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STATUTORY INSTRUMENTS

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**2014 No. 1808**

**The Representation of the People (Northern Ireland) (Amendment) Regulations 2014**

**Amendment of the Representation of the People (Northern Ireland) Regulations 2008**

27. After regulation 81 insert—

**“Tendered postal ballot papers**

**81A.**—(1) A tendered postal ballot paper issued to a person (“P”) under rule 40ZA of the elections rules (tendered postal ballot papers: anonymous entries in Northern Ireland) must be accompanied by—

- (a) an envelope for the return of the tendered postal ballot paper and the declaration of identity (referred to as a “covering envelope”) which must be marked with the letter “D”;
- (b) a smaller envelope which must be marked with—
  - (i) the letter “C”;
  - (ii) the words “tendered postal ballot paper envelope”; and
  - (iii) the number of the tendered postal ballot paper, unless the envelope has a window through which the number on the ballot paper can be displayed; and
- (c) a declaration of identity in the form set out in regulation 71 (form of declaration of identity) which is marked with the number of the tendered postal ballot paper.

(2) Where a parliamentary election is combined with another poll under section 15 of the 1985 Act<sup>(1)</sup>—

- (a) the envelope referred to in paragraph (1)(a) must also be marked “Covering envelope for the [*insert the colour of the ballot paper*] coloured ballot paper”; and
- (b) on the envelope referred to in paragraph (1)(b) after the words “tendered postal ballot paper envelope” there must be added “for the [*insert colour of the ballot paper*] coloured ballot paper”.

(3) Subject to paragraph (5), regulation 80 (delivery of postal ballot papers) applies to the issue of a tendered postal ballot paper.

(4) The tendered postal ballot paper, the declaration of identity and the envelopes must be sent to—

- (a) where P is an elector, the address that would be shown in the absent voters list but for section 7(4A) of the 1985 Act;
- (b) where P is entitled to vote by post as proxy, the address that would be shown in the special list kept under section 9(9) of the 1985 Act but for section 9(9A) or (9B) of that Act.

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(1) 1985 c. 50; section 15 was amended by section 3 of the European Communities (Amendments) Act 1986 (c. 58) and section 3 of the Elections Act 2001 (c. 7).

- (5) Where P applies in person, the Chief Electoral Officer may hand a tendered postal ballot paper to P instead of delivering it in accordance with regulation 80.
- (6) The Chief Electoral Officer must enter in a list kept for the purpose (“the list of tendered postal ballot papers”)—
- (a) the entry in the register of the elector in question;
  - (b) the number of the tendered postal ballot paper issued under this regulation; and
  - (c) where P is entitled to vote by post as proxy, the proxy’s electoral number or, as the case may be, a statement that the proxy is not registered as an elector.
- (7) On receipt of a covering envelope of a tendered postal ballot paper before the close of the poll, the Chief Electoral Officer must—
- (a) separate it from the covering envelopes of the other postal ballot papers; and
  - (b) place it in a separate ballot box for the reception of tendered postal ballot papers.
- (8) As soon as practicable after the close of the poll, the Chief Electoral Officer must count and record the number of covering envelopes of tendered postal ballot papers and open each covering envelope separately.
- (9) Before proceeding under rule 40ZA(9) of the elections rules, the Chief Electoral Officer must satisfy himself that each tendered postal ballot paper—
- (a) is not void under rule 40ZA(7); and
  - (b) is accompanied by a valid declaration of identity which is marked with the same number as the tendered postal ballot paper.
- (10) Where the Chief Electoral Officer is not so satisfied, that officer must—
- (a) mark the tendered postal ballot paper as “rejected”; and
  - (b) place the tendered postal ballot paper, attached to the declaration of identity (if any), in a receptacle for rejected tendered postal votes.
- (11) The Chief Electoral Officer must seal the contents of the receptacle for rejected tendered postal votes in a separate packet.”