

EXPLANATORY MEMORANDUM TO
THE ELECTORAL LAW (POLLING STATION SCHEME) (NORTHERN
IRELAND) REGULATIONS 2010

2010 No. 1532

1. This explanatory memorandum has been prepared by the Northern Ireland Office (NIO) and is laid before Parliament by Command of Her Majesty.
2. **Purpose of the instrument**
 - 2.1 The Chief Electoral Officer for Northern Ireland is required to prepare a polling station scheme every four years detailing all of the polling stations to be used at local and Parliamentary elections in Northern Ireland. These Regulations set out how the Chief Electoral Officer must prepare and publish a draft and final scheme.
3. **Matters of special interest to the Joint Committee on Statutory Instruments**
 - 3.1 None.
4. **Legislative Context**
 - 4.1 Section 65 of the Electoral Law Act (Northern Ireland) 1962 (“1962 Act”) requires the Chief Electoral Officer to prepare a draft polling station scheme in 2010 and every four years thereafter. Regulations may make provision for how polling stations are selected and how the draft and final schemes are prepared and published. These Regulations revoke and replace the Electoral Law (Polling Station Schemes) Regulations (Northern Ireland) 1972 (“1972 Regulations”).
5. **Territorial Extent and Application**
 - 5.1 This instrument extends to Northern Ireland only.
6. **European Convention on Human Rights**
 - 6.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.
7. **Policy background**
 - 7.1 These Regulations revoke and replace the 1972 Regulations which have not been updated since their introduction and contain provisions which are outdated and/or no longer relevant.

- 7.2 The Regulations set out the process that the Chief Electoral Officer must follow when preparing a polling station scheme and criteria for the selection of polling stations. In particular he or she must ensure that where possible every polling station is accessible to voters who have a disability. The draft and final scheme must be made widely available; and notice of their publication given in newspapers and on the Chief Electoral Officer's website.
- 7.3 In line with consultation best practice, the Chief Electoral Officer must now allow at least 12 weeks for objections or proposals in respect of the draft scheme to be made by any interested persons. He or she must also publish details of any modifications made to the draft scheme as a result of objections, proposals or local inquiries.

8. Consultation outcome

- 8.1 The Electoral Commission and the Chief Electoral Officer for Northern Ireland were both consulted about the proposed regulations. The Chief Electoral Officer in particular was consulted about the practical implications of the proposals. Comments made by both were considered and where appropriate their suggestions were incorporated into the Regulations.

9. Guidance

- 9.1 These Regulations are not accompanied by any guidance.

10. Impact

- 10.1 An Impact Assessment has not been prepared for this instrument as it has no impact on business, charities or voluntary bodies.

11. Regulating small business

- 11.1 The legislation does not apply to small business.

12. Monitoring & review

- 12.1 These Regulations will be reviewed in conjunction with the Chief Electoral Officer as required.

13. Contact

Lee Hegarty, Elections Unit, Northern Ireland Office Tel: 020 7210 6569 or email: Lee.Hegarty@nio.x.gsi.gov.uk can answer any queries regarding the instrument.

Northern Ireland Office
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