STATUTORY INSTRUMENTS

1973 No. 1910

REPRESENTATION OF THE PEOPLE

The Local Elections (Parishes and Communities) Rules 1973

Made - - - -	12*th November* 1973
Laid before Parliament	3*rd December* 1973
Coming into Operation	1*st January* 1974

In exercise of the powers conferred upon me by sections 42, 83 and 89(6) of the Local Government Act 1972**(a)** and by section 78 and by section 165(1) (as amended by paragraph 11 of Schedule 6 to the Local Government Act 1972) of the Representation of the People Act 1949**(b)**, I hereby make the following Rules:—

1.—(1) These Rules may be cited as the Local Elections (Parishes and Communities) Rules 1973 and shall come into operation on 1st January 1974.

(2) The Interpretation Act 1889**(c)** shall apply to the interpretation of these Rules as it applies to the interpretation of an Act of Parliament.

2.—(1) The Parish Council Election Rules 1973**(d)** shall be revoked as from 1st January 1974.

(2) Section 38 of the Interpretation Act 1889 shall apply as if the Rules revoked by these Rules were Acts of Parliament.

3. In the application of the parliamentary elections rules in Schedule 2 to the Representation of the People Act 1949 to the elections of parish or community councillors adaptations, alterations and exceptions shall be made therein so that the elections shall be conducted in accordance with the rules set out in Schedule 1 hereto.

4. In the application of those provisions of the Representation of the People Act 1949 referred to in section 165(1) of that Act to an election of the chairman of a parish or community council and of parish or community councillors the following modification shall have effect:—

In section 119(2)(*b*) of the said Act for the words "such amount not exceeding five hundred pounds" there shall be substituted the words "an amount of fifty pounds or such smaller amount or such larger amount not exceeding three hundred pounds".

5.—(1) The declaration of acceptance of office by the chairman of a parish or community council or by a parish or community councillor shall be in the form in Part I of Schedule 2 hereto or a form to the like effect.

(a) 1972 c. 70.
(b) 1949 c. 68.
(c) 1889 c. 63.
(d) S.I. 1973/166 (1973 I. p. 670).

(2) In relation to an election of parish or community councillors a declaration as to election expenses shall be in the form in Part II of Schedule 2 hereto, or a form to the like effect.

Robert Carr,
One of Her Majesty's Principal Secretaries of State.

Home Office,
Whitehall.
12th November 1973.

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PART I

PROVISIONS AS TO TIME

Timetable

1. The proceedings at the election shall be conducted in accordance with the following Table.

TIMETABLE

Proceeding	*Time*
Publication of notice of election ...	Not later than the twenty-fifth day before the day of election.
Delivery of nomination papers... ...	Not later than noon on the nineteenth day before the day of election.
Publication of statement as to persons nominated	Not later than noon on the seventeenth day before the day of election.
Delivery of notices of withdrawals of candidature	Not later than noon on the sixteenth day before the day of election.
Notice of poll	Not later than the sixth day before the day of election.
Notice of appointment of polling or counting agents	Not later than the fifth day before the day of election.
Polling	On the day of election.

Computation of time

2.—(1) In computing any period of time for the purposes of the timetable in rule 1 a Sunday, day of the Christmas break, of the Easter break or of a bank holiday break or day appointed for public thanksgiving or mourning shall be disregarded and any such day shall not be treated as a day for the purpose of any proceedings up to the completion of the poll nor shall the returning officer be obliged to proceed with the counting of the votes thereon.

(2) In this rule "the Christmas break" means the period beginning with the last week day before Christmas Day and ending with the first week day after Christmas Day which is not a bank holiday, "the Easter break" means the period beginning with the Thursday before and ending with the Tuesday after Easter Day, and "a bank holiday break" means any bank holiday not included in the Christmas break or the Easter break and the period beginning with the last week day before that bank holiday and ending with the next week day which is not a bank holiday.

Hours of poll

3. The poll shall commence at eight o'clock in the morning and be kept open till nine o'clock in the evening of the same day and no longer.

PART II

STAGES COMMON TO CONTESTED AND UNCONTESTED ELECTIONS

Notice of election

4.—(1) Notice of the election in the form in the Appendix, or a form to the like effect, shall be prepared, signed and published by the returning officer.

(2) The notice shall be published by causing a copy to be exhibited conspicuously in the electoral area; and—

(*a*) at the offices, if any, of the parish or community council; and

(*b*) at the principal offices of the council for any district which includes the whole or part of the electoral area;

(*c*) at such other places as the returning officer thinks best calculated to bring the notice to the attention of those concerned.

Nomination of candidates

5.—(1) Each candidate shall be nominated by a separate nomination paper in the form in the Appendix, or a form to the like effect, delivered at the place fixed for the purpose by the returning officer.

(2) The nomination paper shall state the full names, home address and (if desired) description of the candidate and the surname shall be placed first in the list of his names.

(3) The description (if any) shall not exceed six words in length, and need not refer to his rank, profession or calling so long as, with the other particulars of the candidate, it is sufficient to identify him.

Subscription of nomination paper

6.—(1) The nomination paper shall be subscribed by two electors for the electoral area as proposer and seconder.

(2) Where a nomination paper bears the signatures of more than the required number of persons as proposing or seconding the nomination of a candidate, the signature appearing first on the paper in each category shall be taken into account to the exclusion of any others in that category.

(3) The nomination paper shall give the electoral number of each person subscribing it.

(4) The returning officer shall provide nomination papers and forms of consent to nomination and shall supply any elector for the electoral area with as many nomination papers and forms of consent to nomination as may be required and shall, at the request of any such elector, prepare for signature a nomination paper.

(5) No person shall—

(*a*) subscribe more nomination papers than there are vacancies to be filled in the electoral area; or

(*b*) subscribe a nomination paper for more than one ward of a parish or a community divided into wards; or

(*c*) subscribe more than one nomination paper in respect of the same candidate:

Provided that a person shall not be prevented from subscribing a nomination paper by reason only of his having subscribed that of a candidate who has died or withdrawn before delivery of the first-mentioned paper.

(6) If any person subscribes nomination papers in contravention of the last foregoing paragraph, his signature shall be inoperative in all but those papers (up to the permitted number) which are first delivered.

(7) In this rule—

the expression "elector for the electoral area" means a person who is registered as a local government elector for the electoral area in the register to be used at the election or who, pending the publication of that register, appears from the electors lists therefor as corrected by the registration officer to be entitled to be so registered (and accordingly includes a person shown in the register or electors lists as below voting age if it appears therefrom that he will be of voting age on the day fixed for the poll, but not otherwise);

the expression "electoral number" means the distinctive letter or letters of the parliamentary polling district in which a person is registered together with his number in the said register, or pending the publication of the register, the distinctive letter or letters of the parliamentary polling district in which he is entitled to be registered together with his number (if any) in the electors lists therefor.

Consent to nomination

7.—(1) A person shall not be validly nominated unless his consent to nomination, given in writing in the form in the Appendix, or a form to the like effect, on or within one month before the last day for the delivery of nomination papers, and attested by one witness, is delivered at the place and within the time appointed for the delivery of nomination papers.

(2) A candidate's consent given under this rule shall contain a statement declaring, with reference to the date of his nomination, that to the best of his belief he will be or is qualified as required by law to be elected to and hold the office in question, and the statement shall give particulars of his qualification.

Decisions as to validity of nomination papers

8.—(1) Where a nomination paper and the candidate's consent thereto are delivered in accordance with these rules, the candidate shall be deemed to stand nominated unless and until the returning officer decides that the nomination paper is invalid, or proof is given to the satisfaction of the returning officer of the candidate's death, or the candidate withdraws.

(2) The returning officer shall be entitled to hold a nomination paper invalid only on one of the following grounds, that is to say:—

(*a*) that the particulars of the candidate or the persons subscribing the paper are not as required by law; or

(*b*) that the paper is not subscribed as so required.

(3) The returning officer shall examine the nomination papers, and decide whether the candidates have been validly nominated in accordance with these rules and shall do so as soon as practicable after each paper is delivered.

(4) Where he decides that a nomination paper is invalid, he shall endorse and sign on the paper the fact and the reasons for his decision.

(5) The returning officer shall send notice of his decision to each candidate at his home address as stated on his nomination paper.

(6) The decision of the returning officer that a nomination paper is valid shall be final and shall not be questioned in any proceeding whatsoever.

(7) Subject to the last foregoing paragraph, nothing in this rule shall prevent the validity of a nomination being questioned on an election petition.

Publication of nominations

9.—(1) The returning officer shall prepare and publish a statement in the form in the Appendix, or a form to the like effect, showing the persons who have been and stand nominated and any other persons who have been nominated, with the reason why they no longer stand nominated.

(2) The statement shall show the names, addresses and descriptions (if any) of the persons nominated as given in their nomination papers.

(3) The statement shall show the persons standing nominated arranged alphabetically in the order of their surnames and, if there are two or more of them with the same surname, of their other names; and if there are two or more of them with the same surname and other names, the order in which those persons shall be shown shall be determined by lot drawn by the returning officer.

(4) In the case of a person nominated by more than one nomination paper, the returning officer shall take the particulars required by the foregoing provisions of this rule from such one of the papers as the candidate or the returning officer in default of the candidate may select.

(5) The statement as to persons nominated shall be published by causing it to be affixed to the place appointed for the delivery of nominated papers.

Inspection of nomination papers and consents to nomination

10. Any person may, at all reasonable times after the latest time for delivery of nomination papers and before the day of election, inspect and take copies of, and extracts from, nomination papers and consents to nomination.

Withdrawal of candidates

11.—(1) A candidate may withdraw from his candidature by notice of withdrawal signed by him and attested by one witness and delivered at the place appointed for the delivery of nomination papers.

(2) In the case of a candidate who is outside the United Kingdom, a notice of withdrawal signed by his proposer and accompanied by a written declaration also so signed of the candidate's absence from the United Kingdom shall be of the same effect as a notice of withdrawal signed by the candidate:

Provided that where the candidate stands nominated by more than one nomination paper a notice of withdrawal under this paragraph shall be effective if, but only if—

(*a*) it and the accompanying declaration are signed by all the proposers, except any who is, and is stated in the said declaration to be, outside the United Kingdom; or

(*b*) it is accompanied, in addition to the said declaration, by a written statement signed by the candidate that the proposer giving the notice is authorised to do so on the candidate's behalf during his absence from the United Kingdom.

Nomination in more than one ward

12. A candidate who is validly nominated for more than one ward of a parish or a community must duly withdraw from his candidature in all those wards except one, and

if he does not so withdraw he shall be deemed to have withdrawn from his candidature in all those wards.

Method of election

13.—(1) If the number of persons remaining validly nominated for the electoral area after any withdrawals under these rules exceeds the number of vacancies, the councillors shall be elected from among them at a poll under Part III of these rules.

(2) If the said number does not exceed the number of vacancies, the person or persons (if any) remaining validly nominated for the electoral area after any withdrawals under these rules shall be declared elected in accordance with Part IV of these rules.

PART III

CONTESTED ELECTIONS

GENERAL PROVISIONS

Poll to be taken by ballot

14. The votes at the poll shall be given by ballot, the result shall be ascertained by counting the votes given to each candidate, and the candidate or candidates to whom the majority of votes have been given shall be declared to have been elected.

The ballot papers

15.—(1) The ballot of every voter shall consist of a ballot paper and the persons remaining validly nominated for the electoral area after any withdrawals under these rules, and no others, shall be entitled to have their names inserted in the ballot paper.

(2) Every ballot paper shall be in the form in the Appendix, and shall be printed in accordance with the directions therein, and—

(*a*) shall contain the names and other particulars of the candidates as shown in the statement of persons nominated;

(*b*) shall be capable of being folded up;

(*c*) shall have a number printed on the back;

(*d*) shall have attached, either at the side or at the top, a counterfoil with the same number printed on the face or the back;

(*e*) shall be of a different colour from that of any ballot papers used in an election of district councillors held on the same date and for the same area.

(3) The order of the names in the ballot paper shall be the same as in the statement as to persons nominated.

The official mark

16.—(1) Every ballot paper shall be marked with an official mark, which shall be either embossed or perforated.

(2) The official mark shall be kept secret.

Prohibition of disclosure of vote

17. No person who has voted at the election shall, in any legal proceeding to question the election, be required to state for whom he voted.

Use of schools and public rooms

18.—(1) The returning officer may use, free of charge, for the purpose of taking the poll or counting the votes—

(*a*) a room in a school maintained or assisted by a local education authority 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) The returning officer shall make good any damage done to, and defray any expense incurred by the persons having control over, any such room as aforesaid by reason of its being used for the purpose of taking the poll or of counting the votes.

(3) The use of a room in an unoccupied house for the purpose of taking the poll or of counting the votes shall not render a person liable to be rated or to pay any rate for that house.

ACTION TO BE TAKEN BEFORE THE POLL

Notice of poll

19.—(1) Notice of the poll shall be published by the returning officer at the places at which the notice of election is required to be published under rule 4 of these rules.

(2) Notice of the poll shall specify—

(*a*) the day and hours fixed for the poll;

(*b*) the number of councillors to be elected;

(*c*) the particulars of each candidate remaining validly nominated (the names and other particulars of the candidates, and the order of the names of the candidates, being the same as in the statement as to persons nominated);

(*d*) the names of the proposer and seconder signing a candidate's nomination paper; and

(*e*) the situation of each polling station and the description of the persons entitled to vote thereat.

(3) In the case of a candidate nominated by more than one nomination paper, the nomination paper mentioned in sub-paragraph (*d*) of paragraph (2) of this rule shall be that from which the names and other particulars of the candidate shown in the statement as to persons nominated are taken.

Provision of polling stations

20.—(1) The returning officer shall provide a sufficient number of polling stations and, subject to the following provisions of this rule, shall allot the electors to the polling stations in such manner as he thinks most convenient.

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

(3) The polling station allotted to electors from any parliamentary polling district wholly or partly within the electoral area shall, in the absence of special circumstances, be in the parliamentary polling place for that district, unless the polling place is outside the electoral area.

(4) The returning officer shall provide each polling station with such number of compartments as may be necessary in which the voters can mark their votes screened from observation.

Appointment of presiding officers and clerks

21.—(1) The returning officer shall appoint and may pay a presiding officer to attend at each polling station and such clerks as may be necessary for the purposes of the election, but he shall not appoint any person who has been employed by or on behalf of a candidate in or about the election.

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

(3) A presiding officer may do, by the clerks appointed to assist him, any act (including the asking of questions) which he is required or authorised by these rules to do at a polling station except order the arrest, exclusion or removal of any person from the polling station.

List of proxies

22. The registration officer shall as soon as practicable prepare a special list (in these rules referred to as "the list of proxies") giving—

(*a*) the names and numbers on the register of the electors for whom proxies have been appointed;

(*b*) the names and addresses of the persons appointed.

Equipment of polling stations

23.—(1) The returning officer shall provide each presiding officer with such number of ballot boxes and ballot papers as in the opinion of the returning officer may be necessary.

(2) Where the poll at an election of parish or community councillors is taken together with the poll at an election of district councillors, one ballot box may, if the returning officer thinks fit, be used for the two elections; but, if separate ballot boxes are used, no vote for any parish or community councillor shall be rendered invalid by the ballot paper being placed in the box intended for the reception of ballot papers for district councillors.

(3) Every ballot box shall be so constructed that the ballot papers can be put therein, but cannot be withdrawn therefrom, without the box being unlocked.

(4) The returning officer shall provide each polling station with—

(*a*) materials to enable voters to mark the ballot papers;

(*b*) instruments for stamping thereon the official mark;

(*c*) copies of the register of electors for the electoral area or such part thereof as contains the names of the electors allotted to the station;

(*d*) the parts of the list of proxies prepared for the election corresponding to the register of electors for the electoral area or part thereof provided under the last foregoing paragraph.

(5) A notice in the form in the Appendix, giving directions for the guidance of the voters in voting, shall be printed in conspicuous characters and exhibited inside and outside every polling station.

(6) In every compartment of every polling station there shall be exhibited a notice as follows:—"The voter may vote for not more than candidate(s)"; so however that the notice may be adapted as far as circumstances require.

Appointment of polling and counting agents

24.—(1) Each candidate may, before the commencement of the poll, appoint polling agents to attend at polling stations for the purpose of detecting personation and one or more counting agents up to the number he may be authorised by the returning officer to appoint to attend at the counting of the votes:

Provided that—

(*a*) the number of counting agents authorised by the returning officer shall be the same in the case of each candidate;

(*b*) the appointment of an agent may be on behalf of more than one candidate;

(*c*) not more than four polling agents shall be appointed to attend at any polling station.

(2) If the number of polling agents appointed to attend at a polling station exceeds the permitted number, only those agents, up to the permitted number whose appointments are signed by or on behalf of the greater number of candidates, or, in the event of an equality in the number of signatures, only such of those agents as may be determined by the returning officer, shall be deemed to have been duly appointed.

(3) Notice in writing of the appointment, stating the names and addresses of the persons appointed, shall be given by the candidate to the returning officer and shall be so given not later than the time appointed for that purpose in rule 1 of these rules.

(4) If an agent dies, or becomes incapable of acting, the candidate may appoint another agent in his place, and shall forthwith give to the returning officer notice in writing of the name and address of the agent appointed.

(5) In the following provisions of these rules references to polling and counting agents shall be taken as references to agents whose appointments have been duly made and notified and who are within the permitted number.

(6) Any notice required to be given to a counting agent by the returning officer may be delivered at, or sent by post to, the address stated in the notice of appointment.

(7) A candidate may himself do any act or thing which any polling or counting agent of his, if appointed, would have been authorised to do, or may assist his agent in doing any such act or thing.

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

Declaration of secrecy

25.—(1) Before the opening of the poll a declaration of secrecy in the form in paragraph (4) of this rule, or in a form as near thereto as circumstances admit, shall be made by—

(*a*) the returning officer and the presiding officers;

(*b*) every clerk authorised to attend at a polling station or the counting of the votes;

(*c*) every candidate attending at a polling station or at the counting of the votes;

(*d*) every candidate's wife or husband attending at the counting of the votes;

(*e*) every polling agent and counting agent;

(*f*) every person permitted by the returning officer to attend at the counting of the votes, though not entitled as of right to do so.

(2) Notwithstanding anything in the foregoing paragraph, the following persons attending at the counting of the votes, that is to say:—

(*a*) any candidate;

(*b*) any candidate's wife or husband attending by virtue of the rule authorising candidates' wives or husbands to attend as such;

(*c*) any person permitted by the returning officer to attend, though not entitled as of right to do so;

(*d*) any clerk making the declaration in order to attend at the counting of the votes;

need not make the declaration before the opening of the poll but shall make it before he or she is permitted to attend the counting, and a person becoming obliged to make a declaration by reason of his appointment after the opening of the poll shall make the declaration before acting under that appointment.

(3) The returning officer shall make the declaration in the presence of a Justice of the Peace, and any other person shall make the declaration in the presence either of a Justice of the Peace or of the returning officer, and subsections (1), (2), (3) and (6) of section 53 of the Representation of the People Act 1949 shall be read to the declarant by the person taking the declaration or shall be read by the declarant in the presence of that person:

Provided that the declaration may be made by the returning officer or any other person before a person who is chairman of the Greater London Council, a county council or a district council or mayor of a London borough, and may be made by a person other than the returning officer before the proper officer of any such council.

(4) The declaration shall be as follows:—

"I solemnly promise and declare that I will not do anything forbidden by subsections (1), (2), (3) and (6) of section 53 of the Representation of the People Act 1949, which have been read to [by] me.".

THE POLL

Admission to polling station

26.—(1) The presiding officer shall regulate the number of voters to be admitted to the polling station at the same time, and shall exclude all other persons except—

(*a*) the candidates;

(*b*) the polling agents appointed to attend at the polling station;

(*c*) the clerks appointed to attend at the polling station;

(*d*) the constables on duty; and

(*e*) the companions of blind voters.

(2) Not more than one polling agent shall be admitted at the same time to a polling station on behalf of the same candidate.

(3) A constable or person employed by a returning officer shall not be admitted to vote in person elsewhere than at his own polling station under the provisions of the Representation of the People Act 1949 in that behalf, except on production and surrender of a certificate as to his employment which shall be in the form in the Appendix, or a form to the like effect, and signed by an officer of police of or above the rank of inspector or by the returning officer, as the case may be.

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

Keeping of order in station

27.—(1) It shall be the duty of the presiding officer to keep order at his polling station.

(2) If a person misconducts himself in a polling station, or fails to obey the lawful orders of the presiding officer, he may immediately, by order of the presiding officer, be removed from the polling station by a constable in or near that station or by any other person authorised in writing by the returning officer to remove him, and the person so removed shall not, without the permission of the presiding officer, 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 shall not be exercised so as to prevent a voter who is otherwise entitled to vote at a polling station from having an opportunity of voting at that station.

Sealing of ballot boxes

28. Immediately before the commencement of the poll, the presiding officer shall 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 shall then lock it up and place his seal on it in such manner as to prevent it being opened without breaking the seal, and shall place it in his view for the receipt of ballot papers, and keep it so locked and sealed.

Questions to be put to voters

29.—(1) The presiding officer may, and if required by a candidate or his polling agent shall, put to any person applying for a ballot paper at the time of his application, but not afterwards, the following questions, or either of them, that is to say:—

(*a*) in the case of a person applying as an elector—

(i) Are you the person registered in the register of local government electors now in force for this electoral area as follows [*read the whole entry from the register*]?

(ii) Have you already voted at the present election [*adding in the case of an election for several wards*, in this or any other ward] otherwise than as proxy for some other person?

(*b*) in the case of a person applying as proxy—

(i) Are you the person whose name appears as A.B. in the list of proxies for this election as entitled to vote as proxy on behalf of C.D.?

(ii) Have you already voted here or elsewhere at the present election as proxy on behalf of C.D.?

(2) A ballot paper shall not be delivered to any person required to answer the above questions or any of them unless he has answered the questions or question satisfactorily.

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

Challenge of voter

30.—(1) If at the time a person applies for a ballot paper for the purpose of voting in person, or after he has applied for a ballot paper for that purpose and before he has left the polling station, a candidate or his polling agent declares to the presiding officer that he has reasonable cause to believe that the applicant has committed an offence of personation and undertakes to substantiate the charge in a court of law, the presiding officer may order a constable to arrest the applicant, and the order of the presiding officer shall be sufficient authority for the constable so to do.

(2) A person against whom a declaration is made under this rule shall not by reason thereof be prevented from voting.

(3) A person arrested under the provisions of this rule shall be dealt with as a person taken into custody by a constable for an offence without a warrant.

Voting procedure

31.—(1) A ballot paper shall be delivered to a voter who applies therefor, and immediately before delivery—

(*a*) the ballot paper shall be stamped with the official mark, either embossed or perforated;

(*b*) the number, name and description of the elector as stated in the copy of the register of electors shall be called out;

(*c*) the number of the elector shall be marked on the counterfoil;

(*d*) a mark shall be placed in the register of electors against the number of the elector to denote that a ballot paper has been received but without showing the particular ballot paper which has been received; and

(*e*) in the case of a person applying for a ballot paper as proxy, a mark shall also be placed against his name in the list of proxies.

(2) The voter, on receiving the ballot paper, shall forthwith proceed into one of the compartments in the polling station and there secretly mark his paper and fold it up so as to conceal his vote, and shall then show to the presiding officer the back of the paper so as to disclose the official mark, and put the ballot paper so folded up into the ballot box in the presence of the presiding officer.

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

Votes marked by presiding officer

32.—(1) The presiding officer, on the application of—

(*a*) a voter who is incapacitated by blindness or other physical cause from voting in manner directed by these rules; or

(*b*) if the poll is taken on a Saturday, a voter who declares that he is a Jew, and objects on religious grounds to voting in manner directed by these rules; or

(*c*) a voter who declares orally that he is unable to read;

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

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

In the case of a person voting as proxy for an elector, the number to be entered together with the name of the voter shall be the number of the elector.

Voting by blind persons

33.—(1) If a voter makes an application to the presiding officer to be allowed on the ground of blindness to vote with the assistance of another person by whom he is accompanied (in these rules referred to as "the companion"), the presiding officer shall require the voter to declare orally whether he is so incapacitated by his blindness as to be unable to vote without assistance.

(2) If the presiding officer is satisfied that the voter is so incapacitated and 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 blind voter") that the companion is a qualified person within the meaning of this rule and has not previously assisted more than one blind person to vote at the election, the presiding officer shall grant the application, and thereupon anything which is by these rules required to be done to or by the said voter in connection with the giving of his vote may be done to, or with the assistance of, the companion.

(3) For the purposes of this rule, a person shall be qualified to assist a blind voter to vote, if that person is either—

(*a*) a person who is entitled to vote as an elector at the election; or

(*b*) the father, mother, brother, sister, husband, wife, son or daughter of the blind voter and has attained the age of eighteen years.

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

In the case of a person voting as proxy for an elector, the number to be entered together with the name of the voter shall be the number of the elector.

(5) The declaration made by the companion—

(*a*) shall be in the form in the Appendix;

(*b*) shall be made before the presiding officer at the time when the voter applies to vote with the assistance of a companion and shall forthwith be given to the presiding officer who shall attest and retain it.

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

Tendered ballot papers

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

(*a*) a particular elector named in the register; or

(*b*) a particular person named in the list of proxies as proxy for an elector,

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

(2) A tendered ballot paper shall—

(*a*) be of a colour differing from the other ballot papers;

(*b*) instead of being put into the ballot box, be given to the presiding officer and endorsed by him with the name of the voter and his number in the register of electors, and set aside in a separate packet.

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

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

Spoilt ballot papers

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

Adjournment of poll in case of riot

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

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

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

(*b*) reference in these rules to the close of the poll shall be construed accordingly.

Procedure on close of poll

37.—(1) As soon as practicable after the close of the poll, the presiding officer shall, in the presence of the polling agents, make up into separate packets, sealed with his own seal and the seals of such polling agents as desire to affix their seals—

(*a*) each ballot box in use at the station, sealed so as to prevent the introduction of additional ballot papers and unopened, but with the key attached;

(*b*) the unused and spoilt ballot papers placed together;

(*c*) the tendered ballot papers;

(*d*) the marked copies of the register of electors and of the list of proxies;

(*e*) the counterfoils of the used ballot papers and the certificates as to employment on duty on the day of the poll;

(*f*) the tendered votes list, the list of blind voters assisted by companions, the list of votes marked by the presiding officer, a statement of the number of voters whose votes are so marked by the presiding officer under the heads "physical incapacity", "Jews", and "unable to read", and the declarations made by the companions of blind voters;

and shall deliver the packets or cause them to be delivered to the returning officer to be taken charge of by him:

Provided that if the packets are not delivered by the presiding officer personally to the returning officer, the arrangements for their delivery shall require the approval of the returning officer.

(2) The marked copies of the register of electors and of the list of proxies shall be in one packet but shall not be in the same packet as the counterfoils of the used ballot papers and the certificates as to employment on duty on the day of the poll.

(3) The packets shall 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 him, and accounting for them under the heads of ballot papers issued and not otherwise accounted for, unused, spoilt and tendered ballot papers.

COUNTING OF VOTES

Attendance at counting of votes

38.—(1) The returning officer shall make arrangements for counting the votes in the presence of the counting agents as soon as practicable after the close of the poll, and shall give to the counting agents notice in writing of the time and place at which he will begin to count the votes.

(2) No person other than—

(*a*) the returning officer and his clerks;

(*b*) the candidates and their wives or husbands;

(*c*) the counting agents;

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

(3) A person not entitled as of right to attend at the counting of the votes shall not be permitted to do so by the returning officer unless the returning officer is satisfied that the efficient counting of the votes will not be impeded, and the returning officer has either consulted the candidates or is satisfied that it is impracticable to consult them.

(4) The returning officer shall give the counting agents all such reasonable facilities for overseeing the proceedings, and all such information with reference thereto, as he can give them consistently with the orderly conduct of the proceedings and the discharge of his duties in connection therewith.

(5) In particular, where the votes are counted by sorting the ballot papers according to the candidate for whom the vote is given and then counting the number of ballot papers for each candidate, the counting agents shall be entitled to satisfy themselves that the ballot papers are correctly sorted.

The count

39.—(1) Before the returning officer proceeds to count the votes, he shall—

(*a*) in the presence of the counting agents open each ballot box and, taking out the ballot papers therein, count and record the number thereof and verify each ballot paper account;

(*b*) if polls have been taken together for the election of parish or community councillors and district councillors, separate the ballot papers relating to the election of parish or community councillors from those relating to district councillors and count and record the numbers relating to each election; and

(*c*) then mix together the whole of the ballot papers relating to the election of parish or community councillors contained in the ballot boxes.

(2) The returning officer shall not count any tendered ballot paper.

(3) The returning officer, while separating, counting, and recording the number of ballot papers and counting the votes, shall keep the ballot papers with their faces upwards and take all proper precautions for preventing any person from seeing the numbers printed on the back of the papers.

(4) The returning officer shall verify each ballot paper account by comparing it with the number of ballot papers recorded by him, and if necessary or if so required by a candidate the unused and spoilt ballot papers in his possession and the tendered votes list (opening and resealing the packets containing the unused and spoilt ballot papers and the tendered votes list) and shall draw up a statement as to the result of the verification which any counting agent may copy.

(5) The returning officer shall, so far as practicable, proceed continuously with counting the votes, allowing only time for refreshment:

Provided that he may, in so far as he thinks necessary, exclude the hours between nine o'clock in the evening and nine o'clock on the following morning.

(6) During the excluded time the returning officer shall place the ballot papers and other documents relating to the election under his own seal and the seals of such of the counting agents as desire to affix their seals and shall otherwise take proper precautions for the security of the papers and documents.

Re-count

40.—(1) A candidate may, if present when the counting or any re-count of the votes is completed, require the returning officer to have the votes re-counted or again re-counted but the returning officer may refuse to do so if in his opinion the request is unreasonable.

(2) No step shall be taken on the completion of the counting or any re-count of votes until the candidates present at the completion thereof have been given a reasonable opportunity to exercise the right conferred by this rule.

Rejected ballot papers

41.—(1) Any ballot paper—

(*a*) which does not bear the official mark; or

(*b*) on which votes are given for more candidates than the voter is entitled to vote for; or

(*c*) on which anything is written or marked by which the voter can be identified except the printed number on the back; or

(*d*) which is unmarked or void for uncertainty;

shall, subject to the provisions of this rule, be void and not counted.

(2) Where the voter is entitled to vote for more than one candidate, a ballot paper shall not be deemed to be void for uncertainty as respects any vote as to which no uncertainty arises and that vote shall be counted.

(3) A ballot paper on which a 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;

shall not by reason thereof be deemed to be void (either wholly or as respects that vote), if an intention that the vote shall be for one or other of the candidates clearly appears and the way the paper is marked does not of itself identify the voter and it is not shown that he can be identified thereby.

(4) The returning officer shall endorse—

(*a*) the word "rejected" on any ballot paper which under this rule is not to be counted; and

(*b*) in the case of a ballot paper on which any vote is counted under paragraph (2) of this rule, the words "rejected in part" and a memorandum specifying the votes counted;

and shall add to the endorsement the words "rejection objected to" if an objection is made by a counting agent to his decision.

(5) The returning officer shall draw up a statement showing the number of ballot papers rejected, including those rejected in part, under the several heads of—

(*a*) want of official mark;

(*b*) voting for more candidates than voter is entitled to;

(*c*) writing or mark by which voter could be identified;

(*d*) unmarked or wholly void for uncertainty;

(*e*) rejected in part.

Decisions on ballot papers

42. The decision of the returning officer on any question arising in respect of a ballot paper shall be final, but shall be subject to review on an election petition.

Equality of votes

43. Where, after the counting of the votes (including any re-count) is completed an equality of votes is found to exist between any candidates and the addition of a vote would entitle any of those candidates to be declared elected, the returning officer shall forthwith decide between those candidates by lot, and proceed as if the candidate on whom the lot falls had received an additional vote.

PART IV

FINAL PROCEEDINGS IN CONTESTED AND UNCONTESTED ELECTIONS

Declaration of result

44.—(1) In a contested election, when the result of the poll has been ascertained the returning officer shall forthwith declare to be elected the candidate or candidates to whom the majority of votes have been given and shall as soon as possible publish the name or names of the candidate or candidates elected and the total number of votes given to each candidate, whether elected or not, together with the number of rejected ballot papers under each head shown in the statement of rejected ballot papers.

(2) In an uncontested election, the returning officer shall, not later than eleven o'clock in the morning on the day of election, publish the name or names of the person or persons elected.

The return

45. The returning officer shall forthwith upon declaration of the result of the election return the name of each person elected to the proper officer of the parish or community council or, if there is no such proper officer, to the chairman of the council or, if there is no such chairman, to the proper officer of the district in which the parish or community is situate.

PART V

DISPOSAL OF DOCUMENTS

Sealing of ballot papers

46.—(1) On the completion of the counting at a contested election the returning officer shall seal up in separate packets the counted and rejected ballot papers, including ballot papers rejected in part.

(2) The returning officer shall not open the sealed packets of tendered ballot papers or of counterfoils and certificates as to employment on duty on the day of the poll, or of marked copies of the register of electors and lists of proxies.

Delivery of documents

47. The returning officer shall then forward to the proper officer of the district in which the parish or community is situate the following documents, that is to say:—

(*a*) the packets of ballot papers in his 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 blind voters assisted by companions, the lists of votes marked by the presiding officer and the statements relating thereto, and the declarations made by the companions of blind voters;

(*d*) the packets of counterfoils and certificates as to employment on duty on the day of the poll;

(*e*) the packets containing marked copies of registers and of lists of proxies,

endorsing on each packet a description of its contents, the date of the election to which they relate and the name of the electoral area for which the election was held.

Orders for production of documents

48.—(1) An order—

(*a*) for the inspection or production of any rejected ballot papers, including ballot papers rejected in part; or

(*b*) for the opening of a sealed packet of counterfoils and certificates as to employment on duty on the day of the poll or for the inspection of counted ballot papers,

may be made by either a county court or an election 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, or for the purpose of an election petition.

(2) The order may be made subject to such conditions as to persons, time, place and mode of inspection, production or opening as the court making the order may think expedient and may direct the proper officer of the district council having custody of the ballot papers and the sealed packets of counterfoils and certificates to retain them intact for such period as may be specified in the order:

Provided that in making and carrying into effect the order, care shall be taken that the way in which the vote of any particular elector has been given shall not be disclosed until it has been proved that his vote was given and the vote has been declared by a competent court to be invalid.

(3) An appeal shall lie to the High Court from any order of a county court made under this rule.

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

(5) Where an order is made for the production by the proper officer of the district council of any document in his possession relating to any specified election, the

production by him or his agent of the document ordered in such manner as may be directed by that order shall be conclusive evidence that the document relates to the specified election; and any endorsement on any packet of ballot papers so produced shall be prima facie evidence that the ballot papers are what they are stated to be by the endorsement.

(6) The production from proper custody of a ballot paper purporting to have been used at any election, and of a counterfoil marked with the same printed number and having a number marked thereon in writing, shall be prima facie evidence that the elector whose vote was given by that ballot paper was the person who at the time of the election had affixed to his name in the register of electors the same number as the number written on the counterfoil.

(7) Save as by this rule provided, no person shall be allowed to inspect any rejected or counted ballot papers in the possession of the proper officer of the district council or to open any sealed packets of counterfoils and certificates.

Retention and public inspection of documents

49.—(1) The proper officer of the district council shall retain for six months among the records of the district council all documents relating to an election which are, in pursuance of these rules, forwarded to him by a returning officer or held by him and then, unless otherwise directed by an order under the last foregoing rule, shall cause them to be destroyed.

(2) The said documents, except ballot papers, counterfoils and certificates as to employment on duty on the day of the poll, shall during a period of six months from the day of election be open to public inspection at such time and in such manner as may be determined by the district council.

(3) The proper officer of the district council shall, on request, supply copies of or extracts from the documents open to public inspection on payment of such fees, and subject to such conditions, as may be determined by the district council.

Supplemental provisions as to documents

50. Subject to the provisions of these rules, the proper officer of the district council shall, in respect of the custody and destruction of ballot papers and other documents coming into his possession in pursuance of these rules, be subject to the directions of the district council.

PART VI

SUPPLEMENTAL

Countermand or abandonment of poll on death of candidate

51.—(1) If at a contested election proof is given to the satisfaction of the returning officer before the result of the election is declared that one of the persons named or to be named as candidate in the ballot papers has died, then the returning officer shall countermand the poll for the election of parish or community councillors or, if polling has begun, direct that the poll be abandoned, and the provisions of section 36(2) of the Representation of the People Act 1949 shall apply to any further election ordered under the Local Government Act 1972.

(2) Where the poll is abandoned by reason of the death of a candidate, the proceedings at or consequent on that poll shall be interrupted, and the presiding officer at any polling station shall take the like steps (so far as not already taken) for the delivery to the returning officer of ballot boxes and of ballot papers and other documents as he is required to take on the close of the poll in due course, and the returning officer shall dispose of ballot papers and other documents in his possession as he is required to do on the completion in due course of the counting of the votes; but—

(*a*) it shall not be necessary for any ballot paper account to be prepared or verified; and

(*b*) the returning officer, without taking any step or further step for the counting of the ballot papers or of the votes, shall seal up all the ballot papers, whether the votes on them have been counted or not, and it shall not be necessary to seal up counted and rejected ballot papers in separate packets.

(3) The foregoing provisions of these rules as to the inspection, production, retention and destruction of ballot papers and other documents relating to a poll at an election shall apply to any such documents relating to a poll abandoned by reason of the death of a candidate, with the following modifications:—

(*a*) ballot papers on which the votes were neither counted nor rejected shall be treated as counted ballot papers; and

(*b*) no order shall be made for the production or inspection of any ballot papers or for the opening of a sealed packet of counterfoils or certificates as to employment on duty on the day of the poll unless the order is made by a court with reference to a prosecution.

Filling of casual vacancies

52.—(1) On a casual vacancy occurring in the office of councillor of a community or on a casual vacancy occurring in the office of councillor of a parish after 31st December 1975, an election to fill the vacancy shall be held if, within fourteen days (computed in accordance with rule 2) after public notice of the vacancy has been given in accordance with section 87(2) of the Local Government Act 1972, notice in writing of a request for such an election has been given to the proper officer of the council of the district within which the parish or community is situate by two electors for the electoral area:

Provided that where a casual vacancy occurs within six months before the day on which the councillor whose office is vacant would regularly have retired, an election shall not be held.

(2) In the case of such a casual vacancy which is filled by election, the election shall be—

(*a*) held on a day appointed by the returning officer, being a day falling within a period of sixty days (so computed) beginning with the day on which public notice of the vacancy was given;

(*b*) conducted in the manner prescribed by the foregoing provisions of these rules.

(3) In this rule the expression "elector for the electoral area" means a person who is registered as a local government elector for the electoral area in the register to be used at the election or who, pending the publication of that register, appears from the electors lists therefor as corrected by the registration officer to be entitled to be so registered.

(4) In the case of a casual vacancy occurring in the office of councillor of a parish before 1st January 1976 or of any other casual vacancy occurring in the office of councillor of a parish or community which is not filled by election in accordance with the foregoing provisions of this rule, the vacancy shall be filled by the parish or community council within a period of sixty days beginning with the day on which public notice of the vacancy was given.

General duty of returning officer

53. It shall be the general duty of the returning officer to do any act or thing that may be necessary for effectually conducting the election under these rules.

Notices

54. Any notice required to be given by these rules may relate to more than one electoral area and, at elections of district councillors and parish or community councillors, the polls of which are taken together, to both elections.

Interpretation

55.—(1) The expression "electoral area" means the parish or community or, if the parish or community is divided into wards, a ward.

(2) Any reference in these rules to a proper officer shall, in relation to any purpose and any local authority or other body or any area, be construed as a reference to an officer appointed for that purpose by that body or for that area, as the case may be.

(3) A reference in this Schedule to a rule shall be construed as a reference to a rule contained in this Schedule.

(4) Any reference in this Schedule to any enactment shall be taken as a reference to that enactment as amended or replaced by any other enactment.

APPENDIX

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

Rule 4.

NOTICE OF ELECTION

PARISH/COMMUNITY OF

ELECTION OF PARISH/COMMUNITY COUNCILLORS for the [Ward of the] [Wards of the] Parish/Community

If the notice relates to more than one election, adapt form accordingly.

1. An election is to be held of Parish/Community Councillors for the said [ward] [wards] [parish] [community].

2. Nomination papers must be delivered at on any day after the date of this notice, but not later than noon on the day of .

3. Forms of nomination paper may be obtained from the undersigned at or from at . Either will at the request of any local government elector for the said electoral area prepare a nomination paper for signature.

4. If the election is contested, the poll will take place on the day of .

(Signed).....
Returning Officer.

day of , 19 .

Rule 5.

NOMINATION PAPER

ELECTION OF PARISH/COMMUNITY COUNCILLORS for the [Ward of the] Parish/Community of

Day of election.....

We, the undersigned, being local government electors for the said [ward] [parish] [community], do hereby nominate the undermentioned person as a candidate at the said election.

Candidate's surname	Other names in full	Description (if any)	Home Address in full

Signatures	Electoral Number (*see* note 3) Distinctive Letter(s)	Number
Proposer.....	.....	.....
Seconder.....	.....	.....

NOTE 1.—The attention of candidates and local government electors is drawn to the rules for filling up nomination papers and other provisions relating to nomination contained in the Local Elections (Parishes and Communities) Rules 1973.

NOTE 2.—Where a candidate is commonly known by some title he may be described by his title as if it were his surname.

NOTE 3.—A person's electoral number consists of the distinctive letter or letters of the parliamentary polling district in which he is registered together with his number in the register to be used at the election except that before publication of the register the distinctive letter or letters of the parliamentary polling district in which he is entitled to be registered together with his number (if any) in the electors list for that register shall be used instead.

NOTE 4.—An elector may not—

(*a*) subscribe more nomination papers than there are vacancies to be filled in the electoral area; or

(*b*) subscribe a nomination paper for more than one ward of a parish or a community divided into wards; or

(*c*) subscribe more than one nomination paper in respect of the same candidate.

NOTE 5.—A person whose name is entered in the register or electors lists may not subscribe a nomination paper if the entry gives as the date on which he will become of voting age a date later than the day fixed for the poll.

CANDIDATE'S CONSENT TO NOMINATION Rule 7.

I, (name in full).....
of (home address in full).....
.....hereby consent to my nomination as a candidate for election as councillor for the.....[ward of] the parish/community of.....

I declare, with reference to the day of my nomination as a candidate, that I am qualified, and if there is a poll will be qualified on the day of election, to be so elected; that I have attained the age of twenty-one years and am a British subject or citizen of the Republic of Ireland; and that

*(*a*) I am registered as a local government elector for the parish/community of .....in respect of the following address.....
.....and my electoral number is.....
(*see* Note below)

Rule 13.

DIRECTIONS FOR THE GUIDANCE OF THE VOTERS IN VOTING WHERE THE POLL IS ON A QUESTION OF APPOINTMENT TO AN OFFICE

1. The voter should see that the ballot paper, before it is handed to him, is stamped with the official mark.

2. The voter will go into one of the compartments and, with the pencil provided in the compartment, place a cross on the right-hand side of the ballot paper, opposite the name of each candidate for whom he votes, thus X.

3. The voter will then fold up the ballot paper so as to show the official mark on the back, and leaving the compartment will, without showing the front of the paper to any person, show the official mark on the back to the presiding officer, and then, in the presence of the presiding officer, put the paper into the ballot box, and forthwith leave the polling station.

4. If the voter inadvertently spoils a ballot paper he can return it to the officer, who will, if satisfied of such inadvertence, give him another paper.

5. If the voter votes for more than candidate(s), or places any mark on the paper by which he may be afterwards identified, his ballot paper will be void, and will not be counted.

Rule 23.

DECLARATION TO BE MADE BY THE COMPANION OF A BLIND VOTER

I, A.B., of , having been requested to assist C.D., who is numbered on the register of local government electors for the electoral area for which the poll is being held, to record his vote at the poll now being held for the said area, do hereby declare that [I am entitled to vote at the said poll] [I am the* of the said voter and have attained the age of eighteen years], and that I have not previously assisted any blind person [except E.F., of], to vote at the said poll.

*State the relationship of the companion to the voter.

(Signed) A.B.

Date.....

I, the undersigned, being the presiding officer for the polling station for the electoral area for which the poll is being held, do hereby certify that the above declaration, having been first read to the above-named declarant, was signed by the declarant in my presence.

(Signed) X.Y.

day of , 19 , at minutes past o'clock.

NOTE.—If the person making the above declaration knowingly and wilfully makes therein a statement false in a material particular, he will be guilty of an offence.

Rule 15.

BALLOT PAPER

Form of Front of Ballot Paper

ELECTION OF PARISH [COMMUNITY] COUNCILLORS

1	**BROWN** JOHN EDWARD Brown, 2 The Cottages, Barlington, Grayshire Labour	
2	**BROWN** THOMAS WILLIAM Brown, 15 Barchester Road, Barlington, Grayshire Liberal	
3	**JONES** William David Jones, The Grange, Barlington, Grayshire Conservative	
4	**MERTON** Hon. George Travis, commonly called Viscount Merton, Barlington, Grayshire	
5	**SMITH** Mary Smith, School House, Barlington, Grayshire Progressive	
6	**WILLIAMS** Elizabeth Williams, 3 Ivy Lane, Barlington, Grayshire Housewife	

Form of Back of Ballot Paper

No.
Election for the [Parish/Community of] [
Ward of the Parish/Community of] day of
19 .
Note—The number on the ballot paper is to correspond with that on the counterfoil.

Directions as to printing the ballot paper

1. Nothing is to be printed on the ballot paper except in accordance with these directions.

2. So far as practicable, the following arrangements shall be observed in the printing of the ballot paper:—

(*a*) no word shall be printed on the face except the particulars of the candidates and a heading "ELECTION OF PARISH [COMMUNITY] COUNCILLORS";

(*b*) no rule shall be printed on the face except the horizontal rules separating the particulars of the candidates from one another and the vertical rules separating those particulars from the numbers on the left-hand side and the spaces on the right where the vote is to be marked;

(*c*) the whole space beneath the heading shall be equally divided between the candidates by the rules separating their particulars;

(*d*) the particulars of each candidate shall be printed one below the other in the order shown in the statement as to persons nominated;

(*e*) the spacing, layout and style and size of type face shall be as nearly as may be the same as in the specimen form in this Appendix.

3. The surname of each candidate shall in all cases be printed by itself in large capitals, and his full particulars shall be set out below it and shall be printed in ordinary type except that small capitals shall be used—

(*a*) if his surname is the same as another candidate's, for his other names; and

(*b*) if his other names are also the same as the other candidate's, either for his residence or for his description unless each of them is the same as that of another candidate with the same surname and other names.

4. The number on the back of the ballot paper shall be printed in ordinary type.

Rule 23.

DIRECTIONS FOR THE GUIDANCE OF THE VOTERS IN VOTING

1. The voter should see that the ballot paper, before it is handed to him, is stamped with the official mark.

2. The voter will go into one of the compartments and, with the pencil provided in the compartment, place a cross on the right-hand side of the ballot paper, opposite the name of each candidate for whom he votes, thus X.

3. The voter will then fold up the ballot paper so as to show the official mark on the back, and leaving the compartment will, without showing the front of the paper to any person, show the official mark on the back to the presiding officer, and then, in the presence of the presiding officer, put the paper into the ballot box, and forthwith leave the polling station.

4. If the voter inadvertently spoils a ballot paper he can return it to the officer, who will, if satisfied of such inadvertence, give him another paper.

5. If the voter votes for more than candidate(s) or places any mark on the paper by which he may afterwards be identified, his ballot paper will be void, and will not be counted.

6. If the voter fraudulently takes a ballot paper out of a polling station or fraudlently puts into the ballot box any paper other than the one given to him by the officer he will be liable on conviction to imprisonment for a term not exceeding six months or to a fine not exceeding twenty pounds or to both such imprisonment and such fine.

CERTIFICATE OF EMPLOYMENT Rule 26.

Election in the [Ward of the] Parish/Community of

I certify that (name)..... who is numbered..... in the register of electors for the electoral area named above, is likely to be unable to go in person to the polling station allotted to him at the election on (date of poll)..... .....by reason of the particular circumstances of his employment on that date—

*(*a*) as a constable,

*(*b*) by me for a purpose connected with the election.

Signature .....

*Police rank.....
(Inspector or above)

*Returning Officer

Date.....

*Delete whichever is inapplicable.

NOTE.—The person named above is entitled to vote at any polling station of the above electoral area on production and surrender of this certificate to the presiding officer.

DECLARATION TO BE MADE BY THE COMPANION OF A BLIND VOTER Rule 33.

I, A. B., of , having been requested to assist C. D. [*in the case of a blind person voting as proxy add* voting as proxy for G. H.], who is numbered on the register of local government electors for the [Parish/Community of] [Ward of the Parish/Community of], to record his vote at the election now being held for the said [parish] [community] [ward], do hereby declare that [I am entitled to vote as an elector at the said election] [I am the* of the said voter and have attained the age of eighteen years], and that I have not previously assisted any blind person [except E. F., of], to vote at the said election.

*State the relationship of the companion to the voter

(Signed) A. B.

day of , 19 .

I, the undersigned, being the presiding officer for the polling station for the [Parish of] [Community of] [Ward of the Parish/Community of], do hereby certify that the above declaration, having been first read to the above-named declarant, was signed by the declarant in my presence.

(Signed) X. Y.

day of , 19 , at minutes past o'clock. [a.m.] [p.m.].

NOTE.—If the person making the above declaration knowingly and wilfully makes therein a statement false in a material particular, he will be guilty of an offence.

SCHEDULE 2

PART I

DECLARATION OF ACCEPTANCE OF OFFICE

*Insert description of office.

I, A. B., having been elected to the office of *
hereby declare that I take the said office upon myself, and will duly and faithfully fulfil the duties thereof to the best of my judgment and ability.

Dated this day of , 19 .

Signature .....

This declaration was made and subscribed before me.

†If the declaration is made and subscribed before any other person authorised by section 83(4) of the Local Government Act 1972, adapt form accordingly.

.....
†Proper officer of the Council of the parish/community of.....

PART II

DECLARATION AS TO EXPENSES

Election for the [Ward of the] Parish/Community of

Day of election .....

Full name of candidate.....

I declare as follows:—

1. The amount paid by me or on my behalf for my election expenses at the above election was £ .

2. To the best of my knowledge and belief no other election expenses have been paid or incurred by me or by any other person or organization in connection with my candidature.

3. To the best of my knowledge and belief the accompanying return of election expenses is complete and correct as required by law.

4. I understand that the law does not allow any election expenses not mentioned in the return to be defrayed except in pursuance of a court order.

Signature of candidate.....

EXPLANATORY NOTE

(*This Note is not part of the Rules.*)

These Rules revoke and replace the Parish Council Election Rules 1973. They apply to community council elections as well as to parish council elections. A casual vacancy, other than one occurring in the office of councillor of a parish before 1st January 1976, may be filled by election if two electors so request: otherwise it is filled by co-option (Rule 52 in Schedule 1).

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