

SCHEDULE 5

Regulation 12

THE NEIGHBOURHOOD PLANNING REFERENDUMS (COMBINATION OF POLLS) RULES

Modifications etc. (not altering text)

- C1 Sch. 5 modified (temp.) (31.10.2023) by [The Representation of the People \(Postal and Proxy Voting etc.\) \(Amendment\) Regulations 2023 \(S.I. 2023/1147\)](#), reg. 1(2), Sch. 2 para. 30(2)(3) (with Sch. 2 para. 27)
- C2 Sch. 5 modified (temp.) (31.10.2023) by [The Representation of the People \(Postal and Proxy Voting etc.\) \(Amendment\) Regulations 2023 \(S.I. 2023/1147\)](#), reg. 1(2), Sch. 2 para. 30(4)(5) (with Sch. 2 para. 27)
- C3 Sch. 5 modified (temp.) (31.10.2023) by [The Representation of the People \(Postal and Proxy Voting etc.\) \(Amendment\) Regulations 2023 \(S.I. 2023/1147\)](#), reg. 1(2), Sch. 2 para. 30(4)(5) (with Sch. 2 para. 27)
- C4 Sch. 5 modified (temp.) (31.10.2023) by [The Representation of the People \(Postal and Proxy Voting etc.\) \(Amendment\) Regulations 2023 \(S.I. 2023/1147\)](#), reg. 1(2), Sch. 2 para. 30(2)(3) (with Sch. 2 para. 27)

PART 1

Citation and Interpretation

Citation

1. These Rules may be cited as the Neighbourhood Planning Referendums (Combination of Polls) Rules.

Interpretation

2.—(1) In these Rules—

[^{F1}“anonymous elector’s document” has the meaning given in regulation 3(1) of the Voter Identification Regulations 2022;]

“polling agent” means a person appointed as such under—

- (a) rule 30 of Schedule 1 to the Representation of the People Act 1983,
- (b) rule 30 of Schedule 1, paragraph 31 of Schedule 2 or paragraph 30 of Schedule 3, to the Greater London Authority Elections Rules 2007 ^{M1};
- (c) rule 29 of Schedule 1 to the Local Authorities (Mayoral Elections) (England and Wales) Regulations 2007 ^{M2};
- (d) rule 27 of Schedule 2 to the Local Elections (Parishes and Communities) (England and Wales) Rules 2006 ^{M3};
- (e) rule 27 of Schedule 2 to the Local Elections (Principal Areas) (England and Wales) Rules 2006 ^{M4};
- (f) ^{F2} ...
- (g) rule 31 of Schedule 3 to the Police and Crime Commissioner Elections Order 2012 ^{M5};

“relevant returning or counting officer” means the returning or counting officer (as the case may be) discharging the functions under regulation 5 of the Representation of the People (Combination of Polls) (England and Wales) Regulations 2004 ^{M6}, ^{F3} ...

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[^{F4}“temporary electoral identity document” has the meaning given in regulation 3(1) of the Voter Identification Regulations 2022; and]

“voter” means a person entitled to vote on their own behalf.

(2) References to the register of local government electors (other than a reference to a person's number on the register) must be construed as references to the part or parts of the register or registers of local government electors which has or have effect in respect of the referendum area.

(3) References to the relevant registration officer are to—

- (a) the registration officer of the relevant council;
- (b) if the referendum area comprises any part of the area of more than one relevant council, the registration officer of the relevant council in whose portion of the referendum area the greater or greatest (as the case may be) number of electors is registered.

(4) Other expressions used both in these Rules and in the 1983 Act (as it applies to local government elections) have the same meaning in these Rules as they have in that Act.

Textual Amendments

- F1** Words in Sch. 5 rule 2(1) inserted (16.1.2023) by [The Voter Identification Regulations 2022 \(S.I. 2022/1382\)](#), regs. 1(3), **66(3)(a)** (with reg. 1(6)(7))
- F2** Sch. 5 rule 2(1)(f) revoked (31.12.2020) by [The European Parliamentary Elections Etc. \(Repeal, Revocation, Amendment and Saving Provisions\) \(United Kingdom and Gibraltar\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1310\)](#), reg. 1, **Sch. 1 Pt. 2** Table 1 (as amended by S.I. 2019/1389, regs. 1, **2(2)**)
- F3** Word in Sch. 5 rule 2(1) omitted (16.1.2023) by virtue of [The Voter Identification Regulations 2022 \(S.I. 2022/1382\)](#), regs. 1(3), **66(3)(b)** (with reg. 1(6)(7))
- F4** Words in Sch. 5 rule 2(1) inserted (16.1.2023) by [The Voter Identification Regulations 2022 \(S.I. 2022/1382\)](#), regs. 1(3), **66(3)(c)** (with reg. 1(6)(7))

Marginal Citations

- M1** S.I. 2007/3541.
- M2** S.I. 2007/1024.
- M3** S.I. 2006/3305.
- M4** S.I. 2006/3304.
- M5** S.I. 2012/1917.
- M6** S.I. 2004/294; as amended by S.I. 2006/3278 and as modified by these Regulations.

PART 2

Provisions as to Time

Timetable

3. The proceedings at the referendum are to be conducted in accordance with the following Timetable.

Timetable

<i>Proceedings</i>	<i>Time</i>
Publication of notice of referendum	Not later than the twenty-fifth day before the day of the referendum.

Notice of poll	Not later than the sixth day before the day of the referendum.
Polling	Between the hours of 7 in the morning and 10 at night on the day of the referendum.

Computation of time

4. In computing any period of time for the purposes of the Timetable the days mentioned in regulation 4(5) are to be disregarded, and any such day is not to be treated as a day for the purpose of any proceedings up to the completion of the poll nor is the relevant returning or counting officer, nor the counting officer obliged to proceed with the counting of the votes on such a day.

PART 3

General Provisions

Notice of referendum

- 5.—(1) The counting officer must publish notice of the referendum, stating the date of the poll.
- (2) The notice of referendum must state the date by which—
- (a) applications to vote by post or by proxy; and
 - (b) other applications and notices about postal or proxy voting,
- must reach the registration officer in order that they may be effective for the referendum.

Poll to be taken by ballot

6. A poll must be taken at the referendum and the votes at the poll must be given by ballot.

The ballot papers

- 7.—(1) The ballot of every person entitled to vote at the referendum must consist of a ballot paper.
- (2) Every ballot paper to be used in the referendum must be in the form set out in Form 1, 2 or 3 in the Appendix (as the case may be).
- (3) Every ballot paper—
- (a) must be capable of being folded up;
 - (b) must have a number and other unique identifying mark printed on the back; and
 - (c) must be a different colour from the ballot papers used at any relevant election.

The corresponding number list

- 8.—(1) Subject to paragraph (2), the relevant returning or counting officer must prepare a list containing the numbers and other unique identifying marks of all of the ballot papers to be issued by that officer in pursuance of rule 14(1) or provided by that officer in pursuance of rule 18(1).
- (2) Where proceedings on the issue and receipt of postal ballot papers in the referendum are not taken together with such proceedings at one or more relevant elections, the counting officer must prepare the list mentioned in paragraph (1) in respect of all of the ballot papers to be issued by the officer in pursuance of rule 14(1).
- (3) The list must be in the form set out in Form 4 in the Appendix or a form to like effect.

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The official mark

- 9.—(1) Every ballot paper must contain an appropriate security marking (the official mark).
- (2) The official mark must be kept secret.
- (3) The counting officer may use a different official mark for different purposes at the same referendum.

Prohibition of disclosure of vote

10. No person who has voted at the referendum is, in any legal proceeding to question the referendum, required to state for which answer that person has voted.

Use of schools and public rooms

- 11.—(1) The counting officer and the relevant returning or counting officer may use, free of charge, for the relevant purposes of taking the poll or counting the votes—
- (a) a room in a school maintained or assisted by a local authority (as defined in the Education Act 1996 ^{M7}) or a school in respect of which grants are made out of moneys provided by Parliament to the person or body of persons responsible for the management of the school;
- (b) a room the expense of maintaining which is payable out of any rate.
- (2) That officer must make good any damage done to, and defray any expense incurred by the persons having control over, any such room as mentioned above by reason of its being used for the purpose of taking the poll or counting the votes.
- (3) In paragraph (1) “relevant purposes” means—
- (a) in the case of the counting officer, the counting of the votes; and
- (b) in the case of the relevant returning or counting officer, the taking of the poll and the discharging of the functions under rule 37(1).

Marginal Citations

M7 1996 c.56.

Cross-boundary referendum areas

- 12.—(1) This rule applies where the referendum area comprises any part of the area of more than one relevant council.
- (2) Where this rule applies, the Chief Counting Officer must ensure, as far as practicable, that any ballot paper or other document issued in relation to the referendum is in the same form (except for necessary changes) and is issued on the same date in respect of each relevant council.

PART 4

Action to be Taken Before the Poll

Notice of poll

- 13.—(1) The counting officer must publish notice of the poll stating—
- (a) the day and hours fixed for the poll; and

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- (b) the question to be asked in the referendum.
- (2) The notice of the poll must be published no later than the sixth day before the date of the referendum.
- (3) The relevant returning or counting officer must, not later than the time of the publication of the notice of the poll, also give public notice of—
 - (a) the situation of each polling station; and
 - (b) the description of persons entitled to vote there.
- (4) The notice published under paragraph (3) must—
 - (a) state that the poll at the referendum is to be taken together with the poll at a relevant election;
 - (b) specify the parliamentary constituency, electoral area,^{F5} ... Assembly constituency, voting area or, as the case may be, the relevant local authority area for which the relevant election is held; and
 - (c) where any of the polls are to be taken together in part of the area only, specify that part.

Textual Amendments

F5 Words in Sch. 5 rule 13(4)(b) revoked (31.12.2020) by The European Parliamentary Elections Etc. (Repeal, Revocation, Amendment and Saving Provisions) (United Kingdom and Gibraltar) (EU Exit) Regulations 2018 (S.I. 2018/1310), reg. 1, Sch. 1 Pt. 2 Table 1 (as amended by S.I. 2019/1389, regs. 1, 2(2))

Postal ballot papers

- 14.—(1) The relevant returning or counting officer must, in accordance with regulations made under the 1983 Act^{M8}, issue to those entitled to vote by post a ballot paper and a postal voting statement in the form set out in Form 6 or 7 in the Appendix (as the case may be), or a form to like effect, together with such envelopes for their return as may be prescribed by such regulations.
- (2) The relevant returning or counting officer must also issue to those entitled to vote by post such information as the officer thinks appropriate about how to obtain—
- (a) translations into languages other than English of any directions to or guidance for voters and proxies sent with the ballot paper;
 - (b) a translation into Braille of such directions or guidance;
 - (c) graphical representations of such directions or guidance;
 - (d) the directions or guidance in any other form (including any audible form).
- (3) The postal voting statement must include provision for the form to be signed and for stating the date of birth of the voter or proxy.
- (4) In the case of a ballot paper issued to a person at an address in the United Kingdom, the relevant returning or counting officer must ensure that the return of the ballot paper and postal voting statement is free of charge to the voter or proxy.
- (5) In paragraphs (1), (2) and (4) for “relevant returning or counting officer” substitute “counting officer” where proceedings on the issue and receipt of ballot papers at the referendum are not taken together with such proceedings at one or more relevant elections.

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Marginal Citations

M8 See the Representation of the People (England and Wales) Regulations 2001 (S.I. 2001/341) as amended by S.I. 2001/1700, 2002/1871, 2004/226, 2006/752 and 2006/2910.

Provision of polling stations

15.—(1) The relevant returning or counting officer must provide a sufficient number of polling stations and, subject to the following provisions of this rule, must allot polling stations to voters in such manner as the relevant returning or counting officer thinks most convenient.

(2) The polling stations are the polling places or polling stations (as the case may be) designated for the purposes of the relevant election for which the relevant returning or counting officer discharges functions which are not combined functions.

(3) In paragraph (2) “combined functions” means functions under regulation 5 of the Representation of the People (Combination of Polls) (England and Wales) Regulations 2004.

(4) One or more polling stations may be provided in the same room.

(5) The polling station allotted to voters from any parliamentary polling district wholly or partly within the referendum area must, in the absence of special circumstances, be in the parliamentary polling place for that district.

(6) The relevant returning or counting officer must provide each polling station with such number of compartments as may be necessary in which the voters and proxies can mark their votes screened from observation.

[^{F6}(7) The counting officer must ensure that each polling station contains an area in which voters and proxies can produce proof of identity in private.]

Textual Amendments

F6 Sch. 5 rule 15(7) inserted (16.1.2023) by The Voter Identification Regulations 2022 (S.I. 2022/1382), regs. 1(3), 66(4) (with reg. 1(6)(7))

Appointment of presiding officers and polling clerks

16.—(1) The relevant returning or counting officer must appoint and pay a presiding officer to attend at each polling station and such clerks as may be necessary for the purposes of the referendum.

(2) The relevant returning or counting officer may, if that officer thinks fit, preside at a polling station and the provisions of these Rules relating to a presiding officer apply to a relevant returning or counting officer so presiding with the necessary modifications as to things to be done by the relevant returning or counting officer to the presiding officer or by the presiding officer to the relevant returning or counting officer.

(3) A presiding officer may do, by the clerks appointed to assist the officer, any act (including the asking of questions) which the officer is required or authorised by these Rules to do at a polling station [^{F7}except—

- (a) order the arrest, exclusion or removal of any person from the polling station,
- (b) refuse to deliver a ballot paper under rule 25(3) or rule 27(1E) (including that rule as applied by rule 28, 28 or 30), or
- (c) resolve doubts over identity as mentioned in rule 27(1F) (including that paragraph as applied by rule 28, 29 or 30).]

Textual Amendments

- F7** Sch. 5 rule 16(3)(a)-(c) and word substituted for words (16.1.2023) by [The Voter Identification Regulations 2022 \(S.I. 2022/1382\)](#), regs. 1(3), **66(5)** (with reg. 1(6)(7))

Issue of official poll cards

17.—(1) The counting officer must as soon as practicable after the publication of the notice of the referendum send to each voter and proxy an official poll card.

(2) The official poll card must be sent or delivered—

- (a) in the case of a voter, to the voter's qualifying address; and
- (b) in the case of a proxy, to the proxy's address as shown in the list of proxies.

(3) The official poll card must be in the form set out in Form 8, 9, 10 or 11 in the Appendix (as the case may be), or a form to like effect, and must set out—

- (a) the name of the relevant council and of the neighbourhood area;
- (b) the name of the voter, the voter's qualifying address and number on the register;
- (c) the date and hours of the poll and the situation of the voter's polling station;
- (d) such other information as the counting officer thinks appropriate,

and different information may be provided in pursuance of sub-paragraph (d) to different voters or to different descriptions of voter.

(4) In the case of a voter who has an anonymous entry in the register, instead of containing the matter mentioned in paragraph (3)(b), the poll card must contain such matter as is specified in the appropriate form in the Appendix.

(5) In this rule references to a voter—

- (a) are to a person who is registered in the register of local government electors on the last day for the publication of notice of the referendum; and
- (b) include a person then shown in the register as below voting age if (but only if) it appears from the register that the person will be of voting age on the day fixed for the poll.

(6) If the returning officer (or, as the case may be, the counting officer) for each relevant election and the counting officer for the referendum think fit, an official poll card issued under this rule may be combined with the official poll card issued at every relevant election.

Equipment of polling stations

18.—(1) The relevant returning or counting officer must provide each presiding officer with such number of ballot boxes and ballot papers as in the counting officer's opinion may be necessary.

(2) The same ballot box may be used for the poll at the referendum and the poll at every relevant election, if the relevant returning or counting officer thinks fit.

(3) Every ballot box must be so constructed that the ballot papers can be put in it, but cannot be withdrawn from it, without the box being unlocked or, where the box has no lock, the seal being broken.

(4) The relevant returning or counting officer must provide each polling station with—

- (a) materials to enable voters and proxies to mark the ballot papers;
- (b) copies of such part of the register of electors as contains the names of the voters who have the station allotted to them;

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- (c) the parts of any special lists prepared for the referendum corresponding to the register of electors or the part of it provided under sub-paragraph (b);
- (d) a list, in the form set out in Form 5 in the Appendix or a form to like effect, consisting of that part of the list prepared under rule 8 which contains the numbers (but not the other unique identifying marks) corresponding to those on the ballot papers provided to the presiding officer of the polling station.

(5) The reference in paragraph (3)(b) to the copies of the register of electors includes a reference to copies of any notices issued under section 13B(3B) or (3D) of the 1983 Act ^{M9} in respect of alterations to the register.

[^{F8}(5A) The counting officer must also provide each polling station with a ballot paper refusal list, in the form set out in Form 11A in the Appendix or a form to like effect, on which entries are to be made as mentioned in rule 31A (refusal to deliver ballot paper).]

- (6) The relevant returning or counting officer must also provide each polling station with—
 - (a) at least one large version of each ballot paper which must be printed on the same colour paper as the corresponding ballot paper and displayed inside the polling station for the assistance of voters and proxies who are partially sighted; and
 - [^{F9}(b) such equipment as it is reasonable to provide for the purposes of enabling, or making it easier for, relevant persons to vote independently in the manner directed by rule 27 (voting procedure), including in relation to voting secretly; and for this purpose “relevant persons” means persons who find it difficult or impossible to vote in that manner because of—
 - (i) blindness or partial sight, or
 - (ii) another disability.]

[^{F10}(6A) Paragraph (10) of rule 29 of Schedule 1 to the 1983 Act (Parliamentary elections rules: guidance to returning officers) applies for the purposes of paragraph (6)(b) of this rule as it applies for the purposes of that rule, but as if—

- (a) the reference in that paragraph to the returning officer were a reference to the relevant returning or counting officer, and
- (b) the reference in that paragraph to paragraph (3A)(b) were a reference to paragraph (6)(b) of this rule.]

(7) Where, notwithstanding paragraph (2), separate ballot boxes are to be used, each ballot box must be clearly marked—

- (a) as to the election or referendum to which it relates, as shown on the ballot papers for the election or referendum; and
- (b) with the words “Place the [*specify colour of ballot papers in question*] ballot papers here”.

(8) A notice in the form set out in Form 12 in the Appendix, giving directions for the guidance of voters and proxies in voting, must be printed in conspicuous characters and exhibited inside and outside every polling station.

[^{F11}(8A) A large notice must be displayed inside each polling station containing—

- (a) details of the documents the voter or proxy needs to produce when applying for a ballot paper, namely—
 - (i) in the case of a voter (other than a voter with an anonymous entry) or a proxy, any of the forms of identification for the time being referred to in rule 37(1H) of Schedule 1 to the 1983 Act (parliamentary elections rules);
 - (ii) in the case of a voter with an anonymous entry, the voter’s official poll card and an anonymous elector’s document showing the same electoral number as the electoral number shown on the official poll card; and

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- (b) a statement that further proof of identity may be required to resolve any discrepancy between the name of the holder of a form of identification and the name of the voter or proxy that the voter or proxy claims to be.]

(9) The relevant returning or counting officer may also provide copies of the notice mentioned in paragraph (8) in Braille or translated into languages other than English as the counting officer considers appropriate, provided that these notices are accurate reproductions in Braille or that other language of that notice.

^{F12F13}^{F14}(10) In every compartment of every polling station there must be exhibited the notice—

****PARLIAMENTARY ELECTION**

(*[Specify colour]* ballot paper)

Vote for **ONLY ONE CANDIDATE** by putting a cross [X] in the box next to your choice.

***EUROPEAN PARLIAMENTARY ELECTION**

(*[Specify colour]* ballot paper)

Vote **ONLY ONCE** by putting a cross [X] in the box next to your choice.

***[Specify name of council] COUNCIL ELECTION**

(*[Specify colour]* ballot paper)

***[Vote for NO MORE THAN ... CANDIDATES** by putting a cross [X] in the box next to **EACH** of your choices]

***[Vote ONLY ONCE** by putting a cross [X] in the box next to your choice].

***ELECTION OF THE MAYOR OF LONDON**

(*[Specify colour]* ballot paper)

#On the ballot paper for the election of the Mayor, vote ONCE for your first choice and **ONCE** for your second choice.

***ELECTION OF THE LONDON ASSEMBLY**

#On the constituency members ballot paper (*[specify colour]*) vote for ONE candidate only.

#On the London members ballot paper (*[specify colour]*) vote for ONE party or individual candidate only.

REFERENDUM ON *[specify: neighbourhood plan, neighbourhood development order or community right to build order]* FOR *[specify name of neighbourhood area]*

(*[Specify colour]* ballot paper)

Vote only **ONCE** by putting a cross [X] in the box next to your choice.

***[Specify other] ELECTION/REFERENDUM**

(*[Specify colour]* ballot paper)

[Specify voting instructions in accordance with the legislation governing the election or referendum]

PUT NO OTHER MARK ON THE BALLOT PAPER OR YOUR VOTE MAY NOT COUNT.

***[PLEASE DO NOT FOLD THE BALLOT PAPERS FOR *[specify the elections and/or referendum(s) at which the votes are to be counted electronically]*. Post them, face downwards, in the *[*appropriate]* ballot box.]**

**Complete or omit as necessary.*

#Alternatively, insert such information as the GLRO may decide.

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^{F15}(11)

Textual Amendments

- F8** Sch. 5 rule 18(5A) inserted (16.1.2023) by [The Voter Identification Regulations 2022 \(S.I. 2022/1382\)](#), regs. 1(3), **66(6)(a)** (with reg. 1(6)(7))
- F9** Sch. 5 rule 18(6)(b) substituted (29.12.2022) by [The Assistance with Voting for Persons with Disabilities \(Amendments\) Regulations 2022 \(S.I. 2022/1309\)](#), regs. 1(3), **11(3)(a)(i)** (with reg. 1(4))
- F10** Sch. 5 rule 18(6A) inserted (29.12.2022) by [The Assistance with Voting for Persons with Disabilities \(Amendments\) Regulations 2022 \(S.I. 2022/1309\)](#), regs. 1(3), **11(3)(a)(ii)** (with reg. 1(4))
- F11** Sch. 5 rule 18(8A) inserted (16.1.2023) by [The Voter Identification Regulations 2022 \(S.I. 2022/1382\)](#), regs. 1(3), **66(6)(b)** (with reg. 1(6)(7))
- F12** Words in Sch. 5 rule 18(10): in rule 18 (equipment of polling stations), in paragraph (10), for the voting instructions for election of the mayor of London (which begins “#On the ballot paper”) substitute— #Vote for ONLY ONE candidate by putting a cross [X] in the box next to your choice (with effect in accordance with reg. 1(2) of the amending S.I.) by [The Representation of the People \(Postal Vote Handling and Secrecy\) \(Amendment\) Regulations 2023 \(S.I. 2023/1225\)](#), **reg. 9(4)(a)**
- F13** Sch. 5 rule 18(10): words "EUROPEAN PARLIAMENTARY ELECTION ([Specify colour] ballot paper) Vote ONLY ONCE by putting a cross [X] in the box next to your choice" revoked (31.12.2020) by [The European Parliamentary Elections Etc. \(Repeal, Revocation, Amendment and Saving Provisions\) \(United Kingdom and Gibraltar\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1310\)](#), reg. 1, **Sch. 1 Pt. 2** (as amended by S.I. 2019/1389, regs. 1, 2(2))
- F14** Sch. 5 rule 18(10) substituted (6.4.2014) by [The Neighbourhood Planning \(Referendums\) \(Amendment\) Regulations 2014 \(S.I. 2014/333\)](#), regs. 1(6), **12** (with reg. 1(7))
- F15** Sch. 5 rule 18(11) omitted (29.12.2022) by virtue of [The Assistance with Voting for Persons with Disabilities \(Amendments\) Regulations 2022 \(S.I. 2022/1309\)](#), regs. 1(3), **11(3)(a)(iii)** (with reg. 1(4))

Marginal Citations

- M9** Section 13B of the 1983 Act was inserted by paragraph 3 of Schedule 2 to the [Representation of the People Act 2000 \(c.2\)](#) and section 13(3B) and (3D) were inserted by section 11(4) of the [Electoral Administration Act 2006 \(c.22\)](#).

Appointment of polling observers and counting observers

19.—(1) The counting officer may appoint persons to attend at polling stations for the purpose of detecting personation (“polling observers”).

(2) Where the counting officer is not the relevant returning or counting officer, the counting officer must give notice in writing of the appointments of polling observers to the relevant returning or counting officer.

(3) That notice must state the names and addresses of the persons appointed and must be given not later than the fifth day (disregarding any day specified in rule 4) before the day of the poll.

(4) Not more than four polling observers or polling agents, or such greater number as the relevant returning or counting officer may by notice allow, are permitted to attend at any particular polling station and if the number of such polling observers or agents exceeds that number, the relevant returning or counting officer must determine which polling observer or agents are permitted to attend by lot and only the polling observers and agents on whom the lot falls is deemed to have been duly appointed.

(5) The counting officer must appoint persons to observe the counting of the votes and the verification of the ballot paper account (“counting observers”).

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(6) Where the counting officer is not the relevant returning or counting officer, the counting officer must give notice in writing of the appointments of counting observers to the relevant returning or counting officer as soon as is practicable following the appointment.

(7) In the following provisions of these Rules references to polling observers and counting observers are to be taken as references to polling observers and counting observers whose appointments have been duly made.

(8) Where by these Rules any act or thing is required or authorised to be done in the presence of the polling observers or counting observers, the non-attendance of any such person at the time and place appointed for the purpose does not, if the act or thing is otherwise duly done, invalidate the act or thing done.

Notification of requirement of secrecy

20.—(1) The relevant returning or counting officer must make such arrangements as the officer thinks fit to ensure that—

- (a) every person attending at a polling station (otherwise than for the purpose of voting or assisting a voter or proxy with disabilities to vote or as a constable on duty there) has been given a copy in writing of the provisions of subsections (1), (3) and (6) of section 66 of the 1983 Act ^{M10}, as applied by Schedule 4; and
- (b) every person attending at the counting of the votes (other than any constable on duty at the counting) has been given a copy in writing of the provisions of subsections (2) and (6) of that section, as applied by Schedule 4.

[^{F16}(2) In this rule, a reference to a constable includes a person designated as a community support officer under section 38 of the Police Reform Act 2002 (police powers for employees).]

Textual Amendments

F16 Sch. 5 rule 20(2) inserted (6.4.2014) by The Neighbourhood Planning (Referendums) (Amendment) Regulations 2014 (S.I. 2014/333), regs. 1(6), 13 (with reg. 1(7))

Marginal Citations

M10 Subsections (1), (2) and (3) of section 66 of the 1983 Act were amended by paragraphs 69, 82, 86(b) and 96 of Schedule 1 to the Electoral Administration Act 2006 (c.22); subsection (6) was amended by paragraph 3 of Schedule 3 to the Representation of the People Act 1985 (c.50).

Return of postal ballot papers

21.—(1) Where—

- (a) a postal vote has been returned in respect of a person who is entered on the postal voters list; or
- (b) a proxy postal vote has been returned in respect of a proxy who is entered on the proxy postal voters list,

the relevant returning or counting officer must mark the list in the manner prescribed by regulations made under the 1983 Act ^{M11}.

(2) In paragraph (1) for “relevant returning or counting officer” substitute “ counting officer ” where proceedings on the issue and receipt of postal ballot papers at the referendum are not taken together with such proceedings at one or more relevant elections.

Changes to legislation: There are outstanding changes not yet made by the [legislation.gov.uk](https://www.legislation.gov.uk) editorial team to The Neighbourhood Planning (Referendums) Regulations 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

(3) Rule 37(5) does not apply for the purpose of determining whether, for the purposes of this rule, a postal vote or a proxy postal vote is returned.

Marginal Citations

M11 See regulation 84(7) of the [Representation of the People \(England and Wales\) Regulations 2001 \(S.I. 2001/341\)](#), as amended by [S.I. 2006/2910](#).

PART 5

The Poll

Admission to polling station

22.—(1) The presiding officer must exclude all persons from the polling station except—

- (a) voters and proxies;
- (b) persons under the age of 18 who accompany voters and proxies to the polling station;
- [^{F17}(ba) persons aged 18 or over returning a postal ballot paper or postal voting statement by hand in accordance with rule 37(6)(b);]
- (c) the polling observers appointed to attend at the polling station;
- (d) the clerks appointed to attend at the polling station;
- (e) persons who are entitled to attend by virtue of any of sections 6A to 6D of the Political Parties, Elections and Referendums Act 2000 ^{M12};
- (f) the constables on duty;
- (g) the companions of voters and proxies with disabilities and
- (h) persons entitled to be admitted to the polling station at a relevant election with which the poll at the referendum is combined.

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

(3) A constable or person employed by the counting officer or a relevant returning or counting officer must not be admitted to vote in person elsewhere than at the polling station allotted to them under these Rules, except on production and surrender of a certificate as to their employment which must be in the form set out in Form 13 in the Appendix, or a form to like effect, and signed by an officer of police of or above the rank of inspector or by the counting officer or the relevant returning or counting officer by whom the person is employed, as the case may be.

(4) Any certificate surrendered under this rule must forthwith be cancelled.

[^{F18}(5) In this rule, a reference to a constable includes a person designated as a community support officer under section 38 of the Police Reform Act 2002 (police powers for employees).]

Textual Amendments

F17 [Sch. 5 rule 22\(1\)\(ba\)](#) inserted (with effect in accordance with reg. 1(2) of the amending S.I.) by [The Representation of the People \(Postal Vote Handling and Secrecy\) \(Amendment\) Regulations 2023 \(S.I. 2023/1225\)](#), [reg. 9\(4\)\(b\)](#)

F18 [Sch. 5 rule 22\(5\)](#) inserted (6.4.2014) by [The Neighbourhood Planning \(Referendums\) \(Amendment\) Regulations 2014 \(S.I. 2014/333\)](#), [regs. 1\(6\), 14](#) (with [reg. 1\(7\)](#))

Marginal Citations

M12 2000 c.41. Sections 6A to 6D were inserted by section 29 of the [Electoral Administration Act 2006 \(c.22\)](#).

Keeping of order in station

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

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

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

and the person so removed may not, without the presiding officer's permission, again enter the polling station 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 must not be exercised so as to prevent a voter or proxy who is otherwise entitled to vote at a polling station from having an opportunity of voting at that station.

Sealing of ballot boxes

24. Immediately before the commencement of the poll, the presiding officer must show the ballot box empty to such persons, if any, as are present in the polling station, so that they may see that it is empty, and must then lock it up, if it has a lock and (in any case) place the officer's seal on it in such a manner as to prevent the box being opened without breaking the seal and must place the box in the officer's view for the receipt of ballot papers, and keep it so locked and sealed or sealed (as the case may be).

Questions to be put to voters and proxies

25.—(1) At the time of the application for a ballot paper (but not afterwards), the questions specified in the following Table—

- (a) may be put by the presiding officer to a person applying for a ballot paper who is mentioned in the Table; and
- (b) must be put if the letter “R” appears after the question and a polling observer requires the question to be put:

Table

<i>Q no</i>	<i>Person applying for ballot paper</i>	<i>Question</i>
1	A person applying as a voter	[^{F19} (za)— What is your name?] [^{F19} (zb)—What is your address?] (a)—Are you the person registered in the register of local government electors for this referendum area as follows? <i>(read the whole entry from the register)</i> [R]

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- (b)—Have you already voted here or elsewhere at this referendum, otherwise than as proxy for some other person? [R]
- 2 A person applying as proxy [F19(za)— What is your name?]
[F19(zb)—What is your address?]
(a)—Are you the person whose name appears as AB in the list of proxies for this referendum area as entitled to vote as proxy on behalf of CD? [R]
(b)—Have you already voted here or elsewhere at this referendum as proxy on behalf of CD? [R]
(c)—Are you the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild of CD? [R]
- 3 A person applying as proxy for a voter with an anonymous entry (instead of the questions at entry 2) [F19(za)— What is your name?]
[F19(zb)—What is your address?]
(a)—Are you the person entitled to vote as proxy on behalf of the voter whose number on the register of electors is (*read out the number*)? [R]
(b)—Have you already voted here or elsewhere as proxy on behalf of the voter whose number on the register of electors is (*read out the number*)? [R]
(c)—Are you the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild of the person whose number on the register of electors is (*read out the number*)? [R]
- 4 A person applying as proxy if the question at entry 2(c) or 3(c) is not answered in the affirmative Have you already voted at this referendum on behalf of two persons of whom you are not the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild? [R]
- 5 A person applying as a voter in relation to whom there is an entry in the postal voters list [F19(za)— What is your name?]
[F19(zb)—What is your address?]
(a)—Did you apply to vote by post?
(b)—Why have you not voted by post?
- 6 A person applying as proxy who is named in the proxy postal voters list [F19(za)— What is your name?]
[F19(zb)—What is your address?]

(a)—Did you apply to vote by post as proxy?

(b)—Why have you not voted by post as proxy?

(2) 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, the references in the questions at entries 1(a) and 3(a), (b) and (c) to reading from the register are taken as references to reading from the notice issued under section 13B(3B) or (3D) of the 1983 Act.

[^{F20}(2A) Where a clerk—

- (a) gives a person the required information (see paragraph (5)),
- (b) puts a question specified in paragraph (1) to the person, and
- (c) decides that the person has failed to answer the question satisfactorily,

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

[^{F21}(3) Where the presiding officer—

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

the officer must refuse to deliver a ballot paper to the person (and see rule 31A for the procedure where a ballot paper is refused under this paragraph).

(3A) For the purposes of this rule, a person answers the question “What is your name?” or “What is your address?” satisfactorily if—

- (a) where one of those questions is put, the answer matches a name or address (as the case may be) in the register of electors;
- (b) where both those questions are put, the answers match a name and address in that register that relate to the same person.

(3B) In the case of a voter or proxy in respect of whom a notice has been issued under section 13B(3B) or (3D) of the 1983 Act, the references to the register in paragraph (3A) are to be read as references to the notice issued under section 13B(3B) or (3D).]

(4) Except as authorised by this rule, no inquiry is permitted as to the right of any person to vote [^{F22}(and for the purposes of this paragraph, an inquiry relating to the production of identification by a voter or proxy is not to be regarded as an inquiry as to the right of the person to vote)].

[^{F23}(5) For the purposes of this rule, a person to whom any question is to be put is given “the required information” if the person is first informed that—

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

Textual Amendments

- F19** Words in Sch. 5 rule 25(1) Table inserted (16.1.2023) by [The Voter Identification Regulations 2022 \(S.I. 2022/1382\)](#), regs. 1(3), **66(7)(a)** (with reg. 1(6)(7))
- F20** Sch. 5 rule 25(2A) inserted (16.1.2023) by [The Voter Identification Regulations 2022 \(S.I. 2022/1382\)](#), regs. 1(3), **66(7)(b)** (with reg. 1(6)(7))
- F21** Sch. 5 rule 25(3)-(3B) substituted for Sch. 5 rule 25(3) (16.1.2023) by [The Voter Identification Regulations 2022 \(S.I. 2022/1382\)](#), regs. 1(3), **66(7)(c)** (with reg. 1(6)(7))
- F22** Words in Sch. 5 rule 25(4) inserted (16.1.2023) by [The Voter Identification Regulations 2022 \(S.I. 2022/1382\)](#), regs. 1(3), **66(7)(d)** (with reg. 1(6)(7))

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F23 Sch. 5 rule 25(5) inserted (16.1.2023) by The Voter Identification Regulations 2022 (S.I. 2022/1382), regs. 1(3), **66(7)(e)** (with reg. 1(6)(7))

Modifications etc. (not altering text)

C5 Sch. 5 rule 25 modified (temp.) (31.10.2023) by The Representation of the People (Postal and Proxy Voting etc.) (Amendment) Regulations 2023 (S.I. 2023/1147), reg. 1(2), Sch. 2 para. 28(2)(3) (with Sch. 2 para. 27)

Challenge of voter or proxy

- 26. A person must not be prevented from voting by reason only that—
 - (a) any polling observer permitted to be present in accordance with rule 22(1) declares that the polling observer has reasonable cause to believe that the person has committed an offence of personation; or
 - (b) the person is arrested on the grounds that the person is suspected of committing or of being about to commit such an offence.

Voting procedure

27.—(1) ^{F24}Subject to rule 25(3) and to paragraphs (1A) to (1M), a] ballot paper must be delivered to a voter or proxy who applies for one, and immediately before delivery—

- ^{F25}(a)
- (b) the number of the voter as stated in the register must be marked on the list mentioned in rule 18(4)(d) beside the number of the ballot paper to be issued;
- (c) a mark must be placed in the copy of the register of electors against the number of the voter 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 must also be placed against their name in the list of proxies.

^{F26}(1A) A ballot paper must not be delivered to a voter or proxy unless the voter or proxy produces a specified document to the presiding officer or a clerk.

(1B) The presiding officer or clerk must arrange for the voter or proxy to produce any document in a private area of the polling station if the voter or proxy so requests, and, in such a case, must ensure that no other persons witness the production except as permitted by the voter or proxy.

- (1C) Paragraph (1D) applies in relation to a voter or proxy where—
 - (a) the voter or proxy produces a specified document to a clerk and the clerk decides that the document raises a reasonable doubt as to whether the voter or proxy is the voter or proxy that the voter or proxy claims to be, or
 - (b) the voter or proxy produces a document to a clerk that the clerk reasonably suspects to be a forged document.

(1D) Where this paragraph applies, the clerk must refer the matter and produce the document to the presiding officer, who must proceed as if the voter or proxy had produced the document to the presiding officer in the first place.

- (1E) The presiding officer must refuse to deliver a ballot paper to a voter or proxy where—
 - (a) the voter or proxy produces a specified document to the officer and the officer decides that the document raises a reasonable doubt as to whether the voter or proxy is the voter or proxy that the voter or proxy claims to be, or

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(b) the voter or proxy produces a document to the officer that the officer reasonably suspects to be a forged document.

(1F) Paragraph (1E)(a) does not apply where—

(a) a discrepancy between the name of the holder of a specified document and the name of the voter or proxy that the voter or proxy claims to be is resolved to the presiding officer's satisfaction at the time of the application by the voter or proxy producing further proof of identity, and

(b) the presiding officer has no other reason (arising from any document produced by the voter or proxy) to doubt that the voter or proxy is the voter or proxy that the voter or proxy claims to be.

(1G) The refusal to deliver a ballot paper to a voter or proxy under paragraph (1E) does not prevent the voter or proxy making a further application under paragraph (1), and paragraphs (1A) to (1F) apply on any further application.

(1H) In this rule, a “forged document” means a false document made to resemble a specified document.

(1I) In this rule, a “specified document”—

(a) except in the case of a voter or proxy who has an anonymous entry in the register of electors, is one which for the time being falls within the list specified in rule 37(1H) of Schedule 1 to the 1983 Act (parliamentary election rules);

(b) in the case of a voter or proxy who has an anonymous entry in the register of electors, means an anonymous elector's document which—

(i) was issued by the registration officer for the local authority in whose area the referendum is held,

(ii) contains the number—

(aa) allocated to the voter or proxy as stated in the copy of the register of electors, or

(bb) where an entry relating to the voter or proxy is added to the register in pursuance of a notice issued under section 13B(3B) or (3D) of the 1983 Act, as stated in the copy of that notice.

(1J) Subject to paragraph (1K), a reference in this rule to a document that is a specified document is a reference to the document regardless of any expiry date relating to it.

(1K) Paragraph (1J) does not apply to a temporary electoral identity document where the date of the poll for the referendum is after the date for which the document is issued.

(1L) No person other than the presiding officer or a clerk may inspect a document produced as proof of a voter's identity, except as permitted by the voter.

(1M) References in this rule to producing a document are to producing it for inspection.]

(2) A voter who has an anonymous entry must show the presiding officer their official poll card
F27
....

(3) In the case of a voter 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—

^{F28}(a)

(b) in sub-paragraph (b), for “in the register” substitute “ in the copy of the notice issued under section 13B(3B) or (3D) of the 1983 Act ”;

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

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(4) The voter or proxy, on receiving the ballot paper, must forthwith proceed into one of the compartments in the polling station and there secretly mark their ballot paper and fold it up so as to conceal their vote, and must 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 or proxy must vote without undue delay, and must leave the polling station as soon as the voter or proxy has put the ballot paper into the ballot box.

[^{F29}(5A) A voter or proxy who at the close of the poll is in the polling station, or in a queue outside the polling station, for the purpose of voting shall (despite the close of the poll) be entitled to apply for a ballot paper under paragraph (1); and these rules apply in relation to such a voter or proxy accordingly.]

(6) The same copy of the register of electors which is used under paragraph (1) for the referendum or, where paragraph (3) applies, the same copy of the notice issued under section 13(3B) or (3D) of the 1983 Act, may be used for each relevant election, and—

- (a) one mark may be placed in that copy of the register or on that notice under paragraph (1) (c) or in the list of proxies under paragraph (1)(d) to denote that a ballot paper has been issued in respect of each relevant election and the referendum; but
- (b) where a ballot paper has not been issued in respect of a relevant election, a different mark must be placed in the copy of that register or, as the case may be, on that notice or in that list so as to identify each relevant election in respect of which a ballot paper was issued.

Textual Amendments

- F24** Words in Sch. 5 rule 27(1) substituted (16.1.2023) by The Voter Identification Regulations 2022 (S.I. 2022/1382), regs. 1(3), **66(8)(a)(i)** (with reg. 1(6)(7))
- F25** Sch. 5 rule 27(1)(a) omitted (16.1.2023) by virtue of The Voter Identification Regulations 2022 (S.I. 2022/1382), regs. 1(3), **66(8)(a)(ii)** (with reg. 1(6)(7))
- F26** Sch. 5 rule 27(1A)-(1M) inserted (16.1.2023) by The Voter Identification Regulations 2022 (S.I. 2022/1382), regs. 1(3), **66(8)(b)** (with reg. 1(6)(7))
- F27** Words in Sch. 5 rule 27(2) omitted (16.1.2023) by virtue of The Voter Identification Regulations 2022 (S.I. 2022/1382), regs. 1(3), **66(8)(c)** (with reg. 1(6)(7))
- F28** Sch. 5 rule 27(3)(a) omitted (16.1.2023) by virtue of The Voter Identification Regulations 2022 (S.I. 2022/1382), regs. 1(3), **66(8)(d)** (with reg. 1(6)(7))
- F29** Sch. 5 rule 27(5A) inserted (6.4.2014) by The Neighbourhood Planning (Referendums) (Amendment) Regulations 2014 (S.I. 2014/333), regs. 1(6), **15** (with reg. 1(7))

Votes marked by presiding officer

28.—(1) [^{F30}Subject to paragraph (1A), the] presiding officer, on the application of a voter or proxy—

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

must, in the presence of the polling observers (if any), cause that person's vote to be marked on a ballot paper in the manner directed by that person, and the ballot paper to be placed in the ballot box.

[^{F31}(1A) Paragraphs (1A) to (1M) of rule 27 apply in the case of a voter or proxy who applies under paragraph (a) as they apply in the case of a voter or proxy who applies under rule 27(1), but as if—

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(a) references to delivering a ballot paper to a voter or proxy were to causing a voter's or proxy's vote to be marked on a ballot paper, and

(b) in rule 27(1G), the reference to paragraph (1) of rule 27 were to paragraph (1) of this rule.]

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

(3) In the case of a person voting as proxy for a voter, the number to be entered together with the proxy's name is the number in the register of the voter.

(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 "in the register of electors of every person" there were substituted "relating to every person in respect of whom a notice has been issued under section 13B(3B) or (3D) of the 1983 Act".

(5) The same list may be used for the referendum and each relevant election and, where it is so used, an entry in that list means that the ballot papers were so marked in respect of the referendum and each relevant election, unless the list identifies the relevant election or the referendum at which the ballot paper was so marked.

Textual Amendments

F30 Words in Sch. 5 rule 28(1) substituted (16.1.2023) by The Voter Identification Regulations 2022 (S.I. 2022/1382), regs. 1(3), 66(9)(a) (with reg. 1(6)(7))

F31 Sch. 5 rule 28(1A) inserted (16.1.2023) by The Voter Identification Regulations 2022 (S.I. 2022/1382), regs. 1(3), 66(9)(b) (with reg. 1(6)(7))

Voting by persons with disabilities

29.—(1) If a voter or proxy 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 the voter or proxy is accompanied (in these Rules referred to as "the companion"), the presiding officer must require the voter or proxy to declare, orally or in writing, whether the voter or proxy is so incapacitated by blindness or other disability, or by the voter or proxy's inability to read, as to be unable to vote without assistance.

(2) [^{F32}Subject to paragraph (2A), if] the presiding officer—

- (a) is satisfied that the voter or proxy is so incapacitated or unable to read; 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 or proxy with disabilities") that the companion—
 - (i) is a qualified person within the meaning of this rule; and
 - (ii) has not previously assisted more than one voter or proxy with disabilities to vote at the referendum,

the presiding officer must grant the application, and then anything which is by these Rules required to be done to or by that voter or proxy in connection with the giving of their vote may be done to, or with the assistance of, the companion.

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[^{F33}(2A) Paragraphs (1A) to (1M) of rule 27 apply in the case of a voter or proxy who applies under paragraph (a) as they apply in the case of a voter or proxy who applies under rule 27(1), but as if—

- (a) references to delivering a ballot paper to a voter or proxy were to granting a voter’s or proxy’s application, and
- (b) in rule 27(1G), the reference to paragraph (1) of rule 27 were to paragraph (1) of this rule.]

(3) For the purposes of these Rules, a person is a voter or proxy with disabilities if that person has made such a declaration as is mentioned in paragraph (1), and a person is qualified to assist a voter or proxy with disabilities to vote [^{F34}if that person is aged 18 or over.]

(4) The name and number in the register of electors of every person whose vote is given in accordance with this rule and the name and address of the companion must be entered on a list (in these Rules referred to as “the list of voters or proxies with disabilities assisted by companions”).

(5) In the case of a person voting as proxy for a voter, the number to be entered together with the proxy’s name is the number in the register of the voter.

(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 electors of every person” there were substituted “relating to every person in respect of whom a notice has been issued under section 13B(3B) or (3D) of the 1983 Act”.

(7) The same list may be used for the referendum and each relevant election and, where it is so used, an entry in that list means that the votes were so given in respect of the referendum and each relevant election, unless the list identifies the relevant election or the referendum at which the vote was so given.

- (8) The declaration made by the companion of a voter or proxy with disabilities—
 - (a) must be in the form set out in Form 14 in the Appendix;
 - (b) must be made before the presiding officer at the time when the voter or proxy applies to vote with the assistance of a companion; and
 - (c) must forthwith be given to the presiding officer who must attest and retain it.
- (9) No fee or other payment may be charged in respect of the declaration.

Textual Amendments

- F32** Words in Sch. 5 rule 29(2) substituted (16.1.2023) by [The Voter Identification Regulations 2022 \(S.I. 2022/1382\)](#), regs. 1(3), **66(10)(a)** (with reg. 1(6)(7))
- F33** Sch. 5 rule 29(2A) inserted (16.1.2023) by [The Voter Identification Regulations 2022 \(S.I. 2022/1382\)](#), regs. 1(3), **66(10)(b)** (with reg. 1(6)(7))
- F34** Words in Sch. 5 rule 29(3) substituted (29.12.2022) by [The Assistance with Voting for Persons with Disabilities \(Amendments\) Regulations 2022 \(S.I. 2022/1309\)](#), regs. 1(3), **11(3)(b)** (with reg. 1(4))

Tendered ballot papers: circumstances where available

- 30.**—(1) If a person, representing themselves to be—
- (a) a particular voter named on the register and not named in the absent voters list; or
 - (b) a particular person named in the list of proxies as proxy for a voter and not entitled to vote by post as proxy,

applies for a ballot paper after another person has voted in person either as the voter or the voter’s proxy, the applicant is, on satisfactorily answering the questions permitted by law to be asked at the

poll, entitled, subject to the provisions of rule 31, to mark a ballot paper (in these Rules referred to as “a tendered ballot paper”) in the same manner as any other voter or proxy.

(2) Paragraph (4) applies if—

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

(3) Paragraph (4) also applies if—

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

(4) The person is, on satisfactorily answering the questions permitted by law to be asked at the poll, entitled, subject to the provisions of rule 31, to mark a ballot paper (in these Rules referred to as a “tendered ballot paper”) in the same manner as any other voter or proxy.

(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 themselves to be—

- (a) a particular voter named on the register 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 the person has lost or has not received their postal ballot paper.

(6) The person is, on satisfactorily answering the questions permitted by law to be asked at the poll, entitled, subject to the provisions of rule 31, to mark a ballot paper (in these Rules referred to as a “tendered ballot paper”) in the same manner as any other voter or proxy.

[^{F35}(7) Paragraphs (1A) to (1M) of rule 27 apply in the case of a person who seeks to mark a tendered ballot paper under this rule as they apply in the case of a voter or proxy who applies for a ballot paper under rule 27(1), but as if in rule 27(1G), the reference to making a further application under paragraph (1) of rule 27 were to seeking a further time to mark a tendered ballot paper under the paragraph of this rule under which a previous such attempt was made.]

Textual Amendments

F35 Sch. 5 rule 30(7) inserted (16.1.2023) by [The Voter Identification Regulations 2022 \(S.I. 2022/1382\)](#), regs. 1(3), **66(11)** (with reg. 1(6)(7))

Tendered ballot papers: general provisions

31.—(1) A tendered ballot paper must—

- (a) be of a colour differing from that of the other ballot papers;
- (b) instead of being put into the ballot box, be given to the presiding officer and endorsed by the officer with the name of the person who has marked a tendered ballot paper and their number in the register of electors, and set aside in a separate packet.

(2) The name of the person who has marked a tendered ballot paper and their number in the register of electors must be entered on a list (in these Rules referred to as the “tendered votes list”).

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(3) The same list may be used for the referendum and each relevant election and, where it is so used, an entry in that list means that the tendered ballot papers were so marked in respect of the referendum and each relevant election, unless the list identifies the relevant election or the referendum at which a tendered ballot paper was marked.

(4) In the case of a person voting as proxy for a voter, the number to be endorsed or entered together with the proxy's name is the number in the register of the voter.

(5) In the case of a voter who has an anonymous entry, this rule and rule 30 apply subject to the following modifications—

- (a) in paragraphs (1)(b) and (2) above, the references to the name of the person who has marked a tendered ballot paper are ignored;
- (b) otherwise, a reference to a person named in a register or list is construed as a reference to a person whose number appears in the register or list (as the case may be).

(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, this rule and rule 30 apply as if—

- (a) in rule 30(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 ”;
- (b) in paragraph (1)(b) of this rule for “their number in the register of electors” there were substituted “ the number relating to that person on a notice issued under section 13B(3B) or (3D) of the 1983 Act ”;
- (c) in paragraph (2) of this rule, for “their number in the register of electors” there were substituted “ the number relating to that person on a notice issued under section 13B(3B) or (3D) of the 1983 Act ”;
- (d) in paragraph (4) of this rule, for “the number in the register of the voter” there were substituted “ the number relating to the voter on a notice issued under section 13(3B) or (3D) of the 1983 Act ”.

[^{F36}Refusal to deliver ballot paper

31A.—(1) Where a presiding officer refuses to deliver a ballot paper to a voter who applied for one other than as a proxy, the officer or a clerk must enter on the ballot paper refusal list—

- (a) the voter’s electoral number, and
- (b) against that number, the reason for the refusal.

(2) Where a presiding officer refuses to deliver a ballot paper to a voter who applied for one as a proxy, the officer or a clerk must enter on the ballot paper refusal list—

- (a) the name and address of the voter, and
- (b) against those details, the reason for the refusal.

(3) Paragraphs (4) and (5) apply where—

- (a) a presiding officer refuses to deliver a ballot paper to a voter or proxy under rule 27(1E), and
- (b) the voter or proxy makes a further application under rule 27(1).

(4) If a ballot paper is delivered to the voter or proxy following a further application, the presiding officer or a clerk must note that fact on the ballot paper refusal list.

(5) If the presiding officer again refuses to deliver a ballot paper to the voter or proxy, the presiding officer or a clerk must note that fact on the ballot paper refusal list.

(6) Entries required by this rule to be made on the ballot paper refusal list must be made as soon as practicable after delivery of a ballot paper to a voter or proxy is refused (or, in the case mentioned in paragraph (4), as soon as practicable after the delivery of a ballot paper to a voter or proxy).

(7) For the purposes of paragraph (1)(a), a person’s “electoral number” is the number—

- (a) allocated to the person as stated in the copy of the register of electors, or
- (b) where an entry relating to the person is added to the register in pursuance of a notice issued under section 13B(3B) or (3D) of the 1983 Act, as stated in the copy of that notice.

(8) Subject to rule 27(1G) and paragraph (9), a refusal to deliver a ballot paper to a voter or proxy is final and may not be questioned in any proceeding whatsoever.

(9) A refusal to deliver a ballot paper to a voter or proxy is subject to review in proceedings brought as mentioned in section 61N(3) of the 1990 Act.

(10) In this rule—

- (a) except in paragraph (3)(a), any reference to the refusal to deliver a ballot paper (however expressed) is to the refusal to do so under rule 25(3) or 27(1E), and
- (b) any reference to paragraph (1E) or (1G) of rule 27 includes a reference to that paragraph as applied by rule 28, 29 or 30.]

Textual Amendments

F36 Sch. 5 rule 31A inserted (16.1.2023) by The Voter Identification Regulations 2022 (S.I. 2022/1382), regs. 1(3), **66(12)** (with reg. 1(6)(7))

Spoilt ballot papers

32. A voter or proxy who has inadvertently dealt with their 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 the presiding officer’s satisfaction the fact of the inadvertence, obtain another 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 must be immediately cancelled.

Correction of errors on day of poll

33.—(1) The presiding officer must 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.

(2) The same list may be used for the referendum and each relevant election and, where it is so used, an entry in that list means that the ballot papers were issued in respect of the referendum and each relevant election, unless the list identifies the relevant election or the referendum for which a ballot paper was issued.

Adjournment of poll in case of riot

34.—(1) Where the proceedings at any polling station are interrupted or obstructed by riot or open violence, the presiding officer must adjourn the proceedings until the following day and must forthwith give notice to the relevant returning or counting officer.

(2) Where the poll is adjourned at any polling station—

- (a) the hours of polling on the day to which it is adjourned must be the same as for the original day; and

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(b) references in these Rules to the close of the poll are construed accordingly.

Procedure on close of poll

35.—(1) As soon as practicable after the close of the poll, the presiding officer must, in the presence of the polling observers (if any) appointed for the purposes of the referendum and the polling agents or observers appointed for the purposes of each relevant election, make up into separate packets, sealed with the presiding officer's own seal and the seals of such polling observers 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, but with the key, if any, attached;
- (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;
- [^{F37}(da) the ballot paper refusal list completed in accordance with rule 31A;]
- (e) the lists prepared under rule 8 including the parts which were completed in accordance with rule 27(1)(b) (together referred to in these Rules as “the completed corresponding number lists”);
- (f) the certificates as to employment on duty on the day of the poll;
- (g) the tendered votes list, the list of voters and proxies with disabilities assisted by companions, the list of votes marked by the presiding officer, a statement of the number of voters and proxies whose votes are so marked by the presiding officer under the heads “disability” and “unable to read”, the list maintained under rule 33, and the declarations made by the companions of voters and proxies with disabilities,

and must deliver the packets or cause them to be delivered to the relevant returning or counting officer to be taken charge of by that person; but if the packets are not delivered by the presiding officer personally to the relevant returning or counting officer, the arrangements for their delivery require that officer's approval.

(2) The contents of the packets referred to in sub-paragraphs (1)(b), (c) and (f) must not be combined with the contents of the packets made under the corresponding rule that applies at any relevant election; nor is the statement prepared under paragraph (4) to be so combined.

(3) The marked copies of the register of electors and of the list of proxies must be in one packet but must not be in the same packet as the completed corresponding number lists or the certificates as to employment on duty on the day of the poll.

(4) The packets must be accompanied by a statement (in these Rules referred to as “the ballot paper account”) made by the presiding officer showing the number of ballot papers entrusted to that officer, and accounting for them under the heads of ballot papers issued and not otherwise accounted for, unused, spoilt and tendered ballot papers.

Textual Amendments

F37 Sch. 5 rule 35(1)(da) inserted (16.1.2023) by [The Voter Identification Regulations 2022 \(S.I. 2022/1382\)](#), regs. 1(3), **66(13)** (with reg. 1(6)(7))

PART 6

Counting of Votes

Attendance at counting of votes

36.—(1) Where the counting officer at the referendum is the relevant returning or counting officer, the officer must—

- (a) make arrangements for—
 - (i) discharging the functions under rule 37(1) in the presence of the counting observers appointed for the purposes of the referendum and the election agents or observers appointed for the purpose of each relevant election as soon as practicable after the close of the poll, and
 - (ii) thereafter counting the votes at the referendum in the presence of the counting observers appointed for the purpose of the referendum; and
- (b) give to the counting observers appointed for the purposes of the referendum and the election agents or observers appointed for the purposes of each relevant election notice in writing of the time and place at which the counting officer will begin to discharge the functions under rule 37(1).

(2) Where the counting officer at the referendum is not the relevant returning or counting officer, the counting officer must—

- (a) make arrangements for counting the votes in the presence of the counting observers as soon as practicable after the delivery of ballot papers to the officer by the relevant returning or counting officer; and
- (b) give to the counting observers notice in writing of the time at which the counting officer will begin to count the votes if by then the officer has received the ballot papers and of the place at which the count will take place.

(3) No person other than—

- (a) the Chief Counting Officer, the counting officer and the counting officer's clerks;
- (b) the counting observers; and
- (c) persons who are entitled to attend by virtue of any of sections 6A to 6D of the Political Parties, Elections and Referendums Act 2000,

may be present at the counting of the votes, unless permitted by the counting officer to attend.

(4) No person other than a person entitled to be present at the counting of the votes at the referendum or at a relevant election may be present at the proceedings under rule 37(1) unless permitted by the relevant returning or counting officer to attend.

(5) A person not entitled to attend at—

- (a) the proceedings under rule 37(1); or
- (b) the counting of the votes,

must not be permitted to do so by, respectively, the relevant returning or counting officer or counting officer unless the officer is satisfied that the efficient separation of the ballot papers or, as the case may be, the efficient counting of the votes will not be impeded.

(6) The—

- (a) relevant returning or counting officer, in respect of proceedings under rule 37(1); and
- (b) counting officer, in respect of the counting of the votes,

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must give the counting observers all such reasonable facilities for overseeing the proceedings, and all such information with respect to them, as the officer can give them consistent with the orderly conduct of the proceedings and the discharge of the officer's duties in connection with them.

(7) In particular, where the votes are counted by sorting the ballot papers according to the answer for which the vote is given and then counting the number of ballot papers for each answer, the counting observers are entitled to satisfy themselves that the ballot papers are correctly sorted.

The count

37.—(1) Where the counting officer at the referendum is the relevant returning or counting officer, the counting officer must—

- (a) in the presence of the counting observers appointed for the purposes of the poll at the referendum and the election agents and counting agents or observers appointed for the purposes of the poll at each relevant election, open each ballot box and record separately the number of ballot papers used in the referendum and each relevant election;
- (b) in the presence of the counting observers appointed for the purposes of the poll at the referendum and the election agents and counting agents or observers appointed for the purposes of the poll at each relevant election, verify each ballot paper account; and
- (c) count such of the postal ballot papers as have been duly returned and record separately the number counted at the referendum and each relevant election;
- (d) separate the ballot papers relating to the referendum from the ballot papers relating to each relevant election; ^{F38}and
- (e) make up into packets the ballot papers for the referendum and each relevant election and seal them up in separate containers endorsing on each a description of the areas to which the ballot paper relates;]
- (f) deliver or cause to be delivered to the counting officer for the referendum or the returning officer or counting officer for the relevant election to which the ballot paper relates—
 - (i) those containers, together with a list of them and of the contents of each; and
 - (ii) the ballot paper accounts together with, in the case of each such account, a copy of the statement as to the result of their verification in respect of that referendum or election; and
- (g) at the same time deliver or cause to be delivered to that officer packets that so relate containing—
 - (i) the unused and spoilt ballot papers,
 - (ii) the tendered ballot papers, and
 - (iii) the certificates as to employment on duty on the day of the poll.

(2) Where separate ballot boxes are used, no vote for any candidate or answer is rendered invalid by the ballot paper being placed in the incorrect ballot box.

(3) After completion of the proceedings under paragraph (1), the counting officer must mix together all of the ballot papers used at the referendum and count the votes given on them.

(4) Where the counting officer at the referendum is not the relevant returning or counting officer, the counting officer must—

- (a) on receipt of containers from the relevant returning or counting officer, and no earlier than the time specified in the notice given under rule 36(2)(b), in the presence of the counting observers open each container;
- (b) where proceedings on the issue and receipt of postal ballot papers are not taken together with such proceedings at a relevant election, count such of the postal ballot papers as have

been duly returned and record the number counted; and mix together the postal ballot papers and the ballot papers from all of the containers and count the votes given on them, and paragraph (11) does not apply to these proceedings.

- (5) A postal ballot paper must not be taken to be duly returned unless—
- (a) it is returned in the manner set out in paragraph (6) and reaches the relevant returning or counting officer or any polling station in the appropriate area before the close of the poll;
 - (b) the postal voting statement, duly signed, is also returned in the manner set out in paragraph (6) and reaches the relevant returning or counting officer or such a polling station before that time;
 - (c) the postal voting statement also states the date of birth of a voter or proxy; ^{F39} ...
 - (d) in a case where steps for verifying the date of birth and signature of a voter or proxy have been prescribed by regulations made under the 1983 Act, the relevant returning or counting officer (having taken such steps) verifies that date of birth and that signature [^{F38} and
 - (e) the postal ballot paper is not one that falls to be rejected in accordance with regulation 79B, 79D, 82B or 82D of the Representation of the People (England and Wales) Regulations 2001.]

[^{F40}(5A) A postal ballot paper or postal voting statement that reaches the relevant returning or counting officer or a polling station on or after the close of the poll is treated for the purposes of paragraph (5) as reaching that officer or polling station before the close of the poll if it is delivered by a person who, at the close of the poll, is in the polling station, or in a queue outside the polling station, for the purpose of returning it.]

- (6) The manner in which any postal ballot paper or postal voting statement may be returned—
- (a) to the relevant returning or counting officer, is by hand or by post;
 - (b) to a polling station, is by hand.
- (7) The appropriate area in respect of any voter or proxy is—
- (a) the area which is common to the parliamentary constituency, electoral area, ^{F41} ... local authority area or voting area (as case may be) in which the polls at the referendum and any relevant election are being taken together; and
 - (b) in respect of which polls the voter or proxy has been issued with a postal ballot paper.
- (8) In paragraphs (5)(a) and (d) and (6)(a) for “relevant returning or counting officer” substitute “counting officer” where proceedings on the issue and receipt of postal ballot papers at the referendum are not taken together with such proceedings at one or more relevant elections.
- (9) The counting officer must not count any tendered ballot paper.
- (10) The—
- (a) relevant returning or counting officer, in respect of the proceedings under paragraph (1); and
 - (b) counting officer, while counting the votes,

must keep the ballot papers with their faces upwards and take all proper precautions for preventing any person from seeing the numbers or other unique identifying marks printed on the back of the papers.

(11) The relevant returning or counting officer must verify each ballot paper account by comparing it with the number of ballot papers recorded by the officer, and the unused and spoilt ballot papers in the officer's possession and the tendered votes list (opening and resealing the packets containing the unused and spoilt ballot papers and the tendered votes list) and must draw up a statement as to the result of the verification, which any counting observer may copy.

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(12) Where the referendum area comprises any part of the area of more than one relevant council, as soon as is practicable after the relevant returning or counting officer has drawn up the statement as to the result of the verification, the relevant returning or counting officer must inform the Chief Counting Officer of its content.

(13) The—

- (a) relevant returning or counting officer, in respect of the proceedings under paragraph (1), and
- (b) counting officer, in respect of the counting of votes,

must so far as practicable proceed continuously, allowing only time for refreshment, except that they may exclude the hours between 7 in the evening and 9 on the following morning.

(14) During the time so excluded the relevant returning or counting officer or counting officer (as the case may be) must—

- (a) place the ballot papers and other documents relating to the referendum under the officer's own seal and the seals of such of the counting observers as desire to affix their seals; and
- (b) otherwise take proper precautions for the security of the papers and documents.

Textual Amendments

- F38** Sch. 5 rule 37(5)(e) and word inserted (with effect in accordance with reg. 1(2) of the amending S.I.) by [The Representation of the People \(Postal Vote Handling and Secrecy\) \(Amendment\) Regulations 2023 \(S.I. 2023/1225\)](#), **reg. 9(4)(c)(ii)**
- F39** Word in Sch. 5 rule 37(5)(c) omitted (with effect in accordance with reg. 1(2) of the amending S.I.) by virtue of [The Representation of the People \(Postal Vote Handling and Secrecy\) \(Amendment\) Regulations 2023 \(S.I. 2023/1225\)](#), **reg. 9(4)(c)(i)**
- F40** Sch. 5 rule 37(5A) inserted (6.4.2014) by [The Neighbourhood Planning \(Referendums\) \(Amendment\) Regulations 2014 \(S.I. 2014/333\)](#), regs. 1(6), **16** (with reg. 1(7))
- F41** Words in Sch. 5 rule 37(7)(a) revoked (31.12.2020) by [The European Parliamentary Elections Etc. \(Repeal, Revocation, Amendment and Saving Provisions\) \(United Kingdom and Gibraltar\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1310\)](#), reg. 1, **Sch. 1 Pt. 2** Table 1 (as amended by S.I. 2019/1389, regs. 1, **2(2)**)

Re-count

38.—(1) The counting officer may have the votes re-counted or again re-counted.

(2) Paragraphs (3) to (7) apply where the referendum area comprises any part of the area of more than one relevant council.

(3) As soon as practicable after the conclusion of the count (which includes any re-count whether or not directed under this rule), the counting officer must draw up a provisional statement showing—

- (a) the number of ballot papers counted by the counting officer;
- (b) the number of votes cast in favour of each answer to the question asked in the referendum.

(4) As soon as possible after completion of the provisional statement, the counting officer must inform the Chief Counting Officer of its contents.

(5) Once the Chief Counting Officer has received the report of any counting officer on the contents of that counting officer's provisional statement prepared under paragraph (3) and under rule 39(5), the Chief Counting Officer may direct the counting officer to re-count (or further re-count) the votes.

(6) A re-count directed by the Chief Counting Officer under paragraph (5) may be of the votes in the whole referendum area, or in the areas of such of the relevant councils falling within the referendum area as the Chief Counting Officer considers reasonable.

(7) A counting officer must proceed with a re-count as soon as practicable after receipt of the Chief Counting Officer's direction, and if not proceeding forthwith must notify those counting observers entitled to be present at the re-count of the time and place at which the counting officer will begin to re-count the votes.

Rejected ballot papers

39.—(1) Any ballot paper—

- (a) which does not bear the official mark; or
- (b) on which votes are given for more than one answer; or
- (c) on which anything is written or marked by which the voter or proxy can be identified except the printed number and other unique identifying mark on the back; or
- (d) which is unmarked or void for uncertainty,

is, subject to paragraph (2), void and must not be counted.

(2) A ballot paper on which the vote is marked—

- (a) elsewhere than in the proper place; or
- (b) otherwise than by means of a cross; or
- (c) by more than one mark,

is not for such reason deemed to be void if an intention that the vote is for one or the other of the answers clearly appears, and the way the paper is marked does not itself identify the voter or proxy and it is not shown that the voter or proxy can be identified by it.

(3) The counting officer must endorse the word “rejected” on any ballot paper which under this rule is not to be counted, and must add to the endorsement the words “rejection objected to” if any objection is made by a counting observer to the counting officer's decision.

(4) Subject to paragraph (5), the counting officer must draw up a statement showing the number of ballot papers rejected under the several heads of—

- (a) want of official mark;
- (b) voting for more than one answer;
- (c) writing or mark by which the voter or proxy could be identified;
- (d) unmarked or void for uncertainty.

(5) Where the referendum area comprises any part of the area of more than one relevant council, the statement referred to in paragraph (4) above is to be a provisional statement and as soon as practicable after the completion of that statement, the counting officer must inform the Chief Counting Officer of its contents.

Decisions on ballot papers

40. The decision of the counting officer on any question arising in respect of a ballot paper is final.

Equality of votes

41. Where, after the counting of the votes (including any re-count) is completed, an equality of votes is found to exist between the answers, the result is that there is no majority in favour of the making of the plan or order.

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PART 7

Declaration of Result and Disposal of Documents

Declaration of result

- 42.**—(1) This rule applies where rule 43 does not apply.
- (2) When the result of the poll has been ascertained, the counting officer must forthwith—
- (a) declare the result of the referendum;
 - (b) inform the proper officer of the relevant council of the result of the referendum;
 - (c) give public notice of—
 - (i) the result of the referendum;
 - (ii) the number of ballot papers counted;
 - (iii) the total number of votes cast for each answer; and
 - (iv) the number of rejected ballot papers under each head shown in the statement of rejected ballot papers.

Declaration of result: cross-boundary referendum areas

- 43.**—(1) This rule applies where the referendum area comprises any part of the area of more than one relevant council.
- (2) When the Chief Counting Officer is satisfied the result of the poll has been ascertained, the Chief Counting Officer must direct the counting officers to draw up a final statement of the matters referred to in rule 38(3) and to provide final versions of their statements of rejected ballot papers.
- (3) The counting officer, having drawn up the final statement, must—
- (a) forthwith inform the Chief Counting Officer of its contents; and
 - (b) as soon as reasonably practicable give the Chief Counting Officer notice of the number of rejected ballot papers under each head shown in the final statement of rejected ballot papers.
- (4) When authorised by the Chief Counting Officer to do so, each counting officer must—
- (a) make a declaration of the matters referred to in the final statement; and
 - (b) give public notice of those matters together with the number of rejected ballot papers under each head shown in the final statement of rejected ballot papers.
- (5) The Chief Counting Officer, having received notification of the final statement from each counting officer referred to in paragraph (2) must—
- (a) draw up a statement of—
 - (i) the total number of ballot papers counted, and
 - (ii) the total number of votes cast in favour of each answer to the question asked, in respect of the referendum;
 - (b) declare the result of the referendum;
 - (c) inform the proper officer of each relevant council of the result of the referendum;
 - (d) give public notice of—
 - (i) the result of the referendum;
 - (ii) the number of ballot papers counted;

- (iii) the total number of votes cast for each answer; and
- (iv) the number of rejected ballot papers under each head shown in the statement of rejected ballot papers.

Sealing up of ballot papers

44.—(1) On the completion of the counting at a referendum the counting officer must seal up in separate packets the counted and rejected ballot papers.

(2) The counting officer must not open the sealed packets of—

(a) tendered ballot papers;

[^{F42}(aa) the completed ballot paper refusal list; or]

(b) certificates as to employment on duty on the day of the poll;

(3) The relevant returning or counting officer must not open the sealed packets of—

(a) the completed corresponding number lists; or

(b) 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 lists of proxies.

Textual Amendments

F42 Sch. 5 rule 44(2)(aa) inserted (16.1.2023) by [The Voter Identification Regulations 2022 \(S.I. 2022/1382\)](#), regs. 1(3), **66(14)** (with reg. 1(6)(7))

Delivery of documents to relevant registration officer

45.—(1) Where the counting officer is the relevant returning or counting officer, the counting officer must then forward to the relevant registration officer the following documents—

(a) the packets of ballot papers in the counting officer's possession;

(b) the ballot paper accounts and the statements of rejected ballot papers and of the result of the verification of the ballot paper accounts;

(c) the tendered votes lists, the lists of voters and proxies with disabilities assisted by companions, the lists of votes marked by the presiding officer and the related statements, the lists maintained under rule 33, and the declarations made by the companions of voters and proxies with disabilities;

(d) the packets of the completed corresponding number lists;

[^{F43}(da) the packet containing the completed ballot paper refusal list;]

(e) the packets of certificates as to employment on duty on the day of the poll; and

(f) the packets containing marked copies of registers (including any marked copy notices issued under section 13B(3B) or (3D) of the 1983 Act) and of the postal voters list, of the lists of proxies and of the proxy postal voters list,

endorsing on each packet a description of its contents, the date of the referendum to which it relates and the name of the relevant council.

(2) Where the counting officer at the referendum is not the relevant returning or counting officer, the counting officer must then forward to the relevant registration officer the following documents—

(a) the packets of ballot papers in the counting officer's possession;

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Neighbourhood Planning (Referendums) Regulations 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (b) the ballot paper accounts and the statements of rejected ballot papers and of the result of the verification of the ballot paper accounts; and
- (c) the packets of certificates as to employment on duty on the day of the poll,

endorsing on each packet a description of its contents, the date of the referendum to which it relates and the name of the relevant council.

Textual Amendments
F43 Sch. 5 rule 45(1)(da) inserted (16.1.2023) by The Voter Identification Regulations 2022 (S.I. 2022/1382), regs. 1(3), **66(15)** (with reg. 1(6)(7))

Orders for production of documents

46.—(1) An order—

- (a) for the inspection or production of any rejected ballot papers in the custody of the relevant registration officer; or
- (b) for the opening of a sealed packet of the completed corresponding number lists or certificates as to employment on duty on the day of the poll or for the inspection of any counted ballot papers in the relevant registration officer's custody,

may be made by a county court [^{F44}or the High Court], if the court is satisfied by evidence on oath that the order is required for the purpose of instituting or maintaining a prosecution for an offence in relation to ballot papers [^{F44}or for the purpose of proceedings brought as mentioned in section 61N(3) of the 1990 Act].

[^{F45}(1A) An order—

- (a) for the opening of the sealed packet containing a completed ballot paper refusal list, or
- (b) for the inspection or production of that list,

may be made by the High Court or the county court if satisfied by evidence on oath that the order is required for the purpose of proceedings brought as mentioned in section 61N(3) of the 1990 Act.]

^{F46}(2)

(3) An order under this rule may be made subject to such conditions as to—

- (a) persons;
- (b) time;
- (c) place and mode of inspection;
- (d) production or opening,

as the court making the order may think expedient.

(4) In making and carrying into effect an order for the opening of a packet of the completed corresponding number lists or of certificates as to employment on duty on the day of the poll or for the inspection of counted ballot papers, care must be taken that the way in which the vote of any particular person has been given is not disclosed until it has been proved—

- (a) that their vote was given; and
- (b) that the vote has been declared by a competent court to be invalid.

(5) An appeal lies to the High Court from any order of a county court under this rule.

(6) Any power given under this rule to a county court may be exercised by any judge of the court otherwise than in open court.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Neighbourhood Planning (Referendums) Regulations 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

(7) Where an order is made for the production by the relevant registration officer of any document in the relevant registration officer's possession relating to any specified referendum—

- (a) the production by the relevant registration officer or that officer's agent of the document ordered in such manner as may be directed by that order is conclusive evidence that the document relates to the specified referendum; and
- (b) any endorsement on any packet of ballot papers so produced is prima facie evidence that the ballot papers are what they are stated to be by the endorsement.

(8) The production from proper custody of—

- (a) a ballot paper purporting to have been used at any referendum; and
- (b) a completed corresponding number list with a number marked in writing beside the number of the ballot paper,

is prima facie evidence that the person whose vote was given by that ballot paper was the person whose entry in the register of electors or on a notice issued under section 13B(3B) or (3D) of the 1983 Act at the time of the referendum contained the same number as the number written as mentioned in sub-paragraph (b) of this paragraph.

(9) Save as by this rule provided, no person is to be allowed to inspect any rejected or counted ballot papers in the possession of the relevant registration officer or open any sealed packets of the completed corresponding number lists or of certificates as to employment on duty on the day of the poll.

Textual Amendments

- F44** Words in Sch. 5 rule 46(1) inserted (6.4.2013) by [The Neighbourhood Planning \(Referendums\) \(Amendment\) Regulations 2013 \(S.I. 2013/798\)](#), regs. 1, **8(2)(a)**
- F45** Sch. 5 rule 46(1A) inserted (16.1.2023) by [The Voter Identification Regulations 2022 \(S.I. 2022/1382\)](#), regs. 1(3), **66(16)** (with reg. 1(6)(7))
- F46** Sch. 5 rule 46(2) omitted (6.4.2013) by virtue of [The Neighbourhood Planning \(Referendums\) \(Amendment\) Regulations 2013 \(S.I. 2013/798\)](#), regs. 1, **8(2)(b)**

Retention of documents

47. The relevant registration officer must retain for one year all documents relating to a referendum forwarded to that officer in pursuance of these Rules by the relevant returning or counting officer and the counting officer, and then, unless otherwise directed by an order of a county court, the Crown Court, a magistrates' court or an election court, must cause them to be destroyed.

Countermand or abandonment of poll at relevant election on death of candidate

48. Where at a relevant election the notice of poll is countermanded, or the polling is abandoned, due to the death of a candidate, the polling at the referendum is not affected.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Neighbourhood Planning (Referendums) Regulations 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

F47F48F49F50 PART 8

Appendix of Forms

Textual Amendments

- F47** Sch. 5 Pt. 8 Form 6 substituted (with effect in accordance with reg. 1(2) of the amending S.I.) by The Representation of the People (Postal Vote Handling and Secrecy) (Amendment) Regulations 2023 (S.I. 2023/1225), **Sch. 7 Pt. 2**
- F48** Sch. 5 Pt. 8 Form 7 substituted (with effect in accordance with reg. 1(2) of the amending S.I.) by The Representation of the People (Postal Vote Handling and Secrecy) (Amendment) Regulations 2023 (S.I. 2023/1225), **Sch. 7 Pt. 2**
- F49** Sch. 5 Pt. 8 Form 9 substituted (with effect in accordance with reg. 1(2) of the amending S.I.) by The Representation of the People (Postal Vote Handling and Secrecy) (Amendment) Regulations 2023 (S.I. 2023/1225), **Sch. 7 Pt. 2**
- F50** Sch. 5 Pt. 8 Form 11 substituted (with effect in accordance with reg. 1(2) of the amending S.I.) by The Representation of the People (Postal Vote Handling and Secrecy) (Amendment) Regulations 2023 (S.I. 2023/1225), **Sch. 7 Pt. 2**

Note:—The forms contained in this Appendix may be adapted so far as circumstances require.

Form 1 - Form of Ballot Paper: Question in referendum as specified in paragraph 1 of Schedule 1

Form 2 - Form of Ballot Paper: Question in referendum as specified in paragraph 2 of Schedule 1

Form 3 - Form of Ballot Paper: Question in referendum as specified in paragraph 3 of Schedule 1

Form 4 - Corresponding Number List M1

Form 5 - Corresponding Number List M2

Form 6 - Form of Postal Voting Statement (for use where there is joint issue and receipt of postal ballot papers)

Form 7 - Form of Postal Voting Statement (for use where a referendum poll is combined with another poll but the postal ballot papers are not combined)

Form 8 - Official Poll Card (to be sent to a voter voting in person)

Form 9 - Official Postal Poll Card (to be sent to a voter voting by post)

Form 10 - Official Proxy Poll Card (to be sent to an appointed proxy voting in person)

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Neighbourhood Planning (Referendums) Regulations 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Form 11 - Official Proxy Postal Poll Card (to be sent to an appointed proxy voting by post)

[^{F51}Form 11A—Ballot Paper Refusal List]

Textual Amendments

F51 Words in [Sch. 5 Pt. 8 Table of Contents](#) inserted (16.1.2023) by [The Voter Identification Regulations 2022 \(S.I. 2022/1382\)](#), [regs. 1\(3\), 66\(17\)\(a\)](#) (with [reg. 1\(6\)\(7\)](#))

Form 12 - Form of directions for the guidance of the voters and proxies in voting

Form 13 - Form of Certificate of Employment

Form 14 - Form of declaration made by the companion of a voter or proxy with disabilities

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Neighbourhood Planning (Referendums) Regulations 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Form 1 - Form of Ballot Paper: Question in referendum as specified in paragraph 1 of Schedule 1

Front of ballot paper

Referendum on the Neighbourhood Plan for <i>[insert name of neighbourhood area]</i>	
Do you want <i>[insert name of local planning authority]</i> to use the Neighbourhood Plan for <i>[insert name of neighbourhood area]</i> to help it decide planning applications in the neighbourhood area?	
Vote only ONCE by marking a cross (X) in the box next to your choice	
Yes	
No	

Back of ballot paper

Ballot Paper Number
Other Unique Identifying Mark
Referendum on the Neighbourhood Plan for <i>[insert name of neighbourhood area]</i> on <i>[insert date]</i>

Directions as to printing the ballot paper

Words printed on the ballot paper must be printed in a clear typeface and in characters of such size that they are easily legible.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Neighbourhood Planning (Referendums) Regulations 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Form 2 - Form of Ballot Paper: Question in referendum as specified in paragraph 2 of Schedule 1

Front of ballot paper

Referendum on the Neighbourhood Development Order for [<i>insert name of neighbourhood area</i>]	
Do you want the type of development in the Neighbourhood Development Order for [<i>insert name of neighbourhood area</i>] to have planning permission?	
Vote only ONCE by marking a cross (X) in the box next to your choice	
Yes	
No	

Back of ballot paper

Ballot Paper Number
Other Unique Identifying Mark
Referendum on the Neighbourhood Development Order for [<i>insert name of neighbourhood area</i>] on [<i>insert date</i>]

Directions as to printing the ballot paper

Words printed on the ballot paper must be printed in a clear typeface and in characters of such size that they are easily legible.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Neighbourhood Planning (Referendums) Regulations 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Form 3 - Form of Ballot Paper: Question in referendum as specified in paragraph 3 of Schedule 1

Front of ballot paper

Referendum on the Community Right to Build Order for [<i>insert name of neighbourhood area</i>]	
Do you want the development in the Community Right to Build Order for [<i>insert name of neighbourhood area</i>] to have planning permission?	
Vote only ONCE by marking a cross (X) in the box next to your choice	
Yes	
No	

Back of ballot paper

Ballot Paper Number
Other Unique Identifying Mark
Referendum on the Community Right to Build Order for [<i>insert name of neighbourhood area</i>] on [<i>insert date</i>]

Directions as to printing the ballot paper

Words printed on the ballot paper must be printed in a clear typeface and in characters of such size that they are easily legible.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Neighbourhood Planning (Referendums) Regulations 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Rear of form

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Neighbourhood Planning (Referendums) Regulations 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Instructions for voting by post

Please read through carefully. If you need help, please call us on *[insert helpline number]*

1. For your votes to be counted, you must fill in and return this postal voting statement with all your ballot papers (listed below).
2. Make sure you have filled in the date of birth *[and signature]* box(es) on this postal voting statement.
 - * Relevant Returning Officer or Counting Officer to indicate where the voter has been granted a waiver and that a signature is not required
- * UK Parliamentary election (*[insert colour]* ballot paper)
 - [Vote for only one candidate by putting a cross in the box next to your choice.]
- * [Local government election]/[Parish council election] (*[insert colour]* ballot paper)
 - [Vote for only one candidate by putting a cross in the box next to your choice.]
 - [Vote for no more than _____ candidates by putting a cross in the box next to each of your choices.]
- * London Assembly constituency members election (*[insert colour]* ballot paper)
 - [Vote for only one candidate by putting a cross in the box next to your choice.]
- * London Assembly London members election (*[insert colour]* ballot paper)
 - [Vote only once by putting a cross in the box next to your choice.]
- * London Mayoral election (*[insert colour]* ballot paper)
 - [Vote for only one candidate by putting a cross in the box next to your choice.]
- * Referendum on the *[Neighbourhood Plan / Neighbourhood Development Order / Community Right to Build Order]* for *[insert name of neighbourhood area]* (*[insert colour]* ballot paper)
 - [Vote only once by putting a cross in the box next to your choice.]
- * *[Specify other]* election/referendum (*[insert colour]* ballot paper)
 - *[Specify voting instructions in accordance with the legislation governing the election or referendum]*
 - * Relevant Returning or Counting Officer to add/amend as appropriate.
3. Do not mark the ballot papers in any other way or your votes may not count.
4. We must get your postal vote by 10pm on *[day]* *[date of poll]*.
5. If you miss the post, you can hand in your postal vote and/or the postal vote of others at the council office during office hours to a person authorised to receive postal votes or at any polling station in the _____ area before 10pm on *[day]* *[date of poll]*.
6. You will be provided with a form which you must complete for the postal vote(s) you are handing in to be accepted.
7. You can hand in your own postal vote and postal votes for up to 5 other voters.
8. 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.
9. Do not put any postal votes in the letter box of the council office as they will be rejected.
10. If you would rather vote in person 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.
11. After we receive your postal voting statement and ballot papers, you cannot vote in person at a polling station in *[this]* *[these]* *[election(s)]* *[and]* *[referendum(s)]*.

Getting help

- If you need help to vote, you can ask someone you know or get independent help by calling the helpline on *[insert helpline number]*. The person helping you must not tell anyone how you voted.
- Please call the helpline if you require copies of this form or guidance in Braille or languages other than English.
- If you make a mistake, or lose your postal ballot papers or this statement, you can get a replacement. Call us immediately as we can only issue a replacement before 5pm on *[day]* *[date]* *[month]*. If you apply after 5pm on *[day before poll]* we can only issue a replacement if you return this ballot pack in person.

Electoral fraud is a crime. It is an offence to vote more than once at the same *[election or]* referendum (unless you are voting on your own behalf and as a proxy for another person).

Whether you vote in person or via post, it is an offence for someone to try to find out how you are voting whilst you are putting your mark on your ballot paper, or to then reveal that information.

The *[Returning / Counting]* Officer issued this statement.
Relevant Returning or Counting Officer to add pictorial guidance as appropriate.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Neighbourhood Planning (Referendums) Regulations 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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^{F48}Form 7: Postal voting statement for use where a referendum poll is combined with another poll but the postal ballot papers are not combined

Front of form

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Neighbourhood Planning (Referendums) Regulations 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Instructions for voting by post

Please read through carefully. If you need help, please call us on *[insert helpline number]*

1. For your vote to be counted, you must fill in and return this postal voting statement with your ballot paper for the **Referendum on the *[Neighbourhood Plan/ Neighbourhood Development Order / Community Right to Build Order]* for *[insert name of neighbourhood area]***

2. Make sure you have filled in the **date of birth **[and signature] box[es]*** on this postal voting statement.

** Counting Officer to indicate where the voter has been granted a waiver and that a signature is not required*

Referendum on the *[Neighbourhood Plan/ Neighbourhood Development Order / Community Right to Build Order]* for *[insert name of neighbourhood area]* *[insert colour] ballot paper)*

3. Vote **only once** by putting a cross in the box next to your choice.

4. Do not mark the ballot paper in any other way or your vote may not count.

5. We must get your postal vote by **10pm on *[day] [date of poll]***.

6. If you miss the post, you can hand in your postal vote and/or the postal vote of others at the council office during office hours to a person authorised to receive postal votes or at any polling station used for the referendum before **10pm on *[day] [date of poll]***.

7. You will be provided with a form which you must complete for the postal vote(s) you are handing in to be accepted.

8. You can hand in your own postal vote and postal votes for up to 5 other voters.

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.

10. Do not put your postal vote in the letter box of the council office as it will be rejected.

11. If you would rather vote in person 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. After we receive your postal voting statement and ballot paper, you cannot vote in person at a polling station in this referendum.

Getting help

- If you need help to vote, you can ask someone you know or get independent help by calling the helpline on *[insert helpline number]*. The person helping you must not tell anyone how you voted.
- Please call the helpline if you require copies of this form or guidance in Braille or languages other than English.
- If you make a mistake, or lose your postal ballot paper or this statement, you can get a replacement. Call us immediately as **we can only issue a replacement before 5pm on *[day] [date] [month]***. If you apply after **5pm on *[day before poll]*** we can only issue a replacement if you return this ballot pack in person.

Electoral fraud is a crime. It is an offence to vote more than once at the same referendum unless you are voting on your own behalf and as a proxy for another person.

Whether you vote in person or via post, it is an offence for someone to try to find out how you are voting whilst you are putting your mark on your ballot paper, or to then reveal that information.

The Counting Officer issued this statement.

Counting Officer to add pictorial guidance as appropriate.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Neighbourhood Planning (Referendums) Regulations 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Form 8: Official poll card

Front of form

YOU MUST BRING PHOTOGRAPHIC IDENTIFICATION TO VOTE
You will not be able to vote unless you show photographic identification to the polling station staff.
A full list of accepted photographic identification is set out overleaf.

Your details:

- * [Voter's name and qualifying address details here]
- * Counting Officer to omit where poll card sent to an anonymous voter. Poll card to an anonymous voter must be delivered in a sealed envelope

Electoral register number:

- ** [You do not need to take this card with you in order to vote.]
- ** [You must have this card with you. You cannot vote without it.]
- ** If anonymous voter omit the words in the first set of brackets, if not omit the words in the second set of brackets.

[Insert helpline and other details including website].

This space for map or other information such as helpline and website details

It is an offence to:

- vote more than once at this referendum, unless you are voting on your own behalf and as a proxy for another person
- vote as a proxy at this referendum for more than two people, unless you are their spouse, civil partner, parent, grandparent, brother, sister, child or grandchild
- vote as a proxy for someone if you know that by law they are not allowed to vote

i If you need any help or to find out if your polling station is accessible, please contact us.

If undelivered, return to:
[Insert return address]

Please turn over

Poll card	
Referendum on the [Neighbourhood Plan / Neighbourhood Development Order / Community Right to Build Order] for [insert name of neighbourhood area] (Relevant Council: [insert name of relevant council]).	
Date of referendum: [Day] [Date] [Month] [Year]	
Voting information	
Polling day	
Voting hours	
Your polling station will be	

If you are away or cannot go to the polling station on [day] [date of poll] you can do one of the following:

- Apply to vote by post. Completed applications must reach us before 5pm on [day] [date of deadline]. If you are given a postal vote, you will not be able to vote in person at this referendum.

OR

- Apply to vote by proxy (this means someone else can vote on your behalf). Completed applications must reach us before 5pm on [day] [date of deadline]. If you appoint a proxy, you can vote if you wish, but only if your proxy has not already voted on your behalf and has not got a postal vote for you.

If after 5pm on [the sixth day before the date of the poll] you are unable to vote in person because:

- You have a medical emergency after 5pm on [day] [date of deadline]
- You learn you cannot go to the polling station because of work reasons
- The form of accepted photographic identification that you were intending to use to vote has been lost, stolen, damaged or destroyed, or has not yet been received if applied for recently

You can apply to vote by proxy. Completed applications must reach us before 5pm on [day] [date of deadline]. To find out how to apply, call the helpline immediately.

The Counting Officer issued this card.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Neighbourhood Planning (Referendums) Regulations 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Rear of form

[Where the voter is not an anonymous voter, insert the text below]

Accepted forms of photographic identification

You must present one of the following forms of photographic identification in order to vote in person at a polling station:

- A passport issued by the UK, any of the Channel Islands, the Isle of Man, a British Overseas Territory, an EEA state or a Commonwealth country
- A driving licence issued by the UK, any of the Channel Islands, the Isle of Man or an EEA state
- A biometric immigration document
- An identity card bearing the Proof of Age Standards Scheme hologram (a PASS card)
- Ministry of Defence Form 90 (Defence Identity Card)
- A Blue Badge
- A national identity card issued by an EEA state
- An Older Person's Bus Pass
- A Disabled Person's Bus Pass
- An Oyster 60+ Card
- A Freedom Pass
- A Scottish National Entitlement Card issued in Scotland
- A 60 and Over Welsh Concessionary Travel Card issued in Wales
- A Disabled Person's Welsh Concessionary Travel Card issued in Wales
- A Senior SmartPass issued in Northern Ireland
- A Registered Blind SmartPass or Blind Person's SmartPass issued in Northern Ireland
- A War Disablement SmartPass or War Disabled SmartPass issued in Northern Ireland
- A 60+ SmartPass issued in Northern Ireland
- A Half Fare SmartPass issued in Northern Ireland
- An Electoral Identity Card issued in Northern Ireland
- A Voter Authority Certificate or a temporary Voter Authority Certificate

If you do not possess any of the above forms of photographic identification, you can apply to your local Electoral Registration Officer for a free Voter Authority Certificate. Completed applications must reach us before 5pm on *[day]* *[date of deadline]*.

If your photographic identification document has expired it will still be accepted so long as the photograph is still a good likeness of you, unless it is a temporary Voter Authority Certificate which is not valid for use on the date of poll.

You may be required to provide further proof of identity if there is any discrepancy between your name as shown on your form of photographic identification and the name of the voter that you claim to be.

[Where the voter is an anonymous voter, insert the text below]

Accepted form of photographic identification

You must present your Anonymous Elector's Document in addition to this poll card in order to vote in person at a polling station. The electoral register number on the Anonymous Elector's Document must match the electoral register number shown on this poll card to be accepted.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Neighbourhood Planning (Referendums) Regulations 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

^{F49}Form 9: Official postal poll card to be sent to a voter voting by post

Front of card

Postal poll card
Referendum on the [Neighbourhood Plan/ Neighbourhood Development Order / Community Right to Build Order] for [insert name of neighbourhood area] (Relevant Council: [insert name of relevant council])
Date of referendum [day] [date] [month] [year]
Voting information
We will send your postal vote around [day] [date] [month] [year] *[addressed to:]
*[Voter's name and address] *Counting Officer to omit where poll card sent to an anonymous voter.

Please turn over

Rear of card

Your details: * [Voter's name and qualifying address details here] * Counting Officer to omit where poll card sent to an anonymous voter. Poll card to an anonymous voter must be delivered in a sealed envelope Electoral register number:

Your postal vote <ul style="list-style-type: none">• You will receive a postal vote for this referendum because you asked 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].


If you lose your postal vote or make a mistake <ul style="list-style-type: none">• Please phone the helpline immediately.• We can only issue a replacement postal vote before 5pm on [day/date of deadline].
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Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Neighbourhood Planning (Referendums) Regulations 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

How to vote

1. When you receive your postal vote, read the instructions carefully.
2. Your postal vote includes your ballot paper and a postal voting statement.
3. Complete both of these and return them immediately.
4. 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 others at the council office during office hours to a person authorised to receive postal votes, or at any polling station used for the referendum before **10pm on [day] [date of poll]**.

 If you need information in another format, 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]

The Counting Officer issued this card.

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 referendum, 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 voters, of which no more than two may be on behalf of other domestic voters (a domestic voter is one who is not an overseas or service voter).
- vote as a proxy for someone if you know that by law they are not allowed to vote

If you would rather vote in person, or ask someone else to vote on your behalf

- you must cancel your postal vote **before 5pm on [day/date of deadline]**.
- Please note that when voting in person, you or someone who is voting on your behalf must show an accepted form of photographic identification. For more information, please *[insert suggestion to call helpline and/or visit a relevant website, as appropriate]*.

Whether you vote in person or via post, it is an offence for someone to try to find out who you are voting for whilst you are putting your mark on your ballot paper, or to then reveal that information.

If undelivered return to
[insert return address]

1

F52 Form 10: Official proxy poll card

Textual Amendments

F52 Sch. 5 Pt. 8 Form 10 substituted (16.1.2023) by [The Voter Identification Regulations 2022 \(S.I. 2022/1382\)](#), regs. 1(3), 66(17)(c), **Sch. 11 Pt. 2** (with reg. 1(6)(7))

Front of form

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Neighbourhood Planning (Referendums) Regulations 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

YOU MUST BRING PHOTOGRAPHIC IDENTIFICATION TO VOTE

You will not be able to vote unless you show photographic identification to the polling station staff.
You will need to bring your own photographic identification, not that of the person you are proxy for.
A full list of accepted photographic identification is set out overleaf.

Your details:

- * [Proxy's name and qualifying address details here]
- * Counting Officer to omit where poll card sent to an anonymous voter. Poll card to an anonymous voter must be delivered in a sealed envelope

For this referendum you are proxy for:

*[[Voter's name]
(Voter's Address
(Voter's electoral register number)]
[The person with this electoral register number: (insert voter's electoral register number)]

*if anonymous voter omit the words in the first set of square brackets, if not omit the words in the second set of square brackets

Proxy Poll card	
Referendum on the [Neighbourhood Plan / Neighbourhood Developing Order / Community Right to Build Order] for [insert name of neighbourhood area]	
Date of referendum: [Day] [Date] [Month] [Year]	
Voting information	
Polling day	
Voting hours	
Your polling station will be	

You will receive a proxy vote

- ** [The person named on this card] [Another person] has appointed you as a proxy to vote on their behalf at this referendum.
 - ** [You do not need to take this card with you to vote.] [You must have this card with you when you vote. You cannot vote as a proxy without it.]
 - ** If sent to the proxy of an anonymous voter omit the words in each of the first sets of brackets, if not omit the words in each of the second sets of brackets.
- [Insert helpline and other details including website].

If you are away or cannot go to the polling station on [day] [date of poll]

- You can apply to vote by post. The deadline for completed applications is **5pm on [day] [date of deadline]**.
- If you are given a postal vote, you or the person you are proxy for will not be able to vote in person at this referendum.
- **To find out how to apply, please call us on [insert helpline number or other contact details].**

It is an offence to:

- vote more than once at this referendum, unless you are voting on your own behalf and as a proxy for another person
- vote as a proxy at this referendum for more than two people, unless you are their spouse, civil partner, parent, grandparent, brother, sister, child or grandchild
- vote as a proxy for someone if you know that by law they are not allowed to vote

If you need any help or to find out if your polling station is accessible, please contact us.

If undelivered, return to:
[Insert return address]

How to vote as a proxy

1. * [At the polling station, tell the staff that you are a proxy for the person named above. They will give you that person's ballot paper.] * [At the polling station, ask to speak to the presiding officer and show them this card. They will give you the ballot paper of the person you are proxy for.]
* If anonymous voter omit the words in the first set of square brackets, if not omit the words in the second set of square brackets
2. Go to one of the voting booths.
3. Follow the instructions on how to mark the ballot paper.
4. Fold the ballot paper and put in the ballot box

If you need any help, just ask the staff.

The person you are proxy for can vote themselves if they wish – but only if you have not already voted on their behalf.

The Counting Officer issued this card

Please turn over

Rear of form

Changes to legislation: There are outstanding changes not yet made by the [legislation.gov.uk](https://www.legislation.gov.uk) editorial team to The Neighbourhood Planning (Referendums) Regulations 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

You will receive a proxy vote

** [The person named on this card] [Another person] has appointed you as a proxy to vote on their behalf at this referendum.

** [You do not need to take this card with you to vote.] [You must have this card with you when you vote. You cannot vote as a proxy without it.]

** If sent to the proxy of an anonymous voter omit the words in each of the first sets of brackets, if not omit the words in each of the second sets of brackets.

[Insert helpline and other details including website].

[Where the voter is not an anonymous voter, insert the text below]

Accepted forms of photographic identification

You must present one of the following forms of photographic identification in order to vote in person at a polling station:

- A passport issued by the UK, any of the Channel Islands, the Isle of Man, a British Overseas Territory, an EEA state or a Commonwealth country
- A driving licence issued by the UK, any of the Channel Islands, the Isle of Man or an EEA state
- A biometric immigration document
- An identity card bearing the Proof of Age Standards Scheme hologram (a PASS card)
- Ministry of Defence Form 90 (Defence Identity Card)
- A Blue Badge
- A national identity card issued by an EEA state
- An Older Person's Bus Pass
- A Disabled Person's Bus Pass
- An Oyster 60+ Card
- A Freedom Pass
- A Scottish National Entitlement Card issued in Scotland
- A 60 and Over Welsh Concessionary Travel Card issued in Wales
- A Disabled Person's Welsh Concessionary Travel Card issued in Wales
- A Senior SmartPass issued in Northern Ireland
- A Registered Blind SmartPass or Blind Person's SmartPass issued in Northern Ireland
- A War Disablement SmartPass or War Disabled SmartPass issued in Northern Ireland
- A 60+ SmartPass issued in Northern Ireland
- A Half Fare SmartPass issued in Northern Ireland
- An Electoral Identity Card issued in Northern Ireland
- A Voter Authority Certificate or a temporary Voter Authority Certificate

You will need to bring your own photographic identification, not that of the person you are proxy for.

If you do not possess any of the above forms of photographic identification, you can apply to your local electoral registration officer for a free Voter Authority Certificate. Completed applications must reach us before 5pm on [day] [date of deadline].

If your photographic identification document has expired it will still be accepted so long as the photograph is still a good likeness of you, unless it is a temporary Voter Authority Certificate which is not valid for use on the date of poll.

You may be required to provide further proof of identity if there is any discrepancy between your name as shown on your form of photographic identification and the name of the proxy that you claim to be.

[Where the voter is an anonymous voter, insert the text below]

Accepted form of photographic identification

You must present your Anonymous Elector's Document in addition to this poll card in order to vote in person at a polling station. The electoral register number on the Anonymous Elector's Document must match the electoral register number shown on this poll card to be accepted.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Neighbourhood Planning (Referendums) Regulations 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

^{F50} Form 11: Official proxy postal poll card to be sent to an appointed proxy voting by post
Front of card

Proxy postal poll card
Referendum on the [Neighbourhood Plan / Neighbourhood Development Order / Community Right to Build Order] for [insert name of neighbourhood area] (Relevant Council: [(insert name of relevant council)])
Date of referendum [day] [date] [month] [year]
Voting information
We will send your postal vote around [day] [date] [month] [year] *[addressed to:]
<i>* [Proxy's name and qualifying address details here]</i> <i>* Counting Officer to omit where poll card sent to the proxy of an anonymous voter. Poll card to proxy of an anonymous voter 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 referendum.

** *If sent to the proxy of an anonymous voter 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 referendum because you asked 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 or via post, it is an offence for someone else to try to find out who you are voting for whilst you are putting your mark on your ballot paper, or to then reveal that information.

Rear of card

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Neighbourhood Planning (Referendums) Regulations 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

For this referendum you are proxy for:

* [(Voter's name)
(Voter's address)
(Voter's number on register)]



[the person with this elector number: (Insert elector's number on register)]

* If anonymous voter 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 a postal voting statement.
3. Complete both of these and return them immediately.
4. 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 others at the council office during office hours to a person authorised to receive postal votes, or at any polling station used for the referendum before **10pm on [day] [date of poll]**.

-  If you need information in another format, 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 or other details including website]

If you lose your postal vote or make a mistake

- Please phone the helpline immediately.
- We can only issue a replacement postal vote before **5pm on [day/date of deadline]**.

If you would rather vote in person, you must cancel your postal vote before **5pm on [day/ date of deadline]**. Please note that when voting in person, you must show an accepted form of photographic identification and this must be your own identification, not that of the person you are voting on behalf of. For more information, please [insert suggestion to call helpline and/or visit a relevant website, as appropriate]

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 referendum, 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 voters, of which no more than two may be on behalf of other domestic voters (a domestic voter is one who is not an overseas or service voter).
- vote as a proxy for someone if you know that by law they are not allowed to vote

The Counting Officer issued this card.

If undelivered return to
[insert return address]

1

[F53 Form 11A: Ballot paper refusal list

Textual Amendments

F53 Sch. 5 Pt. 8 Form 11A Form inserted (16.1.2023) by The Voter Identification Regulations 2022 (S.I. 2022/1382), regs. 1(3), 66(17)(d), **Sch. 11 Pt. 2** (with reg. 1(6)(7))

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Neighbourhood Planning (Referendums) Regulations 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Ballot Paper Refusal List

Guidance

You should only record a refusal to issue a ballot paper on this List when a voter or proxy presents one of the required forms of identification, but **either**:

1. You are not satisfied the identification is of who they claim to be (e.g. the photo was not a good likeness); **or**
2. You believe the document is a forgery; **or**
3. The voter or proxy was asked the Voter Identification statutory questions and did not answer as required.

Please enter 1, 2 or 3 based on the reasons outlined above in the ‘reason for refusal’ column.

If a voter or proxy is initially refused for one of the above reasons, but then produces an accepted document before leaving the desk and is issued a ballot paper – you do not need to record their details on this form.

If you refuse to issue a ballot paper to a voter **for any other reason** (e.g. they did not bring any identification or do not have one of the required forms of identification) - **DO NOT record this on this form.**

A voter or proxy can only be refused for one reason at a time but can be refused more than once if they return and attempt to vote again. **If you refuse a voter or proxy more than once, mark each reason for refusal in order on the same row for that voter.**

Voter’s elector number <i>OR</i> If a proxy voted on behalf of that voter, the proxy’s name and address	Reason for refusal(s) – separate by comma if voter or proxy refused more than once 1. You are not satisfied the identification is of who they claimed to be 2. You believe the document is a forgery 3. The voter or proxy was asked the Voter Identification statutory questions, and did not answer as required	Tick if voter or proxy later returned and was issued a ballot paper

Changes to legislation: There are outstanding changes not yet made by the [legislation.gov.uk](https://www.legislation.gov.uk) editorial team to The Neighbourhood Planning (Referendums) Regulations 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

[^{F54}Form 12: Form of directions for the guidance of the voters and proxies in voting

Textual Amendments

F54 [Sch. 5 Pt. 8](#) Form 12 substituted (16.1.2023) by [The Voter Identification Regulations 2022 \(S.I. 2022/1382\)](#), regs. 1(3), 66(17)(e), **Sch. 11 Pt. 2** (with reg. 1(6)(7))

How to vote at [this] [these] election(s) [and referendum(s)]

1

Go to the desk and tell the staff your name and address. They will ask you to present your photographic identification. They will then give you your ballot papers.



2

Take your ballot papers to a voting booth.



3

Read the instructions in the booth and mark your ballot papers.



4

When you have marked your ballot papers, fold them so that nobody can see how you have voted.



5

Put your folded ballot papers into the [appropriate] ballot box[es].



(!) Voting is secret. Do not let anyone see how you have voted.

🗣️ If you make a mistake or need some help, just ask the staff.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Neighbourhood Planning (Referendums) Regulations 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

^{F55}Form 13: Form of Certificate of Employment

Textual Amendments

F55 Sch. 5 Pt. 8 Form 13 substituted (6.4.2014) by The Neighbourhood Planning (Referendums) (Amendment) Regulations 2014 (S.I. 2014/333), regs. 1(6), 17(b), **Sch. 1** (with reg. 1(7))

Certificate of Employment
Referendum on the [Neighbourhood Plan / Neighbourhood Development Order / Community Right to Build Order] for the [insert name of neighbourhood area]
Date of referendum [day] [date] [month] [year]
The person named below is entitled to vote at any polling station in the referendum area on production and surrender of this certificate to the Presiding Officer.
<p>I certify that _____ (name of voter)</p> <p>who is numbered* _____ in the register of electors, cannot reasonably be expected to go in person to the polling station allotted to them at this referendum by reason of his/her employment on the above date for a purpose connected with this referendum:</p> <ul style="list-style-type: none"> - as a constable** - as a Police Community Support Officer** - by me (Only applies to Counting Officer's staff)** <p>Signature _____ Counting Officer/Police Officer (Inspector or above)**</p> <p>Date _____</p> <p>* The voter's on the register number can be found on the poll card which was sent to them shortly after the referendum was announced, or can be checked by contacting the Electoral Registration Officer. ** Person completing the form to delete whichever does not apply.</p>

1

^{F56}Form 14: declaration to be made by the companion of a voter or proxy with disabilities

Textual Amendments

F56 Sch. 5 Form 14 substituted (29.12.2022) by The Assistance with Voting for Persons with Disabilities (Amendments) Regulations 2022 (S.I. 2022/1309), reg. 1(3), **Sch. 6 Pt. 2** (with reg. 1(4))

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Neighbourhood Planning (Referendums) Regulations 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Declaration for the companion of a voter with disabilities	
<p>*[Election of Member of Parliament for the <i>[insert name of constituency]</i> constituency]</p> <p>*[Election of councillors to <i>[insert name of local authority/parish council in full]</i>]</p> <p>*[Election of London Assembly [London member] [constituency member for <i>[insert name of constituency]</i>]]</p> <p>*[Election of the Mayor [of London] [for <i>[insert name of authority]</i>]]</p> <p>*[[<i>Insert title of election/referendum</i>] election/referendum]</p> <p>* <i>Delete or amend as appropriate</i></p>	
Date of election(s) [and referendum(s)] <i>[day] [date] [month] [year]</i>	
<p>A voter with disabilities is a voter who has made a declaration that he or she is so incapacitated by his or her blindness or other disability, or by his or her inability to read, as to be unable to vote at [this] [these] election(s) [and referendum(s)] without assistance.</p> <p>In this form, "voter" means the person casting the vote at the election or referendum and includes a person voting as a proxy.</p>	
Part 1 To be completed by the voter's companion	
Companion's name	
Companion's address	
Voter's name	
<p><i>[Only for use if the disabled voter is acting as a proxy]</i></p> <p>Voter is acting as proxy for:</p>	
<p>Elector's number</p> <p><i>[If the disabled voter is acting as a proxy, this is the number of the person for whom the voter is acting]</i></p>	

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Neighbourhood Planning (Referendums) Regulations 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

<p>I have been requested to assist the voter named above to record their vote at [this] [these] election(s) and referendum(s)]. I declare that:</p> <p>(1)</p> <ul style="list-style-type: none"> • I am aged 18 or over <p>AND</p> <p>(2)</p> <ul style="list-style-type: none"> • I have not previously assisted more than one voter with disabilities at [this] [these] election(s) [or referendum(s)]. If I have assisted one other voter their name and address is: 			
[Complete if appropriate] Name and address of other person assisted			
<p>NOTE – It is a criminal offence to knowingly make a false statement in this form.</p>			
Companion's signature		Date	
<p>Part 2 To be completed by the Presiding Officer</p>			
<p>I, the undersigned, being the Presiding Officer for:</p>			
Polling station		Neighbourhood area of	
Hereby certify that the above declaration was signed in my presence.		Presiding Officer signature	
Date		Time (exact)	

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Neighbourhood Planning (Referendums) Regulations 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Sch. 5 Form 9 modified (temp.) by S.I. 2023/1147, Sch. 2 para. 30(6)(7) (as inserted) by [S.I. 2024/99 reg. 2\(5\)](#)
- Sch. 5 Form 11 modified (temp.) by S.I. 2023/1147, Sch. 2 para. 30(6)(7) (as inserted) by [S.I. 2024/99 reg. 2\(5\)](#)
- Sch. 5 Pt. 8 Form 8 substituted by [S.I. 2023/1147 Sch. 9 Pt. 2](#)
- Sch. 5 Pt. 8 Form 10 substituted by [S.I. 2023/1147 Sch. 9 Pt. 2](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 3 rule 25(1)(b) words inserted by [S.I. 2023/1147 reg. 18\(3\)\(a\)](#)
- Sch. 3 rule 25 table words omitted by [S.I. 2023/1147 reg. 18\(3\)\(b\)\(ii\)](#)
- Sch. 3 rule 25 table words substituted by [S.I. 2023/1147 reg. 18\(3\)\(b\)\(i\)](#)
- Sch. 3 rule 25(2) words substituted by [S.I. 2023/1147 reg. 18\(3\)\(c\)](#)
- Sch. 5 rule 25(1)(b) words inserted by [S.I. 2023/1147 reg. 18\(7\)\(a\)](#)
- Sch. 5 rule 25 table words omitted by [S.I. 2023/1147 reg. 18\(7\)\(b\)\(ii\)](#)
- Sch. 5 rule 25 table words substituted by [S.I. 2023/1147 reg. 18\(7\)\(b\)\(i\)](#)
- Sch. 5 rule 25(2) words substituted by [S.I. 2023/1147 reg. 18\(7\)\(c\)](#)