# Representation of the People Act 1979

## 1979 CHAPTER 40

An Act to facilitate polling on the same day at a general election and district council elections; and to postpone certain parish or community council elections.

[4th April 1979]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Modification of election rules.

**1.** If the present Parliament is dissolved and a new Parliament summoned by a proclamation made on such date that the date of the poll at the election of Members for the new Parliament is the same as that of the poll at the next ordinary elections of district councillors to be held in England and Wales after the passing of this Act, the provisions (whether made by or under any Act) relating to—

(*a*) the conduct, in England and Wales, of the parliamentary election; and

(*b*) the conduct of the elections of district councillors;

shall have effect subject to the provisions of the Schedule to this Act.

Postponement of poll at parish or community council elections.

**2.**—(1) Any poll at an election of parish or community councillors to be held on the same date as the polls mentioned in section 1 above shall be postponed for three weeks and the expenses of the returning officers attributable to the postponement shall be charged on and paid out of the Consolidated Fund.

(2) The date to which the poll is so postponed shall be taken to be the day of election for the purposes of the timetable in S.I. 1973/1910. paragraph 1 of the Local Elections (Parishes and Communities) Rules 1973.

(3) Any nomination submitted for an election which is postponed as a result of this Act shall, if otherwise valid and if not withdrawn, be valid for the postponed election.

Citation. **3.** This Act may be cited as the Representation of the People Act 1979 and shall be included among the Acts that may be cited as the Representation of the People Acts.

# SCHEDULE

Section 1.

## MODIFICATION OF ELECTION RULES

*Polling stations, presiding officers and clerks*

1. Only polling stations used for the parliamentary election may be used for an election of district councillors and the duty to appoint and pay the presiding officer and clerks at each polling station shall be performed by the returning officer for the parliamentary election.

*Hours of poll*

2. Polling at all elections shall be between the hours of seven in the morning and ten at night.

*Notices to Voters*

3. Where a polling station is used both for the parliamentary and for a district council election the notices inside and outside the polling station may be combined so as to relate to both elections and may be modified for that purpose.

*Appointment of polling agents*

4. All notices of the appointment of polling agents to attend at a polling station shall be sent to the returning officer for the parliamentary election.

*Absent voters, proxies and postal proxies*

5. Regulation 35 of the Representation of the People Regulations 1974 (disregard of applications) shall apply to a district council election as if it were a parliamentary election. S.I. 1974/648.

6. Regulation 5(1)(*b*) of the Representation of the People Regulations 1974 (certain functions of registration officers to be performed by acting returning officers) shall not apply.

*Ballot papers*

7. Ballot papers used in a district council election shall be easily distinguishable, in such manner as the Secretary of State directs, from those used in the parliamentary election.

8.—(1) On the front of every ballot paper there shall be printed at the top, in small capitals, an indication of the election to which it relates, thus—

PARLIAMENTARY ELECTION
or
DISTRICT COUNCIL ELECTION

and a statement of the number of candidates for whom the elector may vote, thus—

YOU MAY VOTE FOR NOT MORE THAN CANDIDATE(S).

SCH. (2) If the constituency or district concerned is in Wales the indication and statement shall also be printed in Welsh, thus—

ETHOLIAD SENEDDOL
or
ETHOLIAD CYNGOR DOSBARTH
and
NI CHEWCH BLEIDLEISIO DROS FWY NA YMGEISYDD

each line being printed immediately below the corresponding English line.

*Ballot boxes*

9. At each polling station used for the parliamentary and a district council election the same boxes shall be used at both elections.

*Procedure on close of poll*

10.—(1) All ballot boxes shall be delivered to the returning officer for the parliamentary election.

(2) All other items which at any polling station are, after the close of the poll in either election, to be made up into a separate packet shall be combined into a single packet with the corresponding items in the other election for which the polling station is used and shall be delivered to the returning officer for the parliamentary election together with the separate ballot paper accounts in respect of each of the elections.

*The count*

11.—(1) The returning officer for the parliamentary election shall open all ballot boxes and shall record separately the number of ballot papers used in each election.

(2) The returning officer for the parliamentary election shall verify all ballot paper accounts which are delivered to him.

(3) After verifying each ballot paper account, the returning officer shall separate the ballot papers relating to the election of district councillors for each area, and put them into separate containers together with a statement of the number of ballot papers in each container.

(4) The containers shall then be delivered to the returning officer for the election of district councillors, each labelled with a description of the area to which the ballot papers in it relate.