
Changes to legislation: There are currently no known outstanding effects for the Parliamentary Voting System and Constituencies Act 2011, Cross Heading: Voting procedure. (See end of Document for details)

SCHEDULES

SCHEDULE 2

RULES FOR CONDUCT OF THE REFERENDUM

PART 1

REFERENDUM RULES

THE POLL

Voting procedure

- 26 A ballot paper must be delivered to a voter who applies for one, subject to any provision of these rules to the contrary.
- 27 (1) In Northern Ireland a ballot paper must not be delivered to a voter unless the voter has produced a specified document to the presiding officer or a clerk.
- (2) A clerk or presiding officer in Northern Ireland to whom a specified document is produced must not deliver a ballot paper to the voter if the clerk or officer decides that—
- (a) the document raises a reasonable doubt as to whether the voter is the elector or proxy he or she claims to be, or
 - (b) the apparent age of the voter as compared with the date of birth supplied in pursuance of section 10(4A)(b), 10A(1A)(b) or 13A(2A)(b) of the 1983 Act raises a reasonable doubt as to whether the voter is the elector or proxy he or she claims to be.
- (3) Where such a decision is made by a clerk, the clerk must refer the case to the presiding officer, who must deal with it under this rule as if the specified document had been produced to the officer in the first place.
- (4) For the purposes of this rule a specified document is one that for the time being falls within the following list—
- (a) a licence to drive a motor vehicle if the licence bears the photograph of the person to whom it is issued;
 - (b) a passport issued by the Government of the United Kingdom or by the Government of the Republic of Ireland;
 - (c) an electoral identity card, issued under section 13C of the 1983 Act;
 - (d) a Senior SmartPass issued under the Northern Ireland Concessionary Fares Scheme for use from 1st May 2002;
 - (e) a Blind Person's SmartPass, issued under the Northern Ireland Concessionary Fares Scheme for use from 1st May 2002;
 - (f) a War Disabled SmartPass, issued under the Northern Ireland Concessionary Fares Scheme for use from 1st May 2002;

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- (g) a 60+ SmartPass issued under the Northern Ireland Concessionary Fares Scheme for use from 1st October 2008.
- (5) In paragraph (4)(a) “licence to drive a motor vehicle” means a licence granted under—
- (a) Part 3 of the Road Traffic Act 1972 or Part 3 of the Road Traffic Act 1988,
 - (b) the Road Traffic (Northern Ireland) Order 1981, or
 - (c) any corresponding enactment for the time being in force,
- and includes a Community licence within the meaning of those enactments.
- (6) References in this rule to producing a document are to producing it for inspection.
- 28 (1) This rule applies where there is a duty to deliver a ballot paper to a voter under rule 26.
- (2) Immediately before delivery of the ballot paper—
- (a) the number and (unless paragraph (3) applies) name of the elector as stated in the copy of the register of electors must be called out;
 - (b) the number of the elector must be marked on the list mentioned in rule 17(3) (d) beside the number of the ballot paper to be issued to the elector;
 - (c) a mark must be placed in the register of electors against the number of the elector to note that a ballot paper has been received but without showing the particular ballot paper which has been received;
 - (d) in the case of a person applying for a ballot paper as proxy, a mark must also be placed against the person's name in the list of proxies.
- (3) An elector who has an anonymous entry must show the presiding officer his or her official poll card and only the number is to be called out in pursuance of paragraph (2) (a).
- (4) In the case of an elector who is added to the register in pursuance of a notice issued under section 13B(3B) or (3D) or 13BA(9) of the 1983 Act—
- (a) the reference in paragraph (2)(a) to the copy of the register of electors is to be read as a reference to the copy of the notice;
 - (b) the reference in paragraph (2)(c) to a mark being placed in the register of electors is to be read as a reference to a mark being made on the copy of the notice.
- 29 (1) Immediately after receiving a ballot paper the voter must—
- (a) proceed into one of the compartments in the polling station and there secretly mark the paper and fold it up so as to conceal the vote, and then
 - (b) show to the presiding officer the back of the paper, so as to disclose the number and other unique identifying mark, and put the ballot paper so folded up into the ballot box in the presiding officer's presence.
- (2) The voter must vote without undue delay, and must leave the polling station as soon as he or she has put the ballot paper into the ballot box.

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