

Draft Order laid before Parliament under section 84(4) of the Northern Ireland Act 1998, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2024 No.

NORTHERN IRELAND

The Local Elections (Northern Ireland) (Amendment) Order 2024

Made - - - -

Coming into force in accordance with article 1(2)

At the Court at Buckingham Palace, the [***] day of [***] 2024

Present,

The King's most excellent Majesty in Council

In accordance with section 7(3) of the Political Parties, Elections and Referendums Act 2000(a), the Electoral Commission has been consulted prior to this Order being laid in draft before Parliament.

In accordance with section 84(4) of the Northern Ireland Act 1998(b), a draft of this Order has been laid before Parliament and has been approved by a resolution of each House of Parliament.

Accordingly, His Majesty, in exercise of the power conferred on him by section 84(1), (1A), (2) and (3) of the Northern Ireland Act 1998(c), is pleased, by and with the advice of His Privy Council, to order as follows.

PART 1

Introductory provisions

Citation, commencement, transitional provision and extent

1.—(1) This Order may be cited as the Local Elections (Northern Ireland) (Amendment) Order 2024.

(2) This Order comes into force on the 22nd day after the day on which it is made.

(a) 2000 c. 41.

(b) 1998 c. 47.

(c) Section 84(1A) was inserted by section 3(4) of the Elections Act 2001 (c. 7).

(3) But this Order has no effect in relation to any election in respect of which the date of the poll specified in the notice of election is on or before 1st May 2024.

(4) This Order extends to Northern Ireland.

PART 2

Amendment of Schedule 2 to the Local Elections (Northern Ireland) Order 1985

Amendment of Part 1 of Schedule 2 to the Local Elections (Northern Ireland) Order 1985

2. In Part 1 of Schedule 2 to the Local Elections (Northern Ireland) Order 1985 (absent voting: voting by post, by proxy and by post as proxy)(a), in the Appendix, replace the Statement as to Postal Ballot Papers(b) with the form in Schedule 1.

Amendment of Part 3 of Schedule 2 to the Local Elections (Northern Ireland) Order 1985

3. Part 3 of Schedule 2 to the Local Elections (Northern Ireland) Order 1985 (absent voting: issue and receipt of ballot papers) is amended in accordance with articles 4 to 8.

Amendment of paragraph 1 (interpretation)

4. In paragraph 1—

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

(b) in sub-paragraph (1) insert each of the following definitions at the appropriate place—

““left behind postal voting document” has the same meaning as in paragraph 15F(1);”;

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

““return of postal voting documents form” has the same meaning as in paragraph 15A(2);”;

(c) after sub-paragraph (1) insert—

“(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(d).”.

Amendment of paragraph 15 (receipt of covering envelope)

5. In paragraph 15(e)—

(a) in the heading, at the end insert “by post”;

(b) in sub-paragraph (1), for “(whether by hand or by post)” substitute “by post”.

Insertion of paragraphs 15A to 15I (postal voting documents returned by hand and left behind postal voting documents)

6. After paragraph 15 insert—

(a) S.I. 1985/454. The heading to Part 1 of Schedule 2 was substituted by S.I. 2010/2977.

(b) The Appendix was substituted by S.I. 1987/168, and the Statement as to Postal Ballot Papers was inserted by S.I. 2010/2977.

(c) For the meaning of “postal ballot paper”, see paragraph 1 of Part 3 of Schedule 2 to S.I. 1985/454.

(d) For the meaning of “returning officer”, see paragraph 1 of Part 3 of Schedule 2 to S.I. 1985/454.

(e) Paragraph 15 was substituted by S.I. 2002/2835 and amended by S.I. 2014/1116.

“Return of postal voting documents by hand

15A.—(1) This paragraph 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 paragraph 15B(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 paragraph 15D.

(5) Where the returning officer rejects one or more of the postal voting documents handed in by P, the returning officer must proceed under paragraph 15E.

(6) For the purposes of this paragraph and paragraphs 15B to 15E (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 paragraphs are to postal voting documents as contained in such envelopes.

(7) In this paragraph, “reject” means reject in accordance with paragraph 15C.

Return of postal voting documents form: prescribed information

15B.—(1) For the purposes of paragraph 15A(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 paragraph 15C on a previous occasion, does not exceed the permitted number (see further, paragraph 15C), 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 sub-paragraph (2).

(a) Section 112A was inserted by section 4(2) of the Elections Act 2022 (c. 37). For the meaning of “the 1983 Act”, see article 2(2) of S.I. 1985/454.

- (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 sub-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

- 15C.**—(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 paragraph 15B(1) on the return of postal voting documents form;
 - (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 paragraph, P has handed in postal voting documents on behalf of more than five electors.
- (2) In sub-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 sub-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 paragraph 15C

- 15D.**—(1) Where the returning officer is required by paragraph 15A(4) to proceed under this paragraph, 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 paragraph 15B(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, paragraph 15C), 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^(a).

(4) The returning officer must include the return of postal voting documents form completed by P in a packet made up in accordance with paragraph 15G(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 paragraph, "rejected" means rejected in accordance with paragraph 15C.

Procedure where at least one postal voting document handed in by P is rejected in accordance with paragraph 15C

15E.—(1) Where the returning officer is required by paragraph 15A(5) to proceed under this paragraph, 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, and
- (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 paragraph 15G(1)(b)—

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

^(a) For the meaning of "postal voters' ballot box", see paragraph 14(1)(a) of Part 3 of Schedule 2 to S.I. 1985/454.

(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 paragraph, “rejected” means rejected in accordance with paragraph 15C.

Postal voting documents left behind with the returning officer

15F.—(1) This paragraph 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 paragraph 15G(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 paragraph 15G(1)(b), the returning officer must take proper precautions for their safe custody.

(4) For the purposes of sub-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 paragraph, 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 sub-paragraphs (2) to (4) 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

15G.—(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 paragraph 15D(2);
- (b) postal voting documents which have been rejected in accordance with paragraph 15C 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 paragraph.

List of electors whose postal voting documents have been rejected in accordance with paragraph 15C or left behind

15H.—(1) In respect of each election, the returning officer must compile a list of electors whose postal voting documents—

- (a) have been rejected in accordance with paragraph 15C 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 sub-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 paragraph 15C, the reason or reasons specified in sub-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 paragraph 15G(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.

(a) For the meaning of “ballot paper envelope”, see paragraph 8(1) of Part 3 of Schedule 2 to S.I. 1985/454.

- (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 paragraph 15C or left behind

15I.—(1) This paragraph applies where—

- (a) an elector appears on the list compiled in accordance with paragraph 15H(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 paragraph 1(3) of Part 1 of this Schedule (absent vote at elections for indefinite period)(a).

(2) The registration officer must notify the following persons that the elector’s postal ballot paper was rejected in accordance with paragraph 15C 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 paragraph 15C, the reason or reasons for its rejection recorded on the list in accordance with paragraph 15H(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 the 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 paragraph 1(3) of Part 1 of this Schedule 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(b).

(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;

(a) Paragraph 1(3) of Part 1 of Schedule 2 was substituted by S.I. 1987/168.

(b) For the meaning of “register”, see article 2(3) of S.I. 1985/454, by virtue of which the definition of “register” in section 130(1) of the Electoral Law Act (Northern Ireland) 1962 (c. 14) (N.I.) applies.

- (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 paragraph, “digital registration number” has the same meaning as in section 10B(1) of the 1983 Act(a).”.

Amendment of paragraph 17 (opening of covering envelopes)

7. In paragraph 17(b)—

(a) after sub-paragraph (4) insert—

“(4A) In carrying out the procedures in this paragraph and paragraphs 17A and 17B(c), 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.”;

(b) in sub-paragraph (5)(d), after “to denote that a”, for “postal vote” substitute “postal voting document”.

Amendment of paragraph 19 (disposal of documents)

8. In paragraph 19(e)—

(a) in sub-paragraph (1), after “12A(11)” insert “, 15G(1)(a)”;

(b) after sub-paragraph (2) insert—

“(2A) The returning officer must also forward to the proper officer of the relevant council(f) the list compiled in accordance with paragraph 15H(1), together with the packets made up in accordance with paragraph 15G(1)(b) and resealed in accordance with paragraph 15H(6)(c), as soon as reasonably practicable after the registration officer has met the duty in paragraph 15I(2) in relation to each elector on the list.”;

(c) at the end of sub-paragraph (3) insert “, subject to sub-paragraph (4)”;

(d) after sub-paragraph (3) insert—

“(4) For the purposes of the application of rules 59 and 60 of the Local Election Rules(g) to the packets and documents forwarded under this paragraph, the following are to be treated in the same manner as a counted ballot paper—

- (a) the list compiled in accordance with paragraph 15H(1) and any extracts from it;
- (b) return of postal voting documents forms.”.

(a) Section 10B was inserted by S.I. 2018/699, and subsection (1) was amended by S.I. 2020/581.

(b) Paragraph 17 was substituted by S.I. 2002/2835.

(c) Paragraphs 17A and 17B were substituted by S.I. 2002/2835, and paragraph 17A was amended by S.I. 2010/2977.

(d) Sub-paragraph (5) was inserted by S.I. 2010/2977.

(e) Paragraph 19 was amended by S.I. 2014/1116.

(f) For the meaning of “proper officer” and “relevant council”, see paragraph 19(1) of Part 3 of Schedule 2 to S.I. 1985/454.

(g) For the meaning of “Local Election Rules”, see article 2(3) of S.I. 1985/454, by virtue of which the definition of “Local Election Rules” in section 130(1) of the Electoral Law Act (Northern Ireland) 1962 applies.

PART 3

Amendment of other electoral legislation

Amendment of Schedule 5 to the Electoral Law Act (Northern Ireland) 1962

9.—(1) Schedule 5 to the Electoral Law Act (Northern Ireland) 1962 (local election rules) is amended as follows.

(2) In rule 45 (preliminary proceedings and conduct of the count)(a), in paragraph (2)—

(a) in sub-paragraph (a), after “it is returned” insert “by post or by hand”;

(b) at the end of sub-paragraph (a) omit “and”;

(c) after sub-paragraph (b) insert—

“and

(c) the postal ballot paper is not one that falls to be rejected in accordance with paragraph 15C of Part 3 of Schedule 2 to the Local Elections (Northern Ireland) Order 1985.”.

(3) In the Appendix of Forms(b)—

(a) replace form 5 (declaration of identity) with the form in Schedule 2;

(b) replace form 6A (elector’s official postal poll card) with the form in Schedule 3;

(c) replace form 7A (proxy’s official postal poll card) with the form in Schedule 4.

Amendment of the Elections Act 2001

10. In the Schedule to the Elections Act 2001(c) (Northern Ireland: modification of election provisions), in paragraph 29 (forms), replace the form inserted by sub-paragraph (2) (form 5A: declaration of identity (combined polls))(d) with the form in Schedule 5.

Amendment of the Local Elections (Northern Ireland) Order 2010

11. In Schedule 3 to the Local Elections (Northern Ireland) Order 2010 (access to marked registers and other documents open to public inspection after an election)(e), in paragraph 4(1) (public inspection of other documents)—

(a) at the end of paragraph (b) omit “and”;

(b) after paragraph (c) insert—

“and

(d) lists compiled in accordance with paragraph 15H(1) of Part 3 of Schedule 2 to the 1985 Order(f) and any extracts produced from those lists.”.

[Date]

[Name]
Clerk of the Privy Council

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- (a) Rule 45 was substituted by S.I. 1985/454, and paragraph (2) was amended by S.I. 2002/2835.
(b) Relevant amendments were made by paragraph 61(4) of Schedule 1 and Schedule 2 to the Electoral Administration Act 2006 (c. 22) and S.I. 2010/2977, 2014/1116, 2015/566 and 2020/635.
(c) 2001 c. 7. Relevant amending instrument is S.I. 2015/566.
(d) Paragraph 29(2) inserts form 5A (declaration of identity (combined polls)) into the Appendix of Forms in Schedule 5 to the Electoral Law Act (Northern Ireland) 1962 for the purposes of a combined local and parliamentary election. Form 5A (declaration of identity (combined polls)) was substituted by S.I. 2015/566.
(e) S.I. 2010/2977.
(f) For the meaning of “1985 Order”, see paragraph 1(1) of Schedule 3 to S.I. 2010/2977.

SCHEDULES

SCHEDULE 1

article 2

Statement as to Postal Ballot Papers

Front of statement

STATEMENT AS TO POSTAL BALLOT PAPERS ELECTION OF DISTRICT COUNCILLORS

District Electoral Area..... Date of Poll

A Issue of postal ballot papers	Number
1. Total number of postal ballot papers issued under paragraph 6 of Part 3 of Schedule 2	
2. Total number of postal ballot papers issued under paragraph 12(2) of Part 3 of Schedule 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(1) Receipt of and replacement postal ballot papers	Number
4. Number of covering envelopes received by the returning officer before the close of poll (excluding any undelivered or returned under paragraph 12(1) of Part 3 of Schedule 2 (spoilt) or rejected under paragraph 15C of Part 3 of Schedule 2 or left behind as described in paragraph 15F of Part 3 of Schedule 2)	
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 paragraph 12(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	
<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>	
<i>(A) The form accompanying the postal ballot papers handed in was not fully completed (under paragraph 15C(1)(a))</i>	
<i>(B) the number of postal ballot papers handed in exceeded the permitted number (under paragraph 15C(1)(b) and (c))</i>	
<i>(C) the postal ballot papers were handed in by a political campaigner not permitted to handle the postal ballot papers (under paragraph 15C(4))</i>	
<i>In item 15 record the number of postal ballot papers that were left behind (as described in paragraph 15F)</i>	
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)	
12. Number of postal ballot papers rejected for reasons (A) AND (C)	
13. Number of postal ballot papers rejected for reasons (B) AND (C)	

Back of statement

14. Number of postal ballot papers rejected for reasons (A), (B) AND (C)	
15. Number of postal ballot papers left behind (as described in paragraph 15F)	
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(2) Tendered postal ballot papers issued	Number
19. Number of tendered ballot papers issued	
20. Number of covering envelopes for tendered ballot papers received	
C Count of postal ballot papers	Number
21. Number of covering envelopes received by the returning officer before the close of poll (excluding any undelivered or returned under paragraph 12(1) (spoilt) or rejected under paragraph 15C or left behind as described in paragraph 15F)	
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 paragraph 12(4) are not rejections and should be included in items 2 and 6 above, and postal ballot papers rejected under paragraph 15C or left behind as described in paragraph 15F should be recorded in items 8 to 15 above)	
24. Number of tendered postal ballot papers marked rejected	

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

Returning Officer.....

Address.....

SCHEDULE 2

article 9(3)(a)

Form 5 (declaration of identity)

Front of declaration

Declaration of Identity	<i>[Space for barcode]</i>
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Local Council Election
<i>[insert name of District Council]</i> District Council
<i>[insert name of District Electoral Area]</i> District Electoral Area
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:

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. Put "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. You may number as many or as few candidates as you wish.
5. Do not mark the ballot paper in any other way or your vote may not count.
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]**. 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.
8. 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.
9. 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).
10. Do not put any postal votes in the letter box of the Electoral Office as they will not be counted.
11. 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.
12. 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]

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

SCHEDULE 3

article 9(3)(b)

Form 6A (elector's official postal poll card)

Postal poll card
Local Council Election
<i>[insert name of District Council]</i> District Council
<i>[insert name of District Electoral Area]</i> District Electoral Area
Date of election <i>[day] [date] [month] [year]</i>
Voting information
We will send your postal vote around <i>[day] [date] [month] [year]</i> <i>*[addressed to:]</i>
<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>
If you make a mistake on your ballot paper
<ul style="list-style-type: none">You must phone the helpline immediately.We can only issue a replacement postal vote before 5pm on <i>[day/date of deadline]</i> if you return all of your postal voting documents before that time.

Your details:

** [Elector's name and qualifying address details to which poll card is sent here]*

** 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.*

Electoral register number:

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 in a polling station.
- If you have not received your postal vote by *[day] [date] [month]* call *[insert helpline number]*.**

Please turn over

How to vote <ol style="list-style-type: none">When you receive your postal vote, read the instructions carefully.Your postal vote includes your ballot paper and a declaration of identity.Complete both of these and return them immediately.Return your postal voting papers in the envelope provided.We need to receive your postal vote by 10pm on <i>[day/date of poll]</i>. <p>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 10 pm on <i>[day] [date of poll]</i>.</p>	If you would rather vote in person at a polling station, or ask someone else to vote on your behalf <ul style="list-style-type: none">You must cancel your postal vote before 5pm on <i>[day/ date of deadline]</i>. For more information, <i>[insert suggestion to call helpline and/or visit relevant website]</i>.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>.<i>[*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</i>
<p>☎ If you need information in another format or language, please call our helpline below.</p> <p>☎ If you need help to vote, you can ask someone you know or get independent help by calling our helpline:</p> <p><i>[Insert helpline and other details including website]</i></p> <p>The Chief Electoral Officer issued this card.</p> <p>If undelivered return to <i>[Insert return address]</i>.</p>	It is an offence to: <ul style="list-style-type: none">vote using a ballot paper that was not sent for your use or interfere with another voter's ballot papervote more than once at the same election, unless you are voting on your own behalf and as a proxy for another personvote 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. <p>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.</p>

SCHEDULE 4

article 9(3)(c)

Form 7A (proxy's official postal poll card)

Proxy postal poll card
Local Council Election
<i>[insert name of District Council]</i> District Council
<i>[insert name of District Electoral Area]</i> District Electoral Area
Date of election <i>[day] [date] [month] [year]</i>
Voting information
We will send your postal vote around <i>[day] [date] [month] [year]</i> * addressed to:
* <i>[Proxy's name and address details here as on absent voters list]</i>
* <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>

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 via post, 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 other details including website]

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.

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

SCHEDULE 5

article 10

Form 5A (declaration of identity (combined polls))

Front of declaration

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

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

Local Council Election
<i>[insert name of District Council]</i> District Council
<i>[insert name of District Electoral Area]</i> District Electoral Area
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:	<table style="margin: auto;"> <tr> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> <td style="border: 1px solid black; width: 20px; height: 20px;"></td> </tr> <tr> <td style="text-align: center; font-size: small;">Day</td> <td style="text-align: center; font-size: small;">Month</td> <td colspan="4" style="text-align: center; font-size: small;">Year</td> </tr> </table>							Day	Month	Year				
Day	Month	Year												
*My Signature is: <i>*Returning Officer to omit where elector has been granted a waiver.</i>	<div style="border: 1px solid black; width: 100%; height: 40px;"></div>													
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 this with your ballot paper for the **Local Council**. 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. Put "1" against your first choice, "2" against your second choice and so on. You should not put the same number against more than one candidate. You may number as many or as few candidates as you wish.
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 vote of up to 5 others (including any others for whom you are voting as proxy) to a person authorised to receive it 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 others for whom you are voting for as proxy).
11. Do not put any postal votes in the Electoral Officer 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.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes changes to the rules governing the handing in of postal voting documents for local elections in Northern Ireland. Similar changes are made to the rules governing Parliamentary and Assembly elections in a separate instrument (the Representation of the People (Postal Vote Handling etc.) (Amendment) (Northern Ireland) Regulations 2024) (S.I. 2024/XXX).

Part 2 of this Order amends Schedule 2 to the Local Elections (Northern Ireland) Order 1985 (“the 1985 Order”) (S.I. 1985/454) to set out new procedures which will apply to the handing in of postal voting documents to the returning officer for local elections in Northern Ireland. 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 conditions apply. The amendments made by Part 2 also make provision in relation to postal voting documents which are brought into the offices of the returning officer but are left behind without being handed in. Additionally, they replace the statement as to postal ballot papers in the Appendix to Schedule 2 to the 1985 Order.

Part 3 of this Order amends other electoral legislation relating to local elections in Northern Ireland. Article 9 amends rule 45(2) in Schedule 5 to the Electoral Law Act (Northern Ireland) 1962 (c. 14) (N.I.) to clarify that postal voting documents may be returned by post or by hand and to provide that rejection under the procedures mentioned above has the effect that the postal ballot papers affected are not duly returned. Article 9 also amends Schedule 5 to that Act to replace the following forms used in local elections: declaration of identity, elector’s official postal poll card and proxy’s official postal poll card.

Article 10 amends the Elections Act 2001 (c. 7) to replace form 5A (declaration of identity (combined polls)), which is inserted by paragraph 29(2) of Schedule 1 to that Act into the Appendix of Forms in Schedule 5 to the Electoral Law Act (Northern Ireland) 1962 for the purposes of a combined local and parliamentary election.

Article 11 amends the Local Elections (Northern Ireland) Order 2010 (S.I. 2010/2977) to ensure that lists of electors whose postal voting documents have been rejected under the new procedures or left behind are not available for public inspection.

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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