

## SCHEDULE 5

### Assembly election rules

## PART 3

### Contested elections

#### *The poll*

#### **Admission to polling station**

**41.**—(1) The presiding officer shall exclude all persons from the polling station except—

- (a) voters;
- (b) persons under the age of 18 who accompany voters to the polling station;
- (c) the candidates and the election agents of any constituency or individual candidates or in relation to any registered political party standing nominated, the election agent of such party in respect of the list it has submitted;
- (d) the polling agents appointed to attend at the polling station;
- (e) the clerks appointed to attend the polling station;
- (f) persons who are entitled to attend by virtue of any of sections 6A to 6D of the 2000 Political Parties Act(1);
- (g) the constables on duty; and
- (h) the companions of voters with disabilities.

(2) The presiding officer shall regulate the total number of voters and persons under the age of 18 who accompany them to be admitted to the polling station at the same time.

(3) Not more than one party list candidate from the same party list submitted by a registered political party shall be admitted at the same time to a polling station.

(4) Not more than one polling agent shall be admitted at the same time to a polling station on behalf of the same constituency or individual candidate or on behalf of the same registered political party.

(5) A constable or person employed by a constituency or regional returning officer shall not be admitted to vote in person elsewhere than at his own polling station under the relevant provision of this Order, except on production and surrender of a certificate as to his employment, which shall be in form CB set out in Schedule 10 and signed by an officer of police of the rank of inspector or above or by the returning officer, as the case may be.

(6) Any certificate surrendered under this rule shall forthwith be cancelled.

#### **Keeping of order in the polling station**

**42.**—(1) It is the presiding officer's duty to keep order at his polling station.

(2) If a person misconducts himself in a polling station, or fails to obey the presiding officer's lawful orders, he may immediately, by the presiding officer's order, be removed from the polling station—

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(1) Sections 6A to 6D of the Political Parties, Elections and Referendums Act 2000 were inserted by section 29 of the Electoral Administration Act 2006 (c. 22).

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- (a) by a constable in or near that station; or
- (b) by any other person authorised in writing by the constituency returning officer to remove him,

and the person so removed shall not, without the presiding officer's permission, enter the polling station again during the day.

(3) Any person so removed may, if charged with the commission in the polling station of an offence, be dealt with as a person taken into custody by a constable for an offence without a warrant.

(4) The powers conferred by this rule shall not be exercised so as to prevent a voter who is otherwise entitled to vote at a polling station from having an opportunity of voting at that station.

### **Sealing of ballot boxes**

**43.** Immediately before the commencement of the poll, the presiding officer shall—

- (a) show each ballot box proposed to be used for the purposes of the poll empty to such persons, if any, as are present in the polling station, so that they may see that each box is empty;
- (b) place his seal on it in such a manner as to prevent it being opened without breaking the seal;
- (c) place each box in his view for the receipt of ballot papers; and
- (d) keep it so sealed.

### **Questions to be put to voters**

**44.**—(1) At the time that a person described in an entry in column 1 of the Table to this rule (“the Table”) applies for a ballot paper (but not afterwards) the presiding officer may put to that person the appropriate question (or if more than one any of them) set out opposite that entry.

(2) A question may be asked in English (as set out in column (2) of the Table) or Welsh (as set out in column (3) of the Table).

(3) In respect of a person described in entries 2, 4 or 6 of the Table, the questions set out opposite those entries may be asked only where the polls at a constituency election and a regional election are taken together.

(4) Where the letter “R” appears after a question the presiding officer shall put that question to the person described opposite if the candidate or his election or polling agent (including such an agent of a registered political party standing nominated) so requires.

(5) In the case of an elector in respect of whom a notice has been issued under section 13B (3B) or 13B(3D) of the 1983 Act, the references in the questions at 1(a), 5(a), (b) (c) and 6 to reading from the register must be taken as references to reading from the notice issued under section 13B (3B) or 13B (3D)(2).

(6) A ballot paper shall not be delivered to any person required to answer any of the questions unless that person has answered each question satisfactorily.

(7) Except as authorised by this rule, no inquiry shall be permitted as to the right of any person to vote.

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(2) Section 13B was inserted into the Representation of the People Act 1983 by paragraph 6 of Schedule 1 to the Representation of the People Act 2000 (c. 2). Subsections (3B) and (3D) were inserted into section 13B by section 11(4) of the Electoral Administration Act 2006 (c. 22).

**Table**

<i>Column (1)</i>	<i>Column(2)</i>	<i>Column (3)</i>
Person applying for a ballot paper	Question to be asked in English	Question to be asked in Welsh
1. A person applying as an elector	(a) “Are you the person registered in the register of local government electors as follows( <i>read out the whole entry from the register</i> )?”[R] (b) “Have you already voted, here or elsewhere, at this election, otherwise than as proxy for some other person?”[R]	(a) “Ai chi yw'r person sydd wedi ei gofrestru ar y gofrestr o etholwyr llywodraeth leol fel a ganlyn ( <i>darllen allan y cofnod cyfan o'r gofrestr</i> )?”[R] (b) “A ydych eisoes wedi pleidleisio, yma neu yn rhywle arall, yn yr etholiad hwn, ar wahân i fel dirprwy dros berson arall?”[R]
2. A person applying as an elector where that person is entitled to give two votes at the polling station and the presiding officer has asked that person one or more of the questions at entry 1(a) and 1(b)	“Have you already cast a constituency vote and an electoral region vote at this election, here or elsewhere, otherwise than as a proxy for some person?”[R]	“A ydych eisoes wedi bwrw pleidlais etholaedol a phleidlais rhanbarth etholiadol yn yr etholiad hwn, yma neu yn rhywle arall, ar wahân i fel dirprwy dros berson arall?”[R]
3. A person applying as proxy	(a) “Are you the person whose name appears as A.B. in the list of proxies for this election as entitled to vote as proxy on behalf of C.D.?”[R] (b) “Have you already voted, here or elsewhere, at this election, as proxy on behalf of C.D.?”[R] (c) “Are you the spouse, civil partner, parent, grandparent, brother/ sister, child or grandchild of C.D.?”[R]	(a) “Ai chi yw'r person y mae eich enw yn ymddangos fel A.B. ar y rhestr o ddirprwyon ar gyfer yr etholiad hwn fel rhywun sydd â hawl i fwrw pleidlais ddirprwy ar ran C.D.?”[R] (b) “A ydych eisoes wedi pleidleisio, yma neu yn rhywle arall, yn yr etholiad hwn, fel dirprwy ar ran C.D.?”[R] (c) “Ai chi yw priod, partner sifil, rhiant, nain neu daid, brawd / chwaer, plentyn neu wŷr / wyres C.D.?”[R]
4. A person applying as proxy on behalf of an elector who is entitled to give two votes at the polling station if the presiding officer has asked that person one or more of the questions at entry 3(a) and 3(b).	“Have you already cast a constituency vote and an electoral region vote, at this election here or elsewhere, on behalf of C.D.?”[R]	“A ydych eisoes wedi bwrw pleidlais etholiadol a phleidlais rhanbarth etholiadol, yn yr etholiad hwn neu yn rhywle arall, ar ran C.D.?”[R]
5. A person applying as proxy for an elector with an anonymous entry, instead of the questions at entry 3.	(a) “Are you the person entitled to vote as proxy on behalf of the elector whose number on the register of electors is	(a) “Ai chi yw'r person sydd â hawl i bleidleisio fel dirprwy ar ran yr etholwr sydd â'r rhif canlynol ar y gofrestr

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Column (1)	Column(2)	Column (3)
	<i>(read out the number from the register)?”[R]</i>	etholwyr ar ei gyfer (darllen allan y rhif o'r gofrestr)?”[R]
	(b) “Have you already voted, here or elsewhere, at this election, as proxy on behalf of the elector whose number on the register of electors is <i>(read out the number from the register)?”[R]</i>	(b) “A ydych eisoes wedi pleidleisio, yma neu yn rhywle arall, yn yr etholiad hwn, fel dirprwy ar ran yr etholwr sydd â'r rhif canlynol ar y gofrestr etholwyr ar ei gyfer (darllen allan y rhif o'r gofrestr)?”[R]
	(c) “Are you the spouse, civil partner, parent, grandparent, brother/ sister, child or grandchild of the elector whose number on the register of electors is <i>(read out the number from the register)?”[R]</i>	(c) “ Ai chi yw priod, partner sifil, rhiant, nain neu daid, brawd / chwaer, plentyn neu wŷyr / wyres yr etholwr sydd â'r rhif canlynol ar y gofrestr etholwyr (darllen allan y rhif o'r gofrestr)?”[R]
6. A person applying as proxy on behalf of an elector with an anonymous entry and that elector is entitled to give two votes at the polling station, if the presiding officer has asked the person applying to vote as proxy one or more of the questions at entry 5(a) and 5(b).	“Have you already cast a constituency vote and an electoral region vote, here or elsewhere, at this election, on behalf of the elector whose number on the register of electors is <i>(read out the number from the register)?”[R]</i>	“A ydych eisoes wedi bwrw pleidlais etholiadol a phleidlais rhanbarth etholiadol, yma neu yn rhywle arall, yn yr etholiad hwn, ar ran yr etholwr sydd â'r rhif canlynol ar y gofrestr etholwyr ar ei gyfer (darllen allan y rhif o'r gofrestr)?”[R]
7. A person applying as proxy, if the question at entry 3(c) or 5(c) is not answered in the affirmative.	“Have you at this election already voted in this constituency on behalf of two persons of whom you are not the spouse, civil partner, parent, grandparent, brother/ sister, child or grandchild?”[R]	“A ydych yn yr etholiad hwn eisoes wedi pleidleisio yn yr etholaeth hon ar ran dau berson a chithau heb fod yn briod, partner sifil, rhiant, nain neu daid, brawd / chwaer, plentyn neu wŷyr / wyres iddynt?”[R]
8. A person applying as an elector in relation to whom there is an entry in the postal voters list.	(a) “Did you apply to vote by post?” (b) “ Why have you not voted by post?”	(a) “A wnaethoch wneud cais i bleidleisio drwy'r post?” (b) “ Pam na wnaethoch bleidleisio drwy'r post?”
9. A person applying as proxy who is named in the proxy postal voters list.	(a) “Did you apply to vote by post as proxy?” (b) “Why have you not voted by post as proxy?”	(a) “ A wnaethoch wneud cais i bleidleisio drwy'r post fel dirprwy?” (b) “Pam na wnaethoch bleidleisio drwy'r post fel dirprwy?”

### Challenge of voter

45. A person shall not be prevented from voting by reason only that—

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- (a) a candidate or his election or polling agent declares that he has reasonable cause to believe that the person has committed an offence of personation<sup>(3)</sup>; or
- (b) the person is arrested on the grounds that he is suspected of committing or of being about to commit such an offence.

### **Voting procedure**

**46.**—(1) A ballot paper shall be delivered to a voter who applies for one, and immediately before delivery—

- (a) the number and (unless paragraph (2) applies) name of the elector as stated in the copy of the register shall be called out;
- (b) the number of the elector shall be marked on the list mentioned in rule 37(5)(d) beside the number of the ballot paper to be issued to him;
- (c) a mark shall be placed in that copy of the register 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; and
- (d) in the case of a person applying for a ballot paper as proxy, a mark shall also be placed against his name in the list of proxies.

(2) In the case of an elector who has an anonymous entry, he must show the presiding officer his official poll card and only his number shall be called out in pursuance of paragraph (1)(a).

(3) In the case of an elector who is added to the register in pursuance of a notice issued under section 13B(3B) or (3D) of the 1983 Act paragraph (1) is modified as follows—

- (a) in paragraph 1(a), for “copy of the register of electors” substitute “copy of the notice issued under section 13B(3B) or (3D) of the 1983 Act”;
- (b) in paragraph 1(c), for “in the register of electors” substitute “on the copy of the notice issued under section 13B(3B) or (3D) of the 1983 Act”.

(4) The voter, on receiving the ballot paper, shall forthwith proceed into one of the compartments in the polling station and there secretly mark his paper and fold it up so as to conceal his vote, and shall then 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.

(5) The voter shall vote without undue delay, and shall leave the polling station as soon as he has put his ballot paper into the ballot box.

(6) Where the polls at a constituency election and a regional election are to be taken together the same copy of the register of electors or copy of the notice may be used under paragraph (1) for a constituency election and a regional election and one mark may be placed in that register or on that copy under paragraph (1)(c) or in the list of proxies under paragraph (1)(d) to denote that a ballot paper has been received in respect of each election except that, where a ballot paper has been issued in respect of one election only, a different mark shall be placed in the register or, as the case may be, on the copy or in the list so as to identify the election in respect of which the ballot paper was issued.

(7) Subject to rule 50(4) where a voter is entitled to two votes, the constituency ballot paper and the regional ballot paper delivered to a voter shall bear the same number.

### **Votes marked by presiding officer**

**47.**—(1) The presiding officer on the application of a voter—

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(3) Personation is defined in article 30.

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- (a) who is incapacitated by blindness or other disability from voting in a manner directed by these rules; or
- (b) who declares orally that he is unable to read,

shall, in the presence of the polling agents, cause the voter's vote to be marked on a ballot paper in a manner directed by the voter, and the ballot paper to be placed in the ballot box.

(2) The name and number on the register of every voter whose vote is marked in pursuance of this rule, and the reason why it is so marked, shall be entered on a list (in this Schedule called "the list of votes marked by the presiding officer").

(3) For the purposes of paragraph (2) in the case of a person voting as proxy for an elector, the number to be entered together with the voter's name shall be the elector's number.

(4) In the case of a person in respect of whom a notice has been issued under section 13B(3B) or (3D) of the 1983 Act, paragraph (2) applies as if for "on the register of electors of every voter" there were substituted "relating to every voter in respect of whom a notice has been issued under section 13B(3B) or (3D) of the 1983 Act".

(5) Where the polls at a constituency election and a regional election are to be taken together, the same list of votes marked by the presiding officer may be used for the constituency and regional elections at which the voters are entitled to vote 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 election, unless the list identifies the election at which the ballot paper was so marked.

#### **Voting by persons with disabilities**

**48.**—(1) If a voter makes an application to the presiding officer to be allowed, on the ground of—

- (a) blindness or other disability; or
- (b) inability to read,

to vote with the assistance of another person by whom he is accompanied (in these rules referred to as "the companion"), the presiding officer shall require the voter to declare, orally or in writing, whether he is so incapacitated by his blindness or other disability, or by his inability to read, as to be unable to vote without assistance.

(2) If the presiding officer—

- (a) is satisfied that the voter is so incapacitated; and
- (b) is also satisfied by a written declaration made by the companion (in these rules referred to as "the declaration made by the companion of a voter with disabilities") that the companion—
  - (i) is a qualified person within the meaning of these rules; and
  - (ii) has not previously assisted more than one voter with disabilities to vote at the Assembly election,

the presiding officer shall grant the application, and then anything which is by this Schedule required to be done to or by that voter in connection with the giving of his vote may be done to, or with the assistance of, the companion.

(3) For the purposes of this rule, a person is a voter with disabilities if he has made such a declaration as is mentioned in paragraph (1), and a person shall be qualified to assist a voter with disabilities to vote, if that person is either—

- (a) a person who is entitled to vote as an elector at the Assembly election; or
- (b) the father, mother, brother, sister, spouse, civil partner, son or daughter of the voter with disabilities and has attained the age of 18 years.

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(4) The name and number in the register of every voter whose vote is given in accordance with this paragraph and the name and address of the companion shall be entered on a list (in these rules referred to as “the list of voters with disabilities assisted by companions”).

(5) For the purposes of paragraph (4), in the case of a person voting as proxy for an elector, the number to be entered together with the voter’s name shall be the elector’s number.

(6) In the case of a person in respect of whom a notice has been issued under section 13B(3B) or (3D) of the 1983 Act, paragraph (4) applies as if for “in the register of every voter” there were substituted “relating to every voter in respect of whom a notice has been issued under section 13B(3B) or (3D) of the 1983 Act”.

(7) The declaration made by the companion—

- (a) shall be in form CQ set out in English and Welsh in Schedule 10;
- (b) shall be made before the presiding officer at the time when the voter applies to vote with the assistance of a companion and shall forthwith be given to the presiding officer who shall attest and retain it.

(8) No fee or other payment shall be charged in respect of the declaration.

(9) Where the polls at a constituency election and a regional election are to be taken together, the same list of voters with disabilities assisted by companions may be used for the constituency and regional elections at which the voters are entitled to vote 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 election, unless the list identifies the election at which a vote was so given.

### **Tendered ballot papers**

**49.**—(1) If a person, representing himself to be—

- (a) a particular elector named on the register and not named in the postal voters list; or
- (b) a particular person named in the list of proxies as proxy for an elector and not entitled to vote by post as proxy,

applies for a ballot paper after another person has voted in person either as the elector or his proxy, the applicant shall, on satisfactorily answering the questions permitted by law to be asked at the poll, be entitled, subject to the following provisions of this rule, to mark a ballot paper (in these rules referred to as “a tendered ballot paper”) in the same manner as any other voter.

(2) Paragraph (4) applies if—

- (a) a person applies for a ballot paper representing himself to be a particular elector named on the register;
- (b) he is also named in the postal voters list; and
- (c) he claims that he did not make an application to vote by post at the election.

(3) Paragraph (4) also applies if—

- (a) a person applies for a ballot paper representing himself to be a particular person named as a proxy in the list of proxies;
- (b) he is also named in the proxy postal voters list; and
- (c) he claims that he did not make an application to vote by post as proxy.

(4) The person shall, on satisfactorily answering the questions permitted by law to be asked at the poll, be entitled, subject to the following provisions of this rule, to mark a ballot paper (in these rules referred to as a “tendered ballot paper”) in the same manner as any other voter.

(5) Paragraph (6) applies if before the close of the poll but after the last time at which a person may apply for a replacement postal ballot paper, a person represents himself to be—

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- (a) a particular elector named on the register and who is also named in the postal voters list; or
- (b) a particular person named as a proxy in the list of proxies and who is also named in the proxy postal voters list,

and claims that he has lost or has not received his postal ballot paper.

(6) The person shall, on satisfactorily answering the questions permitted by law to be asked at the poll, be entitled, subject to the following provisions of this rule, to mark a ballot paper (in these rules referred to as a “tendered ballot paper”) in the same manner as any other voter.

(7) A tendered ballot paper shall—

- (a) be of a colour different from the other ballot papers; and
- (b) instead of being put into the ballot box, be given to the presiding officer and endorsed by him with the name of the voter and his number on the register, and set aside in a separate packet.

(8) The name of the voter and his number on the register shall be entered on a list (in these rules referred to as the “tendered votes list”).

(9) In the case of a person voting as proxy for an elector, the number to be endorsed or entered together with the voter’s name shall be the number of that elector.

(10) This rule applies to an elector who has an anonymous entry subject to the following modifications—

- (a) in paragraphs (7)(b) and (8) the references to the name of the voter must be ignored;
- (b) otherwise, a reference to a person named on a register or in a list must be construed as a reference to a person whose number appears on the register or in the list (as the case may be).

(11) This rule applies in the case of a person in respect of whom a notice has been issued under section 13B(3B) or (3D) of the 1983 Act as if—

- (a) in paragraphs (1)(a), (2)(a) and (5)(a) for “named on the register” there were substituted “in respect of whom a notice under section 13B(3B) or (3D) of the 1983 Act has been issued”; and
- (b) in paragraphs (7)(b) and (8) for “his number on the register of electors” there were substituted “the number relating to him on a notice issued under section 13B(3B) or (3D) of the 1983 Act”.

(12) Where the polls at a constituency election and a regional election are to be taken together, the same tendered votes list for the constituency and regional elections at which the voters are entitled to vote may be used and, where it is so used, an entry in that list shall be taken to mean that tendered ballot papers were so marked in respect of each election, unless the list identifies the election at which a tendered ballot paper was so marked.

### **Spoilt ballot papers**

**50.**—(1) A voter who has inadvertently dealt with his ballot paper in such manner that it cannot be conveniently used as a ballot paper may, on delivering it to the presiding officer and proving to his satisfaction the fact of the inadvertence, obtain another ballot paper (“the replacement ballot paper”) in the place of the ballot paper so delivered (in these rules referred to as a “spoilt ballot paper”), and the spoilt ballot paper shall be immediately cancelled.

(2) Paragraph (1) shall also apply in a case where a voter is entitled to give two votes at a polling station, but subject to paragraphs (3) and (4).

(3) Subject to paragraph (4), if the voter proves to the satisfaction of the presiding officer that only one ballot paper is spoilt inadvertently—



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- (a) he shall nevertheless deliver both ballot papers (“the surrendered ballot papers”) to the presiding officer;
  - (b) the presiding officer shall deliver to the voter two replacement ballot papers; and
  - (c) the presiding officer shall treat both of the surrendered ballot papers as spoilt ballot papers and shall immediately cancel them.
- (4) If a voter proves to the satisfaction of the presiding officer that one ballot paper is spoilt inadvertently and that the other ballot paper (“the used ballot paper”) has been placed in the ballot box—
- (a) the voter shall deliver the spoilt ballot paper (“the returned ballot paper”) to the presiding officer;
  - (b) the presiding officer shall deliver to the voter a replacement ballot paper in place of the returned ballot paper notwithstanding that the number on the replacement ballot paper is not the same as the number on the used ballot paper previously delivered to the voter; and
  - (c) the presiding officer in addition to cancelling the returned ballot paper shall treat the constituency or, as the case may be, regional ballot paper that has the same number as the replacement ballot paper delivered to the voter as a spoilt ballot paper and shall also immediately cancel it.

#### **Correction of errors on the day of poll**

**51.** The presiding officer shall keep a list of persons to whom ballot papers are delivered in consequence of an alteration to the register made by virtue of section 13B(3B) or (3D) of the 1983 Act which takes effect on the day of the poll.

#### **Adjournment of poll in case of riot**

**52.—**(1) Where the proceedings at any polling station are interrupted or obstructed by riot or open violence, the presiding officer shall adjourn the proceedings till the following day and shall forthwith give notice—

- (a) in the case where the polls at a constituency election and at a regional election are taken together, to the constituency and to the regional returning officer; but otherwise
  - (b) in the case of a constituency election, to the constituency returning officer; or
  - (c) in the case of a regional election, to the constituency returning officer for the Assembly constituency in which the polling station is situated and to the regional returning officer.
- (2) Where the poll is adjourned at any polling station—
- (a) the hours of polling on the day to which it is adjourned shall be the same as for the original day; and
  - (b) references in this Order to the close of the poll shall be construed accordingly.

#### **Procedure on close of poll**

**53.—**(1) As soon as practicable after the close of the polls where the polls at a constituency election and at a regional election have been taken together, the presiding officer shall, in the presence of the polling agents, make up into separate packets, sealed with his own seal and the seals of such polling agents as desire to affix their seals—

- (a) each ballot box in use at the station, sealed so as to prevent the introduction of additional ballot papers and unopened;
- (b) the unused and spoilt ballot papers placed together relating to the constituency election;

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- (c) the unused and spoilt ballot papers placed together relating to the regional election;
- (d) the tendered ballot papers relating to the constituency election;
- (e) the tendered ballot papers relating to the regional election;
- (f) the marked copies of the register of electors (including any marked copy notices issued under section 13B(3B) or (3D) of the 1983 Act) and of the list of proxies;
- (g) the lists prepared under rule 27, including the parts which were completed in accordance with rule 46(1)(b) (together referred to in these rules as “the completed corresponding number lists”);
- (h) the certificates as to employment on duty on the day of the poll; and
- (i) the tendered votes list, the list of voters with disabilities assisted by companions, the list of votes marked by the presiding officer, a statement of the number of voters whose votes are so marked by the presiding officer under the heads “disability” and “unable to read”, the list maintained under rule 51 and the declarations made by the companions of voters with disabilities.

(2) Where paragraph (1) does not apply at an Assembly election, as soon as practicable after the close of the poll, the presiding officer shall, in the presence of the polling agents, make up into separate packets, sealed with his own seal and the seals of such polling agents as desire to affix their seals—

- (a) each ballot box in use at the station, sealed so as to prevent the introduction of additional ballot papers and unopened;
- (b) the unused and spoilt ballot papers placed together;
- (c) the tendered ballot papers;
- (d) the marked copies of the register of electors (including any marked copy notices issued under section 13B(3B) or (3D) of the 1983 Act) and of the list of proxies;
- (e) the completed corresponding number lists;
- (f) the certificates as to employment on duty on the day of the poll; and
- (g) the tendered votes list, the list of voters with disabilities assisted by companions, the list of votes marked by the presiding officer, a statement of the number of voters whose votes are so marked by the presiding officer under the heads “disability” and “unable to read”, the list maintained under rule 51 and the declarations made by the companions of voters with disabilities.

(3) The presiding officer shall deliver the packets made up under paragraph (1) or (2), or cause them to be delivered, to the constituency returning officer to be taken charge of by him; but if the packets are not delivered by the presiding officer personally to the constituency returning officer, the arrangements for their delivery shall require the constituency returning officer’s approval.

(4) The packets shall be accompanied by—

- (a) a separate statement relating to each Assembly election where paragraph (1) applies; or
- (b) a statement relating to the Assembly election where paragraph (2) applies,

(in these rules referred to as “the ballot paper account”) made by the presiding officer showing the number of ballot papers entrusted to him, and accounting for them under the heads of ballot papers issued and not otherwise accounted for, unused, spoilt and tendered ballot papers.