

SCHEDULE 3

regulation 5

COMBINATION OF POLLS

Part I

Modifications to Regulations and Rules listed in regulation 5(2)

<i>(1)</i> <i>Provision</i>	<i>(2)</i> <i>Modification</i>
<p><i>The Representation of the People Regulations 1986 (S.I.1986/1081)</i></p> <p>Regulation 100 (modification of parliamentary elections rules)</p>	<p>In paragraph (6), in the substituted paragraph (5) of rule 29, in the section headed “COUNCIL ELECTION”, the end insert— “*[vote once for your first choice and once for your second choice].”</p> <p>In paragraph (21), in the substituted guidance—</p> <p>(a) in paragraph 2, for the second sentence, substitute— “*[Except in the mayoral election, mark a cross (X) in the box on the right hand side of each ballot paper opposite the name of the candidate you are voting for.] *[In the mayoral election vote once for your first choice and once for your second choice.]”;</p> <p>(b) in paragraph 4, for the first sentence, substitute— “Vote only *[for the number of candidates] *[as] specified on each ballot paper.”; and</p> <p>(c) after paragraph 5, add— “*Delete as necessary”.</p>
<p><i>The Local Elections (Principal Areas) Rules 1986 (S.I. 1986/2214)</i></p> <p>In Schedule 4 (modifications to the Rules in Schedule 2 to apply where the poll at an election of councillors of a principal area is taken together with the poll at another election under section 15(1) or (2) of the Representation of the People Act 1985)</p>	<p>In paragraph 6, in the substituted paragraph (5) of rule 23, in the section headed “*[Specify name of council] COUNCIL ELECTION”, at the end insert— “*[vote once for your first choice and once for your second choice.]”.</p> <p>In paragraph 14(1), in the substituted paragraph (1A) of rule 37, after “(No. 2) Rules 2000”, insert “a mayoral election,”.</p> <p>In paragraph 21, in the form set out in subparagraph (2)—</p>

(1) Paragraph 14 was amended by S.I. 2000/427.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>(1)</i> <i>Provision</i> <i>The Representation of the People Regulations 1986 (S.I.1986/1081)</i>	<i>(2)</i> <i>Modification</i>
	<p>(a) in paragraph 2 of the instructions to the voter—</p> <p>(i) after the second sentence, insert— “*[At the mayoral election, vote once for your first choice and once for your second choice.]”;</p> <p>(ii) omit the sentence in italics;</p> <p>(b) in paragraph 3, after “you are voting for.”, insert “*[At the mayoral election vote once for your first choice and once for your second choice.]”;</p> <p>(c) after paragraph 7, insert “<i>To be completed or deleted by the returning officer as the circumstances require</i>”.</p>
<p><i>The Local Elections (Parishes and Communities) Rules 1986 (S.I. 1986/2215)</i></p> <p>In Schedule 4 (modifications to the Rules in Schedule 2 to apply where the poll at an election of parish or community councillors is taken together with the poll at another election under section 15(2) of the Representation of the People Act 1985)</p>	<p>In paragraph 5, in the substituted paragraph (5) of rule 23, in the section headed “*[Specify name of council] COUNCIL ELECTION”, at the end insert— “*[vote once for your first choice and once for your second choice.]”.</p>
	<p>In paragraph 20, in the form set out in subparagraph (2)—</p> <p>(a) in paragraph 2 of the instructions to the voter—</p> <p>(i) after the second sentence, insert— “*[At the mayoral election, vote once for your first choice and once for your second choice.]”;</p> <p>(ii) omit the sentence in italics;</p> <p>(b) in paragraph 3, after “you are voting for.”, insert “*[At the mayoral election vote once for your first choice and once for your second choice.]”;</p> <p>(c) after paragraph 7, insert “<i>To be completed or deleted by the returning officer as the circumstances require</i>”.</p>
<p><i>The European Parliamentary Elections Regulations 1999 (S.I. 1999/1214)</i></p> <p>In Part I (England and Wales) of Schedule 2 (application with modifications of provisions of subordinate legislation)</p>	<p>Omit the entry for Form H in Schedule 2 to the Representation of the People Regulations 1986.</p>

<i>(1)</i> <i>Provision</i> <i>The Representation of the People Regulations 1986 (S.I.1986/1081)</i>	<i>(2)</i> <i>Modification</i>
Schedule 3 (modification of European Parliamentary Elections Rules for combined polls)	<p>In paragraph 6, in the substituted paragraph (5) of rule 29, in the section headed “COUNCIL ELECTION”, at the end insert—</p> <p>“*[vote once for your first choice and once for your second choice.]”</p> <p>In paragraph 22, in the substituted guidance—</p> <p>(a) in paragraph 2, for the second sentence, substitute—</p> <p>“At the *[parliamentary election] *[local government election] *[mayoral election] mark a cross (X) in the box on the right hand side of each ballot paper opposite the name of the candidate you are voting for. *[At the mayoral election vote once for your second choice.]”;</p> <p>(b) in paragraph 4, for “only one”, substitute “no other”; and</p> <p>(c) after paragraph 5, add—</p> <p>“*Delete as necessary”.</p> <p>After paragraph 23, add—</p> <p>“24. The form of declaration of identity shall be that set out in Form H referred to in regulation 66(a) of the Representation of the People (England and Wales) Regulations 2001, subject to the following modifications on the back of the form—</p> <p>(a) in paragraph 2—</p> <p>(i) in the first sentence, before “candidate”, insert “party or individual”; and</p> <p>(ii) after the second sentence, insert “*[At the mayoral election, vote once for your first choice and once for your second choice.]”;</p> <p>(b) in paragraph 3—</p> <p>(i) for “on the right hand side of the ballot paper opposite the name of the”, substitute “in the column of the party or individual”; and</p> <p>(ii) after “you are voting for.”, insert “*[At the</p>

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>(1)</i> <i>Provision</i> <i>The Representation of the People Regulations 1986 (S.I.1986/1081)</i>	<i>(2)</i> <i>Modification</i>
<p><i>The Greater London Authority Elections (No. 2) Rules 2000 (S.I. 2000/427)</i></p> <p>Rule 4 (forms)</p> <p>Rule 8 (combination of polls)</p> <p>In Schedule 8 (modifications to apply where the poll at GLA election is taken together with the poll at another election under section 15(1) or (2) of the Representation of the People Act 1985)</p>	<p>mayoral election vote once for your first choice and once for your second choice.]””.</p> <p>Number the existing rule as “(1)”, and add the following paragraph—</p> <p>“(2) Where the poll at a GLA election is taken together with the poll at an election under the Local Authorities (Mayoral Elections) (England and Wales) Regulations 2002, Forms 8 and 9 in Schedule 5 may be adapted as the circumstances require.”.</p> <p>In paragraph (2), after “London borough”, insert “or at an election under the Local Authorities (Mayoral Elections) (England and Wales) (Regulations 2002,”.</p> <p>After paragraph 1, insert the following paragraph—</p> <p>“2. For the purposes of rule 8(2) of the Greater London Authority Elections (No. 2) Rules 2000, references to a London borough election in the modifications set out in column (2) of the Table below shall be treated as including references to an election under the Local Authorities (Mayoral Elections) (England and Wales) Regulations 2002; and the provisions so modified shall have effect accordingly.”.</p>
<p><i>The Representation of the People (England and Wales) Regulations 2001 (S.I. 2001/341)</i></p> <p>Regulation 66 (form of declaration of identity), in so far as it applies to Form H, and, in Schedule 3, Form H.</p>	<p>In Form H—</p> <p>(a) in paragraph 2 of the instructions to the voter, after the second sentence, insert— “*[At the mayoral election, vote once for your first choice and once for your second choice.]”;</p> <p>(b) in paragraph 3, after “you are voting for.”, insert “*[At the mayoral election vote once for your first choice and once for your second choice.]”</p>

---

<i>(1)</i> <i>Provision</i> <i>The Representation of the People Regulations 1986 (S.I.1986/1081)</i>	<i>(2)</i> <i>Modification</i>	
<i>The Local Authorities (Conduct of Referendums) (England) Regulations 2001 (S.I. 2001/1298)</i>		
Regulation 14 (combination of polls: general)	In paragraph (2), after sub-paragraph (h), insert—  “(i) an election of an elected mayor”.	
Regulation 15 (combination of referendum and election polls: supplementary provisions relating to referendums)	In paragraph (4), after “Principal Areas Rules”, insert “or, as the case may be, the Mayoral Elections Rules.”.	
Regulation 16 (combination of referendum and election polls: supplementary provisions relating to elections)	In paragraph (6), at the end, add “; or, where the poll at the referendum is combined with the poll at an election of an elected mayor, as further modified by the Local Authorities (Mayoral Elections) (England and Wales) Regulations 2002.”	
Part V (combined polls at referendums: modifications of the Rules in Schedule 2 to the Principal Areas Rules, as modified by Schedule 4 to those Rules) of Schedule 5	In the entry in column (2) relevant to the entry in column (1) for the form of declaration of identity for use where postal ballots are taken together, in paragraph (a)(i) of the modifications relevant to the back of the form, after “once only.”, insert— “*[At the mayoral election, vote once for your first choice and once for your second choice.]”.	In the entry in column (2) in which is substituted the form of directions for the guidance of the voters in voting— (a) in paragraph 2 of that substituted guidance— (i) for “Mark” substitute “*[Except at the mayoral election, mark]”; (ii) for “election.”, substitute “election.]”]; and (iii) at the end, add— “*[At the mayoral election, vote once for your first choice and once for your second choice.]”]; and (b) after paragraph 5, add— “*To be completed or deleted by the returning officer as the circumstances require.”.

---

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

## Part II

### Modifications to the Mayoral Elections Rules

<i>(1)</i> <i>Rule</i>	<i>(2)</i> <i>Modification (see also regulation 5(3) and (4))</i>
3 (timetable)	For “8 in the morning and 9” substitute “7 in the morning and 10”.
19 (notice of poll)	Add at the end— “(4) The notice published under paragraph (3) shall— (a) state that the poll at the mayoral election is to be taken together with the poll at a parliamentary election, a European Parliamentary election, a local authority election, a referendum, or another mayoral election, as the case may be; (b) specify the constituency, electoral division, ward or voting area, as the case may be, for which the other election or referendum is held; and (c) where the polls are to be taken together in part of a constituency, division, ward or voting area only, specify that part.”
23 (issue of official poll cards)	Add at the end— “(5) An official poll card issued under this rule may be combined with the official poll card issued at the other election, or, as the case may be, the referendum.”
24 (equipment of polling stations)	For paragraph (5) substitute— “(5) In every compartment of every polling station there shall be exhibited notices in the appropriate forms, which shall be printed on paper of the same colour as that of the ballot papers for use at the election or referendum to which the notice in question relates.”
25 (appointment of polling and counting agents)	At the end of paragraph (6) add— “Notices of the appointment of polling agents which are required by this paragraph and paragraphs (7) and (8) to be given to the returning officer shall be given to the returning officer who discharges the functions specified in

<i>(1)</i> <i>Rule</i>	<i>(2)</i> <i>Modification (see also regulation 5(3) and (4))</i>
32 (voting procedure)	regulation 98 of the Representation of the People Regulations 1986” <b>(2)</b>  At the end add—  “(4) The same copy of the register of electors may be used under paragraph (1) for each election or, as the case may be, the mayoral election and the referendum, and one mark may be placed in that register under paragraph (1)(d) to denote that a ballot paper has been received in respect of both the mayoral election and, as the case may be, the other election or the referendum; except that, where a ballot paper has been issued in respect of the mayoral election or, as the case may be, the other election or the referendum.”
33 (votes marked by presiding officer)	At the end of paragraph (2) add— “The same list may be used for both polls and, where it is so used, an entry in that list shall be taken to mean that the ballot papers were so marked in respect of each poll, unless the list identifies the poll at which the ballot paper was so marked.”
34 (voting by persons with disabilities)	At the end of paragraph (4) add— “The same list may be used for both polls 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 poll, unless the list identifies the poll at which the vote was so given.”
35 (tendered ballot papers)	At the end of paragraph (3) add— “The same list may be used for each election and, where it is so used, an entry in that list shall be taken to mean that tendered ballot papers were marked in respect of each election, unless the list identifies the election at which a tendered ballot paper was marked.”
37 (adjournment of poll in case of riot)	At the end of paragraph (1) insert— “who discharges the functions specified in regulation 98 of the Representation of the People Regulations 1986”
38 (procedure on close of poll)	After paragraph (1) insert—  “(1A) The contents of the packets referred to in sub-paragraphs (b), (c) and (e) of paragraph (1) shall not be combined with the contents of the packets made under

---

(2) S.I. 1986/1081.

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

<i>(1)</i> <i>Rule</i>	<i>(2)</i> <i>Modification (see also regulation 5(3) and (4))</i>
39 (attendance at the first count)	<p>the corresponding rule that applies at a parliamentary, European Parliamentary, county, county borough, district, London borough or GLA election, or at a referendum, as the case may be; nor shall the statement prepared under paragraph (3) be so combined.”</p> <p>For paragraph (1) substitute—</p> <p>“(1) Where the returning officer discharges the functions specified in regulation 98 of the Representation of the People Regulations 1986, he shall make arrangements for discharging the functions referred to in rule 40 (as modified in accordance with Part II of Schedule 3 to the Mayoral Elections (England and Wales) Regulations 2002 in the presence of the counting agents appointed for the purposes of the mayoral election as soon as practicable after the close of the poll and for thereafter counting the votes at that election in the presence of those agents; and he shall give to those counting agents notice in writing of the time and place at which he will begin to discharge the functions under that rule (as so modified).</p> <p>(1A) Where the returning officer does not discharge the functions first mentioned in paragraph 91), he shall make arrangements for counting the votes in the presence of the counting agents as soon as practicable after the delivery of the ballot papers to him by the person who does discharge those functions; and he shall give to those counting agents notice in writing of the time and place at which he will begin to count the votes.”.</p> <p>In paragraph (2), before at the counting of the votes insert at the proceedings under rule 39(1) or.</p> <p>In paragraph (3)—</p> <p>(a) before “counting of the votes” in the first place where they occur, insert “proceedings under rule 39(1) or the”; and</p> <p>(b) before “the efficient” insert “the efficient separation and verification of the ballot papers or, as the case may be,”.</p>
41 (the first count)	For paragraphs (1) and (2) substitute—



**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

---

<p>(1) Rule</p>	<p>(2) Modification (see also regulation 5(3) and (4))</p>
---------------------	--

---

“(1) Where the returning officer at the mayoral election discharges the functions specified in regulation 98 of the Representation of the People Regulations 1986, he shall—

- (a) in the presence of the counting agents appointed for the purposes of the mayoral election open each ballot box and record separately the number of ballot papers used in each election;
- (b) in the presence of the election agents appointed for the purposes of the mayoral election verify each ballot paper account;
- (c) count such of the postal ballot papers as have been duly returned and record separately the number counted at each election;
- (d) separate the ballot papers relating to the mayoral election from the ballot papers relating to the parliamentary election, the European Parliamentary election or, as the case may be, the London borough election;
- (e) make up into packets the ballot papers for each election other than the mayoral election and seal them up in separate containers endorsing on each a description of the area to which the ballot papers relate;
- (f) deliver or cause to be delivered to the returning officer for the election to which the ballot papers relate—
  - (i) those containers, together with a list of them and of the contents of each; and
  - (ii) the ballot paper accounts together with a copy of the statement as to the result of their verification in respect of that election; and
- (g) at the same time deliver to that officer packets that so relate containing—
  - (i) the unused and spoilt ballot papers,
  - (ii) the tendered ballot papers, and

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>(1)</i> <i>Rule</i>	<i>(2)</i> <i>Modification (see also regulation 5(3) and (4))</i>
50 (delivery and retention of documents)	<p>(iii) the counterfoils of the used ballot papers and the certificate as to employment on duty on the day of the poll.</p> <p>(2) After completion of the proceedings under paragraph (1), the returning officer shall mix together all of the ballot papers used at the mayoral election and count the votes given on them.</p> <p>(2A) Where the returning officer at the mayoral election does not discharge the functions specified in regulation 98 of the Representation of the People Regulations 1986, he shall—</p> <ul style="list-style-type: none"> <li>(a) on receipt of those containers from the returning officer who does discharge those functions, and after the time specified in the notice given under rule 38(1A) (as substituted by Schedule 4 to the Local Elections (Principal Areas) Rules 1986) open each container;</li> <li>(b) where the proceedings on the issue and receipt of postal ballot papers are not taken together with those proceedings at another election under regulation 65 of the Representation of the People (England and Wales) Regulations 2001, count such of the postal ballot papers as have been duly returned and record the number counted; and</li> <li>(c) mix together the postal ballot papers and the ballot papers from all of the containers and count the votes given on them.</li> </ul> <p>(2B) Paragraph (6) does not apply to proceedings under paragraph (1) or (2).”</p> <p>Add at the end of paragraph (1)— “At an election where the returning officer does not discharge the functions referred to in regulation 98 of the Representation of the People Regulations 1986, this paragraph shall have effect as if sub-paragraphs (c) and (e) were omitted.”</p>

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

---

<i>(1)</i> <i>Rule</i>	<i>(2)</i> <i>Modification (see also regulation 5(3) and (4))</i>
53 (countermand or abandonment of poll on death of candidate)	<p>At the end of paragraph (1) add—</p> <p>“Provided that neither the countermand of the poll at the mayoral election nor the direction that the poll be abandoned shall affect the poll at the parliamentary, European Parliamentary, local authority or GLA election or, as the case may be, the referendum.”.</p> <p>For paragraph (2) substitute—</p> <p>“(2) Where the poll at the mayoral election is abandoned by reason of a candidate’s death, no further ballot papers shall be delivered in any polling station and, at the close of the poll for the parliamentary, European Parliamentary, local authority or GLA election or, as the case may be, the referendum, the presiding officer shall take the like steps for the delivery to the returning officer of ballot boxes and of papers and other documents as he would be required to do if the poll at the mayoral election had not been abandoned, and the returning officer shall dispose of ballot papers used at the election (at which a candidate has died) as he is required to do on the completion in due course of the counting of the votes, but—</p> <ul style="list-style-type: none"><li>(a) it shall not be necessary for any ballot paper account at that election to be prepared or verified; and</li><li>(b) the returning officer, having separated the ballot papers relating to the parliamentary, European Parliamentary, local authority or GLA election or, as the case may be, the referendum, shall take no step or further step for the counting of the ballot papers used at the mayoral election (at which a candidate has died) or of the votes and shall seal up all of those ballot papers, whether the votes on them have been counted or not, and it shall not be necessary to seal up counted and rejected ballot papers in separate packets.”</li></ul>

---