The Urban District Council Election Rules, 1951

1951 No. 267

Made - - - -	*16th February,* 1951
Laid before Parliament	*20th February,* 1951
Coming into Operation	*1st April,* 1951

In pursuance of the powers conferred upon me by section twenty-nine and subsection (1) of section one hundred and sixty-five of the Representation of the People Act, 1949(a), and by section sixty-one of the Local Government Act, 1933(b), I hereby make the following Rules for the conduct of an election of urban district councillors and of the chairman of an urban district council, and the following Regulations prescribing the form of declaration of acceptance of office by the chairman of an urban district council and by an urban district councillor: —

1.—(1) For an election of urban district councillors the clerk of the urban district council shall be the returning officer, and if at such election the office of clerk of the urban district council is vacant or the clerk is for any reason unable to act, the chairman of the urban district council shall forthwith appoint another person to be the returning officer for that election:

Provided that, in the case of a first election of urban district councillors for a newly constituted urban district, a person appointed in accordance with the order constituting the new urban district, or, if the order contains no provision relating to the appointment of a returning officer, a person appointed by the county council, shall be the returning officer.

(2) The returning officer may by writing under his hand appoint a fit person to be his deputy for all or any of the purposes of an election, and any functions which a returning officer is authorised or required to discharge in relation to the election may be discharged by a deputy so appointed.

(3) A deputy acting as returning officer under the provisions of this Rule shall, as respects the election for which he is so acting, follow the instructions of the returning officer.

2. In the application of those provisions of the Representation of the People Act, 1949, referred to in subsection (1) of section one hundred and sixty-five of that Act, to an election of the chairman of an urban district council and of urban district councillors the following modifications shall have effect: —

In paragraph (*b*) of subsection (2) of section one hundred and nineteen 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".

3. In the application of the local elections rules contained in the Second Schedule to the Representation of the People Act, 1949, to an election of urban district councillors, adaptations, alterations and exceptions shall be made therein so that the said local elections rules shall read as set out in the First Schedule hereto.

(a) 12, 13 & 14 Geo. 6. c. 68. (b) 23 & 24 Geo. 5. c. 51.

4. The declaration of acceptance of office by the chairman of an urban district council or by an urban district councillor shall be in the form in the Second Schedule hereto, or a form to the like effect.

5.—(1) The Urban District Council Election Rules, 1949(**a**), are hereby revoked.

(2) Notwithstanding paragraph (1) of this Rule, the Rules therein mentioned shall apply to any election to fill a casual vacancy polling for which takes place before the fourth day of May, 1951.

(3) Any reference in any statutory instrument to the Second Schedule to the Rules mentioned in paragraph (1) of this Rule shall be taken as a reference to the First Schedule to these Rules and any reference to a rule contained in the said Second Schedule shall be taken as a reference to the corresponding rule contained in the First Schedule to these Rules.

6.—(1) These Rules and Regulations may be cited as the Urban District Council Election Rules, 1951, and shall come into operation on the first day of April, 1951.

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

J. Chuter Ede,
One of His Majesty's Principal Secretaries of State.

Home Office,
Whitehall.
16th February, 1951.

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(**a**) S.I. 1949 (No. 197) I, p. 3712. (**b**) 52 & 53 Vict. c. 63.

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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 twentieth day before the day of election.
Delivery of nomination papers ..	Not later than noon on the fourteenth day before the day of election.
Despatch of notices of decisions on nominations and publication of statement as to persons nominated.	Not later than noon on the thirteenth day before the day of election.
Delivery of notices of withdrawals of candidature	Not later than noon on the twelfth day before the day of election.
Notice of poll	Not later than the fifth day before the day of election.
Notice of appointment of polling or counting agents.	Not later than the third day before the day of election.
Polling	On the day of election.

Computation of Time

2. In computing any period of time for the purposes of the Timetable, a Sunday, Christmas Day, Good Friday, bank holiday or day appointed for public thanksgiving or mourning and the Saturday before and the Tuesday after Easter Day or Whit Sunday 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:

Provided that where under Part III of these rules a person ought to proceed with the preparation of special lists or the issue of postal ballot papers on the said Saturday before or Tuesday after Easter Day or Whit Sunday, nothing in this rule shall absolve him from that duty.

Hours of poll

3.—(1) The poll shall commence at the hour fixed for the urban district by the county council by any general or special order or, if no such order has been made, at eight o'clock in the morning and be kept open till eight o'clock in the evening of the same day and no longer:

Provided that the poll shall be kept open till nine o'clock in the evening if candidates remaining validly nominated to a number not less than the number of vacancies have, by written notices signed by them and delivered at the place and within the time for delivery of notices of withdrawals of candidature, so requested.

(2) A notice under this rule shall not have effect as respects any candidate if revoked by a further written notice signed by him and delivered as aforesaid.

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 it to be affixed to the offices of the urban district council and, in the case of a ward election, to be exhibited at such places in the ward as the returning officer may determine.

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.

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

(3) The description shall not refer to the candidate's political activities, 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.

(4) If the description is unduly long, the returning officer after consultation (if possible) with the candidate or his election agent, proposer or seconder, may shorten it or substitute another.

Subscription of nomination paper

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

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

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

(4) 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 an urban district 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.

(5) 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.

(6) 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:

Provided that in relation to an election at which the date fixed for the poll falls within the period beginning with the sixteenth day of March in any year and ending with the first day of October in that year, the said expression shall not include a person who, by virtue of subsection (1) of section two of the Electoral Registers Act, 1949(a) (which relates to persons coming of age during the currency of the register), is registered as a local government elector for that area in the register to be used at that election or who, by virtue of that subsection, appears from the electors lists for that register to be entitled to be so registered.

Consent to nomination

7.—(1) A person shall not be validly nominated unless his consent to nomination, given in writing 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:

Provided that in the case of an election to fill a casual vacancy, if the returning officer is satisfied that owing to the absence of a person from the United Kingdom it has not been reasonably practicable for his consent in writing to be given as aforesaid, a telegram consenting to his nomination and purporting to have been sent by him shall be deemed, for the purpose of this rule, to be consent in writing given by him on the day on which it purports to have been sent, and attestation of his consent shall not be required.

(2) A candidate's consent given under this rule shall contain a statement that he 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.

Place for delivery of nomination papers

8. Every nomination paper shall be delivered at the place fixed by the returning officer.

Decisions as to validity of nomination papers

9.—(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) As soon as practicable after the latest time for the delivery of nomination papers, the returning officer shall examine the nomination papers, and decide whether the candidates have been validly nominated in accordance with these rules.

(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.

(a) 12, 13 & 14 Geo. 6. c. 86.

(5) The returning officer shall send notice of his decision to each candidate at his place of residence 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

10.—(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 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.

(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 nomination papers.

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 an urban district divided into wards 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) deemed to be elected under the following provisions of this rule shall be declared elected in accordance with Part IV of these rules.

(3) The person or persons (if any) remaining validly nominated for the electoral area after any withdrawals under these rules shall be deemed to be elected.

(4) If, at an ordinary election of urban district councillors, no person remains validly nominated as aforesaid, or the number of persons so remaining validly nominated is less than the number of vacancies, such of the retiring councillors for the electoral area as were highest on the poll at the last ordinary election, or as filled the places of councillors who were highest on the poll at that election, or if the poll was equal or there was no poll, as may be determined by the drawing of lots conducted under the direction of the returning officer, shall be deemed to be elected to fill up the vacancies not filled under paragraph (3) of this rule.

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 a counterfoil with the same number printed on the face.

(3) The order of the names in the ballot paper shall be the same as in the statement of 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 in receipt of a grant or in respect of which a grant is made, out of moneys provided by Parliament, from or by the Minister of Education;

(*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 rooms 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 that person liable to be rated or to pay any rate for that house.

(4) The election shall not be held in a church, chapel or other place of public worship.

ACTION TO BE TAKEN BEFORE THE POLL

Notice of poll

19.—(1) Notice of the poll shall be published by the returning officer, and the manner of publication shall be the same as in the case of the notice of election.

(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 of persons nominated) ;

(*d*) the names of all persons 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 of persons nominated are taken but the candidate may require the returning officer to include in the notice the names of the persons subscribing a second and third nomination paper.

Death of candidate

20. If before the poll is commenced proof is given to the satisfaction of the returning officer—

(*a*) that a person remaining validly nominated has died after the latest time for delivery of nomination papers, or

(*b*) that a person shown in the statement of persons nominated as standing nominated had in fact died before the latest time for delivery of nomination papers,

the returning officer shall countermand the poll and the provisions of subsection (2) of section thirty-six of the Representation of the People Act, 1949, shall apply to any further election ordered under the Local Government Act, 1933.

Postal ballot papers

21. The returning officer shall as soon as practicable send to those entitled to vote by post, at the addresses furnished by them for the purpose, a ballot paper and a declaration of identity in the form set out in the Representation of the People Regulations, 1950(a), or a form to the like effect, together with an envelope for their return.

Provision of polling stations

22.—(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.

(a) S.I. 1950 (No. 1254) II, p. 513.

(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

23.—(1) The returning officer shall appoint and 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.

Special lists

24. The registration officer shall as soon as practicable prepare the following special lists, namely:—

(*a*) a list (in these rules referred to as "the absent voters list") giving the name and number on the register of every person entitled to vote at the election as an absent voter;

(*b*) a list (in these rules referred as as "the list of proxies") giving—

(i) the names and numbers on the register of the electors for whom proxies have been appointed,

(ii) the names and addresses of the persons appointed;

(*c*) a list of any persons entitled to vote by post as proxy at the election.

Equipment of polling stations

25.—(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) 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.

(3) 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 any special lists prepared for the election corresponding to the register of electors for the electoral area or part thereof provided under the last foregoing paragraph.

(4) 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 outside every polling station and in every compartment of every polling station.

Appointment of polling and counting agents

26.—(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 counting agents to attend at the counting of the votes:

Provided that—

(*a*) the returning officer may limit the number of counting agents, so however that the number shall be the same in the case of each candidate and the number allowed to a candidate shall not (except in special circumstances) be less than the number obtained by dividing the number of clerks employed on the counting by the number of candidates;

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

(*c*) not more than one polling agent shall be appointed to attend on behalf of the same candidate at a polling station;

(*d*) not more than three or, if the number of candidates exceeds twenty, 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 the Timetable.

(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) The foregoing provisions of this rule shall be without prejudice to the requirements of subsection (1) of section sixty of the Representation of the People Act, 1949, as to the appointment of paid polling agents, and counting agents may be appointed and the notice of appointment given to the returning officer by the candidate's election agent, instead of by the candidate.

(6) 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.

(7) 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.

(8) 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.

(9) 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

27.—(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;

(*b*) every officer or 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 and every election agent so attending;

(*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 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 election agent, or any candidate's wife or husband attending by virtue of the rule authorising election agents and candidates' wives or husbands to attend as such;

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

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 the 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 fifty-three of the Representation of the People Act, 1949, shall be read to the declarant by the person taking the declaration.

(4) The declaration shall be as follows:—

"I solemnly promise and declare that I will not at this election for the [Ward of the] Urban District of do anything forbidden by subsections (1), (2), (3) and (6) of section fifty-three of the Representation of the People Act, 1949, which have been read to me."

THE POLL

Admission to polling station

28.—(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 and their election agents;

(*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) 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.

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

Keeping of order in station

29.—(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

30. 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

31.—(1) The presiding officer may, and if required by a candidate or his election or 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 urban district [ward] 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

32.—(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 election or 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

33.—(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.

(4) Notwithstanding anything in the foregoing provisions of this rule in the case of an election at which the date fixed for the poll falls within the period beginning with the sixteenth day of March in any year and ending with the first day of October in that year, no ballot paper shall be delivered to a person who, by virtue of subsection (1) of section two of the Electoral Registers Act, 1949 (which relates to persons coming of age during the currency of the register), is registered in the register to be used at the election or to his proxy, except where the part of the register in which his name appears is being used at the election by virtue of subsection (6) of section one of the said Act (which relates to registers not published by the required time):

Provided that this paragraph shall not apply to a person applying for a ballot paper as proxy of a person entitled, apart from section two of the said Act, to vote.

Votes marked by presiding officer

34.—(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 vote 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

35.—(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 twenty-one 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

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

(*a*) a particular elector named in the register and not named in the absent voters list ; or

(*b*) a particular person named in the list of proxies as proxy for an elector and not named in the list of persons entitled to vote by post as proxy,

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

37. 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

38. For the purpose of the adjournment of the poll in the event of riot or open violence, a presiding officer shall have the power by law belonging to a presiding officer at a parliamentary election.

Procedure on close of poll

39.—(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 to the returning officer to be taken charge of by him.

(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 in the ballot box, unused, spoilt and tendered ballot papers.

COUNTING OF VOTES

Attendance at counting of votes

40.—(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 election agents;

(*d*) the counting agents;

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

(3) 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.

(4) 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

41.—(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;

(*b*) count such of the postal ballot papers as have been duly returned and record the number counted; and

(*c*) then mix together the whole of the ballot papers mentioned in the foregoing sub-paragraphs.

(2) A postal ballot paper shall not be deemed to be duly returned, unless it is returned in the proper envelope so as to reach the returning officer before the close of the poll and is accompanied by the declaration of identity duly signed and authenticated.

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

(4) The returning officer, while 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.

(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 and the agents agree, exclude the hours between eight o'clock in the evening and nine o'clock on the following morning.

For the purposes of this proviso the agreement of a candidate or his election agent shall be as effective as the agreement of his counting agents, but where a counting agent has been appointed to attend on behalf of more than one candidate jointly, the agreement shall be that of the agent unless each of those candidates or his election agent agrees.

(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

42.—(1) A candidate or his election agent 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 and election agents present at the completion thereof have been given a reasonable opportunity to exercise the right conferred by this rule.

Rejected ballot papers

43.—(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;

and any counting agent may copy the statement.

Decisions on ballot papers

44. 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

45. 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

46.—(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 for 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 for each candidate, whether elected or not.

(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

47. The returning officer shall forthwith upon declaration of the result of the election return the name of each person elected to the clerk of the urban district council.

PART V

DISPOSAL OF DOCUMENTS

Verification of ballot paper account

48.—(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 then in the presence of the counting agents verify each ballot paper account by comparing it with the number of ballot papers recorded by him, and 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.

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

Delivery of documents to clerk of the council

49. The returning officer shall then forward to the clerk of the urban district council 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

50.—(1) An order for—

(*a*) 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 having jurisdiction in the urban district 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 clerk of the urban 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 clerk of the urban 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 clerk of the urban district council or to open any sealed packets of counterfoils and certificates.

Retention and public inspection of documents

51—(1) The clerk of the urban district council shall retain for six months among the records of the urban district 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 county council.

(3) The clerk of the urban 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 county council.

Supplemental provisions as to documents

52. Subject to the provisions of these rules, the clerk of the urban 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 urban district council.

PART VI

SUPPLEMENTAL

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 or other document required under these rules to be affixed to the offices of the urban district council shall be exhibited—

(*a*) in some conspicuous place on or near the outer door of the offices of the council; or

(*b*) if the council have no offices, in some conspicuous place in the urban district or in the area to which the document or notice relates.

Interpretation

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

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

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

APPENDIX

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

Rule 4.

NOTICE OF ELECTION

URBAN DISTRICT OF

ELECTION OF URBAN DISTRICT COUNCILLORS for the [Ward of the] [Wards of the] Urban District.

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

1. An election is to be held of Urban District Councillors for the said [ward] [wards] [district].

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 returning officer at . The returning officer will at the request of any local government elector for the electoral area prepare for signature a nomination paper.

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

(Signed).....
Returning Officer.

day of , 19 .

NOTE 1.—The attention of candidates and electors is drawn to the rules for filling up nomination papers and other provisions relating to nomination contained in the election rules in the First Schedule to the Urban District Council Election Rules, 1951.

NOTE 2.—Every person guilty of a corrupt or illegal practice will, on conviction, be liable to the penalties imposed by the Representation of the People Act, 1949.

NOMINATION PAPER Rule 5.

ELECTION OF URBAN DISTRICT COUNCILLORS for the [Ward of the] Urban District of .

Date of publication of notice of election.....

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

Candidate's surname	Other names in full	Place of Residence	Description

Signature	Electoral Number (*see* note 3)
Proposer.....	.....
Seconder.....	.....
We, the undersigned, being local government electors for the said [ward] [district], do hereby assent to the foregoing nomination.	
1.....	.....
2.....	.....
3.....	.....
4.....	.....
5.....	.....
6.....	.....
7.....	.....
8.....	.....

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 election rules in the First Schedule to the Urban District Council Election Rules, 1951.

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 is his number in the register to be used at the election (including the distinctive letter or letters of the parliamentary polling district in which he is registered) except that before publication of the register his number (if any) in the electors lists for that register shall be used instead.

NOTE 4.—A local government 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 an urban district divided into wards ; or

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

NOTE 5.—At an election at which the date fixed for the poll falls after the 15th March and before the 2nd October, a person marked with a "Y" in the register to be used at that election may not subscribe a nomination paper.

Rule 10.

STATEMENT AS TO PERSONS NOMINATED

URBAN DISTRICT OF

The following is a statement as to the persons nominated for election as Urban District Councillors for the [Ward of the] [Wards of the] Urban District.

[Ward] [Wards] [District]	Persons nominated				Proposer's name	Decision of returning officer that nomination paper is invalid, or other reason why a person nominated no longer stands nominated
	Surname	Other names in full	Place of Residence	Description		
1.	2.	3.	4.	5.	6.	7.

The persons opposite whose names no entry is made in column 7 have been and stand validly nominated.

Dated this day of , 19 .

.....
Returning Officer.

BALLOT PAPER Rule 15.

Form of Front of Ballot Paper

Counterfoil No.			
The counterfoil is to have a number to correspond with that on the back of the Ballot Paper.	1	**BROWN** (JOHN EDWARD Brown, of 52, George Street, Bristol, merchant.)	
	2	**BROWN** (THOMAS WILLIAM Brown, of 136, London Road, Swindon, salesman.)	
	3	**JONES** (William David Jones, of High Elms, Wilts., gentleman.)	
	4	**MERTON** (Hon. George Travis, commonly called Viscount Merton, of Swanworth, Berks.)	
	5	**SMITH** (Mary Smith, of 72, High Street, Bath, married woman.)	

Form of Back of Ballot Paper

No.

Election for the [Ward of the] Urban District 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;

(*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 between the top and bottom of the paper shall be equally divided between the candidates by the rules separating their particulars.

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 25.

DIRECTIONS FOR THE GUIDANCE OF THE VOTERS IN VOTING

1. The voter may vote for not more than candidate(s).

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

3. 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.

4. 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.

5. 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.

6. 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.

7. If the voter fraudulently takes a ballot paper out of a polling station or fraudulently 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.

Rule 28.

CERTIFICATE OF EMPLOYMENT

Election in the [Ward of the] Urban District 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 35.

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 [Ward of the] Urban District of to record his vote at the election now being held for the said [ward] [urban district], 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 twenty-one 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 [Ward of the] Urban District 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.

SECOND SCHEDULE

DECLARATION OF ACCEPTANCE OF OFFICE BY THE CHAIRMAN OF AN URBAN DISTRICT COUNCIL OR BY AN URBAN DISTRICT COUNCILLOR

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 according to the best of my judgment and ability.

* Insert description of office.

Dated this day of , 19 .

Signature.....

This declaration was made and subscribed before us

Members of the Urban District Council.† .....

.....

† If the declaration is made and subscribed before the clerk of the urban district council, or a justice of the peace or magistrate, or a commissioner for oaths, or a British consul, adapt form accordingly.

EXPLANATORY NOTE

(*This Note is not part of the Rules, but is intended to indicate their general purport.*)

These Rules revoke and replace the Urban District Council Election Rules, 1949, with the minor amendments rendered necessary by the passing of the Representation of the People Act, 1949, and the Electoral Registers Act, 1949.