ballot paper numbered above was sent to.**

**My Date of Birth is:**

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Day		Month		Year	

**\*My Signature is:**

\*Returning Officer to omit where elector has been granted a waiver.

--

**We will check this information against our records for security.**

**It is an offence to vote using a ballot paper that was not sent for your use or interfere with another voter's ballot paper. It is an offence to vote more than once at the same election (unless you are appointed as a proxy).**

**The voter has signed this declaration in my presence.**

**Witness signature** \_\_\_\_\_

The witness must be aged 18 or over and satisfied to the best of their knowledge and belief as to the identity of the voter.

**Please turn over**

### Back of declaration



## Instructions for voting by post

**Please read through carefully. If you need help, call us on [insert helpline number]**

1. For your vote to be counted, you must fill in this declaration of identity, in the presence of a witness, and return it with your ballot paper.
2. Make sure you have filled in all the information on this declaration of identity, including the date of birth \*[and signature box]] and that your witness has signed it. \*Returning Officer to indicate where the elector has been granted a waiver and that a signature is not required
3. Vote for **only one candidate** by putting a cross  in the box next to your choice on the ballot paper.
4. Do not mark the ballot paper in any other way or your vote may not count.
5. Put the ballot paper in the smaller envelope marked "A" and seal it. Then put the envelope marked "A", together with this declaration of identity, in the larger envelope marked "B".
6. We must receive your postal vote in the envelope provided by **10pm on [day] [date of poll]**. If you miss the post, you can hand in your postal vote and/or the postal votes for up to 5 others (including any others for whom you are voting as proxy) to a person authorised to receive postal votes at the Electoral Office.
7. If you hand in this postal vote and declaration of identity at the Electoral Office you will need to complete a form for them to be accepted.
8. If you are a political campaigner, you can only hand in your own postal vote plus the votes of up to 5 family members or people for whom you provide regular care (including any such persons for whom you are voting as proxy).
9. Do not put any postal votes in the letter box of the Electoral Office as they will not be counted.
10. If you would rather vote in person at a polling station or ask someone else to vote on your behalf (if you are not already an appointed proxy) you must cancel your postal vote before 5pm on [day/date of deadline]. If you decide to cancel and vote in person, you will need to bring a form of accepted photographic identification. If a person is voting on your behalf as proxy, they will need to bring their own identification.
11. Once you have handed in your postal vote for this election, you cannot cancel it.

### Getting Help

- If you need help to vote, you can ask someone you know or get independent advice by calling the helpline [or visit *insert website*]. The person helping you must not tell anyone how you voted.
- Please call the helpline if you need information in another format or language.
- If you make a mistake on your ballot paper, you can get a replacement. You must call us immediately. **We can only issue a replacement before 5pm on [day] [date] [month if you return all of your postal vote documents to be cancelled before that time.**

Electoral fraud is a crime. Whether you vote in person at a polling station or using a postal vote, it is an offence for someone to try to find out who you are voting for while you are about to mark, are marking or have just marked your ballot paper, or to then reveal that information.

[Insert helpline and other contact details including website]

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**Electoral fraud is a crime.** Issued by the Chief Electoral Officer.

# SCHEDULE 4

Regulation 10(d)

## Parliamentary elections: Form M

*Front of declaration*

(for use when a parliamentary poll is combined with another poll)

<b>Declaration of Identity</b>	<i>[Space for barcode]</i>
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<b>Election of Member of Parliament for <i>[insert name of constituency]</i></b>
Date of election [day] [date] [month] [year]

To be returned with the *[insert colour of ballot paper]* coloured ballot paper.

**Important – you must fill in and return this declaration of identity with your completed ballot paper for it to be counted. Please read the instructions on the back of this form carefully and use a black pen.**

\*Name \_\_\_\_\_ Ballot paper number \_\_\_\_\_

*\* Returning Officer to omit name where sent to an anonymous elector*

(!) Check that the number on the back of your ballot paper matches the number shown above. If these do not match, call us **immediately** on *(insert helpline number)*.

**I am the person the ballot paper numbered above was sent to.**

**My Date of Birth is:**

Day	Month	Year			

**\*My Signature is:**

*\*Returning Officer to omit where elector has been granted a waiver.*

**We will check this information against our records for security.**

**It is an offence to vote using a ballot paper that was not sent for your use or interfere with another voter’s ballot paper. It is an offence to vote more than once at the same election (unless you are appointed as a proxy).**

**The voter has signed this declaration in my presence.**

**Witness signature** \_\_\_\_\_

The witness must be aged 18 or over and satisfied to the best of their knowledge and belief as to the identity of the voter.

**Please turn over**

## Back of declaration



### Instructions for voting by post

Please read through carefully. If you need help, call us on *[insert helpline number]*.

1. For your vote to be counted, you must fill in this declaration of identity, in the presence of a witness, and return it with your ballot paper for the **UK Parliamentary election**. You must do this even if you have already signed a similar declaration of identity for another election to be held on the same day.
2. Make sure you have filled in all the information on this declaration of identity, including the date of birth *\*[and signature box]* and that your witness has signed it. *\*Returning Officer to indicate where the elector has been granted a waiver and that a signature is not required.*
3. Vote for **only one candidate** by putting a cross  in the box next to your choice on the ballot paper.
4. Do not mark the ballot paper in any other way or your vote may not count.
5. Different colours are used for the ballot papers for each election. Each ballot paper has its own ballot paper envelope (the smaller envelope marked "A"), declaration of identity and covering envelope (the larger envelope marked "B"). The covering envelope and declaration of identity will refer to the colour of the ballot paper. It is important to use the correct envelopes and declaration of identity.
6. Place each ballot paper in the correct smaller envelope marked "A" and seal it. Then put the envelope marked "A", together with the correct declaration of identity, in the correct larger envelope marked "B" and seal it.
7. We must receive your postal vote in the envelope provided by **10pm on [day] [date of poll]**.
8. If you miss the post, you can hand in your postal vote and/or the postal votes for up to 5 others (including any others for whom you are voting as proxy) to a person authorised to receive postal votes at the Electoral Office.
9. If you hand in this postal vote and declaration of identity at the Electoral Office you will need to complete a form for them to be accepted.
10. If you are a political campaigner, you can only hand in your own postal vote plus the votes of up to 5 family members or people for whom you provide regular care (including any such persons for whom you are voting as proxy).
11. Do not put any postal votes in the Electoral Office letterbox as they will not be counted.
12. If you would rather vote in person at a polling station or ask someone else to vote on your behalf (if you are not already an appointed proxy) you must cancel your postal vote before 5pm on [day/date of deadline]. If you decide to cancel and vote in person, you will need to bring a form of accepted photographic identification. If a person is voting on your behalf as proxy, they need to bring their own identification.
13. Once you have handed in your postal vote for this election, you cannot cancel it.



#### Getting Help

- If you need help to vote, you can ask someone you know or get independent advice by calling the helpline [or visit *insert website*]. The person helping you must not tell anyone how you voted.
- Please call the helpline if you need information in another format or language.
- If you make a mistake on your ballot paper you can get a replacement. You must call us immediately. **We can only issue a replacement before 5pm on [day] [date] [month] if you return all of your postal voting documents to be cancelled before that time.**

Electoral fraud is a crime. Whether you vote in person at a polling station or using a postal vote, it is an offence for someone to try to find out who you are voting for while you are about to mark, are marking or have just marked your ballot paper, or to then reveal that information.

*[Insert helpline and other contact details including website]*

**Electoral fraud is a crime.** Issued by the Chief Electoral Officer.

# SCHEDULE 5

Regulation 10(e)

## Parliamentary elections: Form N

*Front of statement*

**FORM K1: STATEMENT AS TO POSTAL BALLOT PAPERS  
REPRESENTATION OF THE PEOPLE ACTS  
PARLIAMENTARY ELECTION**

Constituency .....

Date of Poll .....

<b>A Issue of postal ballot papers</b>	<b>Number</b>
1. Total number of postal ballot papers issued under regulation 76	
2. Total number of postal ballot papers issued under regulation 81(2) (where the first ballot paper was spoilt and returned for cancellation)	
3. Total number of postal ballot papers issued (items 1 to 2)	
<b>B(1) Receipt of and replacement postal ballot papers</b>	<b>Number</b>
4. Number of covering envelopes received by the returning officer before the close of poll (excluding any undelivered or returned under regulation 81(1) (spoilt) or rejected under regulation 84C or left behind as described in regulation 84F)	
5. Number of covering envelopes received by the returning officer after the close of poll, excluding any returned as undelivered	
6. Number of postal ballot papers returned spoilt for cancellation under 81(1) in time for another ballot paper to be issued	
7. Number of postal ballot papers returned as spoilt too late for another ballot paper to be issued	
<p><i>In items 8-14 record the number of postal ballot papers handed to the Returning Officer before the close of poll that were rejected because of the following reasons:</i></p> <p><i>(A) The form accompanying the postal ballot papers handed in was not fully completed (under regulation 84C(1)(a))</i></p> <p><i>(B) the number of postal ballot papers handed in exceeded the permitted number (under regulation 84C(1)(b) and (c))</i></p> <p><i>(C) the postal ballot papers were handed in by a political campaigner not permitted to handle the postal ballot papers (under regulation 84C(4))</i></p> <p><i>In item 15 record the number of postal ballot papers that were left behind (as described in regulation 84F)</i></p>	
8. Number of postal ballot papers rejected for reason (A)	
9. Number of postal ballot papers rejected for reason (B)	
10. Number of postal ballot papers rejected for reason (C)	
11. Number of postal ballot papers rejected for reasons (A) AND (B)	

Back of statement

12. Number of postal ballot papers rejected for reasons (A) AND (C)	
13. Number of postal ballot papers rejected for reasons (B) AND (C)	
14. Number of postal ballot papers rejected for reasons (A), (B) AND (C)	
15. Number of postal ballot papers left behind (as described in regulation 84F)	
16. Number of covering envelopes returned as undelivered (up to the date of this statement)	
17. Number of covering envelopes not received by the returning officer (up to the date of this statement)	
18. Total of numbers 4 to 17 (this should be the same as that in 3 above)	

<b>B(2) Tendered postal ballot papers issued</b>	<b>Number</b>
19. Number of tendered ballot papers issued	
20. Number of covering envelopes for tendered ballot papers received	
<b>C Count of postal ballot papers</b>	<b>Number</b>
21. Number of covering envelopes received by the returning officer before the close of poll (excluding any undelivered or returned under regulation 81(1) (spoilt) or rejected under regulation 84C or left behind as described in regulation 84F)	
22. Number of ballot papers returned by postal voters which were included in the count of ballot papers	
23. Number of cases in which a covering envelope or its contents were marked "Rejected" (cancellations under regulation 81(4) are not rejections and should be included in items 2 and 6 above, and postal ballot papers rejected under regulation 84C or left behind as described in regulation 84F should be recorded in items 8 to 15 above)	
24. Number of tendered postal ballot papers marked rejected	

Date..... Signed.....

Returning Officer

Authority.....

SCHEDULE 6

Regulation 13(8)(a)

Assembly elections: form of declaration of identity

*Front of declaration*

<b>Declaration of Identity</b>	<i>[Space for barcode]</i>
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<b>Northern Ireland Assembly Election for [insert name of constituency]</b>
Date of election [day] [date] [month] [year]

To be returned with the *[insert colour of ballot paper]* coloured ballot paper.  
**Important – you must fill in and return this declaration of identity with your completed ballot paper for it to be counted. Please read the instructions on the back of this form carefully and use a black pen.**

\*Name \_\_\_\_\_ Ballot paper number \_\_\_\_\_

*\* Returning Officer to omit name where sent to an anonymous elector*

(!) Check that the number on the back of your ballot paper matches the number shown above. If these do not match, call us **immediately** on *(insert helpline number)*.

**I am the person the ballot paper numbered above was sent to.**

**My Date of Birth is:**

Day		Month		Year	

**\*My Signature is:**  
*\*Returning Officer to omit where elector has been granted a waiver.*

**We will check this information against our records for security.**

It is an offence to vote using a ballot paper that was not sent for your use or interfere with another voter’s ballot paper. It is an offence to vote more than once at the same election (unless you are appointed as a proxy).

**The voter has signed this declaration in my presence.**

**Witness signature** \_\_\_\_\_

The witness must be aged 18 or over and satisfied to the best of their knowledge and belief as to the identity of the voter.

**Please turn over**



## Back of declaration



### Instructions for voting by post

**Please read through carefully. If you need help, call us on [insert helpline number]**

1. For your vote to be counted, you must fill in this declaration of identity, in the presence of a witness, and return it with your ballot paper.
2. Make sure you have filled in all the information on this declaration of identity, including the date of birth [and signature box] and that your witness has signed it. *\*Returning Officer to indicate where the elector has been granted a waiver and that a signature is not required*
3. On the ballot paper number the candidates in order of preference, putting:  
"1" against your first choice.  
"2" against your second choice, and so on.
4. You should not put the same number against more than one candidate.
5. You may number as many or as few candidates as you wish
6. Put the ballot paper in the smaller envelope marked "A" and seal it. Then put the envelope marked "A", together with this declaration of identity, in the larger envelope marked "B".
7. We must receive your postal vote in the envelope provided by **10pm on [day] [date of poll]**.
8. If you miss the post, you can hand in your postal vote and/or the postal vote of up to 5 others (including any others for whom you are voting as proxy) to a person authorised to receive postal votes at the Electoral Office.
9. If you hand in this postal vote and declaration of identity at the Electoral Office you will need to complete a form for them to be accepted.
10. If you are a political campaigner - you can only hand in your own postal vote plus the votes of up to 5 family members or people for whom you provide regular care (including any such persons for whom you are voting as proxy).
11. Do not put any postal votes in the letter box of the Electoral Office as they will not be counted.
12. If you would rather vote in person at a polling station or ask someone else to vote on your behalf (if you are not already an appointed proxy) you must cancel your postal vote before 5pm on [day/date of deadline]. If you decide to cancel and vote in person, you will need to bring a form of accepted photographic identification. If a person is voting on your behalf as proxy they need to bring their own identification.
13. Once you have handed in your postal vote for this election, you cannot cancel it.

#### Getting Help

- If you need help to vote, you can ask someone you know or get independent advice by calling the helpline [or visit *insert website*]. The person helping you must not tell anyone how you voted.
- Please call the helpline if you need information in another format or language.
- If you make a mistake on your ballot paper you can get a replacement. You must call us immediately. **We can only issue a replacement before 5pm on [day] [date] [month] if you return all of your postal vote documents to be cancelled before that time.**

Whether you vote in person at a polling station or using a postal vote, it is an offence for someone to try to find out who you are voting for while you are about to mark, are marking or have just marked your ballot paper, or to then reveal that information

*[Insert helpline and other contact details including website]*

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**Electoral Fraud is a crime. Issued by the Chief Electoral Officer.**

# SCHEDULE 7

Regulation 13(8)(b)

## Assembly elections: form of declaration of identity (combined polls)

### *Front of Declaration*

(for use when an Assembly poll is combined with another poll)

<b>Declaration of Identity</b>	<i>[Space for barcode]</i>
--------------------------------	----------------------------

<b>Northern Ireland Assembly Election for [insert name of constituency]</b>
Date of election [day] [date] [month] [year]

To be returned with the *[insert colour of ballot paper]* coloured ballot paper.

**Important – you must fill in and return this declaration of identity with your completed ballot paper for it to be counted. Please read the instructions on the back of this form carefully and use a black pen.**

\*Name \_\_\_\_\_ Ballot paper number \_\_\_\_\_

*\* Returning Officer to omit name where sent to an anonymous elector*

(!) Check that the number on the back of your ballot paper matches the number shown above. If these do not match, call us **immediately** on *(insert helpline number)*.

**I am the person the ballot paper numbered above was sent to.**

**My Date of Birth is:**

Day	Month	Year			

**\*My Signature is:**

*\*Returning Officer to omit where elector has been granted a waiver.*

**We will check this information against our records for security.**

**It is an offence to vote using a ballot paper that was not sent for your use or interfere with another voter's ballot paper. It is an offence to vote more than once at the same election (unless you are appointed as a proxy).**

**The voter has signed this declaration in my presence.**

**Witness signature** \_\_\_\_\_

The witness must be aged 18 or over and satisfied to the best of their knowledge and belief as to the identity of the voter.

**Please turn over**

### *Back of declaration*



#### **Instructions for voting by post**

**Please read through carefully. If you need help, please call us on [insert helpline number].**

1. For your vote to be counted, you must fill in this declaration of identity, in the presence of a witness, and return it with your ballot paper for the **Assembly election**. You must do this even if you have already signed a similar declaration of identity for another election to be held on the same day.
2. Make sure you have filled in all the information on this declaration of identity, including the date of birth \**[and signature]* box and that your witness has signed it. \**Returning Officer to indicate where the elector has been granted a waiver and that a signature is not required.*
3. On the ballot paper number the candidates in order of preference, putting;  
    “1” against your first choice.  
    “2” against your second choice, and so on.
4. You should not put the same number against more than one candidate.
5. You may number as many or as few candidates as you wish
6. Put the ballot paper in the smaller envelope marked “A” and seal it. Then put the envelope marked “A”, together with this declaration of identity, in the larger envelope marked “B”.
7. We must receive your postal vote in the envelope provided by **10pm on [day] [date of poll]**.
8. If you miss the post, you can hand in your postal vote and/or the postal vote for up to 5 others (including any others for whom you are voting for as proxy) to a person authorised to receive postal votes at the Electoral Office.
9. If you hand in this postal vote and declaration of identity at the Electoral Office you will need to complete a form for them to be accepted.
10. If you are a political campaigner - you can only hand in your own postal vote plus the votes of up to 5 family members or people for whom you provide regular care (including any such persons for whom you are voting as proxy).
11. Do not put any postal votes in the letter box of the Electoral Office as they will not be counted.
12. If you would rather vote in person at a polling station or ask someone else to vote on your behalf (if you are not already an appointed proxy) you must cancel your postal vote before 5pm on [day/date of deadline]. If you decide to cancel and vote in person, you will need to bring a form of accepted photographic identification. If a person is voting on your behalf as proxy they need to bring their own identification.
13. Once you have handed in your postal vote for this election, it cannot be cancelled.



#### **Getting Help**

- If you need help to vote, you can ask someone you know or get independent advice by calling the helpline. The person helping you must not tell anyone how you voted.
- Please call the helpline if you need information in another format or language.
- If you make a mistake on your ballot paper you can get a replacement. You must call us immediately. **We can only issue a replacement before 5pm on [day] [date] [month]** if you return all of your postal voting documents to be cancelled before that time.

**Electoral fraud is a crime. Whether you vote in person at a polling station or using a postal vote, it is an offence for someone to try to find out who you are voting for while you are about to mark, are marking or have just marked your ballot paper, or to then reveal that information.**

*[Insert helpline and other contact details including website]*

**Electoral fraud is a crime.** Issued by the Chief Electoral Officer.

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend subordinate legislation in consequence of provisions contained in the Elections Act 2022 (c. 37) (“the Act”). The amendments made by these Regulations principally concern the handing in of postal voting documents for Parliamentary and Assembly elections (see section 5 of the Act). Similar provision for local elections is made in the Local Elections (Northern Ireland) (Amendment) Order 2024 (S.I. 2024/XXX). The Regulations also make amendments and transitional provisions relating to the voting and candidacy right of EU citizens (see section 15 of, and Schedule 8 to, the Act). These latter provisions are supplementary to the amendments made in the Representation of the People (Franchise Amendment and Eligibility Review) (Northern Ireland) Regulations 2023 (S.I. 2023/1176).

Part 2 of these Regulations amends the Representation of the People (Northern Ireland) Regulations 2008 (S.I. 2008/1741) to set out new procedures which will apply to the handing in of postal voting documents to the returning officer for UK Parliamentary elections. The Representation of the People (Postal Vote Handling and Secrecy) (Amendment) Regulations 2023 (S.I. 2023/1225) makes similar amendments in respect of parliamentary elections in Great Britain.

Under the amendments being made, persons seeking to hand in postal voting documents to the returning officer will be required to complete a return of postal voting documents form, and their postal voting documents must or may be rejected by the returning officer if certain criteria are met. The effect of rejection is that such documents are not duly returned for the purposes of rule 45(2) of Schedule 1 to the Representation of the People Act 1983 (c. 2). Part 2 also makes provision for postal voting documents which are brought into the offices of the returning officer but are left behind without being handed in.

Additionally, Part 2 of these Regulations updates prescribed forms for use at Parliamentary elections as a consequence of these new procedures (regulation 10 and Schedules 1 to 5).

Part 3 of these Regulations amends the Northern Ireland Assembly (Elections) Order 2001 (“the 2001 Order”) (S.I. 2001/2599) so that the same procedures will apply to Assembly elections in Northern Ireland. Regulation 12 amends Schedule 1 to the 2001 Order, which lists the provisions of the Representation of the People Act 1983 to be applied with modifications by virtue of article 3(1) of the 2001 Order. Regulation 13 amends Schedule 2 to the 2001 Order, which lists the provisions of the Representation of the People (Northern Ireland) Regulations 2008 to be applied with modifications by virtue of article 3(1) of the 2001 Order.

Part 3 also updates the declaration of identity forms for use at Assembly elections (regulation 13(6) and Schedule 6).

Part 4 of these Regulations makes provision related to the changes to the voting and candidacy rights of EU citizens set out in Schedule 8 to the Act. Regulation 14 makes a minor consequential amendment to the Representation of the People (Northern Ireland) Regulations 2008. Regulation 15 amends the Representations of the People (Franchise Amendment and Eligibility Review) (Northern Ireland) Regulations 2023 to prevent the duplication of notices to relevant persons following the outcome of the review of registration entitlement provided for in Chapter 2 of Part 2 of those Regulations.

Regulation 16 makes transitional provision so that a person who was entitled to stand as a candidate in a local election or Assembly election prior to 7th May 2024 remains qualified to stand as a

candidate in such an election where that election is re-run on or after 7th May 2024, despite the changes made by Part 3 of Schedule 8 to the Elections Act 2022. Regulation 17 makes transitional provision to the effect that a person who is elected following a re-run Assembly election remains qualified to hold that office until the end of the term of office following that election. Equivalent provision is not required for local elections.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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