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*Status: Point in time view as at 16/01/2023. This version of this provision has been superseded.*

*Changes to legislation: Elections Act 2022, Paragraph 13 is up to date with all changes known to be in force on or before 30 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

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## SCHEDULES

### SCHEDULE 6

#### LOCAL ELECTIONS IN NORTHERN IRELAND AND ELECTIONS TO THE NORTHERN IRELAND ASSEMBLY

##### PART 1

#### LOCAL ELECTIONS IN NORTHERN IRELAND

##### *Electoral Law Act (Northern Ireland) 1962*

- 13 (1) Rule 32 (questions to be put to voters) is amended as follows.
- (2) In paragraph (1A), after “elector” insert “or as proxy”.
- (3) For paragraph (2) substitute—
- “(2) In the case of a person applying as proxy, the presiding officer may, and if required as mentioned in paragraph (1) above must, put the following additional question:—
- (a) “Have you already voted as proxy at this election, either here or elsewhere in this or any other district electoral area, on behalf of four or more electors?”
- and if the person answers that question in the negative, the following question:—
- (b) “Have you already voted as proxy at this election, either here or elsewhere in this or any other district electoral area, on behalf of two or more electors both or all of whom are registered in a register of local electors in Northern Ireland otherwise than by virtue of a service qualification?”
- and if the person answers that question in the affirmative, the following question:—
- (c) “Is the elector (or are the electors) for whom you are voting today at this election registered in a register of local electors in Northern Ireland otherwise than by virtue of a service qualification?””
- (4) After paragraph (2) insert—
- “(2A) Where a clerk—
- (a) gives a person the required information (see paragraph (6)),
- (b) puts any of the questions set out in paragraphs (1) to (2) above to the person, and
- (c) decides that the person has failed to answer the question satisfactorily,

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the clerk must refer the matter to the presiding officer, who must put the question to the person again.”

(5) For paragraph (3) substitute—

“(3) Where the presiding officer—

- (a) gives a person the required information,
- (b) puts any of the questions set out in paragraphs (1) to (2) above to the person (whether or not following a referral under paragraph (2A)), and
- (c) decides that the person has failed to answer the question satisfactorily,

the officer must refuse to deliver a ballot paper to the person.”

(6) After paragraph (5) insert—

“(6) For the purposes of this rule, a person to whom any question is to be put is given “the required information” if the person is first informed that—

- (a) a ballot paper will be refused if the person fails to answer each question satisfactorily, and
- (b) giving false information may be an offence.”

#### **Commencement Information**

- I1** Sch. 6 para. 13 not in force at Royal Assent, see **s. 67(1)**
- I2** Sch. 6 para. 13(1) in force at 16.1.2023 for specified purposes by S.I. 2022/1401, **reg. 2(f)(iii)(aa)** (with reg. 3(3))
- I3** Sch. 6 para. 13(4)-(6) in force at 16.1.2023 by S.I. 2022/1401, **reg. 2(f)(iii)(bb)** (with reg. 3(3))

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