



House of Commons

Monday 25 October 2010

COMMITTEE OF THE WHOLE HOUSE

PARLIAMENTARY VOTING SYSTEM AND CONSTITUENCIES BILL

NOTE

The Amendments have been arranged in accordance with the Orders of the House [12 and 19 October].

FALLEN AMENDMENTS

Under the authority of the Chairman of Ways and Means, Amendments Nos. 206 to 217, 221, 222, 12, 218 to 220, 82, 120, 251, 224, 35, 139, 103, and 123, New Clauses NC3 to 5 and 13 to 16 and New Schedule NS1 have been removed from the Amendment paper, having fallen as a result of proceedings in the Committee. The texts can be found in pages 286-356 of Committee of the whole House paper, dated 12 October 2010.

NEW CLAUSES

Press comment etc not subject to spending controls

The Deputy Prime Minister

NC19

To move the following Clause:—

‘Expenses incurred in respect of the publication of any matter relating to the referendum, other than an advertisement, in—

- (a) a newspaper or periodical,
 - (b) a broadcast made by the British Broadcasting Corporation or Sianel Pedwar Cymru, or
 - (c) a programme included in any service licensed under Part 1 or 3 of the Broadcasting Act 1990 or Part 1 or 2 of the Broadcasting Act 1996,
- are not “referendum expenses” for the purposes of Part 7 of the 2000 Act.’
-

Parliamentary Voting System and Constituencies Bill, *continued*
Combination of polls

The Deputy Prime Minister

NC20

To move the following Clause:—

- (1) Where the date of the poll for one or more of the following is the same as the date of the poll for the referendum, the polls are to be taken together—
- (a) a local authority election in England;
 - (b) a local referendum in England;
 - (c) a mayoral election in England.
- (2) The polls for the referendum and the Welsh Assembly general election in 2011 are to be taken together.
- (3) The polls for the referendum and the Scottish parliamentary general election in 2011 are to be taken together.
- (4) Where the date of the poll for one or more of the following is the same as the date of the poll for the referendum, the polls are to be taken together—
- (a) a Northern Ireland Assembly Election;
 - (b) a Northern Ireland local election.
- (5) The following have effect—
- Schedule [*Combination of polls: England*], in relation to the polls to be taken together in England under subsection (1);
 - Schedule [*Combination of polls: Wales*], in relation to the polls to be taken together in Wales under subsection (2);
 - Schedule [*Combination of polls: Scotland*], in relation to the polls to be taken together in Scotland under subsection (3);
 - Schedule [*Combination of polls: Northern Ireland*], in relation to the polls to be taken together in Northern Ireland under subsection (4).
- (6) Polls taken together under this section must not be taken together with any other polls (despite provision in any enactment to the contrary).
- (7) Section 16 of the Representation of the People Act 1985 (postponement of poll at parish elections etc) does not apply to any polls taken together under subsection (1).
- (8) In this section—
- “local authority election in England” means the election of a councillor of any of the following—
 - (a) a county council in England;
 - (b) a district council in England;
 - (c) a London borough council;
 - (d) a parish council;
 - “local referendum in England” means a referendum held in England under Part 2 of the Local Government Act 2000;
 - “mayoral election in England” means an election in England for the return of an elected mayor as defined by section 39(1) of the Local Government Act 2000;
 - “Northern Ireland Assembly election” means an election to the Northern Ireland Assembly;
 - “Northern Ireland local election” means a local election as defined by section 130(1) of the Electoral Law Act (Northern Ireland) 1962;
 - “Scottish parliamentary general election” means an ordinary election under section 2 of the Scotland Act 1998;

Parliamentary Voting System and Constituencies Bill, *continued*

“Welsh Assembly general election” means an ordinary election under section 3 of the Government of Wales Act 2006.’.

As Amendments to The Deputy Prime Minister’s proposed New Clause (*Combination of polls*) (NC20):—

Edward Miliband
Sadiq Khan
Chris Bryant
Mr Peter Hain

(a)

Line 1, leave out subsection (1) and insert—

‘(1) Where the date of the poll for a local authority election in England is the same as the date of the poll for the referendum, the polls are to be taken together.’.

Edward Miliband
Sadiq Khan
Chris Bryant
Mr Peter Hain

(b)

Line 10, leave out subsection (4) and insert—

‘(4) Where the date of the poll for a Northern Ireland Assembly Election is the same as the date of the poll for the referendum, the polls are to be taken together.’.

Edward Miliband
Sadiq Khan
Chris Bryant
Mr Peter Hain

(c)

Leave out lines 35 to 39.

Edward Miliband
Sadiq Khan
Chris Bryant
Mr Peter Hain

(d)

Leave out lines 42 and 43.

Parliamentary Voting System and Constituencies Bill, *continued**Restrictions on ministerial conduct*

Mr Bernard Jenkin
Mr David Davis
Mrs Eleanor Laing
Mr Edward Leigh
Mr Christopher Chope
Mr William Cash

NC1

To move the following Clause:—

- (1) Section 125 of the 2000 Act (*restriction on publication etc. of promotional material by central and local government etc*) shall be amended as follows.
- (2) After subsection (2) there shall be inserted—
 - “(2A) Any breach of the prohibition in subsection (2) above by or on behalf of a Minister of the Crown shall be treated as a breach by that Minister of any code in force from time to time governing the conduct of Ministers of the Crown.”.
- (3) After subsection (3)(c) there shall be inserted—
 - “(ca) an indication by a Minister of the Crown, whether or not in response to enquiries, how they intend to vote in the referendum;
 - (cb) a justification of any such voting intention by a Minister of the Crown by reference to material published before the commencement of the relevant period by any person or published during the relevant period by a person or body designated under section 108”.
- (4) After subsection (3) there shall be inserted—
 - “(3A) Subsection (3)(cb) above does not extend to material published or republished during the relevant period by a person or body designated under section 108 if it consists of material whose original publication by any person or body (whether lawfully authorised or not) would itself constitute a breach of the prohibition in subsection (2).”.

Further referendums

Mr Bernard Jenkin
Mr David Davis
Mrs Eleanor Laing
Mr Edward Leigh
Mr Christopher Chope
Mr William Cash

NC2

To move the following Clause:—

Parliamentary Voting System and Constituencies Bill, *continued*

‘No further referendum may be held in relation to the voting system for parliamentary elections until the end of the period of seven years starting with the day on which the referendum required by section 1 was held.’.

Ministerial offices

Mark Reckless

NC6

To move the following Clause:—

- ‘(1) The House of Commons Disqualification Act 1975 is amended as follows.
- (2) In section 2(1), replace “ninety-five” with “eighty-eight”.’.

Variation in limit of number of holders of Ministerial offices

Mr Charles Walker
Mr Graham Allen
Mr Graham Brady
Caroline Lucas
Mrs Anne Main
Mr Nigel Dodds

NC7

To move the following Clause:—

- ‘(1) The House of Commons Disqualification Act 1975 is amended as follows.
- (2) For section 2(1) substitute—
 - “(1) The number of holders of offices specified in Schedule 2 to this Act (in this section referred to as Ministerial offices) entitled to sit and vote in the House of Commons at any one time, whether paid or unpaid, must not exceed 95 if the number of constituencies in the United Kingdom is 650.”.
- (3) After section 2(1) insert—
 - “(1A) If the number of constituencies in the United Kingdom decreases below 650, the limit on the number of holders of Ministerial offices entitled to sit and vote in the House of Commons referred to in section 2(1) must be decreased by at least a proportionate amount.”.
- (4) In subsection (2), after “subsection (1)”, insert “or subsection (1A)”.’.

Parliamentary Voting System and Constituencies Bill, *continued*
Proportional representation in Parliament

Andrew George

NC8

To move the following Clause:—

- ‘(1) Members of the House of Commons shall have weighted representation in the House of Commons in respect of each parliamentary vote which a Minister has announced in the House of Commons shall be a whipped vote.
- (2) The weighted vote of each Member shall be determined by the number of votes cast for the party they stood for at the time of the last general election divided by the number of parliamentary seats gained by that party in accordance with the equation below:

$$\frac{V}{S}$$

where V is the total number of first preference votes (under the alternative vote system) or votes (under the first past the post system) and S is the number of parliamentary seats secured by the party at the general election.

- (3) For the purposes of this clause a political party is as defined in the Political Parties, Elections and Referendums Act 2000.
- (4) Any Member of Parliament elected to the House of Commons at times other than a general election will be assumed to have an unweighted single vote.
- (5) An unweighted single vote shall be defined by the following equation

$$\frac{TV}{TS}$$

where TV is the total number of votes cast in the general election and TS is the total number of parliamentary seats represented in the House of Commons following the general election.

- (6) On those occasions when the Government determine that the matter which may divide the House of Commons is not a whipped vote, the weighting of votes shall not apply.
- (7) If any Member of Parliament decides no longer to take the whip of the political party for which they are elected at the preceding election their vote shall be whichever is the less of—
- (a) the weighting of the party whip they adopt; and
 - (b) an unweighted single vote.’.

Mandatory voting at general elections: amendments
Mr Roger Godsiff
Fiona Mactaggart

NC9

To move the following Clause:—

- ‘(1) All persons on the electoral register in the case of United Kingdom parliamentary general elections must, unless they have a reasonable excuse, either—
- (a) attend the polling station at which they are to vote on election day during the hours when the poll is open and receive a ballot paper, or

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- (b) request that a ballot paper be sent to them by post.
- (2) Electoral registration officers must issue penalty notices to all persons on the electoral register for which they are responsible who have not complied with one of the requirements in subsection (1).
- (3) On receipt of a penalty notice the elector concerned must either—
- (a) pay a penalty of not more than £50, or
 - (b) give notice within 28 days of an appeal under the mechanism prescribed under subsection (5).
- (4) For each complete period of 28 days in which a person sent a penalty notice does not pay the penalty, the penalty payable shall rise by a further £50.
- (5) The Secretary of State must by order prescribe an appeal mechanism for notices issued under subsection (2), which must include provision for electors to offer a reasonable excuse for not complying with subsection (1).
- (6) An order under subsection (5) is to be made by statutory instrument and is subject to annulment in pursuance of a resolution of either House of Parliament.
- (7) Electoral registration officers must comply with any guidance issued by the Secretary of State about their responsibilities under this section.’.

European parliamentary elections: Saint-Lague method

Caroline Lucas
Jonathan Edwards

NC10

To move the following Clause:—

- ‘(1) The European Parliamentary Elections Act 2002 shall be amended as follows.
- (2) In section 2, for subsection (6) there shall be substituted—
- “(6) The second and subsequent seats are to be allocated in the same way, except that the number of votes given to a party to which one or more seats have already been allocated are to be divided by $2S + 1$, where S is the number of seats already allocated to that party.”.’.

Recommendations to the Boundary Commission

Susan Elan Jones

NC11

To move the following Clause:—

‘Where a substantial number of representations proposing changes to the Commission’s provisional recommendations are received but the Commission decides not to arrange a public inquiry, the Commission shall request an Assistant Commissioner drawn from a national panel of independent lawyers, to consider all written representations together with the provisional recommendations and

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publish a summary of the main points and the Assistant Commissioner's own recommendations to the Boundary Commission.'.

Commencement: Wales

Susan Elan Jones

NC12

To move the following Clause:—

'Notwithstanding any provision of this or any other Act, there shall be no change to the number of boundaries or constituencies in Wales unless the Assembly Act provisions as defined in Part 4 of the Government of Wales Act 2006 have come into force.'.

*Candidates at general elections to the National Assembly for Wales*Jonathan Edwards
Hywel Williams
Mr Elfyn Llwyd
Mr Mark Williams
Roger Williams**NC17**

To move the following Clause:—

'In section 7 of the Government of Wales Act 2006 (Candidates at general elections), subsections 5 (c) and 6 (c) are repealed.'.

*Overseas constituency*Andrew Rosindell
Andrew Percy
Mr Graham Brady**NC18**

To move the following Clause:—

'(1) The 1986 Act after section 1(1) there is inserted—

“(1A) There shall for the purposes of parliametary elections be a constituency named the Overseas constituency, returning a single member, for British subjects of Overseas Territories and Crown Dependencies who have expressed a wish to participate in United Kingdom parliamentary elections.

Parliamentary Voting System and Constituencies Bill, *continued*

- (1B) A Boundary Commission may make a report under section 3 of this Act (Reports of the Boundary Commissions) if in its view the number of members to be elected from the Overseas constituency should increase, in which case references in that section to “the part of the United Kingdom” should be disregarded.
- (1C) If a Boundary Commission makes a report under subsection (1B) of this Act, sections 3A (Reviews and proposed recommendations by Boundary Commissions), 4 (Orders in Council) and 5 (Notices) of this Act apply to that report.
- (1D) Entitlement to vote in the Overseas constituency must be based on the register prepared under section (2)(1A) of the Parliamentary Voting System and Constituencies Act 2010.”.

NEW SCHEDULES

The Deputy Prime Minister

NS2

To move the following Schedule:—

‘COMBINATION OF POLLS: ENGLAND

PART 1

PROVISION ABOUT COMBINATION

GENERAL PROVISIONS

Interpretation

- 1 (1) An election or local referendum the poll for which is, under section [*Combination of polls*](1), to be taken together with the poll for the referendum under section 1 is referred to in this Schedule as a “relevant election”.
- (2) The polls to be taken together are referred to in this Schedule as “combined polls”.
- (3) In relation to a local referendum, expressions used in this Part of this Schedule are to be construed in accordance with the following table.

<i>Expression</i>	<i>Meaning</i>
“Counting agent”	Counting observer as defined by regulation 2(1) of the Local Authorities (Conduct of Referendums) (England) Regulations 2007 (S.I. 2007/2089).
“Election agent”	Counting observer as defined by that regulation.
“Polling agent”	Polling observer as defined by that regulation.
“Returning officer”	Counting officer as defined by that regulation.

Parliamentary Voting System and Constituencies Bill, *continued*

<i>Expression</i>	<i>Meaning</i>
“Elector”	Voter as defined by rule 2(1) of the Local Referendums (Combination of Polls) Rules.
2	<p>In this Schedule—</p> <p>“counting agent” means a counting agent for the referendum or a counting agent for a relevant election (except where one or other is specified);</p> <p>“local authority” means—</p> <ul style="list-style-type: none"> (e) a county council in England; (f) a district council; (g) a London borough council; (h) a parish council; <p>“Local Elections (Combination of Polls) Rules” means the rules set out in Schedule 3 to the Local Elections (Principal Areas) (England and Wales) Rules 2006 (S.I. 2006/3304);</p> <p>“local referendum” means a referendum held in England under Part 2 of the Local Government Act 2000;</p> <p>“Local Referendums (Combination of Polls) Rules” means the rules set out in Schedule 5 to the Local Authorities (Conduct of Referendums) (England) Regulations 2007 (S.I. 2007/2089);</p> <p>“Mayoral Elections (Combination of Polls) Rules” means the rules set out in Schedule 3 to the Local Authorities (Mayoral Elections) (England and Wales) Regulations 2007 (S.I. 2007/1024);</p> <p>“Parish Elections (Combination of Polls) Rules” means the rules set out in Schedule 3 to the Local Elections (Parishes and Communities) (England and Wales) Rules 2006 (S.I. 2006/3305).</p>

Functions to be performed by counting officer

- 3
- (1) The specified functions of a returning officer for a relevant election are to be carried out instead by the counting officer for the voting area in which the relevant election is to be held.
 - (2) The specified functions are those specified in regulation 5 of the Representation of the People (Combination of Polls) (England and Wales) Regulations 2004 (S.I. 2004/294) (so far as relating to relevant elections).
 - (3) This paragraph applies instead of regulation 4 of those regulations so far as it relates to the functions of returning officers.

Attendance and conduct of observers

- 4
- Section 6E of the 2000 Act has effect as if for subsection (4) there were substituted—
- “(4) A relevant officer is—
- (a) in the case of proceedings at a polling station, the presiding officer;
 - (b) in the case of any other proceedings at the issue or receipt of postal ballot papers, the relevant returning or counting officer within the meaning of regulation 64 of the Representation of the People (England and Wales) Regulations 2001 (S.I. 2001/341);

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- (c) in the case of any proceedings at the counting of votes, the counting or returning officer responsible for counting the votes under paragraph 44(1) or (3) of Schedule [*Combination of polls: England*] to the Parliamentary Voting System and Constituencies Act 2010;
- (d) in the case of any proceedings not mentioned in paragraph (a), (b) or (c), the counting officer for the referendum on the voting system for United Kingdom parliamentary elections;
- (e) such other person as a person mentioned in paragraph (a), (b), (c) or (d) authorises for the purposes of the proceedings mentioned in that paragraph.”

Cost of combined polls

- 5 The cost of taking the combined polls (excluding any cost solely attributable to the referendum or to a particular relevant election), and any cost attributable to their combination, is to be apportioned equally among them.
- 6 (1) In section 36 of the 1983 Act (local authority elections), subsections (4), (5) and (6) apply—
- (a) as if a reference to a returning officer included a reference to a counting officer carrying out functions that, but for this Schedule, would be exercisable by a returning officer (“transferred functions”), and
 - (b) as if, in relation to that counting officer, a reference to expenditure or expenses were to expenditure or expenses in respect of transferred functions.
- (2) In fixing a scale under subsection (4) or (5) of that section a local authority may include special provision in respect of expenditure incurred by a counting officer in carrying out transferred functions (including expenditure incurred in respect of the remuneration of presiding officers or clerks).

Application of other provisions about combination of polls

- 7 (1) The following regulations have effect as if a reference to “a relevant election or referendum” included a reference to the referendum under section 1.
- (2) The regulations are—
- (a) the Local Elections (Principal Areas) (England and Wales) Rules 2006;
 - (b) the Local Elections (Parishes and Communities) (England and Wales) Rules 2006;
 - (c) the Local Authorities (Conduct of Referendums) (England) Regulations 2007;
 - (d) the Local Authorities (Mayoral Elections) (England and Wales) Regulations 2007.
- (3) In relation to the referendum, expressions used in the regulations are to be construed in accordance with the following table.

<i>Expression</i>	<i>Meaning</i>
“Counting agent”	Counting agent appointed under rule 17 of the referendum rules.
“Election agent”	Counting agent appointed under rule 17 of the referendum rules.

Parliamentary Voting System and Constituencies Bill, *continued*

<i>Expression</i>	<i>Meaning</i>
“Polling agent”	Polling agent appointed under rule 17 of the referendum rules.
“Voting area”	Voting area as defined by section 5.

Forms

- 8 Forms 2, 3, 5, 6 and 8 in Part 3 of this Schedule are “relevant forms” for the purposes of rule 9A of the referendum rules.

ACTION TO BE TAKEN BEFORE POLL

Corresponding number lists

- 9 (1) This paragraph applies where proceedings on the issue and receipt of postal ballot papers are taken together by virtue of regulation 65 of the Representation of the People (England and Wales) Regulations 2001.
- (2) If the counting officer thinks fit, the lists to be prepared under the following provisions may be combined in the form set out in Form 1 in Part 3 of this Schedule—
- (a) rule 6 of the referendum rules;
 - (b) rule 17 of the Local Elections (Combination of Polls) Rules;
 - (c) rule 17 of the Parish Elections (Combination of Polls) Rules;
 - (d) rule 8 of the Local Referendums (Combination of Polls) Rules;
 - (e) rule 19 of the Mayoral Elections (Combination of Polls) Rules.
- (3) In that case, this paragraph applies instead of—
- (a) rule 6(2) of the referendum rules;
 - (b) rule 17(2) of the Local Elections (Combination of Polls) Rules;
 - (c) rule 17(2) of the Parish Elections (Combination of Polls) Rules;
 - (d) rule 8(3) of the Local Referendums (Combination of Polls) Rules;
 - (e) rule 19(2) of the Mayoral Elections (Combination of Polls) Rules.
- 10 (1) This paragraph applies where proceedings on the issue and receipt of postal ballot papers are not taken together by virtue of regulation 65 of the Representation of the People (England and Wales) Regulations 2001.
- (2) If the counting officer thinks fit, the officer may prepare a single list containing the numbers and other unique identifying marks of all of the ballot papers to be provided to presiding officers in pursuance of the following provisions—
- (a) rule 16(1) of the referendum rules;
 - (b) rule 26(1) of the Local Elections (Combination of Polls) Rules;
 - (c) rule 26(1) of the Parish Elections (Combination of Polls) Rules;
 - (d) rule 17(1) of the Local Referendums (Combination of Polls) Rules;
 - (e) rule 28 of the Mayoral Elections (Combination of Polls) Rules.
- (3) The list must be in the form set out in Form 1 in Part 3 of this Schedule.
- (4) If a list is prepared in relation to ballot papers under this paragraph, the list prepared under the following provisions must not include details relating to those ballot papers—
- (a) rule 6 of the referendum rules;
 - (b) rule 17 of the Local Elections (Combination of Polls) Rules;

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- (c) rule 17 of the Parish Elections (Combination of Polls) Rules;
 - (d) rule 8 of the Local Referendums (Combination of Polls) Rules;
 - (e) rule 19 of the Mayoral Elections (Combination of Polls) Rules.
- (5) A reference in an enactment to a list prepared under a provision mentioned in sub-paragraph (4) has effect, in so far as it relates to ballot papers to be provided in pursuance of the provisions mentioned in sub-paragraph (2), as a reference to the list prepared under this paragraph.

Notice of poll

- 11 (1) The notice of the poll for each relevant election must be published by not later than the 15th day before the date of the poll.
- (2) The timetables set out in the following provisions are to be read with whatever modifications are necessary to give effect to sub-paragraph (1)—
- (a) rule 1 of the Local Elections (Combination of Polls) Rules;
 - (b) rule 1 of the Parish Elections (Combination of Polls) Rules;
 - (c) rule 3 of the Local Referendums (Combination of Polls) Rules;
 - (d) rule 3 the Mayoral Elections (Combination of Polls) Rules.
- (3) Sub-paragraph (1) applies instead of rule 12(2) of the Local Referendums (Combination of Polls) Rules.

Notice of polling stations

- 12 The notice given under rule 10(3) of the referendum rules must—
- (a) state that the poll for the referendum is to be taken together with the poll for each relevant election,
 - (b) specify the local authority for which each relevant election is to be held, and
 - (c) where any of the polls are to be taken together in part only of a voting area for the referendum, specify that part.

Postal voting statements

- 13 (1) This paragraph applies where proceedings on the issue and receipt of postal ballot papers are taken together by virtue of regulation 65 of the Representation of the People (England and Wales) Regulations 2001.
- (2) The form of postal voting statement to be issued to those who are entitled to vote by post in the referendum and in each relevant election must be in the form set out in Form 2 in Part 3 of this Schedule.
- (3) Where that form is used, this paragraph applies instead of any requirement in the following provisions for a postal voting statement to be in a particular form.
- (4) The provisions are—
- (a) rule 11(1)(b) of the referendum rules;
 - (b) rule 22(1) of the Local Elections (Combination of Polls) Rules;
 - (c) rule 22(1) of the Parish Elections (Combination of Polls) Rules;
 - (d) rule 13(1) of the Local Referendums (Combination of Polls) Rules;
 - (e) rule 24(1) of the Mayoral Elections (Combination of Polls) Rules.
- 14 (1) This paragraph applies where proceedings on the issue and receipt of postal ballot papers are not taken together by virtue of regulation 65 of the Representation of the People (England and Wales) Regulations 2001.
- (2) The form of postal voting statement to be issued to those entitled to vote by post in the referendum must be in the form set out in Form 3 in Part 3 of this Schedule.

Parliamentary Voting System and Constituencies Bill, *continued*

- (3) This paragraph applies instead of the requirement in rule 11(1)(b) of the referendum rules for a postal voting statement to be in a particular form.

Colour of ballot papers

- 15 The ballot papers used for the referendum must be of a different colour from the ballot papers used for any relevant election.

Polling stations

- 16 (1) The referendum polling stations are to be used for the combined polls.
(2) This paragraph applies instead of—
(a) regulation 4 of the Representation of the People (Combination of Polls) (England and Wales) Regulations 2004 so far as it relates to polling stations;
(b) rule 14(2) of the Local Referendums (Combination of Polls) Rules.

Official poll cards

- 17 (1) If the counting officer thinks fit, the official poll cards used for the referendum and for the relevant elections may be combined.
(2) In that case, the forms required to be used for official poll cards for the referendum and relevant elections must be adapted in whatever manner seems necessary.
(3) In sub-paragraph (1) “relevant election” does not include the election of a councillor of a parish council.
(4) This paragraph applies instead of—
(a) rule 25(6) of the Local Elections (Combination of Polls) Rules;
(b) rule 16(6) of the Local Referendums (Combination of Polls) Rules;
(c) rule 27(6) of the Mayoral Elections (Combination of Polls) Rules.

Ballot boxes

- 18 (1) If the counting officer thinks fit, the same ballot box may be used at the polls for the referendum and the relevant elections.
(2) Where separate ballot boxes are used, each must be clearly marked to show—
(a) the poll to which it relates, and
(b) the colour of ballot papers that should be placed in it.
(3) This paragraph applies instead of—
(a) rule 26(2) and (7) of the Local Elections (Combination of Polls) Rules;
(b) rule 26(2) and (7) of the Parish Elections (Combination of Polls) Rules;
(c) rule 17(2) and (7) of the Local Referendums (Combination of Polls) Rules;
(d) rule 28(2) and (7) of the Mayoral Elections (Combination of Polls) Rules.

Form of corresponding number lists provided to polling stations

- 19 (1) If the counting officer thinks fit, the lists to be provided under the following provisions may be combined in the form set out in Form 4 in Part 3 of this Schedule—
(a) rule 16(3)(d) of the referendum rules;

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- (b) rule 26(4)(d) of the Local Elections (Combination of Polls) Rules;
 - (c) rule 26(4)(d) of the Parish Elections (Combination of Polls) Rules;
 - (d) rule 17(4)(d) of the Local Referendums (Combination of Polls) Rules;
 - (e) rule 28(4)(d) of the Mayoral Elections (Combination of Polls) Rules.
- (2) In that case, this paragraph applies instead of the second sentence in rule 16(3) of the referendum rules.

Ballot paper displayed in polling stations

- 20 The large version of the ballot paper displayed inside the polling station under rule 16(4)(a) of the referendum rules must be of the same colour as the ballot papers to be used for the referendum.

Guidance to be exhibited inside and outside polling stations

- 21 (1) A notice in the form set out in Form 5 in Part 3 of this Schedule, giving directions for the guidance of voters in voting, must be printed in conspicuous characters and exhibited inside and outside every polling station.
- (2) This paragraph applies instead of—
- (a) rule 16(6) of the referendum rules;
 - (b) rule 26(8) of the Local Elections (Combination of Polls) Rules;
 - (c) rule 26(8) of the Parish Elections (Combination of Polls) Rules;
 - (d) rule 17(8) of the Local Referendums (Combination of Polls) Rules;
 - (e) rule 28(8) of the Mayoral Elections (Combination of Polls) Rules.

Guidance to be exhibited in each polling station compartment

- 22 (1) A notice in the form set out in Form 6 in Part 3 of this Schedule, giving directions for the guidance of voters in voting, must be exhibited in every compartment of every polling station.
- (2) This paragraph applies instead of—
- (a) rule 16(7) of the referendum rules;
 - (b) rule 26(10) of the Local Elections (Combination of Polls) Rules;
 - (c) rule 26(10) of the Parish Elections (Combination of Polls) Rules;
 - (d) rule 17(10) of the Local Referendums (Combination of Polls) Rules;
 - (e) rule 28(10) of the Mayoral Elections (Combination of Polls) Rules.

Notice of appointment of polling and counting agents

- 23 (1) A notice required to be given to a returning officer for a relevant election under any of the following provisions is to be given instead to the counting officer for the voting area in which the relevant election is to be held—
- (a) rule 27(5), (7) or (8) of the Local Elections (Combination of Polls) Rules;
 - (b) rule 27(5) or (7) of the Parish Elections (Combination of Polls) Rules;
 - (c) rule 29(7), (9) or (10) of the Mayoral Elections (Combination of Polls) Rules.
- (2) This paragraph applies instead of—
- (a) rule 27(6) of the Local Elections (Combination of Polls) Rules;
 - (b) rule 27(6) of the Parish Elections (Combination of Polls) Rules;
 - (c) rule 29(8) of the Mayoral Elections (Combination of Polls) Rules.

Parliamentary Voting System and Constituencies Bill, *continued*

THE POLL

Admission to the polling station

- 24 Rule 20(1) of the referendum rules has effect as if the persons listed there included persons who would be entitled to be admitted to the polling station for any relevant election if the poll for that relevant election were held on its own.

Voting by persons on duty on day of poll

- 25 (1) Paragraph 2(5) of Schedule 3 has effect as if in the words after paragraph (b) the reference to any polling station were to any polling station in the same voting area as the allotted polling station.
- (2) A certificate as to employment on duty on the day of the poll for the referendum must be in the form set out in Form 7 in Part 3 of this Schedule.
- (3) Sub-paragraph (2) applies instead of rule 20(4)(b) of the referendum rules.

Questions put to voters: local referendums

- 26 The Table in rule 26 of the Local Referendums (Combination of Polls) Rules has effect as if for “this referendum”, in each place, there were substituted “this (*specify local authority*) referendum”.

Voting procedure: copies of registers and absent voters lists

- 27 (1) If the counting officer thinks fit, the same copy of the register of electors may be used under the following provisions for the purposes of the referendum and the relevant elections—
- (a) rule 27(2) of the referendum rules;
 - (b) rule 35(1) of the Local Elections (Combination of Polls) Rules;
 - (c) rule 35(1) of the Parish Elections (Combination of Polls) Rules;
 - (d) rule 28(1) of the Local Referendums (Combination of Polls) Rules;
 - (e) rule 37(1) of the Mayoral Elections (Combination of Polls) Rules.
- (2) Sub-paragraphs (3) and (4) apply where the same copy of the register is used as mentioned in sub-paragraph (1).
- (3) In a case where a ballot paper is delivered at the same time in respect of the referendum and each relevant election, a single mark must be placed in the register against the number of the elector under—
- (a) rule 27(2)(c) of the referendum rules,
 - (b) rule 35(1)(c) of the Local Elections (Combination of Polls) Rules,
 - (c) rule 35(1)(c) of the Parish Elections (Combination of Polls) Rules,
 - (d) rule 28(1)(c) of the Local Referendums (Combination of Polls) Rules, and
 - (e) rule 37(1)(c) of the Mayoral Elections (Combination of Polls) Rules.
- (4) In any other case, a mark must be placed in the register against the number of the elector identifying the poll to which each ballot paper delivered relates.
- (5) In the case of an elector who is added to the register in pursuance of a notice issued under section 13B(3B) or (3D) of the 1983 Act—
- (a) references in this paragraph to the copy of the register of electors are to be read as references to the copy of the notice;
 - (b) references to a mark being placed in the register of electors are to be read as references to a mark being made on the copy of the notice.

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- (6) This paragraph applies instead of—
 - (a) rule 35(6) of the Local Elections (Combination of Polls) Rules;
 - (b) rule 35(6) of the Parish Elections (Combination of Polls) Rules;
 - (c) rule 28(6) of the Local Referendums (Combination of Polls) Rules;
 - (d) rule 37(6) of the Mayoral Elections (Combination of Polls) Rules.
- 28 (1) If the counting officer thinks fit, the counting officer may require the relevant registration officer to produce a combined list of proxies for the referendum and the relevant elections.
- (2) The following provisions apply where the lists are combined and a person applies for a ballot paper as proxy.
- (3) Immediately before delivery of the ballot paper the list of proxies must be marked in a way that identifies—
 - (a) the proxy,
 - (b) the elector for whom the proxy is applying for the ballot paper, and
 - (c) the referendum or relevant election to which the ballot paper relates.
- (4) Sub-paragraph (3) applies instead of—
 - (a) rule 27(2)(d) of the referendum rules;
 - (b) rule 35(1)(d) of the Local Elections (Combination of Polls) Rules;
 - (c) rule 35(1)(d) of the Parish Elections (Combination of Polls) Rules;
 - (d) rule 28(1)(d) of the Local Referendums (Combination of Polls) Rules;
 - (e) rule 37(1)(d) of the Mayoral Elections (Combination of Polls) Rules.
- 29 (1) This paragraph applies where proceedings on the issue and receipt of postal ballot papers are taken together by virtue of regulation 65 of the Representation of the People (England and Wales) Regulations 2001.
- (2) If the counting officer thinks fit, the counting officer may require the relevant registration officer to produce a combined postal voters list and a combined proxy postal voters list for the referendum and the relevant elections.

List of votes marked by presiding officer

- 30 (1) If the counting officer thinks fit, a single list of votes marked by the presiding officer may be used for the purposes of the referendum and the relevant elections.
- (2) Where a person's entry in that list does not relate to the referendum and each relevant election the entry must—
 - (a) indicate whether it relates to the referendum, and
 - (b) identify any relevant election to which it relates.
- (3) In this paragraph "list of votes marked by the presiding officer" means a list compiled under—
 - (a) rule 29(4) of the referendum rules,
 - (b) rule 36(2) of the Local Elections (Combination of Polls) Rules,
 - (c) rule 36(2) of the Parish Elections (Combination of Polls) Rules,
 - (d) rule 29(2) of the Local Referendums (Combination of Polls) Rules, or
 - (e) rule 38(2) of the Mayoral Elections (Combination of Polls) Rules.
- (4) This paragraph applies instead of—
 - (a) rule 36(4) of the Local Elections (Combination of Polls) Rules;
 - (b) rule 36(4) of the Parish Elections (Combination of Polls) Rules;
 - (c) rule 29(4) of the Local Referendums (Combination of Polls) Rules;
 - (d) rule 38(5) of the Mayoral Elections (Combination of Polls) Rules.

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Declaration to be made by the companion of a voter with disabilities

- 31 (1) A declaration made by the companion of a voter with disabilities must be in the form set out in Form 8 in Part 3 of this Schedule.
- (2) In this paragraph “declaration made by the companion of a voter with disabilities” means a declaration made by a companion under—
- (a) rule 30 of the referendum rules,
 - (b) rule 37 of the Local Elections (Combination of Polls) Rules,
 - (c) rule 37 of the Parish Elections (Combination of Polls) Rules,
 - (d) rule 30 of the Local Referendums (Combination of Polls) Rules, or
 - (e) rule 39 of the Mayoral Elections (Combination of Polls) Rules.
- (3) This paragraph applies instead of—
- (a) rule 30(5)(a) of the referendum rules;
 - (b) rule 37(7)(a) of the Local Elections (Combination of Polls) Rules;
 - (c) rule 37(7)(a) of the Parish Elections (Combination of Polls) Rules;
 - (d) rule 30(7)(a) of the Local Referendums (Combination of Polls) Rules;
 - (e) rule 39(8)(a) of the Mayoral Elections (Combination of Polls) Rules.

List of voters with disabilities assisted by companions

- 32 (1) If the counting officer thinks fit, a single list of voters with disabilities assisted by companions may be used for the purposes of the referendum and the relevant elections.
- (2) Where a person’s entry in that list does not relate to the referendum and each relevant election the entry must—
- (a) indicate whether it relates to the referendum, and
 - (b) identify any relevant election to which it relates.
- (3) In this paragraph “list of voters with disabilities assisted by companions” means a list compiled under—
- (a) rule 30(8) of the referendum rules,
 - (b) rule 37(4) of the Local Elections (Combination of Polls) Rules,
 - (c) rule 37(4) of the Parish Elections (Combination of Polls) Rules,
 - (d) rule 30(4) of the Local Referendums (Combination of Polls) Rules, or
 - (e) rule 39(4) of the Mayoral Elections (Combination of Polls) Rules.
- (4) This paragraph applies instead of—
- (a) rule 37(6) of the Local Elections (Combination of Polls) Rules;
 - (b) rule 37(6) of the Parish Elections (Combination of Polls) Rules;
 - (c) rule 30(6) of the Local Referendums (Combination of Polls) Rules;
 - (d) rule 39(7) of the Mayoral Elections (Combination of Polls) Rules.

Tendered votes list

- 33 (1) If the counting officer thinks fit, a single tendered votes list may be used for the purposes of the referendum and the relevant elections.
- (2) Where a person’s entry in that list does not relate to the referendum and each relevant election the entry must—
- (a) indicate whether it relates to the referendum, and
 - (b) identify any relevant election to which it relates.
- (3) In this paragraph “tendered votes list” means a list compiled under—
- (a) rule 32(7) of the referendum rules,

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- (b) rule 39(2) of the Local Elections (Combination of Polls) Rules,
 - (c) rule 39(2) of the Parish Elections (Combination of Polls) Rules,
 - (d) rule 32(2) of the Local Referendums (Combination of Polls) Rules, or
 - (e) rule 41(2) of the Mayoral Elections (Combination of Polls) Rules.
- (4) This paragraph applies instead of—
- (a) rule 39(3) of the Local Elections (Combination of Polls) Rules;
 - (b) rule 39(3) of the Parish Elections (Combination of Polls) Rules;
 - (c) rule 32(3) of the Local Referendums (Combination of Polls) Rules;
 - (d) rule 41(3) of the Mayoral Elections (Combination of Polls) Rules.

Lists relating to correction of errors on day of poll

- 34 (1) If the counting officer thinks fit, a single list of persons to whom ballot papers are delivered in consequence of late alterations to the register may be used for the purposes of the referendum and the relevant elections.
- (2) Where a person's entry in that list does not relate to the referendum and each relevant election the entry must—
- (a) indicate whether it relates to the referendum, and
 - (b) identify any relevant election to which it relates.
- (3) In this paragraph "list of persons to whom ballot papers are delivered in consequence of late alterations to the register" means a list compiled under—
- (a) rule 35 of the referendum rules,
 - (b) rule 41(1) of the Local Elections (Combination of Polls) Rules,
 - (c) rule 41(1) of the Parish Elections (Combination of Polls) Rules,
 - (d) rule 34(1) of the Local Referendums (Combination of Polls) Rules, or
 - (e) rule 43(1) of the Mayoral Elections (Combination of Polls) Rules.
- (4) This paragraph applies instead of—
- (a) rule 41(2) of the Local Elections (Combination of Polls) Rules;
 - (b) rule 41(2) of the Parish Elections (Combination of Polls) Rules;
 - (c) rule 34(2) of the Local Referendums (Combination of Polls) Rules;
 - (d) rule 43(2) of the Mayoral Elections (Combination of Polls) Rules.

Notice of adjournment in case of riot

- 35 In the following provisions, references to a returning officer are to be read as references to the counting officer—
- (a) rule 42(1) of the Local Elections (Combination of Polls) Rules;
 - (b) rule 42(1) of the Parish Elections (Combination of Polls) Rules;
 - (c) rule 44(1) of the Mayoral Elections (Combination of Polls) Rules.

Procedure on close of poll

- 36 (1) In rule 37(1) of the referendum rules the reference to polling agents includes a reference to polling agents appointed for the purposes of any relevant election.
- (2) A packet made up under rule 37(1)(b), (c) or (f) of the referendum rules may not be combined with a packet made up under a corresponding provision of the rules governing any relevant election.
- (3) The ballot paper account prepared under rule 37(6) of the referendum rules may not be combined with the ballot paper account for any relevant election.
- 37 (1) In the following provisions, references to a returning officer are to be read as references to the counting officer—

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- (a) rule 43(1) of the Local Elections (Combination of Polls) Rules;
 - (b) rule 43(1) of the Parish Elections (Combination of Polls) Rules;
 - (c) rule 45(1) of the Mayoral Elections (Combination of Polls) Rules.
- (2) This paragraph applies instead of—
- (a) rule 43(3) of the Local Elections (Combination of Polls) Rules;
 - (b) rule 43(3) of the Parish Elections (Combination of Polls) Rules;
 - (c) rule 45(3) of the Mayoral Elections (Combination of Polls) Rules.

COUNTING OF VOTES

Attendance and arrangements for counting

- 38 (1) The counting officer must make arrangements for counting the ballot papers and carrying out the other functions conferred by paragraph 42 in the presence of the counting agents.
- (2) The counting officer must give the counting agents notice in writing of the time and place at which the proceedings under paragraph 42 will begin.
- (3) A person may be present at the proceedings under paragraph 42 only if—
- (a) the person is entitled to be present at the counting of the votes for the referendum or a relevant election, or
 - (b) the person is permitted by the counting officer to attend.
- (4) The counting officer may give a person permission under sub-paragraph (3)(b) only if—
- (a) the officer is satisfied that the person’s attendance will not impede the efficient conduct of the proceedings, and
 - (b) the officer has consulted the referendum agents and election agents or thought it impracticable to do so.
- (5) The counting officer must give the counting agents—
- (a) whatever reasonable facilities for overseeing the proceedings, and
 - (b) whatever information with respect to the proceedings,
- the officer can give them consistently with the orderly conduct of the proceedings and the discharge of the officer’s duties.
- 39 Rule 38(1) of the referendum rules (arrangements for the counting of votes in the referendum) has effect with the omission of the words “after the close of the poll”.
- 40 (1) The returning officer for a relevant election must make arrangements for counting the votes in the presence of the counting agents for the relevant election as soon as practicable after receiving the ballot papers from the counting officer under paragraph 43.
- (2) The returning officer must give the counting agents for the relevant election notice in writing of the time and place at which the counting of the votes for the relevant election will begin.
- (3) A person may be present at the counting of the votes for a relevant election only if—
- (a) the person is permitted by the returning officer to attend, or
 - (b) the person would be entitled to be present at the counting of votes for the relevant election if it were taken on its own.
- (4) The returning officer may give a person permission under sub-paragraph (3)(a) only if—
- (a) the officer is satisfied that the person’s attendance will not impede the efficient counting of the votes, and

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- (b) the officer has consulted the election agents or thought it impracticable to do so.
 - (5) The returning officer must give the counting agents for the relevant election—
 - (a) whatever reasonable facilities for overseeing the proceedings, and
 - (b) whatever information with respect to the proceedings,the officer can give them consistently with the orderly conduct of the proceedings and the discharge of the officer's duties.
 - (6) In particular, where the votes are counted by sorting the ballot papers into lots according to the votes marked on them and then counting the number of ballot papers in each lot, the counting agents for the relevant election are entitled to satisfy themselves that the ballot papers are correctly sorted.
- 41 Paragraphs 38 and 40 apply instead of—
- (a) rule 44 of the Local Elections (Combination of Polls) Rules;
 - (b) rule 44 of the Parish Elections (Combination of Polls) Rules;
 - (c) rule 37 of the Local Referendums (Combination of Polls) Rules;
 - (d) rule 46 of the Mayoral Elections (Combination of Polls) Rules.

Counting and separation of ballot papers by counting officer

- 42 (1) As soon as practicable after the close of the poll the counting officer must—
- (a) in the presence of the counting agents, open the ballot boxes and count and record separately the number of ballot papers relating to the referendum and each relevant election;
 - (b) where proceedings on the issue and receipt of postal ballot papers for the referendum and the relevant elections are taken together, count the postal ballot papers that have been duly returned for the referendum and the relevant election and record separately the number relating to each;
 - (c) where proceedings on the issue and receipt of postal ballot papers for the referendum and the relevant elections are not taken together, count the postal ballot papers that have been duly returned for the referendum and record the number;
 - (d) separate ballot papers relating to the referendum and those relating to each relevant election.
- (2) Rule 39(3) of the referendum rules applies for the purposes of any combined polls; but where proceedings on the issue and receipt of postal ballot papers are not taken together by virtue of regulation 65 of the Representation of the People (England and Wales) Regulations 2001, a reference in rule 39(3) to a counting officer is to be read in relation to the return of ballot papers for a relevant election as a reference to the returning officer for that relevant election.
- (3) The counting officer must not count any tendered ballot papers.
- (4) The counting officer, while counting and recording the number of ballot papers, must—
- (a) keep the ballot papers with their faces upwards, and
 - (b) take all proper precautions for preventing anyone from seeing the numbers or other unique identifying marks printed on the back of the papers.
- (5) The counting officer must, in the presence of the referendum agents and the election agents for the relevant elections—
- (a) verify each ballot paper account by comparing it with the number of ballot papers recorded by the officer, and the unused and spoilt ballot papers in the officer's possession and the tendered votes list (opening

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- and resealing the packets containing the unused and spoilt ballot papers and the tendered votes list);
- (b) draw up a separate statement as to the result of the verification in relation to each poll.
- (6) An election agent for a relevant election may copy the statement relating to that relevant election.
- (7) A counting agent for the referendum present at the verification may copy the statement relating to the referendum.
- (8) Once the statement relating to the referendum is drawn up, the counting officer must—
- (a) in the case of a voting area in a region for which a Regional Counting Officer is appointed, inform the Regional Counting Officer of the contents of the statement;
- (b) in the case of any other voting area, inform the Chief Counting Officer of the contents of the statement.
- (9) Rule 39 of the referendum rules does not apply (except for the purposes of sub-paragraph (2) above).

Delivery of ballot papers etc to returning officers

- 43 (1) The counting officer must deliver or cause to be delivered to the returning officer for a relevant election the ballot papers for the relevant election.
- (2) The counting officer must also deliver or cause to be delivered to the returning officer—
- (a) the ballot paper accounts and the statement as to the result of the verification of the ballot paper accounts for the relevant election;
- (b) the packets of unused and spoilt ballot papers for the relevant election;
- (c) the packets of tendered ballot papers for the relevant election;
- (d) the packets of certificates as to employment on duty on the day of the poll for the relevant election.
- (3) If the counting officer has not begun to count the votes given on the referendum ballot papers by the time the statements as to the result of the verification of the ballot paper accounts in relation to all the polls are prepared—
- (a) those ballot papers must be sealed into packets, each of which must be endorsed with a description of its contents, and
- (b) the packets may not be opened until the counting officer begins dealing with the ballot papers in those packets under paragraph 44(1).
- (4) If, in respect of a relevant election, none of the ballot papers have been delivered under sub-paragraph (1) by the time the statements as to the result of the verification of the ballot paper accounts in relation to all the polls are prepared—
- (a) the ballot papers for that election must be sealed into packets, each of which must be endorsed with a description of its contents, and
- (b) the packets may not be opened until the returning officer begins dealing with the ballot papers in those packets under paragraph 44(3).

Counting of votes

- 44 (1) The counting officer must count the votes given on the ballot papers for the referendum, but must not do so until—
- (a) in the case of postal ballot papers, they have been mixed with the ballot papers from at least one ballot box;

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- (b) in the case of ballot papers from a ballot box, they have been mixed with the ballot papers from at least one other ballot box.
- (2) Where proceedings on the issue and receipt of postal ballot papers for a relevant election are not taken together with those for the referendum and any other relevant elections, the returning officer for the relevant election must count the postal ballot papers that have been duly returned and record the number counted.
- (3) The returning officer for a relevant election must count the votes given on the ballot papers for the relevant election, but must not do so until—
 - (a) in the case of postal ballot papers, they have been mixed with the ballot papers from at least one ballot box;
 - (b) in the case of ballot papers from a ballot box, they have been mixed with the ballot papers from at least one other ballot box.
- (4) The counting or returning officer, while counting the votes, must—
 - (a) keep the ballot papers with their faces upwards, and
 - (b) take all proper precautions for preventing anyone from seeing the numbers or other unique identifying marks printed on the back of the papers.
- (5) The counting or returning officer must so far as practicable proceed continuously with the counting of votes, allowing only time for refreshment, except that—
 - (a) the officer may exclude the whole or any part of the period between 7 pm and 9 am on the next day;
 - (b) the officer may exclude a day mentioned in rule 2(1) of the referendum rules.
- (6) During the time so excluded the counting or returning officer must—
 - (a) place the ballot papers and other documents relating to the referendum or relevant election under the officer's own seal and the seals of any of the counting agents who want to affix their seals, and
 - (b) otherwise take proper precautions for the security of the papers and documents.
- (7) This paragraph and paragraph 45 apply instead of—
 - (a) rule 45 of the Local Elections (Combination of Polls) Rules;
 - (b) rule 45 of the Parish Elections (Combination of Polls) Rules;
 - (c) rule 38 of the Local Referendums (Combination of Polls) Rules;
 - (d) rule 47 of the Mayoral Elections (Combination of Polls) Rules.

Ballot papers placed in wrong ballot box

- 45 Where separate ballot boxes are used for the referendum and a relevant election, the placing of a ballot paper in the wrong ballot box does not render it void.

DECLARATION OF RESULT

Declaration

- 46 The result of the referendum or a relevant election may not be declared until the statement as to the result of the verification of the ballot paper accounts in relation to each poll has been prepared.

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DISPOSAL OF DOCUMENTS ETC

Packets of documents

- 47 (1) The counting officer may not open the sealed packets of—
- (a) the completed corresponding number lists for a relevant election, or
 - (b) marked copies of the register of electors (including any marked copy notices issued under section 13B(3B) or (3D) of the 1983 Act), and lists of proxies, for a relevant election.
- (2) The following provisions have effect as if paragraph (3) were omitted—
- (a) rule 51 of the Local Elections (Combination of Polls) Rules;
 - (b) rule 51 of the Parish Elections (Combination of Polls) Rules;
 - (c) rule 44 of the Local Referendums (Combination of Polls) Rules;
 - (d) rule 56 of the Mayoral Elections (Combination of Polls) Rules.

Delivery and retention of documents

- 48 (1) Rules 49(1)(a) and 51 of the referendum rules apply to the specified documents.
- (2) The specified documents are those specified in sub-paragraphs (c), (d) and (f) of paragraph (1) of—
- (a) rule 52 of the Local Elections (Combination of Polls) Rules;
 - (b) rule 52 of the Parish Elections (Combination of Polls) Rules;
 - (c) rule 45 of the Local Referendums (Combination of Polls) Rules;
 - (d) rule 57 of the Mayoral Elections (Combination of Polls) Rules.
- (3) Except for the purposes of this paragraph, those rules have effect as if they did not include a reference to the specified documents (and as if paragraph (2) were omitted).
- (4) Nothing in this paragraph prevents the following provisions from applying to the specified documents—
- (a) rule 53 of the Local Elections (Combination of Polls) Rules;
 - (b) rule 53 of the Parish Elections (Combination of Polls) Rules;
 - (c) rule 46 of the Local Referendums (Combination of Polls) Rules;
 - (d) rule 58 of the Mayoral Elections (Combination of Polls) Rules.
- (5) Each of the following provisions has effect as if for “by this rule provided” there were substituted “provided by this rule (or a court order)”—
- (a) rule 53(8) of the Local Elections (Combination of Polls) Rules;
 - (b) rule 53(8) of the Parish Elections (Combination of Polls) Rules;
 - (c) rule 46(9) of the Local Referendums (Combination of Polls) Rules;
 - (d) rule 58(9) of the Mayoral Elections (Combination of Polls) Rules.
- (6) Rule 45(1) of the Local Referendums (Combination of Polls) Rules has effect as if the words “Where” and “is the relevant returning or counting officer, he” were omitted.

Countermand or abandonment of poll on death of candidate

- 49 (1) The following provisions have effect as if they were modified in accordance with sub-paragraphs (2) and (3)—
- (a) rule 55 of the Local Elections (Combination of Polls) Rules;
 - (b) rule 55 of the Parish Elections (Combination of Polls) Rules;
 - (c) rule 60 of the Mayoral Elections (Combination of Polls) Rules.

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- (2) In paragraph (4), for “returning officer” substitute “relevant counting officer”.
- (3) In paragraph (7), for the words from the beginning to “further step” substitute “Once the ballot papers relating to each relevant election or referendum have been separated, no step or further step may be taken”.

PART 2

APPLICATION OF PROVISIONS ABOUT ISSUE AND RECEIPT OF POSTAL BALLOT PAPERS

- 50 (1) For the purposes of the combined polls, Part 5 of the Representation of the People (England and Wales) Regulations 2001 (S.I. 2001/341) applies—
- (a) with the modifications shown in the table, and
 - (b) with any other necessary modifications, including in particular those set out in sub-paragraph (2).
- (2) Except where the context otherwise requires—
- (a) in relation to an election or referendum, a reference to a provision has effect as a reference to that provision as it applies for the purposes of that election or referendum;
 - (b) expressions used in relation to the referendum under section 1 are to be construed in accordance with the definitions in section 5 and rule 52 of the referendum rules;
 - (c) expressions used in relation to a local referendum are to be construed in accordance with regulation 2 of, and paragraph 1(2) of Schedule 4 to, the Local Authorities (Conduct of Referendums) (England) Regulations 2007 (S.I. 2007/2089).
- (3) In relation to the combined polls, the modifications made by this paragraph to Part 5 of the 2001 Regulations apply instead of any modifications that would apply to that Part by virtue of—
- (a) Part 3 of Schedule 4;
 - (b) Schedule 4 to the Local Authorities (Conduct of Referendums) (England) Regulations 2007;
 - (c) Schedule 2 to the Local Authorities (Mayoral Elections) (England and Wales) Regulations 2007 (S.I. 2007/1024).

<i>Provision</i>	<i>Modification</i>
Regulation 64 (interpretation of Part 5)	For the definition of “agent” substitute— ““agent”, except in regulation 69(1) to (7)— (a) in relation to an election, includes the election agent and a person appointed to attend in the election agent’s place; (b) in relation to the referendum on the voting system for United Kingdom parliamentary elections, means a referendum agent or an agent appointed under regulation 69.”

Parliamentary Voting System and Constituencies Bill, *continued*

<i>Provision</i>	<i>Modification</i>
	<p>In the appropriate place insert—</p> <p style="padding-left: 40px;">““candidate”, in relation to an election for the return of an elected mayor, means a candidate at such an election;”.</p> <p>In the appropriate place insert—</p> <p style="padding-left: 40px;">““local referendum” means a referendum in England under Part 2 of the Local Government Act 2000;”.</p> <p>In the appropriate place insert—</p> <p style="padding-left: 40px;">““relevant election or referendum” means an election or referendum the poll for which is to be taken together with the poll for one or more other elections or referendums under section [<i>Combination of polls</i>](1) of the Parliamentary Voting System and Constituencies Act 2010;</p> <p style="padding-left: 40px;">“relevant returning or counting officer”, in relation to a relevant election or referendum, means—</p> <p style="padding-left: 80px;">(c) in a case where proceedings on the issue and receipt of postal ballot papers are taken together by virtue of regulation 65, the counting officer for the referendum on the voting system for United Kingdom parliamentary elections, and</p> <p style="padding-left: 80px;">(d) in any other case, the returning or counting officer for the election or referendum in question;”.</p> <p>In the definition of “valid postal voting statement”, after “returning officer” insert “or counting officer”.</p>
Regulation 65 (combination of proceedings on issue and receipt of postal ballot papers)	<p>For regulation 65 substitute—</p> <p>“65 Combination of proceedings on issue and receipt of postal ballot papers</p> <p>(1) This regulation applies where the polls for two or more relevant elections or referendums are taken together under section [<i>Combination of polls</i>](1) of the Parliamentary Voting System and Constituencies Act 2010.</p> <p>(2) The proceedings on the issue and receipt of postal ballot papers in respect of the polls may be taken together if the returning and counting officers think fit.”</p>

Parliamentary Voting System and Constituencies Bill, *continued*

<i>Provision</i>	<i>Modification</i>
Regulation 66 (form of postal voting statement)	Omit the whole regulation.
Regulation 67 (persons entitled to be present at proceedings on issue of postal ballot papers)	For “returning officer” substitute “relevant returning or counting officer”.
Regulation 68 (persons entitled to be present at proceedings on receipt of postal ballot papers)	<p>For regulation 68 substitute—</p> <p>“68 Persons entitled to be present at proceedings on receipt of postal ballot papers</p> <p>(1) In a case where proceedings on the receipt of postal ballot papers are taken together by virtue of regulation 65, the only persons who may be present at those proceedings are the appropriate persons in relation to the relevant elections and referendums.</p> <p>(2) In any other case, the only persons who may be present at the proceedings on the receipt of postal ballot papers for a relevant election or referendum are the appropriate persons in relation to that election or referendum.</p> <p>(3) The following are appropriate persons in relation to an election—</p> <ul style="list-style-type: none"> (a) the returning officer; (b) the returning officer’s clerks; (c) the candidates; (d) the election agents; (e) any person appointed by a candidate to attend in his election agent’s place; (f) any agents appointed under regulation 69; (g) at an election of parish councillors, any person appointed by a candidate to attend proceedings on the receipt of postal ballot papers.

Parliamentary Voting System and Constituencies Bill, *continued*

<i>Provision</i>	<i>Modification</i>
Regulation 69 (agents of candidates who may attend proceedings on receipt of postal ballot papers)	<p>(4) The following are appropriate persons in relation to a referendum—</p> <ul style="list-style-type: none"> (a) the counting officer; (b) the counting officer’s clerks; (c) in the case of the referendum on the voting system for United Kingdom parliamentary elections, the referendum agents and any agents appointed under regulation 69; (d) in the case of a local referendum, the persons listed in rule 37(3)(b) to (d) of the rules set out in Schedule 5 to the Local Authorities (Conduct of Referendums) (England) Regulations 2007. <p>(5) This regulation is without prejudice to section 6A, 6B, 6C, 6D or 6E of the Political Parties, Elections and Referendums Act 2000.”</p> <p>For “returning officer” (in each place) substitute “relevant returning or counting officer”.</p> <p>Omit paragraph (3).</p> <p>After paragraph (7) insert—</p> <p>“(7A) In relation to the referendum on the voting system for United Kingdom parliamentary elections, in paragraph (1), (2), (4) or (7) a reference to a candidate is to be read as a reference to a referendum agent.”</p> <p>In paragraph (8), for “the candidates or their agents” substitute “any persons mentioned in regulation 68(3)(c) to (g) or (4)(c) and (d)”.</p>
Regulation 70 (notification of requirement of secrecy)	<p>For regulation 70 substitute—</p> <p>“70 Notification of requirements of secrecy</p> <p>(1) In a case where proceedings on the issue of postal ballot papers are taken together by virtue of regulation 65, the counting officer for the referendum on the voting system for United Kingdom parliamentary elections shall make such arrangements as he thinks fit to ensure that every person attending the proceedings in connection with the issue or receipt of postal ballot papers has been given a copy in writing of the provisions of subsections (4) and (6) of section 66 of the 1983 Act as they apply in relation to each relevant election or referendum.</p>

Parliamentary Voting System and Constituencies Bill, *continued*

<i>Provision</i>	<i>Modification</i>
Regulation 71 (time when postal ballot papers are to be issued)	<p>(2) In any other case, the returning or counting officer for a relevant election or referendum shall make such arrangements as he thinks fit to ensure that every person attending proceedings in connection with the issue or receipt of postal ballot papers for the election or referendum has been given a copy in writing of the provisions of subsections (4) and (6) of section 66 of the 1983 Act as they apply to that election or referendum.”</p> <p>In paragraph (1), after “voting statement)” insert “for an election or local referendum”.</p> <p>After paragraph (1) insert—</p> <p>“(1A) In the case of a person within entry 2, 3 or 4 of the table in paragraph 5(2) of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2010 or entry 2, 3 or 4 of the table in paragraph 8(6) of that Schedule (electors and proxies entitled to vote by post for an indefinite or definite period), no postal ballot paper (and postal voting statement) for the referendum on the voting system in United Kingdom parliamentary elections shall be issued until after 5 pm on the eleventh day before the date of the poll (computed in accordance with regulation 56(6) above).”</p> <p>In paragraph (2), omit “by the returning officer”.</p>

Parliamentary Voting System and Constituencies Bill, *continued*

<i>Provision</i>	<i>Modification</i>
Regulation 72 (procedure on issue of postal ballot papers)	<p>For paragraph (5) substitute—</p> <p>“(5) Paragraphs (5A) and (5B) apply where—</p> <p style="padding-left: 2em;">(a) proceedings on the issue of postal ballot papers are taken together by virtue of regulation 65, and</p> <p style="padding-left: 2em;">(b) a combined postal voters list or proxy postal voters list is produced by virtue of paragraph 29 of Schedule [<i>Combination of polls: England</i>] to the Parliamentary Voting System and Constituencies Act 2010.</p> <p>(5A) In a case where a postal ballot paper is issued at the same time in respect of each relevant election or referendum, a single mark must be placed in the list under paragraph (3).</p> <p>(5B) In any other case, a mark must be placed in the list under sub-paragraph (3) identifying the poll to which each postal ballot paper issued relates.</p> <p>(5C) Where proceedings on the issue of postal ballot papers are taken together by virtue of regulation 65, the number of each postal ballot paper issued shall be marked on the postal voting statement under paragraph (4).”</p> <p>In paragraph (6), for the words from the beginning to “postal ballot papers” substitute “Where proceedings on the issue and receipt of postal ballot papers are not taken together by virtue of regulation 65”.</p> <p>In paragraph (8)—</p> <p style="padding-left: 2em;">(a) after “paragraph (7)” insert “in relation to an election or local referendum”;</p> <p style="padding-left: 2em;">(b) at the end insert—</p> <p style="padding-left: 4em;">“and, in relation to the referendum on the voting system for United Kingdom parliamentary elections, the items specified in paragraph (7) must be sent to the address to which postal ballot papers should be sent as mentioned in column 3 of the table in paragraph 5(2) or 8(6) of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2010.”</p>
Regulation 73 (refusal to issue postal ballot papers)	<p>For “returning officer” substitute “relevant returning or counting officer”.</p> <p>For “election” substitute “poll”.</p>
Regulation 74 (envelopes)	<p>In paragraph (1), after “elections rules” insert “or rule 11 of the referendum rules”.</p>

Parliamentary Voting System and Constituencies Bill, *continued*

<i>Provision</i>	<i>Modification</i>
Regulation 75 (sealing up of completed corresponding number lists)	In paragraphs (1) and (2), for “returning officer” substitute “relevant returning or counting officer”.
Regulation 76 (delivery of postal ballot papers)	In paragraph (1)— (a) for “returning officer” substitute “relevant returning or counting officer”; (b) in sub-paragraph (c), after “elections rules” insert “or rule 13 of the referendum rules”. In paragraph (2), for “returning officer” substitute “relevant returning or counting officer”.
Regulation 77 (spoilt postal ballot papers)	For “returning officer” (in each place) substitute “relevant returning or counting officer”. In paragraph (2)(b), for “election” substitute “poll”.
Regulation 78 (lost postal ballot papers)	For “returning officer” (in each place) substitute “relevant returning or counting officer”. In paragraph (2A)(b), for “election” substitute “poll”.
Regulation 79 (alternative means of returning postal ballot paper or postal voting statement)	For “returning officer” (in each place) substitute “relevant returning or counting officer”. In paragraph (1), after “1983 Act” insert “and rule 39(3) of the referendum rules”. In paragraph (3), after “rule 43(1) of the elections rules” insert “or rule 37(1) of the referendum rules”. In paragraph (5), after “polling agents” insert “or polling observers”.
Regulation 80 (notice of opening of postal ballot paper envelopes)	In paragraph (1)— (a) for “returning officer” substitute “relevant returning or counting officer”; (b) for “each candidate” substitute “each of the persons mentioned in paragraph (1A)”.

Parliamentary Voting System and Constituencies Bill, *continued*

<i>Provision</i>	<i>Modification</i>
	<p>After paragraph (1) insert—</p> <p>“(1A) The persons are—</p> <ul style="list-style-type: none"> (a) in relation to an election, the candidates, (b) in relation to the referendum on the voting system for United Kingdom parliamentary elections, the referendum agents, and (c) in relation to a local referendum, the persons mentioned in rule 37(3)(b) to (d) of the rules set out in Schedule 5 to the Local Authorities (Conduct of Referendums) (England) Regulations 2007.” <p>In paragraph (2)(b), for “the number of agents a candidate” substitute “in the case of an election or the referendum on the voting system for United Kingdom parliamentary elections, the number of agents that a candidate or referendum agent”.</p>
Regulation 81 (postal ballot boxes and receptacles)	<p>For “returning officer” (in each place) substitute “relevant returning or counting officer”.</p> <p>For paragraph (2) substitute—</p> <p>“(2) Each of those ballot boxes—</p> <ul style="list-style-type: none"> (a) shall be marked “postal voter’s ballot box” or “postal ballot box” as appropriate; (b) shall be marked with the name of each constituency, electoral area or voting area in relation to which it is to be used.” <p>In paragraph (3), for “the agents” substitute “those”.</p> <p>In paragraph (4), after “lock the ballot box” insert “(if it has a lock)”.</p>
Regulation 82 (receipt of covering envelope)	<p>For “returning officer” (in both places) substitute “relevant returning or counting officer”.</p>
Regulation 83 (opening of postal voters’ ballot box)	<p>In paragraph (1)—</p> <ul style="list-style-type: none"> (a) for “returning officer” substitute “relevant returning or counting officer”; (b) at the end insert “and (where relevant) the persons mentioned in rule 37(3)(b) to (d) of the rules set out in Schedule 5 to the Local Authorities (Conduct of Referendums) (England) Regulations 2007”. <p>In paragraph (2), for “returning officer” substitute “relevant returning or counting officer”.</p>

Parliamentary Voting System and Constituencies Bill, *continued*

<i>Provision</i>	<i>Modification</i>
	In paragraph (3), for “votes under rule 45 of the elections rules” substitute “ballot papers”.
Regulation 84 (opening of covering envelopes)	For “returning officer” (in each place) substitute “relevant returning or counting officer”.
Regulation 84A (confirming receipt of postal voting statements)	For “returning officer” (in each place) substitute “relevant returning or counting officer”.
Regulation 85 (procedure in relation to postal voting statements)	For “returning officer” (in each place) substitute “relevant returning or counting officer”.
	In paragraph (3), after “agents” insert “or counting observers or both (as the case may be)”.
Regulation 85A (procedure in relation to postal voting statements: personal identifier verification)	For “returning officer” (in each place) substitute “relevant returning or counting officer”.
	In paragraph (4), after “agents” insert “or counting observers or both (as the case may be)”.
Regulation 85B (postal voting statements: additional personal identifier verification)	For “returning officer” (in each place) substitute “relevant returning or counting officer”.
	In paragraph (3)(a) and (c), after “agents” insert “or counting observers or both (as the case may be)”.
	In paragraph (4), for “lock and reseal the postal ballot box in the presence of the agents” substitute “lock the postal ballot box (if it has a lock) and reseal it in the presence of the agents or counting observers or both (as the case may be)”.
Regulation 86 (opening of ballot paper envelopes)	In paragraph (1), for “returning officer” substitute “relevant returning or counting officer”.
Regulation 86A (retrieval of cancelled postal ballot papers)	In paragraph (1), for “returning officer” substitute “relevant returning or counting officer”.
	In paragraph (2)—
	(a) in sub-paragraph (b), after “agents” insert “or counting observers or both (as the case may be)”;
	(b) in sub-paragraph (f), for “votes under rule 45 of the elections rules” substitute “ballot papers” and after “agents” insert “or counting observers or both (as the case may be)”.
	In paragraph (3), for “returning officer” substitute “relevant returning or counting officer”.

Parliamentary Voting System and Constituencies Bill, *continued*

<i>Provision</i>	<i>Modification</i>
Regulation 87 (list of rejected postal ballot papers)	In paragraph (1), for “In respect of any election, the returning officer” substitute “In respect of each relevant election or referendum, the relevant returning or counting officer”.
Regulation 88 (checking of lists of rejected postal ballot papers)	For “returning officer” (in each place) substitute “the relevant returning or counting officer”. In paragraph (3), at the end insert “or voting area under rule 37(1) of the referendum rules”.
Regulation 89 (sealing of receptacles)	In paragraph (1), for “returning officer” substitute “the relevant returning or counting officer”.
Regulation 90 (abandoned poll)	In paragraph (2), for “election” substitute “poll”.
Regulation 91 (forwarding or retention of documents)	In paragraph (1)— <ul style="list-style-type: none"> (a) for the words before sub-paragraph (a) substitute “The relevant returning or counting officer shall forward to the registration officer to whom he forwards the documents mentioned in rule 55 of the elections rules or rule 49 of the referendum rules, at the same time as he forwards those documents”; (b) in paragraph (a), for the words from “the election to which” to the end substitute “each relevant election or referendum and the area to which the packet relates”; (c) at the end insert— “A separate statement in Form K must be completed for each relevant election or referendum”. <p>In paragraph (3), for “returning officer” (in both places) substitute “relevant returning or counting officer”.</p> <p>In paragraph (4), for “Rules 56 and 57 of the elections rules” substitute “The rules specified in paragraph (4A)”.</p>

Parliamentary Voting System and Constituencies Bill, *continued*

<i>Provision</i>	<i>Modification</i>
<p>In Schedule 3, Form K</p>	<p>After sub-paragraph (4) insert—</p> <p>“(4A) The rules are—</p> <ul style="list-style-type: none"> (a) in a case where proceedings on the issue and receipt of postal ballot papers are taken together by virtue of regulation 65— <ul style="list-style-type: none"> (i) rule 50 of the referendum rules and rule 56 of the elections rules, and (ii) rule 51 of the referendum rules; (b) in any other case— <ul style="list-style-type: none"> (i) rule 50 of the referendum rules or (as the case may be) rule 56 of the elections rules, and (ii) rule 51 of the referendum rules or (as the case may be) rule 57 of the elections rules.” <p>In paragraph (5), for “returning officer” (in both places) substitute “relevant returning or counting officer”.</p> <p>In the case of the form used in relation to the referendum under section 1—</p> <ul style="list-style-type: none"> (a) for “PARLIAMENTARY ELECTION” substitute “REFERENDUM ON THE VOTING SYSTEM FOR UNITED KINGDOM PARLIAMENTARY ELECTIONS”; (b) for “constituency” substitute “voting area”; (c) for “returning officer” (in each place) substitute “counting officer”.

PART 3

FORMS REFERRED TO IN PART 1

Note - The forms contained in this Part may be adapted so far as circumstances require.

Paragraph 9(2) and 10(3)

FORM 1 - FORM OF CORRESPONDING NUMBER LIST (TO BE USED FOR COMBINED POLLS)

Voting area/electoral division/electoral area/ward/parish:
Date of Poll:
Sheet No.:

Parliamentary Voting System and Constituencies Bill, *continued*

Date of birth

D	D	M	M	Y	Y	Y	Y
---	---	---	---	---	---	---	---

 (voter's date of birth)

#Signature

--

(voter's signature)
IMPORTANT - Keep
signature within border

/(Counting officer to omit where a person has been granted a waiver)

It is an offence to vote using a ballot paper that is not addressed to you.

PLEASE READ INSTRUCTIONS TO THE VOTER

Issued by the counting officer

INSTRUCTIONS TO THE VOTER

Complete the ballot papers yourself and in private. If you need help, contact the counting officer's staff as shown below.

[contact details for assistance; include address as appropriate]

1. You must provide your [#signature and] date of birth. If you do not, the postal voting statement will be invalid and your vote(s) will not be counted.
2. When you are voting in the referendum on the voting system for United Kingdom parliamentary elections (*[insert colour of ballot paper]* ballot paper), mark a cross (X) in the box on the right hand side of the ballot paper opposite the answer you are voting for. Vote in one box only. Do not mark the ballot paper in any other way or your vote may not be counted.
3. [When you are voting in a local government election (*[insert colour of ballot paper]* ballot paper), mark a cross (X) in the box on the right hand side of the ballot paper opposite the name of the candidate[s]* you are voting for. [Vote for ONE candidate only.]* [Vote for no more than *[specify number]* candidates.]* Do not mark the ballot paper in any other way or your vote may not be counted.]*
4. [When you are voting in a *[specify parish council]* election (*[insert colour of ballot paper]* ballot paper), mark a cross (X) in the box on the right hand side of the ballot paper opposite the name of the candidate[s]* you are voting for. [Vote for ONE candidate only.]* [Vote for no more than *[specify number]* candidates.]* Do not mark the ballot paper in any other way or your vote may not be counted.]*
5. [When you are voting in a *[specify]* referendum (*[insert colour of ballot paper]* ballot paper) mark a cross (X) in the box on the right hand side of the ballot paper opposite the answer you are voting for. Vote once only. Do not mark the ballot paper in any other way or your vote may not be counted.]*

Parliamentary Voting System and Constituencies Bill, *continued*

6. [When you are voting for an elected Mayor (*[insert colour of ballot paper]* ballot paper), mark a cross (X) in the box on the right hand side of the ballot paper opposite the name of the candidate[s]* you are voting for. [Vote for ONE candidate only.]* [Vote ONCE (X) in column one for your first choice and vote ONCE (X) in column two for your second choice.]* Do not mark the ballot paper in any other way or your vote may not be counted.]*
 7. If you need help voting, the person helping you must not tell anyone how you voted.
 8. Put all the ballot papers in the small envelope marked **A** and seal it.
 9. Complete the postal voting statement by [#signing it, and] providing your date of birth.
 10. Then put the envelope marked **A** together with the postal voting statement in the larger envelope marked **B**. Return it straightaway.
 11. **After receiving this postal vote, you cannot vote in person at a polling station in the referendum[s]* or election[s]*.**
 12. If you accidentally spoil any of your ballot papers, you can apply to the counting officer for replacements before 5 pm on [*day/date of poll*]. You must return all the ballot papers, the postal voting statement and the envelopes marked **A** and **B**. Make sure you contact the counting officer as soon as possible.
- ! Your ballot papers and the postal voting statement must be received by the counting officer by 10 pm on [*day/date of poll*]. You can deliver your completed postal votes to any polling station in your voting area on polling day.

It is an offence to vote using a ballot paper that is not addressed to you.

It is illegal to vote more than once in the same referendum (unless you are appointed as a proxy for another person).

It is illegal to vote more than once at the same election (unless you are appointed as a proxy for another person).

/(Counting officer to omit where a person has been granted a waiver)

**Delete as appropriate*

Paragraph 14(2)

FORM 3 - FORM OF POSTAL VOTING STATEMENT (FOR USE WHERE PROCEEDINGS ON ISSUE AND RECEIPT OF POSTAL BALLOT PAPERS NOT COMBINED)

Postal Voting Statement

*Voter's name: Ballot paper no.
(*insert colour*)

**Counting officer to insert name but omit where ballot papers sent to an anonymous elector*

[other identifying mark]

Parliamentary Voting System and Constituencies Bill, *continued*

You must provide your [# signature and] date of birth. If you do not, the postal voting statement will be invalid and your vote will not be counted.

I AM THE PERSON THE BALLOT PAPER NUMBERED ABOVE WAS SENT TO

Date of birth

D	D	M	M	Y	Y	Y	Y
---	---	---	---	---	---	---	---

 (voter's date of birth)

#Signature

--

(voter's signature)
**IMPORTANT - Keep
signature within border**

#(Counting officer to omit where a person has been granted a waiver)

It is an offence to vote using a ballot paper that is not addressed to you.

PLEASE READ INSTRUCTIONS TO THE VOTER

Issued by the counting officer

INSTRUCTIONS TO THE VOTER

Complete the ballot paper yourself and in private. If you need help, contact the counting officer's staff as shown below.

[contact details for assistance; include address as appropriate]

1. You must provide your [#signature and] date of birth. You must do this even if you have already signed a postal voting statement in respect of [an election]*[or]*[another referendum]* to be held on the same day. If you do not, the postal voting statement will be invalid and your vote will not be counted.
2. Vote by marking one box only. Do not mark the ballot paper in any other way or your vote may not be counted.
3. Mark a cross (X) in the box on the right hand side of the ballot paper opposite the answer you are voting for.
4. If you need help in voting, the person helping you must not tell anyone how you voted.
5. Put the ballot paper in the small envelope marked **A** and seal it.
6. Complete the postal voting statement by [#signing it, and] providing your date of birth.
7. Then put the envelope marked **A** together with the postal voting statement in the larger envelope marked **B**. Return it straightaway.

Parliamentary Voting System and Constituencies Bill, *continued*

Paragraph 21(1)

FORM 5 - GUIDANCE FOR VOTERS TO BE EXHIBITED INSIDE AND OUTSIDE EVERY POLLING STATION

1. When you are given your ballot papers go to one of the compartments.
2.
 - A. At the referendum on the voting system for United Kingdom parliamentary elections mark a cross (X) in the box on the right hand side of the [*specify colour*] ballot paper opposite the answer you are voting for.
 - [B. At the local government election(s) mark a cross (X) in the box on the right hand side of [the]* [each]* ballot paper opposite the name of [the]* [each]* candidate you are voting for. The ballot paper[s]* for the local government election(s) [is]* [are]* coloured [*specify colour(s)*]. [Vote for ONE candidate only.]*[Vote for no more than [*specify number*] candidates.]*]*
 - [C. At the [*specify parish council*] election mark a cross (X) in the box on the right hand side of the [*specify colour*] ballot paper opposite the name of the candidate[s]* for whom you are voting. [Vote for ONE candidate only.]*[Vote for no more than [*specify number*] candidates.]*]*
 - [D. At the [*specify*] referendum mark a cross (X) in the box on the right hand side of the [*specify colour*] ballot paper opposite the answer you are voting for.]*
 - [E. At the Mayoral election mark a cross (X) in the box on the right hand side of the [*specify colour*] ballot paper opposite the name[s]* of the candidate[s]* you are voting for. [Vote for ONE candidate only.]* [Vote ONCE in column one for your first choice and vote ONCE in column two for your second choice.]*]*
3. Fold each ballot paper in two. Show the presiding officer the number and other unique identifying mark on the back of the ballot paper, but do not let anyone see your vote. Put each ballot paper in the [appropriate]* ballot box and leave the polling station.
4. Vote once only in [each]*[the]* referendum and vote only for the number of candidates specified on each ballot paper for an election. Put no other mark on the ballot paper, or your vote may not be counted.
5. If by mistake you spoil a ballot paper, show it to the presiding officer and ask for another one.

* Complete or omit as necessary.

Parliamentary Voting System and Constituencies Bill, *continued*

Paragraph 22(1)

FORM 6 - GUIDANCE FOR VOTERS TO BE EXHIBITED IN EVERY POLLING STATION COMPARTMENT

**REFERENDUM ON THE VOTING SYSTEM FOR
UNITED KINGDOM PARLIAMENTARY ELECTIONS****[specify colour]* ballot paper

Mark one box only.

[specify name of council]* COUNCIL ELECTION[specify colour]* ballot paper*vote for no more than *[specify number]* candidates

*vote for ONE candidate only

[specify name of parish]* COUNCIL ELECTION[specify colour]* ballot paper*vote for no more than *[specify number]* candidates

*vote for ONE candidate only

[SPECIFY OTHER] REFERENDUM**[specify colour]* ballot paper

Mark one box only.

*ELECTION OF THE MAYOR OF *[specify name of council]***[specify colour]* ballot paper

*vote for ONE candidate only

*vote ONCE for your first choice and ONCE for your second choice

**PUT NO OTHER MARKS ON THE BALLOT PAPERS OR YOUR VOTES MAY NOT
BE COUNTED.*** *Complete or omit as necessary.*

Parliamentary Voting System and Constituencies Bill, continued

Paragraph 25(2)

FORM 7 - FORM OF CERTIFICATE OF EMPLOYMENT

Referendum on the voting system for United Kingdom parliamentary elections

[insert name of voting area]

I certify that (name) who is numbered in the register of electors cannot reasonably be expected to go in person to the polling station allotted to him or her in the referendum on (date of poll) by reason of the particular circumstances of his or her employment on that date for a purpose connected with the referendum *as a constable / *by me.

*Delete whichever is inappropriate.

Signature

*Counting officer / police officer (inspector or above)

Date

Note: The person named above is entitled to vote at any polling station in the voting area specified above on production and surrender of this certificate to the presiding officer.

Paragraph 31(1)

FORM 8 - FORM OF DECLARATION TO BE MADE BY THE COMPANION OF A VOTER WITH DISABILITIES

I, (name of companion)

of (address of companion)

having been requested to assist (name of voter)

[in the case of a person with disabilities voting as proxy, add

voting as proxy for (name of [elector]* [or]* [voter]*)]

whose name on the register is to record their vote at the [referendum(s)]* [and]* [election(s)]* being held in this [voting area]* [/local government area]* [/parish]*

hereby declare that

Parliamentary Voting System and Constituencies Bill, *continued*

- (a) [I am entitled to vote as an [elector]* [or]* [voter]* at the said [referendum(s)]* [and]* [election(s)]*,]*
- (b) [I am the #..... of the said voter and have attained the age of 18 years,]* and
- (c) I have not previously assisted any voter with disabilities [except (name of other [elector]* [or]* [voter]*), of (address of other [elector]* [or]* [voter]*)] to vote at the said [referendum(s)]* [or]* [election(s)]*,]*.

#State the relationship of the companion to the voter.

*Delete as appropriate.

(Signed) (companion)

Date

I, the undersigned, being the presiding officer for the polling station for the [*insert name of voting area*] hereby certify that the above declaration, having been first read to the above-named declarant, was signed by the declarant in my presence.

(Signed).....

Date

Time (am/pm)

NOTE: (1) If the person making the above declaration knowingly and wilfully makes therein a statement false in a material particular, he or she will be guilty of an offence.

(2) A voter with disabilities is a voter who has made a declaration that he or she is so incapacitated by blindness or other disability, or by an inability to read, as to be unable to vote without assistance.’.

As Amendments to New Schedule 2 (Combination of Polls: England):—

Edward Miliband
Sadiq Khan
Chris Bryant
Mr Peter Hain

(a)

Paragraph 11, in sub-paragraph (1) leave out ‘15th’ and insert ‘28th’.

Edward Miliband
Sadiq Khan
Chris Bryant
Mr Peter Hain

(b)

After paragraph 12, insert—

‘Absent voter application

- 12A An application under regulation 51(4)b of the Representation of the People (England and Wales) Regulations 2001, SI 2001/341, for an absent vote must state whether it is made for parliamentary elections, local government elections, referendums or all of them.’.

Parliamentary Voting System and Constituencies Bill, *continued*

Edward Miliband
Sadiq Khan
Chris Bryant
Mr Peter Hain

(c)

Leave out paragraph 15 and insert—

- ‘15 (1) The Chief Counting Officer shall select the colour of the ballot paper used for the referendum.
(2) The other ballot papers used for any relevant election shall be of a different colour from that selected by the Chief Counting Officer.’.

Edward Miliband
Sadiq Khan
Chris Bryant
Mr Peter Hain

(d)

Paragraph 17, leave out sub-paragraph (1) and insert—

- ‘(1) The official poll cards used for the referendum and for the relevant elections must be combined for all electors qualified to vote in all the polls.’.

Edward Miliband
Sadiq Khan
Chris Bryant
Mr Peter Hain

(e)

Paragraph 18, leave out sub-paragraph (1) and (2) and insert—

- ‘(1) Separate ballot boxes must be used for the referendum to those used for other relevant elections taking place on the same day.
(2) Each ballot box must be marked to show—
(a) the referendum or relevant election to which it relates, and
(b) the colour of ballot papers that should be placed in it.’.

Edward Miliband
Sadiq Khan
Chris Bryant
Mr Peter Hain

(f)

After paragraph 21 insert—

‘Electoral Commission guidance

- 21A The Electoral Commission are to supply posters to be displayed in every polling station used for the referendum, which give neutral information on first past the post and alternative vote systems that are the subject of the referendum, subject to agreement by the Speaker’s Committee on the Electoral Commission.’.

Edward Miliband
Sadiq Khan
Chris Bryant
Mr Peter Hain

(g)

Paragraph 27, in sub-paragraph (1), leave out ‘If the counting officer thinks fit, the same copy of the register of electors may’ and insert ‘Separate registers of

Parliamentary Voting System and Constituencies Bill, *continued*

electors must’.

Edward Miliband
Sadiq Khan
Chris Bryant
Mr Peter Hain

(h)

Paragraph 27, leave out sub-paragraphs (2) to (4).

Edward Miliband
Sadiq Khan
Chris Bryant
Mr Peter Hain

(i)

Paragraph 40, at the end of sub-paragraph (3) insert ‘or
(c) the person is a Member of Parliament.’.

Edward Miliband
Sadiq Khan
Chris Bryant
Mr Peter Hain

(j)

After paragraph 43 insert—

‘Priority in counting of votes

- 43A Counting officers must give priority to the counting of ballots cast in—
- (a) the respective elections to the Northern Ireland, Scotland and Wales devolved administrations, and
 - (b) local council elections in each part of the United Kingdom.’.

Edward Miliband
Sadiq Khan
Chris Bryant
Mr Peter Hain

(k)

In paragraph 44, at the end of sub-paragraph (1), at end of sub-sub-paragraph (a) insert ‘containing ballot papers for the referendum vote.’.

Edward Miliband
Sadiq Khan
Chris Bryant
Mr Peter Hain

(l)

In paragraph 44, at the end of sub-paragraph (1), at end of sub-sub-paragraph (b) insert ‘containing ballot papers for the referendum vote.’.

Edward Miliband
Sadiq Khan
Chris Bryant
Mr Peter Hain

(m)

In paragraph 44, at the end of sub-paragraph (3), at end of sub-sub-paragraph (a) insert ‘containing ballot papers for the referendum vote.’.

Parliamentary Voting System and Constituencies Bill, *continued*

Edward Miliband
Sadiq Khan
Chris Bryant
Mr Peter Hain

(n)

In paragraph 44, at the end of sub-paragraph (3), at end of sub-sub-paragraph (b) insert ‘containing ballot papers for the referendum vote.’.

Edward Miliband
Sadiq Khan
Chris Bryant
Mr Peter Hain

(o)

In Part 2, in the second column, in the entry relating to Regulation 71, leave out ‘eleventh’ and insert ‘fifteenth’.

The Deputy Prime Minister

NS3

To move the following Schedule:—

‘COMBINATION OF POLLS: WALES

PART 1

PROVISION ABOUT COMBINATION

GENERAL PROVISIONS

Interpretation

- 1 The polls to be taken together under section [*Combination of polls*](2) are referred to in this Schedule as “combined polls”.
- 2 In this Schedule—
 - “Assembly election” means—
 - (i) an Assembly constituency election, or
 - (j) an Assembly regional election;
 - “Assembly constituency election” means an election for the return of an Assembly constituency member (within the meaning of section 1 of the Government of Wales Act 2006);
 - “Assembly Elections Rules” means the rules set out in Schedule 5 to the Welsh Assembly Order;
 - “Assembly regional election” means an election for the return of an Assembly regional member (within the meaning of section 1 of the Government of Wales Act 2006);
 - “constituency returning officer” is to be construed in accordance with Article 18 of the Welsh Assembly Order;
 - “counting agent” means a counting agent for the referendum or a counting agent for an Assembly election (except where one or other is specified);
 - “regional returning officer” is to be construed in accordance with Article 18 of the Welsh Assembly Order;

Parliamentary Voting System and Constituencies Bill, *continued*

“returning officer” means a person who is a constituency returning officer or a regional returning officer (unless one or the other is specified);

“the Welsh Assembly Order” means the National Assembly for Wales (Representation of the People) Order 2007 (S.I. 2007/236).

Cost of combined polls

- 3 The cost of taking the combined polls (excluding any cost solely attributable to the referendum or an Assembly election), and any cost attributable to their combination, is to be apportioned equally between—
- (a) the referendum, and
 - (b) the Assembly elections.
- 4 (1) Articles 23 and 24 of the Welsh Assembly Order (payments by and to returning officer etc) apply—
- (a) as if a reference to a returning officer included a reference to a counting officer carrying out functions that, but for this Schedule, would be exercisable by a returning officer (“transferred functions”), and
 - (b) as if, in relation to that counting officer, a reference to services or expenses were to services rendered or expenses incurred in respect of transferred functions.
- (2) An order under article 23(1) of that Order (as it has effect as mentioned above) may include special provision for services rendered or expenses incurred by a counting officer in respect of transferred functions.

Publication of statement of persons nominated

- 5 (1) The statement of persons nominated at an Assembly election must be published not later than noon on the 15th day before the date of the poll.
- (2) The timetable set out in rule 1(1) of the Assembly Elections Rules is to be read with whatever modifications are necessary to give effect to this paragraph.

Forms

- 6 Forms 2, 3, 4, 6, 7 and 9 in Part 3 of this Schedule are “relevant forms” for the purposes of rule 9A of the referendum rules.

ACTION TO BE TAKEN BEFORE POLL

Corresponding number lists

- 7 (1) This paragraph applies where proceedings on the issue and receipt of postal ballot papers are taken together by virtue of paragraph 2 of Schedule 3 to the Welsh Assembly Order.
- (2) The function of the constituency returning officer under rule 27 of the Assembly Elections Rules is to be carried out by the counting officer.
- (3) If the counting officer thinks fit, the lists prepared under the following provisions may be combined in the form set out in Form 1 in Part 2 of this Schedule—
- (a) rule 6 of the referendum rules;
 - (b) rule 27 of the Assembly Elections Rules.
- (4) In that case, sub-paragraph (3) applies instead of—
- (a) rule 6(2) of the referendum rules;
 - (b) rule 27(2) of the Assembly Elections Rules.

Parliamentary Voting System and Constituencies Bill, *continued*

- 8 (1) This paragraph applies where proceedings on the issue and receipt of postal ballot papers are not taken together by virtue of paragraph 2 of Schedule 3 to the Welsh Assembly Order.
- (2) The counting officer must prepare a list under sub-paragraph (3) or (4) as the officer thinks fit.
- (3) A list under this sub-paragraph is a list containing the numbers and other unique identifying marks of all of the ballot papers to be provided to presiding officers in pursuance of rule 37(1) of the Assembly Elections Rules.
The list must be in form CM set out in Schedule 10 to the Welsh Assembly Order.
- (4) A list under this sub-paragraph is a list containing the numbers and other unique identifying marks of all of the ballot papers to be provided to presiding officers in pursuance of the following provisions—
- (a) rule 16(1) of the referendum rules;
 - (b) rule 37(1) of the Assembly Elections Rules.
- The list must be in the form set out in Form 1 in Part 3 of this Schedule.
- (5) A list prepared under rule 27 of the Assembly Elections Rules must not include details relating to ballot papers in relation to which a list is prepared under sub-paragraph (3) or (4).
- (6) A reference in an enactment to a list prepared under rule 27 of the Assembly Elections Rules has effect, in so far as it relates to ballot papers to be provided in pursuance of rule 37(1) of those rules, as a reference to the list prepared under sub-paragraph (3) or (4).
- (7) Where the counting officer prepares a list under sub-paragraph (4) in relation to ballot papers —
- (a) the list prepared under rule 6 of the referendum rules must not include details relating to those ballot papers;
 - (b) a reference in an enactment to a list prepared under rule 6 of the referendum rules has effect, in so far as it relates to ballot papers to be provided in pursuance of rule 16(1) of the referendum rules, as a reference to the list prepared under sub-paragraph (4).

Notice of polling stations

- 9 (1) No later than the time of the publication of the notice of the polls, the counting officer must give public notice of—
- (a) the situation of each polling station;
 - (b) the description of voters entitled to vote there.
- (2) The notice must—
- (a) state that the polls for the referendum, the Assembly constituency election and the Assembly regional election are to be taken together, and
 - (b) specify the relevant voting area, constituency and region.
- (3) As soon as practicable after giving the notice the counting officer must give a copy of it to—
- (a) each of the referendum agents appointed for the officer's area;
 - (b) each of the election agents for the Assembly elections;
 - (c) the regional returning officer.
- (4) This paragraph applies instead of—
- (a) rule 10(3) and (4) of the referendum rules;
 - (b) rule 32(2) to (4) of the Assembly Elections rules.

Parliamentary Voting System and Constituencies Bill, *continued**Postal voting*

- 10 (1) This paragraph applies where proceedings on the issue and receipt of postal ballot papers are taken together by virtue of paragraph 2 of Schedule 3 to the Welsh Assembly Order.
- (2) The functions of the constituency returning officer under rule 33 of the Assembly Elections Rules are to be carried out by the counting officer.
- (3) The form of postal voting statement to be issued to those entitled to vote by post in the referendum and in both the Assembly elections must be in the form set out in Form 2 in Part 3 of this Schedule.
- (4) Where that form is used, this paragraph applies instead of any requirement in the following provisions for a postal voting statement to be in a particular form.
- (5) The provisions are—
- (a) rule 11(1)(b) of the referendum rules;
- (b) rule 33(1) of the Assembly Elections Rules.
- 11 (1) This paragraph applies where proceedings on the issue and receipt of postal ballot papers are not taken together by virtue of paragraph 2 of Schedule 3 to the Welsh Assembly Order.
- (2) The form of postal voting statement to be issued to those entitled to vote by post in the referendum must be in the form set out in Form 3 in Part 3 of this Schedule.
- (3) Sub-paragraph (2) applies instead of the requirement in rule 11(1)(b) of the referendum rules for a postal voting statement to be in a particular form.
- (4) The form of postal voting statement to be issued to those entitled to vote in the Assembly elections must be in the form set out in Form 4 in Part 3 of this Schedule.
- (5) Sub-paragraph (4) applies instead of the requirement in rule 33(1) of the Assembly Elections Rules for a postal voting statement to be in a particular form.

Polling stations

- 12 The functions of the constituency returning officer under rule 34 of the Assembly Elections Rules are to be carried out by the counting officer.
- 13 The referendum polling stations are to be used for the combined polls.

Appointment of presiding officers and clerks

- 14 The functions of the constituency returning officer under the following paragraphs of rule 35 of the Assembly Elections Rules are to be carried out by the counting officer—
- (a) paragraph (1) so far as it relates to the appointment of presiding officers and clerks;
- (b) paragraph (3).

Official poll cards

- 15 (1) If the counting officer thinks fit, the official poll cards used for the referendum and the Assembly elections may be combined.
- (2) In that case, the forms required to be used for official poll cards for the referendum and elections must be adapted in whatever manner seems necessary.

Parliamentary Voting System and Constituencies Bill, *continued**Equipment of polling stations*

- 16 The functions of the constituency returning officer under rule 37 of the Assembly Elections Rules are to be carried out by the counting officer.
- 17 (1) If the counting officer thinks fit, the same ballot box may be used at the polls for the referendum and the Assembly elections.
- (2) Where separate ballot boxes are used, each must be clearly marked to show—
- (a) the referendum or Assembly election to which it relates, and
 - (b) the colour of ballot papers that should be placed in it.
- (3) This paragraph applies instead of rule 37(2) and (3) of the Assembly Elections Rules.

Colour of ballot papers

- 18 The ballot papers used for the referendum must be of a different colour from the ballot papers used for the Assembly elections.

Form of corresponding number lists provided to polling stations

- 19 (1) If the counting officer thinks fit, the lists to be provided under the following provisions may be combined in the form set out in Form 5 in Part 3 of this Schedule—
- (a) rule 16(3)(d) of the referendum rules;
 - (b) rule 37(5)(d) of the Assembly Elections Rules.
- (2) In that case, this paragraph applies instead of—
- (a) the second sentence in rule 16(3) of the referendum rules;
 - (b) the requirement in rule 37(5)(d) of the Assembly Elections Rules to use a particular form.

Ballot paper displayed in polling stations

- 20 (1) The large version of the ballot paper displayed inside the polling station under rule 16(4)(a) of the referendum rules must be of the same colour as the ballot papers to be used for the referendum.
- (2) The large version of the ballot paper displayed inside the polling station under rule 37(7)(a) of the Assembly Elections Rules in respect of each Assembly election must be of the same colour as the ballot papers to be used for that election.

Guidance to be exhibited inside and outside polling stations

- 21 (1) A notice in the form set out in Form 6 in Part 3 of this Schedule, giving directions for the guidance of voters in voting, must be printed in conspicuous characters and exhibited inside and outside every polling station.
- (2) This paragraph applies instead of—
- (a) rule 16(6) of the referendum rules;
 - (b) rule 37(14) of the Assembly Elections Rules.

Guidance to be exhibited in each polling station compartment

- 22 (1) A notice in the form set out in Form 7 in Part 3 of this Schedule, giving directions for the guidance of voters in voting, must be exhibited in every compartment of every polling station.
- (2) This paragraph applies instead of—

Parliamentary Voting System and Constituencies Bill, *continued*

- (a) rule 16(7) of the referendum rules;
- (b) rule 37(15) and (16) of the Assembly Elections Rules.

Notice of appointment of polling and counting agents

- 23 A notice required to be given to a constituency returning officer under rule 38(5), (6) or (7) of the Assembly Elections Rules is to be given to the counting officer.

Notification of requirement of secrecy

- 24 The functions of the constituency returning officer under rule 39(a) of the Assembly Elections Rules are to be carried out by the counting officer.

Return of postal ballot papers

- 25 Where proceedings on the issue and receipt of postal ballot papers are taken together by virtue of paragraph 2 of Schedule 3 to the Welsh Assembly Order, the functions of the constituency returning officer under rule 40 of the Assembly Elections Rules are to be carried out by the counting officer.

THE POLL

Admission to the polling station

- 26 (1) Rule 20(1) of the referendum rules has effect as if the persons listed there included persons who would be entitled to be admitted to the polling station for an Assembly election if the poll for the election were held on its own.
- (2) Rule 41(1) of the Assembly Elections Rules has effect as if the persons listed there included persons who would be entitled to be admitted to the polling station for the referendum if the poll for the referendum were held on its own.

Voting by persons on duty on day of poll

- 27 (1) Paragraph 2(5) of Schedule 3 has effect as if in the words after paragraph (b) the reference to any polling station were to any polling station in the same voting area as the allotted polling station.
- (2) A certificate as to employment on duty on the day of the poll for the referendum must be in the form set out in Form 8 in Part 3 of this Schedule.
- (3) Sub-paragraph (2) applies instead of rule 20(4)(b) of the referendum rules.
- 28 The returning officer's function of signing certificates as to employment under rule 41(5) of the Assembly Elections Rules is to be carried out by the counting officer.

Removal from polling station

- 29 The constituency returning officer's function under rule 42(2)(b) of the Assembly Elections Rules of authorising someone to remove a person from a polling station is to be carried out by the counting officer.

Voting procedure: copies of registers and lists of proxies

- 30 (1) If the counting officer thinks fit, the same copy of the register of electors may be used under the following provisions for the purposes of the referendum and the Assembly elections—
- (a) rule 27(2) of the referendum rules;

Parliamentary Voting System and Constituencies Bill, *continued*

- (b) rule 46(1) of the Assembly Elections Rules.
 - (2) Sub-paragraphs (3) and (4) apply where the same copy of the register is used as mentioned in sub-paragraph (1).
 - (3) In a case where a ballot paper is delivered at the same time in respect of the referendum, the Assembly constituency election and the Assembly regional election, a single mark must be placed in the register against the number of the elector under—
 - (a) rule 27(2)(c) of the referendum rules, and
 - (b) rule 46(1)(c) of the Assembly Elections Rules.
 - (4) In any other case, a mark must be placed in the register against the number of the elector identifying the poll to which each ballot paper delivered relates.
 - (5) In the case of an elector who is added to the register in pursuance of a notice issued under section 13B(3B) or (3D) of the 1983 Act—
 - (a) references in this paragraph to the copy of the register of electors are to be read as references to the copy of the notice;
 - (b) references to a mark being placed in the register of electors are to be read as references to a mark being made on the copy of the notice.
 - (6) Where the same copy of the register is used as mentioned in sub-paragraph (1), this paragraph applies instead of rule 46(6) of the Assembly Elections Rules except so far as it relates to the list of proxies.
- 31 (1) If the counting officer thinks fit, the counting officer may require the relevant registration officer to produce a combined list of proxies for the referendum and the Assembly elections.
- (2) The following provisions apply where the lists are combined and a person applies for a ballot paper as proxy.
- (3) Immediately before delivery of the ballot paper the list of proxies must be marked in a way that identifies—
 - (a) the proxy,
 - (b) the elector for whom the proxy is applying for the ballot paper, and
 - (c) the referendum or Assembly election to which the ballot paper relates.
- (4) Sub-paragraph (3) applies instead of—
 - (a) rule 27(2)(d) of the referendum rules;
 - (b) rule 46(1)(d) of the Assembly Elections Rules and rule 46(6) of those rules so far as it relates to the list of proxies.
- 32 (1) This paragraph applies where proceedings on the issue and receipt of postal ballot papers are taken together by virtue of paragraph 2 of Schedule 3 to the Welsh Assembly Order.
- (2) If the counting officer thinks fit, the counting officer may require the relevant registration officer to produce a combined postal voters list and a combined proxy postal voters list for the referendum and the Assembly elections.

List of votes marked by presiding officer

- 33 (1) If the counting officer thinks fit, a single list of votes marked by the presiding officer may be used for the purposes of the referendum and the Assembly elections.
- (2) Where a person's entry in that list does not relate to the referendum, the Assembly constituency election and the Assembly regional election, the entry must—
 - (a) indicate whether it relates to the referendum, and
 - (b) identify any election to which it relates.

Parliamentary Voting System and Constituencies Bill, *continued*

- (3) In this paragraph “list of votes marked by the presiding officer” means a list compiled under—
 - (a) rule 29(4) of the referendum rules, or
 - (b) rule 47(2) of the Assembly Elections Rules.
- (4) Where a single list is used as mentioned in sub-paragraph (1), this paragraph applies instead of rule 47(5) of the Assembly Elections Rules.

Declaration to be made by the companion of a voter with disabilities

- 34 (1) A declaration made by the companion of a voter with disabilities must be in the form set out in Form 9 in Part 3 of this Schedule.
- (2) In this paragraph “declaration made by the companion of a voter with disabilities” means a declaration made by a companion under—
 - (a) rule 30 of the referendum rules, or
 - (b) rule 48 of the Assembly Elections Rules.
- (3) This paragraph applies instead of—
 - (a) rule 30(5)(a) of the referendum rules;
 - (b) rule 48(7)(a) of the Assembly Elections Rules.

List of voters with disabilities assisted by companions

- 35 (1) If the counting officer thinks fit, a single list of voters with disabilities assisted by companions may be used for the purposes of the referendum and the Assembly elections.
- (2) Where a person’s entry in that list does not relate to the referendum, the Assembly constituency election and the Assembly regional election, the entry must—
 - (a) indicate whether it relates to the referendum, and
 - (b) identify any election to which it relates.
- (3) In this paragraph “list of voters with disabilities assisted by companions” means a list compiled under—
 - (a) rule 30(8) of the referendum rules, or
 - (b) rule 48(4) of the Assembly Elections Rules.
- (4) Where a single list is used as mentioned in sub-paragraph (1), this paragraph applies instead of rule 48(9) of the Assembly Elections Rules.

Tendered votes list

- 36 (1) If the counting officer thinks fit, a single tendered votes list may be used for the purposes of the referendum and the Assembly elections.
- (2) Where a person’s entry in that list does not relate to the referendum, the Assembly constituency election and the Assembly regional election, the entry must—
 - (a) indicate whether it relates to the referendum, and
 - (b) identify any election to which it relates.
- (3) In this paragraph “tendered votes list” means a list compiled under—
 - (a) rule 32(7) of the referendum rules, or
 - (b) rule 49(8) of the Assembly Elections Rules
- (4) Where a single list is used as mentioned in sub-paragraph (1), this paragraph applies instead of rule 49(12) of the Assembly Elections Rules.

Parliamentary Voting System and Constituencies Bill, *continued**Lists relating to correction of errors on day of poll*

- 37 (1) If the counting officer thinks fit, a single list of persons to whom ballot papers are delivered in consequence of late alterations to the register may be used for the purposes of the referendum and the Assembly elections.
- (2) Where a person's entry in that list does not relate to the referendum, the Assembly constituency election and the Assembly regional election, the entry must—
- (a) indicate whether it relates to the referendum, and
 - (b) identify any election to which it relates.
- (3) In this paragraph "list of persons to whom ballot papers are delivered in consequence of late alterations to the register" means a list compiled under—
- (a) rule 35 of the referendum rules, or
 - (b) rule 51 of the Assembly Elections Rules.

Notice of adjournment in case of riot

- 38 Rule 52(1) of the Assembly Elections Rules has effect as if references to the constituency returning officer were to the counting officer.

Procedure on close of poll

- 39 (1) In rule 37(1) of the referendum rules the reference to polling agents includes a reference to polling agents appointed for the purposes of an Assembly election.
- (2) In rule 53(1) of the Assembly Elections Rules the reference to polling agents includes a reference to polling agents appointed for the purposes of the referendum.
- 40 (1) A packet made up under one of the following provisions may not be combined with a packet made up under another of those provisions.
- (2) The provisions are—
- (a) rule 37(1)(b), (c) or (f) of the referendum rules;
 - (b) rule 53(1)(b), (c), (d), (e) or (h) of the Assembly Elections Rules.
- 41 The ballot paper accounts prepared under rule 37(6) of the referendum rules and rule 53(4) of the Assembly Elections Rules may not be combined.
- 42 In rule 53(3) of the Assembly Elections Rules references to a constituency returning officer are to be read as references to the counting officer.

COUNTING OF VOTES

Attendance and arrangements for counting

- 43 (1) The counting officer must make arrangements for counting the ballot papers and carrying out the other functions conferred by paragraph 47 in the presence of the counting agents.
- (2) The counting officer must give the counting agents and the regional returning officer notice in writing of the time and place at which the proceedings under paragraph 47 will begin.
- (3) A person may be present at the proceedings under paragraph 47 only if—
- (a) the person is entitled to be present at the counting of the votes for the referendum or an Assembly election, or
 - (b) the person is permitted by the counting officer to attend.
- (4) The counting officer may give a person permission under sub-paragraph (3)(b) only if—

Parliamentary Voting System and Constituencies Bill, *continued*

- (a) the officer is satisfied that the person's attendance will not impede the efficient conduct of the proceedings, and
 - (b) the officer has consulted the referendum agents and election agents or thought it impracticable to do so.
- (5) The counting officer must give the counting agents—
- (a) whatever reasonable facilities for overseeing the proceedings, and
 - (b) whatever information with respect to the proceedings,
- the officer can give them consistently with the orderly conduct of the proceedings and the discharge of the officer's duties.
- 44 Rule 38(1) of the referendum rules (arrangements for the counting of votes in the referendum) has effect with the omission of the words "after the close of the poll".
- 45 (1) The constituency returning officer must make arrangements for counting the votes for the Assembly elections in the presence of the counting agents for the election as soon as practicable after receiving the ballot papers from the counting officer under paragraph 48.
- (2) The constituency returning officer must give the counting agents for the Assembly elections and the regional returning officer notice in writing of the time and place at which the counting of the votes for the elections will begin.
- (3) A person may be present at the counting of the votes for an Assembly election only if—
- (a) the person is permitted by the returning officer to attend, or
 - (b) the person would be entitled to be present at the counting of votes for the Assembly election if it were taken on its own.
- (4) The constituency returning officer may give a person permission under subparagraph (3)(a) only if—
- (a) the officer is satisfied that the person's attendance will not impede the efficient counting of the votes, and
 - (b) the officer has consulted the election agents or thought it impracticable to do so.
- (5) The constituency returning officer must give the counting agents for the Assembly elections—
- (a) whatever reasonable facilities for overseeing the proceedings, and
 - (b) whatever information with respect to the proceedings,
- the officer can give them consistently with the orderly conduct of the proceedings and the discharge of the officer's duties.
- (6) In particular, where the votes are counted by sorting the ballot papers into lots according to the votes marked on them and then counting the number of ballot papers in each lot, the counting agents for an Assembly election are entitled to satisfy themselves that the ballot papers are correctly sorted.
- 46 Paragraphs 43 and 45 apply instead of rule 54 of the Assembly Elections Rules.

Counting and separation of ballot papers by counting officer

- 47 (1) As soon as practicable after the close of the poll the counting officer must—
- (a) in the presence of the counting agents, open each ballot box and count and record separately the number of ballot papers relating to the referendum, the Assembly constituency election and the Assembly regional election;
 - (b) where proceedings on the issue and receipt of postal ballot papers for the referendum and the Assembly elections are taken together by virtue of paragraph 2 of Schedule 3 to the Welsh Assembly Order, count the postal ballot papers that have been duly returned for the

Parliamentary Voting System and Constituencies Bill, *continued*

- referendum, the Assembly constituency election and the Assembly regional election and record separately the number relating to each;
- (c) where proceedings on the issue and receipt of postal ballot papers for the referendum and the Assembly elections are not taken together by virtue of paragraph 2 of Schedule 3 to the Welsh Assembly Order, count the postal ballot papers that have been duly returned for the referendum and record the number;
 - (d) separate the ballot papers relating to the referendum, the Assembly constituency election and the Assembly regional election.
- (2) The counting officer must not count any tendered ballot papers.
 - (3) The counting officer, while counting and recording the number of ballot papers, must—
 - (a) keep the ballot papers with their faces upwards, and
 - (b) take all proper precautions for preventing anyone from seeing the numbers or other unique identifying marks printed on the back of the papers.
 - (4) The counting officer must, in the presence of the referendum agents and the election agents for the Assembly elections—
 - (a) verify each ballot paper account by comparing it with the number of ballot papers recorded by the officer, and the unused and spoilt ballot papers in the officer's possession and the tendered votes list (opening and resealing the packets containing the unused and spoilt ballot papers and the tendered votes list);
 - (b) draw up a separate statement as to the result of the verification in relation to each poll.
 - (5) An election agent for an Assembly election may copy the statement relating to that Assembly election.
 - (6) A counting agent for the referendum present at the verification may copy the statement relating to the referendum.
 - (7) Once the statement relating to the referendum is drawn up, the counting officer must—
 - (a) in the case of a voting area in a region for which a Regional Counting Officer is appointed, inform the Regional Counting Officer of the contents of the statement;
 - (b) in the case of any other voting area, inform the Chief Counting Officer of the contents of the statement.
 - (8) Rule 39 of the referendum rules does not apply.

Delivery of ballot papers etc to returning officers

- 48 (1) The counting officer must deliver or cause to be delivered to the constituency returning officer the ballot papers for the Assembly elections.
- (2) The counting officer must also deliver or cause to be delivered to the constituency returning officer—
 - (a) the ballot paper accounts and the statement as to the result of the verification of the ballot paper accounts for the Assembly elections;
 - (b) the packets of unused and spoilt ballot papers for the Assembly elections;
 - (c) the packets of tendered ballot papers for the Assembly elections;
 - (d) the packets of certificates as to employment on duty on the day of the poll for the Assembly elections.
- (3) If the counting officer has not begun to count the votes given on the referendum ballot papers by the time the statements as to the result of the

Parliamentary Voting System and Constituencies Bill, *continued*

verification of the ballot paper accounts in relation to all the polls are prepared—

- (a) those ballot papers must be sealed into packets, each of which must be endorsed with a description of its contents, and
 - (b) the packets may not be opened until the counting officer begins dealing with the ballot papers in those packets under paragraph 49(1).
- (4) If, in respect of an Assembly constituency election or an Assembly regional election, none of the ballot papers have been delivered under sub-paragraph (1) by the time the statements as to the result of the verification of the ballot paper accounts in relation to all the polls are prepared—
- (a) the ballot papers for that election must be sealed into packets, each of which must be endorsed with a description of its contents, and
 - (b) the packets may not be opened until the constituency returning officer begins dealing with the ballot papers in those packets under paragraph 49(3).

Counting of votes

- 49 (1) The counting officer must count the votes given on the ballot papers for the referendum, but must not do so until—
- (a) in the case of postal ballot papers, they have been mixed with the ballot papers from at least one ballot box;
 - (b) in the case of ballot papers from a ballot box, they have been mixed with the ballot papers from at least one other ballot box.
- (2) Where proceedings on the issue and receipt of postal ballot papers for the Assembly elections are not taken together with those for the referendum, the constituency returning officer must count the postal ballot papers that have been duly returned for the Assembly constituency election and the Assembly regional election and record separately the number relating to each.
- (3) The constituency returning officer must count the votes given on the ballot papers for each Assembly election, but must not do so until—
- (a) in the case of postal ballot papers, they have been mixed with the ballot papers from at least one ballot box;
 - (b) in the case of ballot papers from a ballot box, they have been mixed with the ballot papers from at least one other ballot box.
- (4) The counting or constituency returning officer, while counting the votes, must—
- (a) keep the ballot papers with their faces upwards, and
 - (b) take all proper precautions for preventing anyone from seeing the numbers or other unique identifying marks printed on the back of the papers.
- (5) The counting or constituency returning officer must so far as practicable proceed continuously with the counting of votes, allowing only time for refreshment, except that—
- (a) the officer may exclude the whole or any part of the period between 7 pm and 9 am on the next day;
 - (b) the officer may exclude a day mentioned in rule 2(1) of the referendum rules.
- (6) During the time so excluded the counting or constituency returning officer must—
- (a) place the ballot papers and other documents relating to the referendum or Assembly election under the officer's own seal and the seals of any of the counting agents who want to affix their seals, and

Parliamentary Voting System and Constituencies Bill, *continued*

- (b) otherwise take proper precautions for the security of the papers and documents.
- (7) This paragraph and paragraph 50 apply instead of rule 55 of the Assembly Elections Rules.

Ballot papers placed in wrong ballot box

- 50 Where separate ballot boxes are used for the referendum, the Assembly constituency election and the Assembly regional election, the placing of a ballot paper in the wrong ballot box does not render it void.

DECLARATION OF RESULT

Declaration

- 51 The result of the referendum or an Assembly election may not be declared until the statement as to the result of the verification of the ballot paper accounts in relation to each poll has been prepared.

DISPOSAL OF DOCUMENTS ETC

Packets of documents

- 52 (1) The counting officer may not open the sealed packets of—
- (a) the completed corresponding number lists for an Assembly election, or
 - (b) marked copies of the register of electors (including any marked copy notices issued under section 13B(3B) or (3D) of the 1983 Act), and lists of proxies, for an Assembly election.
- (2) Rule 66(3) of the Assembly Elections Rules has effect as if sub-paragraphs (b) and (d) were omitted.

Delivery and retention of documents

- 53 (1) Rules 49(1)(a) and 51 of the referendum rules apply to the specified documents.
- (2) The specified documents are those specified in rule 67(1)(e), (f) and (h) of the Assembly Elections Rules.
- (3) Rule 68 of the Assembly Elections Rules applies to the specified documents as if references to the relevant registration officer were to the registration officer to whom the documents were forwarded under rule 49(1)(a) of the referendum rules.
- (4) Except for the purposes of this paragraph, rule 67 of the Assembly Elections Rules has effect as if it did not include a reference to the specified documents (and as if paragraph (2) were omitted).
- (5) Rule 68(8) of the Assembly Elections Rules has effect as if after “rule” there were inserted “(or a court order)”.

Countermand or abandonment of poll on death of candidate

- 54 Where an Assembly election is countermanded, or polling is abandoned, because of the death of a candidate, this does not affect the poll for the referendum.
- 55 (1) Rule 76 of the Assembly Elections Rules has effect as if it were modified in accordance with sub-paragraphs (2) to (4).

Parliamentary Voting System and Constituencies Bill, *continued*

- (2) In paragraph (2) after “constituency returning officer” insert “or counting officer”.
- (3) For paragraph (3) substitute—
 - “(3) After the close of any polls that are being taken together with the poll that has been abandoned, the counting officer must—
 - (a) separate the ballot papers for the abandoned poll, and
 - (b) deliver or cause to be delivered to the constituency returning officer the ballot papers and other documents relating to the abandoned poll.
 - (3A) Paragraphs (4) to (9) apply in relation to the election for which the poll has been abandoned.”
- (4) Sub-paragraph (3) applies instead of rule 76(10) of the Assembly Elections Rules.

PART 2

APPLICATION OF PROVISIONS ABOUT ISSUE AND RECEIPT OF POSTAL BALLOT PAPERS

- 56 (1) For the purposes of the combined polls, Schedule 3 to the National Assembly for Wales (Representation of the People) Order 2007 (S.I. 2007/236) applies—
 - (a) with the modifications shown in the table, and
 - (b) with any other necessary modifications, including in particular those set out in sub-paragraph (2).
- (2) Except where the context otherwise requires—
 - (a) in relation to the referendum or an Assembly election, a reference to a provision has effect as a reference to that provision as it applies for the purposes of the referendum or election;
 - (b) expressions used in relation to the referendum under section 1 are to be construed in accordance with the definitions in section 5 and rule 52 of the referendum rules.
- (3) In the Representation of the People (England and Wales) Regulations 2001 (S.I. 2001/341) as they apply in relation to the referendum by virtue of Schedule 4—
 - (a) regulation 61B(3)(a) has effect as if for the words after “postal ballot papers” there were substituted “in accordance with paragraph 23(4) or 24(3)(a) of Schedule 3 to the National Assembly for Wales (Representation of the People) Order 2007”;
 - (b) regulation 116(1) has effect as if for “regulation 91 above” there were substituted “paragraph 31 of Schedule 3 to the National Assembly for Wales (Representation of the People) Order 2007”.

Parliamentary Voting System and Constituencies Bill, *continued*

<i>Provision</i>	<i>Modification</i>
Paragraph 1 (interpretation)	<p>For the definition of “agent” substitute—</p> <p>““agent”, except in paragraph 6(2) to (8)—</p> <p style="padding-left: 40px;">(a) in relation to an Assembly election, includes an election agent and a person appointed to attend in the election agent’s place;</p> <p style="padding-left: 40px;">(b) in relation to the referendum, means a referendum agent or an agent appointed under paragraph 6(2).”</p> <p>In the appropriate places insert—</p> <p>““postal voters list” includes the list kept under paragraph 5(2) of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2010;”;</p> <p>““proxy postal voters list” includes the list kept under or paragraph 8(6) of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2010;”;</p> <p>““relevant returning or counting officer” means—</p> <p style="padding-left: 40px;">(a) in a case where proceedings on the issue and receipt of postal ballot papers are taken together by virtue of paragraph 2, the counting officer;</p> <p style="padding-left: 40px;">(b) in any other case, the constituency returning officer, in relation to an Assembly election, or the counting officer, in relation to the referendum;”.</p>
Paragraph 2 (combination of polls)	<p>For paragraph 2 substitute—</p> <p>“2 Combination of polls</p> <p>Proceedings on the issue and receipt of postal ballot papers in respect of the Assembly elections and the referendum may, if the constituency returning officer and the counting officer think fit, be taken together.”</p>
Paragraph 3 (form of postal voting statement)	Omit the whole paragraph.
Paragraph 4 (regional elections)	Omit the whole paragraph.
Paragraph 5 (persons entitled to be present at proceedings on issue of postal ballot papers)	For “constituency returning officer” substitute “relevant returning or counting officer”.

Parliamentary Voting System and Constituencies Bill, *continued*

<i>Provision</i>	<i>Modification</i>
Paragraph 6 (persons entitled to be present at proceedings on receipt of postal ballot papers)	<p>For sub-paragraph (1) substitute—</p> <p>(1) In a case where proceedings on the receipt of postal ballot papers are taken together by virtue of paragraph 2, the only persons who may be present at those proceedings are the appropriate persons in relation to the Assembly elections and the referendum.</p> <p>(1A) In any other case, the only persons who may be present at the proceedings on the receipt of postal ballot papers—</p> <p style="padding-left: 2em;">(a) in respect of the Assembly elections, are the appropriate persons in relation to those elections;</p> <p style="padding-left: 2em;">(b) in respect of the referendum, are the appropriate persons in relation to the referendum.</p> <p>(1B) The following are appropriate persons in relation to the Assembly elections—</p> <p style="padding-left: 2em;">(a) the constituency returning officer and his clerks;</p> <p style="padding-left: 2em;">(b) the regional returning officer;</p> <p style="padding-left: 2em;">(c) the candidates;</p> <p style="padding-left: 2em;">(d) the election agents;</p> <p style="padding-left: 2em;">(e) any person appointed by a constituency candidate to attend in his election agent's place;</p> <p style="padding-left: 2em;">(f) any person appointed by an individual candidate at the regional election to attend in his election agent's place;</p> <p style="padding-left: 2em;">(g) any person appointed by the election agent of a registered political party standing nominated or by the registered nominating officer of that party to attend in the place of that party's election agent at the regional election;</p> <p style="padding-left: 2em;">(h) any agents appointed under sub-paragraph (2).</p> <p>(1C) The following are appropriate persons in relation to the referendum—</p> <p style="padding-left: 2em;">(a) the counting officer;</p> <p style="padding-left: 2em;">(b) the counting officer's clerks;</p> <p style="padding-left: 2em;">(c) the referendum agents and any agents appointed under sub-paragraph (2).</p> <p>(1D) This paragraph is without prejudice to section 6A, 6B, 6C, 6D or 6E of the 2000 Political Parties Act.”</p>

Parliamentary Voting System and Constituencies Bill, *continued*

<i>Provision</i>	<i>Modification</i>
Paragraph 7 (notification of requirement of secrecy)	<p>In sub-paragraphs (2) to (7), for “constituency returning officer” (in each place) substitute “relevant returning or counting officer”.</p> <p>Omit sub-paragraph (4).</p> <p>After sub-paragraph (7) insert—</p> <p>“(7A) In relation to the referendum, in sub-paragraph (2), (3), (5) or (8) a reference to a candidate in a constituency election is to be read as a reference to a referendum agent.”</p> <p>In sub-paragraph (9), for “the candidates or their agents” substitute “any persons mentioned in sub-paragraphs (1B)(c) to (h) or (1C)(c)”.</p> <p>For paragraph 7 substitute—</p> <p>“7 Notification of requirements of secrecy</p> <p>(1) In a case where proceedings on the issue and receipt of postal ballot papers are taken together by virtue of paragraph 2, the counting officer shall make such arrangements as he thinks fit to ensure that every person attending the proceedings in connection with the issue or receipt of postal ballot papers has been given a copy in writing of—</p> <ul style="list-style-type: none"> (a) the provisions of article 35(4) and (6); and (b) the provisions of subsections (4) and (6) of section 66 of the 1983 Act as they apply in relation to the referendum. <p>(2) In any other case—</p> <ul style="list-style-type: none"> (a) the constituency returning officer shall make such arrangements as he thinks fit to ensure that every person attending proceedings in connection with the issue or receipt of postal ballot papers for the Assembly elections has been given a copy in writing of the provisions of article 35(4) and (6); (b) the counting officer shall make such arrangements as he thinks fit to ensure that every person attending proceedings in connection with the issue or receipt of postal ballot papers for the referendum has been given a copy in writing of the provisions of subsections (4) and (6) of section 66 of the 1983 Act as they apply to the referendum.”

Parliamentary Voting System and Constituencies Bill, *continued*

<i>Provision</i>	<i>Modification</i>
Paragraph 8 (time when postal ballot papers are to be issued)	<p>In sub-paragraph (1), after “voting statement” insert “for an Assembly election”.</p> <p>After sub-paragraph (1) insert—</p> <p style="padding-left: 40px;">“(1A) In the case of a person within entry 2, 3 or 4 of the table in paragraph 5(2) of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2010 or entry 2, 3 or 4 of the table in paragraph 8(6) of that Schedule (electors and proxies entitled to vote by post for an indefinite or definite period), no postal ballot paper and postal voting statement for the referendum shall be issued until after 5 pm on the eleventh day before the date of the poll (computed in accordance with paragraph 7(6) of Schedule 1 to this Order).”</p> <p>In sub-paragraph (2), omit “by the constituency returning officer”.</p>
Paragraph 9 (procedure on issue of postal ballot papers)	<p>In sub-paragraph (2), omit “Where an elector is entitled to give two votes”.</p> <p>For sub-paragraph (5) substitute—</p> <p style="padding-left: 40px;">“(5) Sub-paragraphs (5A) and (5B) apply where—</p> <p style="padding-left: 80px;">(a) proceedings on the issue of postal ballot papers are taken together by virtue of paragraph 2; and</p> <p style="padding-left: 80px;">(b) a combined postal voters list or proxy postal voters list is produced by virtue of paragraph 32 of Schedule [<i>Combination of polls: Wales</i>] to the Parliamentary Voting System and Constituencies Act 2010.</p> <p>(5A) In a case where a postal ballot paper is issued at the same time in respect of the Assembly elections and the referendum, a single mark must be placed in the list under sub-paragraph (3).</p> <p>(5B) In any other case, a mark must be placed in the list under sub-paragraph (3) identifying the poll to which each postal ballot paper issued relates.</p> <p>(5C) Where proceedings on the issue of postal ballot papers are taken together by virtue of paragraph 2, the number of each postal ballot paper issued shall be marked on the postal voting statement under paragraph (4).”</p> <p>In sub-paragraph (6), for the words from the beginning to “but” substitute “Where”.</p>

Parliamentary Voting System and Constituencies Bill, *continued*

<i>Provision</i>	<i>Modification</i>
	<p>In sub-paragraph (8)—</p> <p>(a) after “sub-paragraph (7)” insert “in relation to an Assembly election”;</p> <p>(b) at the end insert— “and, in relation to the referendum, the items specified in sub-paragraph (7) must be sent to the address to which postal ballot papers should be sent as mentioned in column 3 of the table in paragraph 5(2) or 8(6) of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2010.”</p>
Paragraph 10 (refusal to issue postal ballot papers)	<p>For “constituency returning officer” substitute “relevant returning or counting officer”.</p> <p>After “election” insert “or the referendum”.</p>
Paragraph 11 (envelopes)	<p>In sub-paragraph (1)—</p> <p>(a) for “constituency returning officer” substitute “relevant returning or counting officer”;</p> <p>(b) after “Schedule 5” insert “or rule 11 of the referendum rules”.</p> <p>In sub-paragraph (2)—</p> <p>(a) for “constituency returning officer” substitute “relevant returning or counting officer”;</p> <p>(b) in paragraph (c), at the beginning insert “unless the envelope has a window through which the number on the ballot paper (or ballot papers) can be displayed.”.</p> <p>In sub-paragraph (3), for the words from the beginning to “but” substitute “Where”.</p>
Paragraph 12 (sealing up of completed corresponding number lists)	<p>In sub-paragraph (1), for “constituency returning officer” substitute “relevant returning or counting officer”.</p> <p>In sub-paragraph (2), for “returning officer” substitute “relevant returning or counting officer”.</p>
Paragraph 13 (delivery of postal ballot papers)	<p>In sub-paragraph (1)—</p> <p>(a) for “constituency returning officer” substitute “relevant returning or counting officer”;</p> <p>(b) in paragraph (c), after “Schedule 5” insert “or rule 13 of the referendum rules”.</p> <p>In sub-paragraph (2), for “constituency returning officer” substitute “relevant returning or counting officer”.</p>
Paragraph 14 (spoilt postal ballot papers)	<p>For “constituency returning officer” (in each place) substitute “relevant returning or counting officer”.</p> <p>In sub-paragraph (2)(b), for “election” substitute “poll”.</p>

Parliamentary Voting System and Constituencies Bill, *continued*

<i>Provision</i>	<i>Modification</i>
Paragraph 15 (lost postal ballot papers)	For “constituency returning officer” (in each place) substitute “relevant returning or counting officer”. In sub-paragraph (3)(b), for “election” substitute “poll”.
Paragraph 16 (notice of opening of postal ballot paper envelopes)	In sub-paragraph (1)— <ul style="list-style-type: none"> (a) for “constituency returning officer” substitute “relevant returning or counting officer”; (b) for paragraphs (a) and (b) substitute “each of the persons mentioned in sub-paragraph (1A)”. After sub-paragraph (1) insert— “(1A) The persons are— <ul style="list-style-type: none"> (a) in relation to the constituency election, the candidates; (b) in relation to the regional election, the individual candidates and the election agent for each registered party standing nominated; (c) in relation to the referendum, the referendum agents.” In sub-paragraph (2)(b), after “party” insert “or referendum agent (as the case may be)”.

Parliamentary Voting System and Constituencies Bill, *continued*

<i>Provision</i>	<i>Modification</i>
Return of postal ballot papers etc	<p>After paragraph 16 insert—</p> <p>“16A Return of postal ballot papers etc</p> <p>(1) A postal ballot paper shall not be taken to be duly returned for the purposes of Part 1 of Schedule [<i>Combination of polls: Wales</i>] to the Parliamentary Voting System and Constituencies Act 2010 unless—</p> <ul style="list-style-type: none"> (a) before the close of the poll— <ul style="list-style-type: none"> (i) it is returned by hand or post and reaches the relevant returning or counting officer; or (ii) it is returned by hand to a polling station in the constituency or voting area for which the officer acts; (b) the postal voting statement duly signed is, before that time, also returned either— <ul style="list-style-type: none"> (i) by hand or post and reaches the relevant returning or counting officer; or (ii) by hand and reaches such a polling station; (c) the postal voting statement also states the date of birth of the elector or, as the case may be, proxy; and (d) in a case where the relevant returning or counting officer takes steps to verify the date of birth and signature of the elector or, as the case may be, proxy in accordance with paragraph 23 or, as the case may be, paragraph 24, he so verifies the date of birth and signature of that elector or, as the case may be, proxy. <p>(2) The presiding officer of the polling station shall deliver or cause to be delivered any postal ballot paper or postal voting statement returned to that polling station to the relevant returning or counting officer in the same manner and at the same time as he delivers, or causes to be delivered, the packets referred to in rule 53 of Schedule 5 or rule 37 of the referendum rules.</p> <p>(3) The relevant returning or counting officer may collect, or cause to be collected, any postal ballot paper or postal voting statement which by virtue of sub-paragraph (2) the presiding officer of a polling station would otherwise be required to deliver or cause to be delivered to him.</p>

Parliamentary Voting System and Constituencies Bill, *continued*

<i>Provision</i>	<i>Modification</i>
	(4) Where the relevant returning or counting officer collects, or causes to be collected, any postal ballot paper or postal voting statement in accordance with sub-paragraph (3) the presiding officer shall first make it (or them) up into a packet (or packets) sealed with his own seal and the seals of such polling agents as are present and desire to affix their seals.”
Paragraph 17 (postal ballot boxes and receptacles)	For “constituency returning officer” (in each place) substitute “relevant returning or counting officer”. For sub-paragraph (2) substitute— “(2) Each of those ballot boxes— (a) shall be marked “postal voter’s ballot box” or “postal ballot box” as appropriate; (b) shall be marked with the name of each constituency, electoral region or voting area in relation to which it is to be used.”
Paragraph 18 (receipt of covering envelope)	In sub-paragraph (4), after “shall then” insert “lock the ballot box (if it has a lock) and”.
Paragraph 19 (opening of postal voters’ ballot box)	In sub-paragraphs (1) and (2), for “constituency returning officer” substitute “relevant returning or counting officer”. In sub-paragraph (3), for “votes under rule 55 of the Schedule 5” substitute “ballot papers”.
Paragraph 20 (opening of covering envelopes)	For “constituency returning officer” (in each place) substitute “relevant returning or counting officer”.
Paragraph 21 (confirming receipt of postal voting statements)	For “constituency returning officer” (in each place) substitute “relevant returning or counting officer”. In sub-paragraph (2)(a), for “returning officer” substitute “relevant returning or counting officer”.
Paragraph 22 (procedure in relation to postal voting statements)	For “constituency returning officer” (in each place) substitute “relevant returning or counting officer”. After sub-paragraph (3) insert— “(3A) Before placing the statement in the receptacle for rejected votes, the relevant returning or counting officer shall show it to the agents and, if any of them object to his decision, he shall add the words “rejection objected to”.”

Parliamentary Voting System and Constituencies Bill, *continued*

<i>Provision</i>	<i>Modification</i>
Paragraph 23 (procedure in relation to postal voting statements: personal identifier verification)	For “constituency returning officer” (in each place) substitute “relevant returning or counting officer”.
Paragraph 24 (postal voting statements: additional personal identifier verification)	For “constituency returning officer” or “returning officer” (in each place) substitute “relevant returning or counting officer”. In sub-paragraph (4), for “reseal the postal ballot box” substitute “lock the postal ballot box (if it has a lock) and reseal it”.
Paragraph 25 (opening of ballot paper envelopes)	In sub-paragraph (1), for “constituency returning officer” substitute “relevant returning or counting officer”.
Paragraph 26 (retrieval of cancelled postal ballot papers)	In sub-paragraph (1), for “constituency returning officer” substitute “relevant returning or counting officer”. In sub-paragraph (2)(f)— <ul style="list-style-type: none"> (a) for “votes under rule 55 of Schedule 5” substitute “ballot papers”; (b) for “reseal the postal ballot box” substitute “lock the postal ballot box (if it has a lock) and reseal it”.
Paragraph 27 (list of rejected postal ballot papers)	In sub-paragraph (1), for “, the constituency returning officer” substitute “and in respect of the referendum, the relevant returning or counting officer”.
Paragraph 28 (checking of lists of rejected postal ballot papers)	For “constituency returning officer” (in each place) substitute “the relevant returning or counting officer”. In sub-paragraph (3), at the end insert “or voting area under rule 37 of the referendum rules”.
Paragraph 29 (sealing of receptacles)	In sub-paragraph (1), for “constituency returning officer” substitute “the relevant returning or counting officer”.
Paragraph 30 (abandoned poll)	In sub-paragraph (2), for “election” substitute “poll”.

Parliamentary Voting System and Constituencies Bill, *continued*

<i>Provision</i>	<i>Modification</i>
Paragraph 31 (forwarding or retention of documents)	<p>In sub-paragraph (1)—</p> <ul style="list-style-type: none"> (a) for the words before sub-paragraph (a) substitute “The relevant returning or counting officer shall forward to the registration officer to whom he forwards the documents mentioned in rule 67 of Schedule 5 or rule 49 of the referendum rules, at the same time as he forwards those documents”; (b) in paragraph (a), for the words from “the election to which” to the end substitute “each election or referendum and the area to which the packet relates”; (c) in paragraph (b), at the end insert “in respect of each Assembly election, and a completed statement in the form set out in Form 10 in Part 3 of Schedule [<i>Combination of polls: Wales</i>] to the Parliamentary Voting System and Constituencies Act 2010 in respect of the referendum”. <p>In sub-paragraph (2)—</p> <ul style="list-style-type: none"> (a) for “constituency returning officer” (in both places) substitute “relevant returning or counting officer”; (b) for “rule 55(7) of Schedule 5” substitute “paragraph 16A(2)”. <p>In sub-paragraph (3), for “Rules 68 and 69 of Schedule 5” substitute “The rules specified in paragraph (3A)”.</p> <p>After sub-paragraph (3) insert—</p> <p>“(3A) The rules are—</p> <ul style="list-style-type: none"> (a) in a case where proceedings on the issue and receipt of postal ballot papers are taken together by virtue of paragraph 2— <ul style="list-style-type: none"> (i) rule 50 of the referendum rules and rule 68 of Schedule 5, and (ii) rule 51 of the referendum rules; (b) in any other case— <ul style="list-style-type: none"> (i) rule 50 of the referendum rules or (as the case may be) rule 68 of Schedule 5, and (ii) rule 51 of the referendum rules or (as the case may be) rule 69 of Schedule 5.” <p>In sub-paragraph (4), for “constituency returning officer” substitute “relevant returning or counting officer”.</p>
In Schedule 10, Form CD	<p>In a case where proceedings on the issue and receipt of postal ballot papers are taken together by virtue of paragraph 2 of Schedule 3 to the Welsh Assembly Order, for “returning officer” in each place substitute “counting officer”.</p>

Parliamentary Voting System and Constituencies Bill, *continued*

AND RECEIPT OF POSTAL BALLOT PAPERS COMBINED)

Postal Voting Statement

*Voter's name: Ballot paper nos.

*Counting officer to insert name but omit where ballot papers sent to an anonymous elector

[other identifying mark]

You must provide your [# signature and] date of birth. If you do not, the postal voting statement will be invalid and your vote will not be counted.

I AM THE PERSON THE BALLOT PAPERS NUMBERED ABOVE WERE SENT TO

Date of birth

D	D	M	M	Y	Y	Y	Y
---	---	---	---	---	---	---	---

 (voter's date of birth)

#Signature

--

(voter's signature)
**IMPORTANT - Keep
signature within border**

/(Counting officer to omit where a person has been granted a waiver)

It is an offence to vote using a ballot paper that is not addressed to you.

PLEASE READ INSTRUCTIONS TO THE VOTER

Issued by the counting officer

INSTRUCTIONS TO THE VOTER

Complete the ballot papers yourself and in private. If you need help, contact the counting officer's staff as shown below.

[contact details for assistance; include address as appropriate]

1. You have ballot papers for the referendum on the voting system for United Kingdom parliamentary elections and for the constituency and regional elections for the National Assembly for Wales.
2. You must provide your [#signature and] date of birth. If you do not, the postal voting statement will be invalid and your vote(s) will not be counted.

Parliamentary Voting System and Constituencies Bill, *continued*

3. When you are voting in the referendum on the voting system for United Kingdom parliamentary elections (*insert colour of ballot paper* ballot paper), mark a cross (X) in the box on the right hand side of the ballot paper opposite the answer you are voting for. Vote once only. Do not mark the ballot paper in any other way or your vote may not be counted.
 4. When you are voting in the elections to the National Assembly for Wales (*insert colour or colours of ballot papers* ballot papers), mark a cross (X) opposite the party or candidate you are voting for. You may only vote once on each ballot paper. Put no other mark on the ballot papers or your votes may not count.
 5. If you need help voting, the person helping you must not tell anyone how you voted.
 6. Put all the ballot papers in the small envelope marked **A** and seal it.
 7. Complete the postal voting statement by [#signing it, and] providing your date of birth.
 8. Then put the envelope marked **A** together with the postal voting statement in the larger envelope marked **B**. Return it straightaway.
 9. **After receiving this postal vote, you cannot vote in person at a polling station in the referendum or election.**
 10. If you accidentally spoil any of your ballot papers, you can apply to the counting officer for replacements before 5 pm on [*day/date of poll*]. You must return all the ballot papers, the postal voting statement and the envelopes marked **A** and **B**. Make sure you contact the counting officer as soon as possible.
- ! Your ballot papers and the postal voting statement must be received by the counting officer by 10 pm on [*day/date of poll*]. You can deliver your completed postal votes to any polling station in your voting area on polling day.

It is an offence to vote using a ballot paper that is not addressed to you.

It is illegal to vote more than once in the referendum (unless you are appointed as a proxy for another person).

It is illegal to vote more than once at the same election (unless you are appointed as a proxy for another person).

#(Counting officer to omit where a person has been granted a waiver)

**Delete as appropriate*

Paragraph 11(2)

FORM 3 - FORM OF POSTAL VOTING STATEMENT (TO BE USED FOR REFERENDUM WHERE PROCEEDINGS ON ISSUE AND RECEIPT OF POSTAL BALLOT PAPERS NOT COMBINED)

Postal Voting Statement

*Voter's name:

Ballot paper no.
(*insert colour*)

Parliamentary Voting System and Constituencies Bill, *continued*

**(Counting officer to insert name but omit where ballot papers sent to an anonymous elector)*

[other identifying mark]

You must provide your [# signature and] date of birth. If you do not, the postal voting statement will be invalid and your vote will not be counted.

I AM THE PERSON THE BALLOT PAPER NUMBERED ABOVE WAS SENT TO

Date of birth

D	D	M	M	Y	Y	Y	Y
---	---	---	---	---	---	---	---

 (voter's date of birth)

#Signature

--

 (voter's signature)
IMPORTANT - Keep signature within border

**(Counting officer to omit where a person has been granted a waiver)*

It is an offence to vote using a ballot paper that is not addressed to you.

PLEASE READ INSTRUCTIONS TO THE VOTER

Issued by the counting officer

INSTRUCTIONS TO THE VOTER

Complete the ballot paper yourself and in private. If you need help, contact the counting officer's staff as shown below.

[contact details for assistance; include address as appropriate]

1. You must provide your [#signature and] date of birth. You must do this even if you have already signed a postal voting statement in respect of the elections to the National Assembly for Wales to be held on the same day. If you do not, the postal voting statement will be invalid and your vote will not be counted.
2. Vote once only. Do not mark the ballot paper in any other way or your vote may not be counted.
3. Mark a cross (X) in the box on the right hand side of the ballot paper opposite the answer you are voting for.
4. If you need help in voting, the person helping you must not tell anyone how you voted.
5. Put the ballot paper in the small envelope marked **A** and seal it.

Parliamentary Voting System and Constituencies Bill, *continued*

- 6. Complete the postal voting statement by [#signing it, and] providing your date of birth.
- 7. Then put the envelope marked **A** together with the postal voting statement in the larger envelope marked **B**. Return it straightaway.
- 8. **After receiving this postal vote, you cannot vote in person at a polling station in this referendum.**
- 9. If you accidentally spoil your ballot paper, you can apply to the counting officer for a replacement before 5 pm on [*day/date of poll*]. You must return the spoiled ballot paper, the postal voting statement and the envelopes marked **A** and **B**. Make sure you contact the counting officer as soon as possible.
- ! Your ballot paper and the postal voting statement must be received by the counting officer by 10 pm on [*day/date of poll*]. You can deliver your completed postal vote to any polling station in your voting area on polling day.

It is an offence to vote using a ballot paper that is not addressed to you.

It is illegal to vote more than once (unless you are appointed as a proxy for another person) in this referendum.

#(Counting officer to omit where a person has been granted a waiver)

**Delete as appropriate*

Paragraph 11(4)

FORM 4 - FORM OF POSTAL VOTING STATEMENT (TO BE USED FOR NATIONAL ASSEMBLY FOR WALES ELECTION WHERE PROCEEDINGS ON ISSUE AND RECEIPT OF POSTAL BALLOT PAPERS NOT COMBINED)

(Front of Form)

*Voter's name: Ballot paper No.
 (insert colour)

**(Returning officer to insert name but omit where ballot papers sent to an anonymous elector)*

[other identifying mark]

You must provide your [# signature and] date of birth. If you do not, the postal voting statement will be invalid and your vote will not count.

I AM THE PERSON TO WHOM THE BALLOT PAPERS NUMBERED ABOVE WERE SENT

Date of birth

D	D	M	M	Y	Y	Y	Y
---	---	---	---	---	---	---	---

 (voter's date of birth)

 Parliamentary Voting System and Constituencies Bill, *continued*

#Signature

(voter's signature)
 IMPORTANT - Keep
 signature within border

Electoral fraud is a crime. You must not vote using a ballot paper that is not addressed to you. You must not interfere with another voter's ballot paper.

Issued by the Returning Officer

(Back of form)

INSTRUCTIONS TO THE VOTER

Complete the ballot paper yourself and in private. If you need help you can contact the Returning Officer's staff as shown below.

(Contact details for assistance include address as appropriate)

1. You have ballot papers for the constituency election and the regional election.
2. You must provide your [# signature and] date of birth. You must do this even if you have already signed a postal voting statement in respect of the referendum on the voting system for United Kingdom parliamentary elections which is to be held on the same day. If you do not, the postal voting statement will be invalid and your vote will not be counted.
3. The ballot paper and the postal voting statement must be received by the Returning Officer by 10pm on [day/date of poll]. You can deliver your completed postal vote to any polling station in the constituency on polling day.
4. If you need help voting, the person helping you must not tell anyone how you voted.
5. You may only vote once on each ballot paper. Mark a cross (X) opposite the candidate or party you wish to vote for. Put no other mark on the ballot paper, or your vote may not be counted.
6. Put the ballot papers for the Assembly elections in the small envelope marked **A** and seal it.
7. Complete the postal voting statement by signing it, and providing your date of birth.
8. Then put the envelope marked **A** together with the postal voting statement in the larger envelope marked **B**. Return it straightaway.
9. **After receiving this postal vote, you cannot vote in person at a polling station at this election.**

Parliamentary Voting System and Constituencies Bill, *continued*

Paragraph 21(1)

FORM 6 - GUIDANCE FOR VOTERS TO BE EXHIBITED INSIDE AND OUTSIDE EVERY POLLING STATION

1. When you are given your ballot papers go to one of the compartments.
2. On the [*insert colour*] referendum ballot paper, mark a cross (X) in the box on the right hand side of the ballot paper opposite the answer you are voting for.
3. On the ballot papers for the election to the National Assembly for Wales, coloured [*insert colour or colours*], mark your choices with a cross (X) in the box on the right hand side of each ballot paper opposite the name of the candidate or party you are voting for. Put only one X on each ballot paper.
4. Vote once only in referendum and on each ballot paper for the election to the National Assembly for Wales. Put no other mark on the ballot paper, or your vote may not be counted.
5. If by mistake you spoil a ballot paper, show it to the presiding officer and ask for another one.
6. Fold each ballot paper in two. Show the presiding officer the number and other unique identifying mark on the back of the ballot paper, but do not let anyone see your vote. Put each ballot paper in the [*appropriate*]* ballot box and leave the polling station.

* Complete or omit as necessary.

Paragraph 22(1)

FORM 7 - GUIDANCE FOR VOTERS TO BE EXHIBITED IN EVERY POLLING STATION COMPARTMENT
REFERENDUM ON THE VOTING SYSTEM FOR UNITED KINGDOM PARLIAMENTARY ELECTIONS

 Referendum ballot paper (*insert colour*] ballot paper)

Votes cast in this poll will decide on the voting system for United Kingdom parliamentary elections.

- You have one vote on this paper.
- You should place a cross (X) in one box only.

Parliamentary Voting System and Constituencies Bill, *continued*
ELECTION TO THE NATIONAL ASSEMBLY FOR WALES

Constituency ballot paper (*[insert colour]* ballot paper)

Votes cast in this poll will decide the election of a member to represent your constituency in the National Assembly for Wales.

- You have one vote on this paper.
- You should place a cross (X) in one box only.

Regional ballot paper (*[insert colour]* ballot paper)

Votes cast in this poll will decide the allocation of the 4 additional seats in the National Assembly for Wales for this region. You may use this vote [either]* for a political party putting forward a list of candidates [or for an individual candidate not standing on a party list]*.

- You have one vote on this paper.
- You should place a cross (X) in one box only.

PUT NO OTHER MARKS ON THE BALLOT PAPERS OR YOUR VOTES MAY NOT BE COUNTED

* *Omit as necessary.*

Paragraph 27(2)

FORM 8 - FORM OF CERTIFICATE OF EMPLOYMENT

Referendum on the voting system for United Kingdom parliamentary elections

[insert name of voting area]

I certify that (name) who is numbered in the register of electors cannot reasonably be expected to go in person to the polling station allotted to him or her in the referendum on (*date of poll*) by reason of the particular circumstances of his or her employment on that date for a purpose connected with the referendum *as a constable / *by me.

*Delete whichever is inappropriate.

Signature

*Counting officer / police officer (inspector or above)

Date

Parliamentary Voting System and Constituencies Bill, *continued*

Note: The person named above is entitled to vote at any polling station in the voting area specified above on production and surrender of this certificate to the presiding officer.

Paragraph 34(1)

FORM 9 - FORM OF DECLARATION TO BE MADE BY THE COMPANION OF A VOTER WITH DISABILITIES

I, (name of companion)
of (address of companion)
having been requested to assist (name of voter)

[in the case of a person with disabilities voting as proxy, add

voting as proxy for (name of elector)]

whose name on the register is to record their vote at the [referendum]* [and]* [National Assembly for Wales elections]* being held in this [voting area]*/ [constituency]*

hereby declare that

- (a) [I am entitled to vote as an elector at the said [referendum]* [and]* [election]*,]*
(b) [I am the #..... of the said voter and have attained the age of 18 years,]* and
(c) I have not previously assisted any voter with disabilities [except (name of other elector), of (address of other elector)], to vote at the said [referendum]* [or]* [election]*.*

#State the relationship of the companion to the voter.

*Delete as appropriate.

(Signed) (companion)

Date

I, the undersigned, being the presiding officer for the polling station for the [insert name of voting area] hereby certify that the above declaration, having been first read to the above-named declarant, was signed by the declarant in my presence.

(Signed).....

Date

Time (am/pm)

NOTE: (1) If the person making the above declaration knowingly and wilfully makes therein a statement false in a material particular, he or she will be guilty of an offence.

(2) A voter with disabilities is a voter who has made a declaration that he or she is so incapacitated by blindness or other disability, or by an inability to read, as to be unable to vote without assistance.

Parliamentary Voting System and Constituencies Bill, *continued*

Paragraph 56

FORM 10 - STATEMENT AS TO POSTAL BALLOT PAPERS FOR THE REFERENDUM

Referendum on the voting system for United Kingdom parliamentary elections

Voting area

Date of poll

A. <i>Issue of postal ballot papers</i>	Number for voting area
1. Total number of postal ballot papers issued under paragraph 8 of Schedule 3.	
2. Total number of postal ballot papers issued under paragraphs 14 (spoilt and returned for cancellation) and 15 (lost and not received) of Schedule 3.	
3. Total number of postal ballot papers cancelled under paragraph 26 of Schedule 3 (where the first ballot paper was cancelled and retrieved).	
4. Total number of postal ballot papers issued (1+2+3).	

B.(1) <i>Receipt of ballot papers and replacements</i>	Number for voting area
5. Number of covering envelopes received by the counting officer or at a polling station before the close of poll (excluding any undelivered or returned under paragraphs 14 (spoilt), 15 (lost) and 26 (cancelled ballot papers) of Schedule 3).	
6. Number of covering envelopes received by the counting officer after the close of poll, excluding any returned as undelivered.	
7. Number of postal ballot papers returned spoilt for cancellation in time for another ballot paper to be issued.	
8. Number of postal ballot papers identified as lost or not received in time for another ballot paper to be issued.	
9. Number of ballot papers cancelled and retrieved in time for another ballot paper to be issued.	

Parliamentary Voting System and Constituencies Bill, *continued*

10. Number of postal ballot papers returned as spoilt too late for another ballot paper to be issued.	
11. Number of covering envelopes returned as undelivered (up to the date of this statement).	
12. Number of covering envelopes not received by the counting officer by the date of this statement.	
13. Total numbers 5 to 12 (This number should be the same as that in 4 above).	

B.(2) Receipt of postal ballot papers - postal voting statements	Number for voting area
14. Number of covering envelopes set aside for the verification of personal identifiers on postal voting statements.	
15. Number of postal voting statements not subject to verification procedure rejected as not completed (excluding prior cancellations).	
16. Number of postal voting statements subject to verification procedure rejected as not completed (excluding prior cancellations).	
17. Number of postal voting statements rejected following verification procedures due to personal identifiers on the postal voting statement not matching those in the personal identifiers record (excluding prior cancellations).	

C. Count of postal ballot papers	Number for voting area
18. Number of ballot papers returned by postal voters which were included in the count of ballot papers.	
19. Number of cases in which a covering envelope or its contents were marked "rejected" (cancellations under paragraphs 14, 15 and 26 of Schedule 3 are not rejections and should be included in items 2, 3, 7, 8 and 9 above).	

Date

Signed.....
Counting Officer

Address

.....

NOTE

The references to Schedule 3 are references to Schedule 3 to the National Assembly for Wales (Representation of the People) Order 2007 as applied by the Parliamentary Voting System and Constituencies act 2010.’

Parliamentary Voting System and Constituencies Bill, *continued*

As Amendments to New Schedule 3 (Combination of Polls: Wales):—

Edward Miliband
Sadiq Khan
Chris Bryant
Mr Peter Hain

(a)

Paragraph 15, leave out sub-paragraph (1) and insert—

‘(1) The official poll cards used for the referendum and the Assembly elections must be combined for all electors qualified to vote in all the polls.’.

Edward Miliband
Sadiq Khan
Chris Bryant
Mr Peter Hain

(b)

Paragraph 17, leave out sub-paragraphs (1) and (2) and insert—

‘(1) Separate ballot boxes must be used for the referendum to that used for the Assembly elections.

(2) Each ballot box must be marked to show—

- (a) the referendum or Assembly election to which it relates, and
- (b) the colour of ballot papers that should be placed in it.’.

Edward Miliband
Sadiq Khan
Chris Bryant
Mr Peter Hain

(c)

Leave out paragraph 18 and insert—

‘18 (1) The Chief Counting Officer shall select the colour of the ballot paper used for the referendum.

(2) The other ballot papers used for the Assembly elections shall be of a different colour from that selected by the Chief Counting Officer.’.

Edward Miliband
Sadiq Khan
Chris Bryant
Mr Peter Hain

(d)

After paragraph 21 insert—

‘Electoral Commission guidance

21A The Electoral Commission are to supply posters to be displayed in every polling station used for the referendum, which give neutral information on first past the post and alternative vote systems that are the subject of the referendum, subject to agreement by the Speaker’s Committee on the Electoral Commission.’.

Parliamentary Voting System and Constituencies Bill, *continued*

Edward Miliband
Sadiq Khan
Chris Bryant
Mr Peter Hain

Paragraph 45, at the end of sub-paragraph (3) insert ‘or
(c) the person is a Member of Parliament.’

(e)

Edward Miliband
Sadiq Khan
Chris Bryant
Mr Peter Hain

Paragraph 47, in sub-paragraph (1)(d), leave out ‘separate’ and insert ‘keep separate throughout’.

(f)

Edward Miliband
Sadiq Khan
Chris Bryant
Mr Peter Hain

In paragraph 49, sub-paragraph (1), at the end of sub-sub-paragraph (a) insert ‘containing ballot papers for the referendum vote.’

(g)

Edward Miliband
Sadiq Khan
Chris Bryant
Mr Peter Hain

In paragraph 49, at the end of sub-paragraph (1), at end of sub-sub-paragraph (b) insert ‘containing ballot papers for the referendum vote.’

(h)

Edward Miliband
Sadiq Khan
Chris Bryant
Mr Peter Hain

In paragraph 49, at the end of sub-paragraph (3), at end of sub-sub-paragraph (a) insert ‘containing ballot papers for the referendum vote.’

(i)

Edward Miliband
Sadiq Khan
Chris Bryant
Mr Peter Hain

In paragraph 49, at the end of sub-paragraph (3), at end of sub-sub-paragraph (b) insert ‘containing ballot papers for the referendum vote.’

(j)

The Deputy Prime Minister

To move the following Schedule:—

NS4

Parliamentary Voting System and Constituencies Bill, *continued*

‘COMBINATION OF POLLS: SCOTLAND

PART 1

PROVISION ABOUT COMBINATION

GENERAL PROVISIONS

Interpretation

- 1 The polls to be taken together under section [*Combination of polls*](3) are referred to in this Schedule as “combined polls”.
- 2 In this Schedule—
- “the 2007 Order” means the Scottish Parliament (Elections etc.) Order 2007 (S.I. 2007/937);
 - “constituency ballot paper” means a ballot paper for the poll for electing a constituency member in a Scottish parliamentary election;
 - “constituency returning officer” is to be construed in accordance with Article 15 of Schedule 4 to the 2007 Order;
 - “counting agent” means a counting agent for the referendum or a counting agent for a Scottish parliamentary election (except where one or other is specified);
 - “regional ballot paper” means a ballot paper for the poll for electing a regional member in a Scottish parliamentary election;
 - “referendum ballot paper” means a ballot paper for the referendum;
 - “regional returning officer” has the meaning given by section 12(6) of the Scotland Act 1998;
 - “returning officer” means a person who is a constituency returning officer or a regional returning officer (unless one or other is specified);
 - “Scottish parliamentary election” means an election in a constituency held under section 2 of the Scotland Act 1998 (comprising the poll for electing a constituency member and the poll for electing regional members);
 - “Scottish Parliamentary Election Rules” means the rules set out in Schedule 2 to the 2007 Order.

Cost of combined polls

- 3 The cost of taking the combined polls (excluding any cost solely attributable to the referendum or the Scottish parliamentary election), and any cost attributable to their combination, is to be apportioned equally between—
- (a) the referendum, and
 - (b) the Scottish parliamentary election.
- 4 (1) In section 29 of the 1983 Act (payments by and to returning officer) as it has effect for the purposes of a Scottish parliamentary election by virtue of Article 19 of the 2007 Order, subsections (3) to (9) apply—
- (a) as if a reference to a returning officer included a reference to a counting officer carrying out functions that, but for this Schedule, would be exercisable by a returning officer (“transferred functions”), and
 - (b) as if, in relation to that counting officer, a reference to services or expenses were to services rendered or expenses incurred in respect of transferred functions.

Parliamentary Voting System and Constituencies Bill, *continued*

- (2) An order under subsection (3)(b) of that section (as it has effect as mentioned above) may include special provision for services rendered or expenses incurred by a counting officer in respect of transferred functions.
- (3) Article 20 of the 2007 Order (taxation of returning officer's accounts) applies as if a reference to a returning officer included a reference to a counting officer carrying out transferred functions.

Forms

- 5 Forms 2, 3, 4, 6, 7 and 9 in Part 3 of this Schedule are "relevant forms" for the purposes of rule 9A of the referendum rules.

ACTION TO BE TAKEN BEFORE POLL

Corresponding number lists

- 6
 - (1) This paragraph applies where proceedings on the issue and receipt of postal ballot papers are taken together by virtue of paragraph 2 of Schedule 4 to the 2007 Order.
 - (2) The function of the constituency returning officer under rule 29 of the Scottish Parliamentary Election Rules is to be carried out by the counting officer.
 - (3) If the counting officer thinks fit, the lists prepared under rule 29 of the Scottish Parliamentary Election Rules and rule 6 of the referendum rules may be combined in the form set out in Form 1 in Part 3 of this Schedule.
 - (4) In that case, this paragraph applies instead of—
 - (a) rule 6(2) of the referendum rules;
 - (b) rule 29(2) of the Scottish Parliamentary Election Rules.
- 7
 - (1) This paragraph applies where proceedings on the issue and receipt of postal ballot papers are not taken together by virtue of paragraph 2 of Schedule 4 to the 2007 Order.
 - (2) The counting officer must prepare a list under sub-paragraph (3) or (4) as the officer thinks fit.
 - (3) A list under this sub-paragraph is a list containing the numbers and other unique identifying marks of all of the ballot papers to be provided to presiding officers in pursuance of rule 38(1) of the Scottish Parliamentary Election Rules.
The list must be in form Z set out in the Appendix to those Rules.
 - (4) A list under this sub-paragraph is a list containing the numbers and other unique identifying marks of all of the ballot papers to be provided to presiding officers in pursuance of the following provisions—
 - (a) rule 16(1) of the referendum rules;
 - (b) rule 38(1) of the Scottish Parliamentary Election Rules.
 The list must be in the form set out in Form 1 in Part 3 of this Schedule.
 - (5) A list prepared under rule 29 of the Scottish Parliamentary Election Rules must not include details relating to ballot papers in relation to which a list is prepared under sub-paragraph (3) or (4).
 - (6) A reference in an enactment to a list prepared under rule 29 of the Scottish Parliamentary Election Rules has effect, in so far as it relates to ballot papers to be provided in pursuance of rule 38(1) of those rules, as a reference to the list prepared under sub-paragraph (3) or (4).
 - (7) Where the counting officer prepares a list under sub-paragraph (4) in relation to ballot papers —
 - (a) the list prepared under rule 6 of the referendum rules must not include details relating to those ballot papers;

Parliamentary Voting System and Constituencies Bill, *continued*

- (b) a reference in an enactment to a list prepared under rule 6 of the referendum rules has effect, in so far as it relates to ballot papers to be provided in pursuance of rule 16(1) of the referendum rules, as a reference to the list prepared under sub-paragraph (4).

Notice of polling stations

- 8 The functions of the constituency returning officer under rule 33(2) of the Scottish Parliamentary Elections Rules are to be carried out by the counting officer.
- 9 (1) The notice given by a constituency returning officer under rule 33(2) of the Scottish Parliamentary Elections Rules must—
 - (a) state that the poll at the Scottish parliamentary election is to be taken together with the poll for the referendum;
 - (b) specify the relevant voting area.
- (2) The notice given by a counting officer under rule 10(3) of the referendum rules must—
 - (a) state that the poll for the referendum is to be taken together with the polls for the relevant Scottish parliamentary election, and
 - (b) specify the relevant constituency.

Postal voting

- 10 (1) This paragraph applies where proceedings on the issue and receipt of postal ballot papers are taken together by virtue of paragraph 2 of Schedule 4 to the 2007 Order.
- (2) The functions of the constituency returning officer under rule 34 of the Scottish Parliamentary Election Rules are to be carried out by the counting officer.
- (3) The form of postal voting statement to be issued to those entitled to vote by post in the referendum and in the Scottish parliamentary election must be in the form set out in Form 2 in Part 3 of this Schedule.
- (4) Where that form is used, this paragraph applies instead of any requirement in the following provisions for a postal voting statement to be in a particular form.
- (5) The provisions are—
 - (a) rule 11(1)(b) of the referendum rules;
 - (b) rule 34(1) of the Scottish Parliamentary Election Rules.
- 11 (1) This paragraph applies where proceedings on the issue and receipt of postal ballot papers are not taken together by virtue of paragraph 2 of Schedule 4 to the 2007 Order.
- (2) The form of postal voting statement to be issued to those entitled to vote by post in the referendum must be in the form set out in Form 3 in Part 3 of this Schedule.
- (3) Sub-paragraph (2) applies instead of the requirement in rule 11(1)(b) of the referendum rules for a postal voting statement to be in a particular form.
- (4) The form of postal voting statement to be issued to those entitled to vote in the Scottish parliamentary election must be in the form set out in Form 4 in Part 3 of this Schedule.
- (5) Sub-paragraph (4) applies instead of the requirement in rule 34(1) of the Scottish Parliamentary Election Rules for a postal voting statement to be in a particular form.

Parliamentary Voting System and Constituencies Bill, *continued**Polling stations*

- 12 The functions of the constituency returning officer under rule 35 of the Scottish Parliamentary Election Rules are to be carried out by the counting officer.
- 13 The referendum polling stations are to be used for the combined polls.

Appointment of presiding officers and clerks

- 14 The functions of the constituency returning officer under the following paragraphs of rule 36 of the Scottish Parliamentary Election Rules are to be carried out by the counting officer—
- (a) paragraph (1) so far as it relates to the appointment of presiding officers and clerks;
 - (b) paragraph (2).

Official poll cards

- 15 (1) If the counting officer thinks fit, the official poll cards used for the referendum and the Scottish parliamentary election may be combined.
- (2) In that case, the forms required to be used for official poll cards for the referendum and election must be adapted in whatever manner seems necessary.

Equipment of polling stations

- 16 The functions of the constituency returning officer under rule 38 of the Scottish Parliamentary Election Rules are to be carried out by the counting officer.
- 17 (1) If the counting officer thinks fit, the same ballot box may be used at the polls for the referendum and the Scottish parliamentary election (in which case the second sentence of rule 38(1) of the Scottish Parliamentary Election Rules does not apply).
- (2) Where separate ballot boxes are used, each must be clearly marked—
- (a) to show whether it is for referendum ballot papers, constituency ballot papers or regional ballot papers, and
 - (b) to show the colour of ballot papers that should be placed in it.

Colour of ballot papers

- 18 The referendum ballot papers must be of a different colour from the colour of the constituency ballot papers or the regional ballot papers.

Form of corresponding number lists provided to polling stations

- 19 (1) If the counting officer thinks fit, the lists to be provided under the following provisions may be combined in the form set out in Form 5 in Part 3 of this Schedule—
- (a) rule 16(3)(d) of the referendum rules;
 - (b) rule 38(3)(d) of the Scottish Parliamentary Election Rules.
- (2) In that case, this paragraph applies instead of the second sentence in rule 16(3) of the referendum rules.

Parliamentary Voting System and Constituencies Bill, *continued**Ballot paper displayed in polling stations*

- 20 (1) The large version of the ballot paper displayed inside the polling station under rule 16(4)(a) of the referendum rules must be of the same colour as the ballot papers to be used for the referendum.
- (2) The enlarged sample copy of the constituency ballot paper displayed at the polling station under rule 38(4)(a) of the Scottish Parliamentary Election Rules, and the enlarged sample copy of the regional ballot paper displayed under that rule, must be of the same colour as the actual ballot papers.

Guidance to be exhibited outside and inside polling stations

- 21 (1) A notice in the form set out in Form 6 in Part 3 of this Schedule, giving directions for the guidance of voters in voting, must be printed in conspicuous characters and exhibited outside and inside every polling station.
- (2) This paragraph applies instead of—
- (a) rule 16(6) of the referendum rules;
 - (b) rule 38(11) and (12) of the Scottish Parliamentary Election Rules.

Guidance to be exhibited in each polling station compartment

- 22 (1) A notice in the form set out in Form 7 in Part 3 of this Schedule, giving directions for the guidance of voters in voting, must be exhibited in every compartment of every polling station.
- (2) This paragraph applies instead of—
- (a) rule 16(7) of the referendum rules;
 - (b) rule 38(13) of the Scottish Parliamentary Election Rules.

Notice of appointment of polling and counting agents

- 23 A notice required to be given to a constituency returning officer under rule 39(4), (5) or (6) of the Scottish Parliamentary Election Rules is to be given instead to the counting officer.

Notification of requirement of secrecy

- 24 The functions of the constituency returning officer under rule 40(1) of the Scottish Parliamentary Election Rules are to be carried out by the counting officer.

THE POLL

Admission to the polling station

- 25 (1) Rule 20(1) of the referendum rules has effect as if the persons listed there included persons who would be entitled to be admitted to the polling station for a Scottish parliamentary election if the poll for the election were held on its own.
- (2) Rule 41(1) of the Scottish Parliamentary Election Rules has effect as if the persons listed there included persons who would be entitled to be admitted to the polling station for the referendum if the poll for the referendum were held on its own.

Parliamentary Voting System and Constituencies Bill, *continued**Voting by persons on duty on day of poll*

- 26 (1) Paragraph 2(5) of Schedule 3 has effect as if in the words after paragraph (b) the reference to any polling station were to any polling station in the same voting area as the allotted polling station.
- (2) A certificate as to employment on duty on the day of the poll for the referendum must be in the form set out in Form 8 in Part 3 of this Schedule.
- (3) Sub-paragraph (2) applies instead of rule 20(4)(b) of the referendum rules.
- 27 The returning officer's function of signing certificates as to employment under rule 41(4) of the Scottish Parliamentary Election Rules is to be carried out by the counting officer.

Removal from polling station

- 28 The constituency returning officer's function under rule 42(2)(b) of the Scottish Parliamentary Election Rules of authorising someone to remove a person from a polling station is to be carried out by the counting officer.

Voting procedure: copies of registers and lists of proxies

- 29 (1) If the counting officer thinks fit, the same copy of the register of electors may be used under the following provisions for the purposes of the referendum and the Scottish parliamentary election—
- (a) rule 27(2) of the referendum rules;
- (b) rule 46(2) of the Scottish Parliamentary Election Rules.
- (2) Sub-paragraphs (3) and (4) apply where the same copy of the register is used as mentioned in sub-paragraph (1).
- (3) In a case where a referendum ballot paper, and a constituency ballot paper and regional ballot paper, are delivered at the same time, a single mark must be placed in the register against the number of the elector under—
- (a) rule 27(2)(c) of the referendum rules, and
- (b) rule 46(2)(c) of the Scottish Parliamentary Election Rules.
- (4) In any other case, a mark must be placed in the register against the number of the elector identifying the poll to which each ballot paper delivered relates.
- (5) In the case of an elector who is added to the register in pursuance of a notice issued under section 13B(3B) or (3D) of the 1983 Act—
- (a) references in this paragraph to the copy of the register of electors are to be read as references to the copy of the notice;
- (b) references to a mark being placed in the register of electors are to be read as references to a mark being made on the copy of the notice.
- (6) Where the same copy of the register is used as mentioned in sub-paragraph (1), this paragraph applies instead of rule 46(7) of the Scottish Parliamentary Election Rules except so far as it relates to the list of proxies.
- 30 (1) If the counting officer thinks fit, the counting officer may require the relevant registration officer to produce a combined list of proxies for the referendum and the Scottish parliamentary election.
- (2) The following provisions apply where the lists are combined and a person applies for a ballot paper as proxy.
- (3) Immediately before delivery of the ballot paper the list of proxies must be marked in a way that—
- (a) identifies the proxy,
- (b) identifies the elector for whom the proxy is applying for the ballot paper, and

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- (c) indicates whether the ballot paper is a referendum ballot paper, a constituency ballot paper or a regional ballot paper.
- (4) Sub-paragraph (3) applies instead of—
 - (a) rule 27(2)(d) of the referendum rules;
 - (b) rule 46(2)(d) of the Scottish Parliamentary Election Rules and rule 46(7) of those rules so far as it relates to the list of proxies.
- 31 (1) This paragraph applies where proceedings on the issue and receipt of postal ballot papers are taken together by virtue of paragraph 2 of Schedule 4 to the 2007 Order.
- (2) If the counting officer think fit, the counting officer may require the relevant registration officer to produce a combined postal voters list and a combined proxy postal voters list for the referendum and the Scottish parliamentary election.

List of votes marked by presiding officer

- 32 (1) If the counting officer thinks fit, a single list of votes marked by the presiding officer may be used in respect of—
 - (a) votes marked on referendum ballot papers,
 - (b) votes marked on constituency ballot papers, and
 - (c) votes marked on regional ballot papers.
- (2) Where a person's entry in that list does not relate to all three kinds of ballot paper, the entry must identify each kind to which it relates.
- (3) In this paragraph "list of votes marked by the presiding officer" means a list compiled under—
 - (a) rule 29(4) of the referendum rules, or
 - (b) rule 47(2) of the Scottish Parliamentary Election Rules.
- (4) Where a single list is used as mentioned in sub-paragraph (1), this paragraph applies instead of rule 47(5) of the Scottish Parliamentary Election Rules.

Declaration to be made by the companion of a voter with disabilities

- 33 (1) A declaration made by the companion of a voter with disabilities must be in the form set out in Form 9 in Part 3 of this Schedule.
- (2) In this paragraph "declaration made by the companion of a voter with disabilities" means a declaration made by a companion under—
 - (a) rule 30 of the referendum rules, or
 - (b) rule 48 of the Scottish Parliamentary Election Rules.
- (3) This paragraph applies instead of—
 - (a) rule 30(5)(a) of the referendum rules;
 - (b) rule 48(7)(a) of the Scottish Parliamentary Election Rules.

List of voters with disabilities assisted by companions

- 34 (1) If the counting officer thinks fit, a single list of voters with disabilities assisted by companions may be used may be used in respect of—
 - (a) votes marked on referendum ballot papers,
 - (b) votes marked on constituency ballot papers, and
 - (c) votes marked on regional ballot papers.
- (2) Where a person's entry in that list does not relate to all three kinds of ballot paper, the entry must identify each kind to which it relates.

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- (3) In this paragraph “list of voters with disabilities assisted by companions” means a list compiled under—
- (a) rule 30(8) of the referendum rules, or
 - (b) rule 48(4) of the Scottish Parliamentary Election Rules.
- (4) Where a single list is used as mentioned in sub-paragraph (1), this paragraph applies instead of rule 48(9) of the Scottish Parliamentary Election Rules.

Tendered votes list

- 35 (1) If the counting officer thinks fit, a single tendered votes list may be used in respect of—
- (a) tendered referendum ballot papers,
 - (b) tendered constituency ballot papers, and
 - (c) tendered regional ballot papers.
- (2) Where a person’s entry in that list does not relate to all three kinds of tendered ballot paper, the entry must identify each kind to which it relates.
- (3) In this paragraph “tendered votes list” means a list compiled under—
- (a) rule 32(7) of the referendum rules, or
 - (b) rule 49(8) of the Scottish Parliamentary Election Rules
- (4) Where a single list is used as mentioned in sub-paragraph (1), this paragraph applies instead of rule 49(12) of the Scottish Parliamentary Election Rules.

Lists relating to correction of errors on day of poll

- 36 (1) If the counting officer thinks fit, a single list of persons to whom ballot papers are delivered in consequence of late alterations to the register may be used in respect of—
- (a) referendum ballot papers,
 - (b) constituency ballot papers, and
 - (c) regional ballot papers.
- (2) Where a person’s entry in that list does not relate to all three kinds of ballot paper, the entry must identify each kind to which it relates.
- (3) In this paragraph “list of persons to whom ballot papers are delivered in consequence of late alterations to the register” means a list compiled under—
- (a) rule 35 of the referendum rules, or
 - (b) rule 51 of the Scottish Parliamentary Election Rules.

Notice of adjournment in case of riot

- 37 Rule 52(1) of the Scottish Parliamentary Election Rules has effect as if “counting officer” were substituted for “constituency returning officer”.

Procedure on close of poll

- 38 (1) In rule 37(1) of the referendum rules the reference to polling agents includes a reference to polling agents appointed for the purposes of a Scottish parliamentary election.
- (2) In rule 53(1) of the Scottish Parliamentary Election Rules—
- (a) the reference to polling agents includes a reference to polling agents appointed for the purposes of the referendum, and
 - (b) sub-paragraph (g) does not apply.
- 39 (1) A packet made up under one of the following provisions may not be combined with a packet made up under another of those provisions.

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- (2) The provisions are—
- (a) rule 37(1)(b), (c) or (f) of the referendum rules;
 - (b) rule 53(1)(a), (b) or (d) of the Scottish Parliamentary Election Rules.
- 40 In rule 53(1) of the Scottish Parliamentary Election Rules references to a constituency returning officer are to be read as references to the counting officer.
- 41 The ballot paper accounts prepared under rule 37(6) of the referendum rules and rule 53(3) of the Scottish Parliamentary Election Rules may not be combined.

COUNTING OF VOTES

Attendance and arrangements for counting

- 42 (1) The counting officer must make arrangements for counting the ballot papers and carrying out the other functions conferred by paragraph 46 in the presence of the counting agents.
- (2) The counting officer must give the counting agents and the regional returning officer notice in writing of the time and place at which the proceedings under paragraph 46 will begin.
- (3) A person may be present at the proceedings under paragraph 46 only if—
- (a) the person is entitled to be present at the counting of the votes for the referendum or the Scottish parliamentary election, or
 - (b) the person is permitted by the counting officer to attend.
- (4) The counting officer may give a person permission under sub-paragraph (3)(b) only if—
- (a) the officer is satisfied that the person's attendance will not impede the efficient conduct of the proceedings, and
 - (b) the officer has consulted the referendum agents and election agents or thought it impracticable to do so.
- (5) The counting officer must give the counting agents—
- (a) whatever reasonable facilities for overseeing the proceedings, and
 - (b) whatever information with respect to the proceedings,
- the officer can give them consistently with the orderly conduct of the proceedings and the discharge of the officer's duties.
- 43 Rule 38(1) of the referendum rules (arrangements for the counting of votes in the referendum) has effect with the omission of the words "after the close of the poll".
- 44 (1) The constituency returning officer must make arrangements for counting the votes for the Scottish parliamentary election in the presence of the counting agents for the election as soon as practicable after receiving the ballot papers from the counting officer under paragraph 47.
- (2) The constituency returning officer must give the counting agents for the Scottish parliamentary election and the regional returning officer notice in writing of the time and place at which the counting of the votes for the elections will begin.
- (3) A person may be present at the counting of the votes for a Scottish parliamentary election only if—
- (a) the person is permitted by the constituency returning officer to attend, or
 - (b) the person would be entitled to be present at the counting of votes for the Scottish parliamentary election if it were taken on its own.

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- (4) The constituency returning officer may give a person permission under subparagraph (3)(a) only if—
- (a) the officer is satisfied that the person's attendance will not impede the efficient counting of the votes, and
 - (b) the officer has consulted the election agents or thought it impracticable to do so.
- (5) The constituency returning officer must give the counting agents for the Scottish parliamentary election—
- (a) whatever reasonable facilities for overseeing the proceedings, and
 - (b) whatever information with respect to the proceedings,
- the officer can give them consistently with the orderly conduct of the proceedings and the discharge of the officer's duties.
- (6) In particular, where the votes are counted by sorting the ballot papers into lots according to the votes marked on them and then counting the number of ballot papers in each lot, the counting agents for the Scottish parliamentary election are entitled to satisfy themselves that the ballot papers are correctly sorted.
- 45 Paragraphs 42 and 44 apply instead of rule 54 of the Scottish Parliamentary Election Rules.

Counting and separation of ballot papers by counting officer

- 46 (1) As soon as practicable after the close of the poll the counting officer must—
- (a) in the presence of the counting agents, open the ballot boxes and count and record separately the number of referendum ballot papers, constituency ballot papers and regional ballot papers;
 - (b) where proceedings on the issue and receipt of postal ballot papers for the referendum and the Scottish parliamentary election are taken together by virtue of paragraph 2 of Schedule 4 to the 2007 Order, count the postal ballot papers that have been duly returned for the referendum, the constituency poll and the regional poll and record separately the number relating to each;
 - (c) where proceedings on the issue and receipt of postal ballot papers for the referendum and the Scottish parliamentary election are not taken together by virtue of paragraph 2 of Schedule 4 to the 2007 Order, count the duly returned referendum ballot papers and record the number;
 - (d) separate the referendum ballot papers, the constituency ballot papers and the regional ballot papers.
- (2) The counting officer must not count any tendered ballot papers.
- (3) The counting officer, while counting and recording the number of ballot papers, must—
- (a) keep the ballot papers with their faces upwards, and
 - (b) take all proper precautions for preventing anyone from seeing the numbers or other unique identifying marks printed on the back of the papers.
- (4) The counting officer must, in the presence of the referendum agents and the election agents for the Scottish parliamentary election—
- (a) verify each ballot paper account by comparing it with the number of ballot papers recorded by the officer, and the unused and spoilt ballot papers in the officer's possession and the tendered votes list (opening and resealing the packets containing the unused and spoilt ballot papers and the tendered votes list);
 - (b) draw up a separate statement as to the result of the verification in relation to each poll.

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- (5) An election agent for the Scottish parliamentary election may copy the statement relating to that election.
- (6) A counting agent for the referendum present at the verification may copy the statement relating to the referendum.
- (7) Once the statement relating to the referendum is drawn up, the counting officer must—
 - (a) in the case of a voting area in a region for which a Regional Counting Officer is appointed, inform the Regional Counting Officer of the contents of the statement;
 - (b) in the case of any other voting area, inform the Chief Counting Officer of the contents of the statement.
- (8) Rule 39 of the referendum rules does not apply.

Delivery of ballot papers etc to returning officers

- 47 (1) The counting officer must deliver or cause to be delivered to the constituency returning officer the ballot papers for the Scottish parliamentary election.
- (2) The counting officer must also deliver or cause to be delivered to the constituency returning officer the packets of—
 - (a) the ballot paper accounts and the statements as to the result of the verification of the ballot paper accounts for the Scottish parliamentary election;
 - (b) the unused and spoiled ballot papers for that election;
 - (c) the tendered ballot papers for that election;
 - (d) the certificates as to employment on duty on the day of the poll for that election.
- (3) If the counting officer has not begun to count the votes given on the referendum ballot papers by the time the statements as to the result of the verification of the ballot paper accounts in relation to all the polls are prepared—
 - (a) those ballot papers must be sealed into packets, each of which must be endorsed with a description of its contents, and
 - (b) the packets may not be opened until the counting officer begins dealing with the ballot papers in those packets under paragraph 48(1).
- (4) If, in respect of the constituency poll or the regional poll, none of the ballot papers have been delivered under sub-paragraph (1) by the time the statements as to the result of the verification of the ballot paper accounts in relation to all the polls are prepared—
 - (a) the ballot papers for that poll must be sealed into packets, each of which must be endorsed with a description of its contents, and
 - (b) the packets may not be opened until the constituency returning officer begins dealing with the ballot papers in those packets under paragraph 48(3).

Counting of votes

- 48 (1) The counting officer must count the votes given on the referendum ballot papers, but must not do so until—
 - (a) in the case of postal ballot papers, they have been mixed with the ballot papers from at least one ballot box;
 - (b) in the case of ballot papers from a ballot box, they have been mixed with the ballot papers from at least one other ballot box.

Parliamentary Voting System and Constituencies Bill, *continued*

- (2) Where proceedings on the issue and receipt of postal ballot papers are not taken together by virtue of paragraph 2 of Schedule 4 to the 2007 Order, the returning officer for the Scottish parliamentary election must count the duly returned postal constituency ballot papers and the duly returned postal regional ballot papers and record separately the number relating to each.
- (3) The constituency returning officer must count the votes given on the constituency ballot papers and regional ballot papers, but must not do so until—
 - (a) in the case of postal ballot papers, they have been mixed with the ballot papers from at least one ballot box;
 - (b) in the case of ballot papers from a ballot box, they have been mixed with the ballot papers from at least one other ballot box.
- (4) The counting or constituency returning officer, while counting the votes, must—
 - (a) keep the ballot papers with their faces upwards, and
 - (b) take all proper precautions for preventing anyone from seeing the numbers or other unique identifying marks printed on the back of the papers.
- (5) The counting or constituency returning officer must so far as practicable proceed continuously with the counting of votes, allowing only time for refreshment, except that—
 - (a) the officer may exclude the whole or any part of the period between 7 pm and 9 am on the next day;
 - (b) the officer may exclude a day mentioned in rule 2(1) of the referendum rules.
- (6) During the time so excluded the counting or constituency returning officer must—
 - (a) place the ballot papers and other documents relating to the referendum or Scottish parliamentary election under the officer's own seal and the seals of any of the counting agents who want to affix their seals, and
 - (b) otherwise take proper precautions for the security of the papers and documents.
- (7) This paragraph and paragraph 49 apply instead of rule 55 of the Scottish Parliamentary Election Rules.

Ballot papers placed in wrong ballot box

- 49 Where separate ballot boxes are used for referendum ballot papers, constituency ballot papers and regional ballot papers, the placing of a ballot paper in the wrong ballot box does not render it void.

DECLARATION OF RESULT

Declaration

- 50 The result of the referendum or the constituency or regional poll in the Scottish parliamentary election may not be declared until the statement as to the result of the verification of the ballot paper accounts in relation to each poll has been prepared.

DISPOSAL OF DOCUMENTS ETC

Packets of documents

- 51 (1) The counting officer may not open the sealed packets of—

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- (a) the completed corresponding number lists for the Scottish parliamentary election, or
 - (b) marked copies of the register of electors (including any marked copy notices issued under section 13B(3B) or (3D) of the 1983 Act), and lists of proxies, for the Scottish parliamentary election.
- (2) Rule 68(2) of the Scottish Parliamentary Election Rules has effect as if sub-paragraphs (b) and (d) were omitted.

Delivery and retention of documents

- 52 (1) Rules 49(1)(b) and 51 of the referendum rules apply to the specified documents.
- (2) The specified documents are those specified in rule 69(1)(e), (f) and (h) of the Scottish Parliamentary Election Rules.
- (3) Rule 70 of the Scottish Parliamentary Election Rules applies to the specified documents as if references to the sheriff clerk were to the counting officer retaining the documents under rule 49(1)(b) of the referendum rules.
- (4) Except for the purposes of this paragraph, rule 69 of the Scottish Parliamentary Election Rules has effect as if it did not include a reference to the specified documents.
- (5) Rule 70(8) of the Scottish Parliamentary Election Rules has effect as if for “by this paragraph provided” there were substituted “provided by this paragraph (or a court order)”.

Countermand or abandonment of poll on death of candidate

- 53 (1) Where under rule 72 of the Scottish Parliamentary Election Rules—
- (a) notice of the constituency poll or the regional poll for the Scottish parliamentary election is countermanded, or
 - (b) it is directed that the poll be abandoned,
- the countermand or direction does not affect the other poll at the Scottish parliamentary election or the poll for the referendum.
- (2) If a poll for the Scottish parliamentary election is abandoned because of a candidate’s death—
- (a) no further ballot papers at the abandoned poll must be delivered in any polling station;
 - (b) at the close of the poll for the referendum the presiding officer must comply with the requirements of rule 53 of the Scottish Parliamentary Election Rules as if the poll had not been abandoned;
 - (c) the constituency returning officer must dispose of the ballot papers used at the abandoned poll and other documents in the officer’s possession as the officer would have been required to do on the completion of the counting of the votes.
- (3) In a case falling within sub-paragraph (2)—
- (a) a ballot paper account for the abandoned poll need not be prepared or verified;
 - (b) the counting officer, having separated the referendum ballot papers, constituency ballot papers and regional ballot papers, must take no further step for the counting of the ballot papers used at the abandoned poll (but must deliver them or cause them to be delivered to the constituency returning officer under paragraph 47 together with the other documents mentioned in that paragraph);

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- (c) the constituency returning officer must seal up the ballot papers used at the abandoned poll whether the votes on them have been counted or not;
 - (d) it is not necessary to seal up counted and rejected ballot papers used at the abandoned poll in separate packets.
- (4) This paragraph applies instead of rule 72(8) of the Scottish Parliamentary Election Rules.

PART 2

APPLICATION OF PROVISIONS ABOUT ISSUE AND RECEIPT OF POSTAL BALLOT PAPERS

- 54 (1) For the purposes of the combined polls, Schedule 4 to the Scottish Parliament (Elections etc.) Order 2007 (S.I. 2007/937) applies—
- (a) with the modifications shown in the table, and
 - (b) with any other necessary modifications, including in particular those set out in sub-paragraph (2).
- (2) Except where the context otherwise requires—
- (a) in relation to the referendum or Scottish parliamentary election, a reference to a provision has effect as a reference to that provision as it applies for the purposes of the referendum or election;
 - (b) expressions used in relation to the referendum under section 1 are to be construed in accordance with the definitions in section 5 and rule 52 of the referendum rules.
- (3) In the Representation of the People (Scotland) Regulations 2001 (S.I. 2001/497) as they apply in relation to the referendum by virtue of Schedule 4—
- (a) regulation 61B(3)(a) has effect as if for the words after “postal ballot papers,” there were substituted “in accordance with paragraph 20A(4) or 20B(3)(a) of Schedule 4 to the Scottish Parliament (Elections etc.) Order 2007”;
 - (b) regulation 116(1) has effect as if for “regulation 91” there were substituted “paragraph 28 of Schedule 4 to the Scottish Parliament (Elections etc.) Order 2007”.

<i>Provision</i>	<i>Modification</i>
Paragraph 1 (interpretation)	<p>For the definition of “agent” substitute—</p> <p>““agent”, except in paragraph 5(3) to (9)—</p> <ul style="list-style-type: none"> (a) in relation to the election, includes an election agent and a person appointed to attend in the election agent’s place; (b) in relation to the referendum, means a referendum agent or an agent appointed under paragraph 5(3).” <p>In the definition of “proxy postal voters list”, after “article 12(7)” insert “or paragraph 8(6) of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2010”.</p>

Parliamentary Voting System and Constituencies Bill, *continued*

<i>Provision</i>	<i>Modification</i>
	<p>In the appropriate places insert—</p> <p>““postal voters list” includes the list kept under paragraph 5(2) of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2010;”;</p> <p>““relevant returning or counting officer” means—</p> <p>(a) in a case where proceedings on the issue and receipt of postal ballot papers are taken together by virtue of paragraph 2, the counting officer;</p> <p>(b) in any other case, the constituency returning officer, in relation to the election, or the counting officer, in relation to the referendum;”.</p> <p>In the definition of “valid postal voting statement”, for “constituency returning officer” substitute “relevant returning or counting officer”.</p>
Paragraph 2 (combination of polls)	<p>For paragraph 2 substitute—</p> <p>“2 Combination of polls</p> <p>Proceedings on the issue and receipt of postal ballot papers in respect of the Scottish parliamentary election and the referendum may, if the constituency returning officer and the counting officer think fit, be taken together.”</p>
Paragraph 3 (form of postal voting statement)	Omit the whole paragraph.
Paragraph 4 (persons entitled to be present at proceedings on issue of postal ballot papers)	In sub-paragraphs (1) and (2), for “constituency returning officer” substitute “relevant returning or counting officer”.

Parliamentary Voting System and Constituencies Bill, *continued*

<i>Provision</i>	<i>Modification</i>
Paragraph 5 (persons entitled to be present at proceedings on receipt of postal ballot papers)	<p>For sub-paragraph (1) substitute—</p> <p>(1) In a case where proceedings on the receipt of postal ballot papers are taken together by virtue of paragraph 2, the only persons who may be present at those proceedings are the appropriate persons in relation to the Scottish parliamentary election and the referendum.</p> <p>(1A) In any other case, the only persons who may be present at the proceedings on the receipt of postal ballot papers—</p> <p style="padding-left: 2em;">(a) in respect of the Scottish parliamentary election, are the appropriate persons in relation to the election;</p> <p style="padding-left: 2em;">(b) in respect of the referendum, are the appropriate persons in relation to the referendum.</p> <p>(1B) The following are appropriate persons in relation to the Scottish parliamentary election—</p> <p style="padding-left: 2em;">(a) the constituency returning officer and his members of staff;</p> <p style="padding-left: 2em;">(b) the regional returning officer;</p> <p style="padding-left: 2em;">(c) a candidate for return as a constituency member or an election agent of such a candidate or any person appointed by a candidate to attend in his election agent's place;</p> <p style="padding-left: 2em;">(d) an individual candidate for return as a regional member or his election agent or any person authorised by the candidate to attend in his election agent's place;</p> <p style="padding-left: 2em;">(e) the election agent of a registered party standing nominated or the nominating officer of that party or any person authorised by that officer to attend in his place;</p> <p style="padding-left: 2em;">(f) an agent appointed under sub-paragraph (3).</p> <p>(1C) The following are appropriate persons in relation to the referendum—</p> <p style="padding-left: 2em;">(a) the counting officer;</p> <p style="padding-left: 2em;">(b) the counting officer's clerks;</p> <p style="padding-left: 2em;">(c) the referendum agents and any agents appointed under sub-paragraph (3).</p> <p>(1D) This paragraph is without prejudice to section 6A, 6B, 6C, 6D or 6E of the 2000 Political Parties Act.”</p>

Parliamentary Voting System and Constituencies Bill, *continued*

<i>Provision</i>	<i>Modification</i>
	<p>In sub-paragraph (2)—</p> <ul style="list-style-type: none"> (a) for “constituency returning officer” substitute “relevant returning or counting officer”; (b) at the end insert “in relation to proceedings under this Schedule”. <p>In sub-paragraphs (3) to (8), for “constituency returning officer” substitute “relevant returning or counting officer”.</p> <p>Omit sub-paragraph (5).</p> <p>After sub-paragraph (8) insert—</p> <p>“(8A) In relation to the referendum, in sub-paragraph (3), (4), (6) or (9) a reference to a candidate for return as a constituency member is to be read as a reference to a referendum agent.”</p> <p>In sub-paragraph (10), for “the candidates or their agents” substitute “any persons mentioned in sub-paragraphs (1B)(c) to (f) or (1C)(c)”.</p>
Paragraph 6 (notification of requirement of secrecy)	<p>For paragraph 6 substitute—</p> <p>“6 Notification of requirements of secrecy</p> <ul style="list-style-type: none"> (1) In a case where proceedings on the issue and receipt of postal ballot papers are taken together by virtue of paragraph 2, the counting officer shall make such arrangements as he thinks fit to ensure that every person attending the proceedings in connection with the issue or receipt of postal ballot papers has been given a copy in writing of— <ul style="list-style-type: none"> (a) the provisions of article 32(5) and (7); and (b) the provisions of subsections (4) and (6) of section 66 of the 1983 Act as they apply in relation to the referendum.

Parliamentary Voting System and Constituencies Bill, *continued*

<i>Provision</i>	<i>Modification</i>
	<p>(2) In any other case—</p> <p>(a) the constituency returning officer shall make such arrangements as he thinks fit to ensure that every person attending proceedings in connection with the issue or receipt of postal ballot papers for the Scottish parliamentary election has been given a copy in writing of the provisions of article 32(5) and (7);</p> <p>(b) the counting officer shall make such arrangements as he thinks fit to ensure that every person attending proceedings in connection with the issue or receipt of postal ballot papers for the referendum has been given a copy in writing of the provisions of subsections (4) and (6) of section 66 of the 1983 Act as they apply to the referendum.”</p>
Paragraph 7 (time when postal ballot papers are to be issued)	<p>In sub-paragraph (1), after “voting statement)” insert “for the Scottish parliamentary election”.</p> <p>After sub-paragraph (1) insert—</p> <p>“(1A) In the case of a person within entry 2, 3 or 4 of the table in paragraph 5(2) of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2010 or entry 2, 3 or 4 of the table in paragraph 8(6) of that Schedule (electors and proxies entitled to vote by post for an indefinite or definite period), no postal ballot paper (and no postal voting statement) for the referendum shall be issued until after 5 pm on the eleventh day before the date of the poll (computed in accordance with paragraph 7(7) of Schedule 3 to this Order).”</p>
Paragraph 8 (procedure on issue of postal ballot papers)	<p>In sub-paragraph (2), omit “by the constituency returning officer”.</p> <p>In sub-paragraph (1), for “special lists kept under article 10(5)” substitute “postal voters list”.</p>

Parliamentary Voting System and Constituencies Bill, *continued*

<i>Provision</i>	<i>Modification</i>
	<p>For sub-paragraph (3) substitute—</p> <p>“(3) Sub-paragraphs (3A) and (3B) apply where—</p> <ul style="list-style-type: none"> (a) proceedings on the issue of postal ballot papers are taken together by virtue of paragraph 2; and (b) a combined postal voters list or proxy postal voters list is produced by virtue of paragraph 31 of Schedule [<i>Combination of polls: Scotland</i>] to the Parliamentary Voting System and Constituencies Act 2010. <p>(3A) In a case where a postal ballot paper is issued at the same time in respect of the Scottish parliamentary election and the referendum, a single mark must be placed in the list under sub-paragraph (1).</p> <p>(3B) In any other case, a mark must be placed in the list under sub-paragraph (1) identifying the poll to which each postal ballot paper issued relates.</p> <p>(3C) Where proceedings on the issue of postal ballot papers are taken together by virtue of paragraph 2, the number of each postal ballot paper issued shall be marked on the postal voting statement under paragraph (2).”</p> <p>In sub-paragraph (4), for the words from the beginning to “but” substitute “Where”.</p> <p>In sub-paragraph (5)—</p> <ul style="list-style-type: none"> (a) in paragraph (a), for “the special list kept under article 10(5)(a)” substitute “the postal voters list”; (b) in paragraph (b), for “the special list kept under article 10(5)(b)” substitute “the proxy postal voters list”. <p>In sub-paragraph (6)—</p> <ul style="list-style-type: none"> (a) after “sub-paragraph (5)” insert “in relation to a Scottish parliamentary election”; (b) at the end insert— “and, in relation to the referendum, the items specified in sub-paragraph (5) must be sent to the address to which postal ballot papers should be sent as mentioned in column 3 of the table in paragraph 5(2) or 8(6) of Schedule 3 to the Parliamentary Voting System and Constituencies Act 2010.”

Parliamentary Voting System and Constituencies Bill, *continued*

<i>Provision</i>	<i>Modification</i>
Paragraph 9 (refusal to issue postal ballot papers)	<p>For paragraph 9 substitute—</p> <p>“9 Refusal to issue ballot papers</p> <p>Where the relevant returning or counting officer is satisfied that two or more entries in either the postal voters list, or the proxy postal voters list, or in each of those lists relate to the same elector he shall not issue more than one constituency ballot paper, regional ballot paper or referendum ballot paper (as the case may be) in respect of the same elector.”</p>
Paragraph 10 (envelopes)	<p>In sub-paragraph (1)—</p> <p>(a) for “constituency returning officer” substitute “relevant returning or counting officer”;</p> <p>(b) after “Rules” insert “or rule 11 of the referendum rules”.</p> <p>In sub-paragraph (2)—</p> <p>(a) for “constituency returning officer” substitute “relevant returning or counting officer”;</p> <p>(b) in paragraph (c), at the beginning insert “unless the envelope has a window through which the number on the ballot paper (or ballot papers) can be displayed,”.</p> <p>In sub-paragraph (3), for the words from the beginning to “but” substitute “Where”.</p>
Paragraph 11 (delivery of postal ballot papers)	In sub-paragraphs (1) and (2), for “constituency returning officer” substitute “relevant returning or counting officer”.
Paragraph 12 (security of marked lists)	In sub-paragraphs (1) and (2), for “constituency returning officer” substitute “relevant returning or counting officer”.
Paragraph 13 (spoilt postal ballot papers)	For “constituency returning officer” (in each place) substitute “relevant returning or counting officer”.
Paragraph 14 (lost postal ballot papers)	For “constituency returning officer” (in each place) substitute “relevant returning or counting officer”.
Paragraph 15 (notice of opening of postal ballot paper envelopes)	<p>In sub-paragraph (1)—</p> <p>(a) for “constituency returning officer” substitute “relevant returning or counting officer”;</p> <p>(b) for paragraphs (a) and (b) substitute “each of the persons mentioned in sub-paragraph (1A)”.</p>

Parliamentary Voting System and Constituencies Bill, *continued*

<i>Provision</i>	<i>Modification</i>
	<p>After sub-paragraph (1) insert—</p> <p>“(1A) The persons are—</p> <ul style="list-style-type: none"> (a) in relation to the Scottish parliamentary election, each candidate for return as a constituency member, each individual candidate for return as a regional member and the election agent for each registered party standing nominated; (b) in relation to the referendum, the referendum agents.” <p>In sub-paragraph (2)(b), after “candidate” insert “or referendum agent (as the case may be)”.</p>
Return of postal ballot papers etc	<p>After paragraph 15 insert—</p> <p>“15A Return of postal ballot papers etc</p> <p>(1) A postal ballot paper shall not be taken to be duly returned for the purposes of Part 1 of Schedule [<i>Combination of polls: Scotland</i>] to the Parliamentary Voting System and Constituencies Act 2010 unless—</p> <ul style="list-style-type: none"> (a) before the close of the poll— <ul style="list-style-type: none"> (i) it is returned by hand or post and reaches the relevant returning or counting officer; or (ii) it is returned by hand to a polling station in the constituency or voting area for which the officer acts; (b) the postal voting statement duly signed is, before that time, also returned either— <ul style="list-style-type: none"> (i) by hand or post and reaches the relevant returning or counting officer; or (ii) by hand and reaches such a polling station; (c) the postal voting statement also states the date of birth of the elector or, as the case may be, proxy; and (d) in a case where the relevant returning or counting officer takes steps to verify the date of birth and signature of the elector or, as the case may be, proxy in accordance with paragraph 20A or, as the case may be, paragraph 20B, he so verifies the date of birth and signature of that elector or, as the case may be, proxy.

Parliamentary Voting System and Constituencies Bill, *continued*

<i>Provision</i>	<i>Modification</i>
	<p>(2) The presiding officer of the polling station shall deliver or cause to be delivered any postal ballot paper or postal voting statement returned to that polling station to the relevant returning or counting officer in the same manner and at the same time as he delivers, or causes to be delivered, the packets referred to in rule 53 of Schedule 2 or rule 37 of the referendum rules.</p> <p>(3) The relevant returning or counting officer may collect, or cause to be collected, any postal ballot paper or postal voting statement which by virtue of sub-paragraph (2) the presiding officer of a polling station would otherwise be required to deliver or cause to be delivered to him.</p> <p>(4) Where the relevant returning or counting officer collects, or causes to be collected, any postal ballot paper or postal voting statement in accordance with sub-paragraph (3) the presiding officer shall first make it (or them) up into a packet (or packets) sealed with his own seal and the seals of such polling agents as are present and desire to affix their seals.”</p>
Paragraph 16 (postal ballot boxes and receptacles)	<p>For “constituency returning officer” (in each place) substitute “relevant returning or counting officer”.</p> <p>For sub-paragraph (2) substitute—</p> <p>“(2) Each of those ballot boxes—</p> <p style="padding-left: 2em;">(a) shall be marked “postal voter’s ballot box” or “postal ballot box” as appropriate;</p> <p style="padding-left: 2em;">(b) shall be marked with the name of each constituency, electoral area or voting area in relation to which it is to be used.”</p> <p>In sub-paragraph (4), after “lock the ballot box” insert “(if it has a lock)”.</p>
Paragraph 17 (receipt of covering envelope)	<p>In sub-paragraphs (1) and (2), for “constituency returning officer” substitute “relevant returning or counting officer”.</p> <p>Omit sub-paragraphs (3) and (4).</p>
Paragraph 18 (opening of postal voters’ ballot box)	<p>In sub-paragraphs (1) and (2), for “constituency returning officer” substitute “relevant returning or counting officer”.</p> <p>In sub-paragraph (3), for “votes under rule 55 of the Scottish Parliamentary Election Rules” substitute “ballot papers”.</p>

Parliamentary Voting System and Constituencies Bill, *continued*

<i>Provision</i>	<i>Modification</i>
Paragraph 19 (opening of covering envelopes)	For “constituency returning officer” (in each place) substitute “relevant returning or counting officer”. In sub-paragraph (7), for “or (3)(a)” substitute “, (3A) or (3B)”.
Paragraph 20 (procedure in relation to postal voting statements)	For “constituency returning officer” (in each place) substitute “relevant returning or counting officer”.
Paragraph 20A (procedure in relation to postal voting statements: personal identifier verification)	For “constituency returning officer” (in each place) substitute “relevant returning or counting officer”.
Paragraph 20B (postal voting statements: additional personal identifier verification)	For “constituency returning officer” (in each place) substitute “relevant returning or counting officer”. In sub-paragraph (4), for “lock and reseal the postal ballot box” substitute “lock the postal ballot box (if it has a lock), and reseal it.”.
Paragraph 21 (opening of ballot paper envelopes)	In sub-paragraph (1), for “constituency returning officer” substitute “relevant returning or counting officer”.
Paragraph 22 (retrieval of cancelled postal ballot papers)	In sub-paragraphs (1) and (3), for “returning officer” substitute “relevant returning or counting officer”. In sub-paragraph (2)(f), for “votes under rule 55 of the Scottish Parliamentary Election Rules” substitute “ballot papers”.
Paragraph 23 (lists of rejected postal ballot papers)	In sub-paragraph (1), for “any election, the constituency returning officer” substitute “the Scottish parliamentary election and in respect of the referendum, the relevant returning or counting officer”.
Paragraph 24 (checking of lists of rejected postal ballot papers)	For “constituency returning officer” (in each place) substitute “the relevant returning or counting officer”. In sub-paragraph (3), at the end insert “or voting area under rule 37 of the referendum rules”.
Paragraph 25 (confirming receipt of postal votes and postal voting statements)	In sub-paragraphs (1) and (2), for “constituency returning officer” substitute “the relevant returning or counting officer”.
Paragraph 26 (sealing of receptacles)	In sub-paragraph (1), for “constituency returning officer” substitute “the relevant returning or counting officer”.
Paragraph 27 (abandoned poll)	In sub-paragraph (2), for “election” substitute “poll”.

Parliamentary Voting System and Constituencies Bill, *continued*

<i>Provision</i>	<i>Modification</i>
Paragraph 28 (forwarding or retention of documents)	<p>At the beginning insert—</p> <p>“(A1) Where proceedings on the issue and receipt of postal ballot papers are taken together by virtue of paragraph 2, the counting officer shall—</p> <ul style="list-style-type: none"> (a) endorse on each packet referred to in paragraphs 12, 13(7), 14(5), 19(8) and 26, subject to paragraph 27, a description of its contents, the date of the election or referendum and the area to which it relates; (b) complete a statement, in form W set out in the Appendix, of the number of postal ballot papers issued in respect of the election; (c) complete a statement, in the form set out in Form 10 in Part 3 of Schedule [<i>Combination of polls: Scotland</i>] to the Parliamentary Voting System and Constituencies Act 2010, of the number of postal ballot papers issued in respect of the referendum; (d) retain the packets and the statements. <p>(A2) Where proceedings on the issue and receipt of postal ballot papers are not taken together by virtue of paragraph 2—</p> <ul style="list-style-type: none"> (a) sub-paragraph (A3) applies in relation to documents that relate to the referendum; (b) sub-paragraph (1) applies in relation to documents that relate to the Scottish parliamentary election. <p>(A3) The counting officer shall—</p> <ul style="list-style-type: none"> (a) endorse on each packet referred to in paragraphs 12, 13(7), 14(5), 19(8) and 26 a description of its contents, the date of the referendum and the voting area to which it relates; (b) complete a statement, in the form set out in Form 10 in Part 3 of Schedule [<i>Combination of polls: Scotland</i>] to the Parliamentary Voting System and Constituencies Act 2010, of the number of postal ballot papers issued; (c) retain the packets and the statement.”

Parliamentary Voting System and Constituencies Bill, *continued*

<i>Provision</i>	<i>Modification</i>
<p>In the Appendix, form W</p>	<p>In sub-paragraph (2)—</p> <ul style="list-style-type: none"> (a) in paragraph (a), for “Rule 53(1)(g) of the Scottish Parliamentary Election Rules” substitute “paragraph 15A”; (b) for “constituency returning officer” substitute “relevant returning or counting officer”; (c) for the words after “seal up such packet and endorse” substitute “and deal with it in the manner described in sub-paragraph (A1), (A3) or (1) (as appropriate)”. <p>In sub-paragraph (3), for “Rules 68 and 69 of the Scottish Parliamentary Elections Rules” substitute “The rules specified in sub-paragraph (3A)”.</p> <p>After sub-paragraph (3) insert—</p> <p>“(3A) The rules are—</p> <ul style="list-style-type: none"> (a) in a case where proceedings on the issue and receipt of postal ballot papers are taken together by virtue of paragraph 2— <ul style="list-style-type: none"> (i) rule 50 of the referendum rules and rule 70 of the Scottish Parliamentary Elections Rules, and (ii) rule 51 of the referendum rules; (b) in any other case— <ul style="list-style-type: none"> (i) rule 50 of the referendum rules or (as the case may be) rule 70 of the Scottish Parliamentary Elections Rules, and (ii) rule 51 of the referendum rules or (as the case may be) rule 71 of the Scottish Parliamentary Elections Rules.” <p>In sub-paragraph (4)—</p> <ul style="list-style-type: none"> (a) for “sub-paragraph (1)(b)” substitute “sub-paragraph (A1)(b) or (c), (A3)(b) or (1)(b)”; (b) for “constituency returning officer” substitute “relevant returning or counting officer”. <p>In a case where proceedings on the issue and receipt of postal ballot papers are taken together by virtue of paragraph 2 of Schedule 4 to the Scottish Parliamentary Election Order—</p> <ul style="list-style-type: none"> (a) for “Returning Officer” or “Constituency Returning Officer”, in each place, substitute “Counting Officer”; (b) omit the Note.

Parliamentary Voting System and Constituencies Bill, *continued*

AND RECEIPT OF POSTAL BALLOT PAPERS COMBINED)

Postal Voting Statement

*Voter's name: Ballot paper nos.

*Counting officer to insert name but omit where ballot papers sent to an anonymous elector

[other identifying mark]

You must provide your [# signature and] date of birth. If you do not, the postal voting statement will be invalid and your vote will not be counted.

I AM THE PERSON THE BALLOT PAPERS NUMBERED ABOVE WERE SENT TO

Date of birth [D][D][M][M][Y][Y][Y][Y] (voter's date of birth)

#Signature [Signature Box] (voter's signature) IMPORTANT - Keep signature within border

*(Counting officer to omit where a person has been granted a waiver)

It is an offence to vote using a ballot paper that is not addressed to you.

PLEASE READ INSTRUCTIONS TO THE VOTER

Issued by the counting officer

INSTRUCTIONS TO THE VOTER

Complete the ballot papers yourself and in private. If you need help, contact the counting officer's staff as shown below.

[contact details for assistance; include address as appropriate]

- 1. You must provide your [#signature and] date of birth. If you do not, the postal voting statement will be invalid and your vote(s) will not be counted.
2. When you are voting in the referendum on the voting system for United Kingdom parliamentary elections ([insert colour of ballot paper] ballot paper), mark a cross (X) in the box on the right hand side of the ballot paper opposite the answer you are voting for. Vote once only. Do not mark the ballot paper in any other way or your vote may not be counted.

Parliamentary Voting System and Constituencies Bill, *continued*

3. When you are voting in the Scottish Parliament election, you have two ballot papers (a constituency ballot paper coloured [*insert colour*] and a regional ballot paper coloured [*insert colour*]). Vote only once on each ballot paper. Vote by marking a cross (X) in the box opposite the name of the party or candidate you are voting for. Do not put any other marks on the ballot papers or your votes may not count.
4. If you need help voting, the person helping you must not tell anyone how you voted.
5. Put all the ballot papers in the small envelope marked **A** and seal it.
6. Complete the postal voting statement by [#signing it, and] providing your date of birth.
7. Then put the envelope marked **A** together with the postal voting statement in the larger envelope marked **B**. Return it straightaway.
8. **After receiving this postal vote, you cannot vote in person at a polling station in the referendum or election.**
9. If you accidentally spoil any of your ballot papers, you can apply to the counting officer for replacements before 5 pm on [*day/date of poll*]. You must return all the ballot papers, the postal voting statement and the envelopes marked **A** and **B**. Make sure you contact the counting officer as soon as possible.
- ! Your ballot papers and the postal voting statement must be received by the counting officer by 10 pm on [*day/date of poll*]. You can deliver your completed postal votes to any polling station in your voting area on polling day.

It is an offence to vote using a ballot paper that is not addressed to you.

It is illegal to vote more than once in the referendum (unless you are appointed as a proxy for another person).

It is illegal to vote more than once in the constituency poll at the election (unless you are appointed as a proxy for another person).

It is illegal to vote more than once in the regional poll at the election (unless you are appointed as a proxy for another person).

#(Counting officer to omit where a person has been granted a waiver)

**Delete as appropriate*

Paragraph 11(2)

FORM 3 - FORM OF POSTAL VOTING STATEMENT (TO BE USED FOR REFERENDUM WHERE PROCEEDINGS ON ISSUE AND RECEIPT OF POSTAL BALLOT PAPERS NOT COMBINED)

Postal Voting Statement

*Voter's name:

Ballot paper no.
(*insert colour*)

Parliamentary Voting System and Constituencies Bill, *continued*

**(Counting officer to insert name but omit where ballot papers sent to an anonymous elector)*

[other identifying mark]

You must provide your [# signature and] date of birth. If you do not, the postal voting statement will be invalid and your vote will not be counted.

I AM THE PERSON THE BALLOT PAPER NUMBERED ABOVE WAS SENT TO

Date of birth

D	D	M	M	Y	Y	Y	Y
---	---	---	---	---	---	---	---

 (voter's date of birth)

#Signature

--

 (voter's signature)
IMPORTANT - Keep signature within border

**(Counting officer to omit where a person has been granted a waiver)*

It is an offence to vote using a ballot paper that is not addressed to you.

PLEASE READ INSTRUCTIONS TO THE VOTER

Issued by the counting officer

INSTRUCTIONS TO THE VOTER

Complete the ballot paper yourself and in private. If you need help, contact the counting officer's staff as shown below.

[contact details for assistance; include address as appropriate]

1. You must provide your [#signature and] date of birth. You must do this even if you have already signed a postal voting statement in respect of the Scottish Parliament election which is to be held on the same day. If you do not, the postal voting statement will be invalid and your vote will not be counted.
2. Vote once only. Do not mark the ballot paper in any other way or your vote may not be counted.
3. Mark a cross (X) in the box on the right hand side of the ballot paper opposite the answer you are voting for.
4. If you need help in voting, the person helping you must not tell anyone how you voted.
5. Put the ballot paper in the small envelope marked **A** and seal it.

Parliamentary Voting System and Constituencies Bill, *continued*

- 6. Complete the postal voting statement by [#signing it, and] providing your date of birth.
- 7. Then put the envelope marked **A** together with the postal voting statement in the larger envelope marked **B**. Return it straightaway.
- 8. **After receiving this postal vote, you cannot vote in person at a polling station in this referendum.**
- 9. If you accidentally spoil your ballot paper, you can apply to the counting officer for a replacement before 5 pm on [*day/date of poll*]. You must return the spoiled ballot paper, the postal voting statement and the envelopes marked **A** and **B**. Make sure you contact the counting officer as soon as possible.
- ! Your ballot paper and the postal voting statement must be received by the counting officer by 10 pm on [*day/date of poll*]. You can deliver your completed postal vote to any polling station in your voting area on polling day.

It is an offence to vote using a ballot paper that is not addressed to you.

It is illegal to vote more than once (unless you are appointed as a proxy for another person) in this referendum.

#(Counting officer to omit where a person has been granted a waiver)

**Delete as appropriate*

Paragraph 11(4)

FORM 4 - FORM OF POSTAL VOTING STATEMENT (TO BE USED FOR SCOTTISH PARLIAMENTARY ELECTION WHERE PROCEEDINGS ON ISSUE AND RECEIPT OF POSTAL BALLOT PAPERS NOT COMBINED)

(Front of Form)

*Voter's name: Ballot paper Nos.
(insert colour)

**(Returning Officer to insert name but omit where ballot papers sent to an anonymous elector)*

[other identifying mark]

You must provide your [# signature and] date of birth. If you do not, the postal voting statement will be invalid and your vote will not count.

I AM THE PERSON TO WHOM THE BALLOT PAPERS NUMBERED ABOVE WERE SENT

Date of birth

D	D	M	M	Y	Y	Y	Y
---	---	---	---	---	---	---	---

 (voter's date of birth)

 Parliamentary Voting System and Constituencies Bill, *continued*

#Signature

(voter's signature)
 IMPORTANT - Keep
 signature within border

#(Returning Officer to omit where a person has been granted a waiver)

PLEASE READ THE INSTRUCTIONS ON THE BACK OF THIS FORM

(Back of form)

INSTRUCTIONS TO VOTERS

Your vote is personal - complete the ballot papers yourself and in private. If you need help you can contact me *(insert contact details of the constituency returning officer or a member of his staff).*

Electoral fraud is a crime. You must not vote using a ballot paper that is not addressed to you. You must not interfere with another voter's ballot paper.

1. This statement relates to the ballot papers for the Scottish Parliament election only. You will receive your ballot paper and instructions for the referendum on the voting system for United Kingdom parliamentary elections separately. If you do not receive them soon, please contact me.
2. You must provide your [#signature and] date of birth even if you have already signed a postal voting statement in respect of the referendum on the voting system for United Kingdom parliamentary elections which is to be held on the same day.
3. You have two ballot papers (a constituency ballot paper coloured [*insert colour*] and a regional ballot paper coloured [*insert colour*]). Vote only once on each ballot paper. Vote by marking a cross (X) in the box opposite the name of the party or candidate you are voting for. Do not put any other marks on the ballot papers or your votes may not count.
4. Your vote is personal—complete it yourself and in private. If you need help voting, the person helping you must not tell anyone how you have voted.
5. Put the ballot papers for the Scottish Parliament elections in the small envelope marked “A” and seal it. Then put the envelope marked “A”, together with the postal voting statement, in the larger envelope marked “B”. Return the envelopes without delay. The ballot papers must be received at my office not later than the close of poll. Alternatively, the ballot papers can be delivered to any polling station in this constituency on polling day, up to 10 pm.
6. If you get more than one of each ballot paper, by accident, then use just one of each. Please remember that it is illegal to vote more than once in the same election (unless you are voting for someone else—by proxy).

Parliamentary Voting System and Constituencies Bill, *continued*

- 7. At this election you cannot vote in person at a polling station.
 - 8. If you make a mistake on a ballot paper, or lose a ballot paper or the return envelopes, you can ask for replacements. You should ask as soon as possible. There is not much time for a new ballot paper to be sent to you, returned and counted. You will need to return everything you have received from me (except anything you have lost). Items you should return if you have them include all ballot papers, the postal voting statement and the envelopes marked “A” and “B”.
 - 9. I can issue another ballot paper if you ask me for it up to 5 pm on polling day, but unless I receive your request by 5 pm on the day before polling day I can only issue another ballot paper if you visit my office, with evidence of your identity.
 - 10. For replacement papers, or if you need further help, please ring (insert telephone number) or contact my office at (insert address).
- ! Your ballot papers and the postal voting statement must be received by the counting officer by 10 pm on [day/date of poll]. You can deliver your completed postal votes to any polling station in your voting area on polling day.

It is an offence to vote using a ballot paper that is not addressed to you.

It is illegal to vote more than once in the constituency poll at the election (unless you are appointed as a proxy for another person).

It is illegal to vote more than once in the regional poll at the election (unless you are appointed as a proxy for another person).

/(Returning officer to omit where a person has been granted a waiver)

Paragraph 19(1)

FORM 5 - FORM OF CORRESPONDING NUMBER LIST (TO BE USED IN POLLING STATIONS FOR COMBINED POLLS)

Voting area/constituency:
Date of Poll:
Polling Station:
Sheet No.:

Ballot Paper Number (<i>identify the number issued for the referendum/ election</i>)	Elector Number

Parliamentary Voting System and Constituencies Bill, *continued*

Paragraph 21(1)

FORM 6 - GUIDANCE FOR VOTERS TO BE EXHIBITED OUTSIDE AND INSIDE EVERY POLLING STATION

1. When you are given your ballot papers go to one of the compartments.
2. On the [*insert colour*] referendum ballot paper, mark a cross (X) in the box on the right hand side of the ballot paper opposite the answer you are voting for.
3. On the Scottish Parliament ballot papers, coloured [*insert colour or colours*], mark your choices with a cross (X) in the box on the right hand side of each ballot paper opposite the name of the candidate or party you are voting for. Put only one X on each ballot paper.
4. Vote once only in the referendum and on each ballot paper for the Scottish Parliament election. Put no other mark on the ballot paper, or your vote may not be counted.
5. If by mistake you spoil a ballot paper, show it to the presiding officer and ask for another one.
6. Fold each ballot paper in two. Show the presiding officer the number and other unique identifying mark on the back of the ballot paper, but do not let anyone see your vote. Put each ballot paper in the [appropriate]* ballot box and leave the polling station.

* Complete or omit as necessary.

Paragraph 22(1)

FORM 7 - GUIDANCE FOR VOTERS TO BE EXHIBITED IN EVERY POLLING STATION COMPARTMENT
**REFERENDUM ON THE VOTING SYSTEM FOR
UNITED KINGDOM PARLIAMENTARY ELECTIONS**

Parliamentary Voting System and Constituencies Bill, *continued*

Referendum ballot paper (*[insert colour]* ballot paper)

Votes cast in this poll will decide on the voting system for United Kingdom parliamentary elections.

- You have one vote on this paper.
- You should place a cross (X) in one box only.

SCOTTISH PARLIAMENT ELECTIONS

Constituency ballot paper (*[insert colour]* ballot paper)

Votes cast in this poll will decide the election of a member to represent your constituency in the Scottish Parliament.

- You have one vote on this paper.
- You should place a cross (X) in one box only.

Regional ballot paper (*[insert colour]* ballot paper)

Votes cast in this poll will decide the allocation of the 7 additional seats in the Scottish Parliament for this region. You may use this vote [either]* for a political party putting forward a list of candidates [or for an individual candidate not standing on a party list]*.

You have one vote on this paper.

You should place a cross (X) in one box only.

PUT NO OTHER MARKS ON THE BALLOT PAPERS OR YOUR VOTES MAY NOT BE COUNTED

* *Omit as necessary.*

Paragraph 26(2)

FORM 8 - FORM OF CERTIFICATE OF EMPLOYMENT

Referendum on the voting system for United Kingdom parliamentary elections

[insert name of voting area]

I certify that (name) who is numbered in the register of electors cannot reasonably be expected to go in person to the polling station allotted to him or her in the referendum on (*date of poll*) by reason of the particular circumstances of his or her employment on that date for a purpose connected with the referendum *as a constable / *by me.

*Delete whichever is inappropriate.

Parliamentary Voting System and Constituencies Bill, continued

Signature

*Counting officer / police officer (inspector or above)

Date

Note: The person named above is entitled to vote at any polling station in the voting area specified above on production and surrender of this certificate to the presiding officer.

Paragraph 33(1)

FORM 9 - FORM OF DECLARATION TO BE MADE BY THE COMPANION OF A VOTER WITH DISABILITIES

I, (name of companion)

of (address of companion)

having been requested to assist (name of voter)

[in the case of a person with disabilities voting as proxy, add

voting as proxy for (name of elector)]

whose name on the register is to record their vote at the [referendum]* [and]* [election(s)]* being held in this [voting area]* [/constituency]*

hereby declare that

- (a) [I am entitled to vote as an elector at the said [referendum]* [and]* [election]*,]*
(b) [I am the #..... of the said voter and have attained the age of 18 years,]* and
(c) I have not previously assisted any voter with disabilities [except (name of other elector), of (address of other elector)], to vote at the [referendum]* [or]* [election]*].

#State the relationship of the companion to the voter.

*Delete as appropriate.

(Signed) (companion)

Date

I, the undersigned, being the presiding officer for the polling station for the [insert name of voting area] hereby certify that the above declaration, having been first read to the above-named declarant, was signed by the declarant in my presence.

(Signed).....

Date

Time (am/pm)

Parliamentary Voting System and Constituencies Bill, *continued*

NOTE: (1) If the person making the above declaration knowingly and wilfully makes therein a statement false in a material particular, he or she will be guilty of an offence.

(2) A voter with disabilities is a voter who has made a declaration that he or she is so incapacitated by blindness or other disability, or by an inability to read, as to be unable to vote without assistance.

Paragraph 54

FORM 10 - STATEMENT AS TO POSTAL BALLOT PAPERS FOR THE REFERENDUM

Referendum on the voting system for United Kingdom parliamentary elections

Voting area

Date of poll

A. Issue of postal ballot papers	Number for voting area
1. Total number of postal ballot papers issued under paragraph 7 of Schedule 4	
2. Total number of postal ballot papers issued under paragraph 13 of Schedule 4 (spoilt and returned for cancellation) and paragraph 14 of Schedule 4 (lost or not received)	
3. Total number of postal ballot papers cancelled under paragraph 22 of Schedule 4 (where the first ballot paper was cancelled and retrieved)	
4. Total number of postal ballot papers issued (1 to 3)	

B.(1) Receipt of and replacement ballot papers	Number for voting area
5. Number of covering envelopes received by the constituency returning officer or at a polling station before the close of poll (excluding any undelivered or returned under paragraph 13(1) (spoilt), paragraph 14(1) (lost) and paragraph 22 (cancelled ballot papers) of Schedule 4)	
6. Number of covering envelopes received by the constituency returning officer after the close of poll, excluding any returned as undelivered	
7. Number of postal ballot papers returned spoilt for cancellation in time for another ballot paper to be issued	
8. Number of postal ballot papers replaced as lost or not received, but not returned for cancellation	

Parliamentary Voting System and Constituencies Bill, *continued*

9. Number of postal ballot papers cancelled and retrieved in time for another ballot paper to be issued	
10. Number of postal ballot papers returned as spoilt too late for another ballot paper to be issued	
11. Number of covering envelopes returned as undelivered (up to the 10th day after the date of poll)	
12. Number of covering envelopes not received by the constituency returning officer (by the 10th day after the date of poll)	
13. Total numbers 5 to 12 (this should be the same as that in 4 above)	

B.(2) Receipt of postal ballot papers - Personal Identifiers	Number for voting area
14. Number of covering envelopes set aside for the verification of personal identifiers on postal voting statements	
15. Number of postal voting statements not subject to verification procedure rejected as not completed (excluding prior cancellations)	
16. Number of postal voting statements subject to verification procedure rejected as not completed (excluding prior cancellations)	
17. Number of postal voting statements rejected following verification procedures due to the personal identifiers on the postal voting statement not matching those in the personal identifiers record (excluding prior cancellations)	

C. Count of postal ballot papers	Number for voting area
18. Number of ballot papers returned by postal voters which were included in the count of ballot papers	
19. Number of cases in which a covering envelope or its contents were marked "Rejected" (cancellations under paragraphs 13, 14 and 22 of Schedule 4 are not rejections and should be included in items 2, 3, 7 and 9 above)	

Date

Signed.....
Counting Officer

Parliamentary Voting System and Constituencies Bill, *continued*

Address

.....

NOTE

The references to Schedule 4 are references to Schedule 4 to the Scottish Parliament (Elections etc.) Order 2007 as applied by the Parliamentary Voting System and Constituencies Act 2010.’.

As Amendments to New Schedule 4 (Combination of Polls: Scotland):—

Edward Miliband
Sadiq Khan
Chris Bryant
Mr Peter Hain

(a)

Paragraph 15, leave out sub-paragraph (1) and insert—

‘(1) The official poll cards used for the referendum and for the Scottish parliamentary election must be combined for all electors qualified to vote in all the polls.’.

Edward Miliband
Sadiq Khan
Chris Bryant
Mr Peter Hain

(b)

Paragraph 17, leave out sub-paragraphs (1) and (2) and insert—

‘(1) Separate ballot boxes must be used for the referendum to that used for the Scottish parliamentary elections.

(2) Each ballot box must be marked to show—

- (a) the referendum or parliamentary election to which it relates, and
- (b) the colour of ballot papers that should be placed in it.’.

Edward Miliband
Sadiq Khan
Chris Bryant
Mr Peter Hain

(c)

Leave out paragraph 18 and insert—

‘18 (1) The Chief Counting Officer shall select the colour of the ballot paper used for the referendum.

(2) The ballot papers used for constituency or regional ballots shall be of a different colour from that selected by the Chief Counting Officer.’.

Edward Miliband
Sadiq Khan
Chris Bryant
Mr Peter Hain

(d)

After paragraph 21 insert—

Parliamentary Voting System and Constituencies Bill, *continued**Electoral Commission guidance*

21A The Electoral Commission are to supply posters to be displayed in every polling station used for the referendum, which give neutral information on first past the post and alternative vote systems that are the subject of the referendum, subject to agreement by the Speaker's Committee on the Electoral Commission.'

Edward Miliband
Sadiq Khan
Chris Bryant
Mr Peter Hain

Paragraph 42, at the end of sub-paragraph (3) insert 'or
(c) the person is a Member of Parliament.'

(e)

Edward Miliband
Sadiq Khan
Chris Bryant
Mr Peter Hain

Paragraph 46, in sub-paragraph (1)(d), leave out 'separate' and insert 'keep separate throughout.'

(f)

Edward Miliband
Sadiq Khan
Chris Bryant
Mr Peter Hain

In paragraph 48, at the end of sub-paragraph (1) (a) insert 'containing ballot papers for the referendum vote.'

(g)

Edward Miliband
Sadiq Khan
Chris Bryant
Mr Peter Hain

In paragraph 48, at the end of sub-paragraph (1), at end of sub-sub-paragraph (1)(b) insert 'containing ballot papers for the referendum vote.'

(h)

Edward Miliband
Sadiq Khan
Chris Bryant
Mr Peter Hain

In paragraph 48, at the end of sub-paragraph (3), at end of sub-sub-paragraph (a) insert 'containing ballot papers for the referendum vote.'

(i)

Edward Miliband
Sadiq Khan
Chris Bryant
Mr Peter Hain

In paragraph 48, at the end of sub-paragraph (3), at end of sub-sub-paragraph (b)

(j)

Parliamentary Voting System and Constituencies Bill, *continued*

insert ‘containing ballot papers for the referendum vote.’.

The Deputy Prime Minister

NS5

To move the following Schedule:—

‘COMBINATION OF POLLS: NORTHERN IRELAND

PART 1

PROVISION ABOUT COMBINATION

GENERAL PROVISIONS

Interpretation

- 1 (1) An election the poll for which is, under section [*Combination of polls*](4), to be taken together with the poll for the referendum is referred to in this Schedule as a “relevant election”.
- (2) The polls to be taken together are referred to in this Schedule as “combined polls”.
- 2 In this Schedule—
 - “Assembly election” means an election to the Northern Ireland Assembly;
 - “Assembly Elections Rules” means the parliamentary elections rules as applied for the purposes of Assembly elections by Article 3(1) of, and Schedule 1 to, the Northern Ireland Assembly (Elections) Order 2001 (S.I. 2001/2599);
 - “Chief Electoral Officer” means the Chief Electoral Officer for Northern Ireland;
 - “counting agent” means a counting agent for the referendum or a counting agent for a relevant election (except where one or other is specified);
 - “local election” has the meaning given in section 130(1) of the Electoral Law Act (Northern Ireland) 1962;
 - “Local Elections Rules” means the rules set out in Schedule 5 to the Electoral Law Act (Northern Ireland) 1962.

Cost of combined polls

- 3 The cost of taking the combined polls (excluding any cost solely attributable to the referendum or to a particular relevant election), and any cost attributable to their combination, is to be apportioned equally among them.

Publication of statement of persons nominated

- 4 (1) The statement of persons nominated at the relevant elections must be published by not later than the 15th day before the date of the poll.
- (2) The timetables set out in the following provisions are to be read with whatever modifications are necessary to give effect to sub-paragraph (1)—
 - (a) rule 1 of the Assembly Elections Rules;
 - (b) rule 1 of the Local Elections Rules.

Parliamentary Voting System and Constituencies Bill, *continued**Directions by Chief Counting Officer to Chief Electoral Officer*

- 5 (1) The reference in paragraph 3(5)(a) of Schedule 1 to a counting officer's functions includes (subject to sub-paragraph (5)) the functions of the Chief Electoral Officer that are conferred by—
- (a) the relevant provisions of the Assembly Elections Rules;
 - (b) the relevant provisions of the Local Elections Rules;
 - (c) paragraph 32(1), (2)(b) and (6) below.
- (2) The reference in paragraph 3(5)(b) of that Schedule to information that a counting officer has or is entitled to have includes information that the Chief Electoral Officer has, or is entitled to have, by virtue of exercising those functions.
- (3) The relevant provisions of the Assembly Elections Rules are—
- (a) rule 19A (corresponding number list);
 - (b) rule 23(2) (notice of situation of polling stations etc);
 - (c) rule 24 (postal ballot papers);
 - (d) rule 25 (provision of polling stations);
 - (e) in rule 26 (appointment of presiding officers and clerks), paragraph (1) to the extent that it concerns the appointment of presiding officers and clerks to assist them, and paragraph (2);
 - (f) rule 29 (equipment of polling stations);
 - (g) rule 31(a) (notification of requirement of secrecy at polling stations);
 - (h) rule 31A (return of postal ballot papers);
 - (i) rule 32(3) (certificate as to employment);
 - (j) rule 33(2)(b) (authorisation to remove person from polling station).
- (4) The relevant provisions of the Local Elections Rules are—
- (a) rule 20(2) (notice of situation of polling stations etc);
 - (b) rule 21 (postal ballot papers);
 - (c) rule 22 (provision of polling stations);
 - (d) in rule 23 (appointment of presiding officers and clerks), paragraph (1) to the extent that it concerns the appointment of presiding officers and clerks to assist them, and paragraph (2);
 - (e) rule 26 (equipment of polling stations);
 - (f) rule 28(a) (notification of requirement of secrecy at polling stations);
 - (g) rule 29(3) (certificate as to employment);
 - (h) rule 30(2)(b) (authorisation to remove person from polling station).
- (5) Functions of the Chief Electoral Officer conferred by—
- (a) rule 19A of the Assembly Elections Rules to the extent that it relates to ballot papers issued in pursuance of rule 24(1) of those rules,
 - (b) rule 24 or 31A of the Assembly Elections Rules,
 - (c) rule 21 of the Local Elections Rules, or
 - (d) paragraph 32(2)(b) below,
- fall within sub-paragraph (1) only where the Chief Electoral Officer decides that the proceedings on the issue and receipt of postal ballot papers in respect of the referendum and the relevant elections are to be taken together.

Forms

- 6 Forms 2, 3, 5 and 6 in Part 2 of this Schedule are “relevant forms” for the purposes of rule 9A of the referendum rules.

Parliamentary Voting System and Constituencies Bill, *continued*

ACTION TO BE TAKEN BEFORE POLL

Corresponding number lists

- 7 (1) This paragraph applies where the Chief Electoral Officer decides that the proceedings on the issue and receipt of postal ballot papers in respect of the referendum and the relevant elections are to be taken together.
- (2) If the Chief Electoral Officer thinks fit, the lists to be prepared under the following provisions may be combined in the form set out in Form 1 in Part 2 of this Schedule—
- (a) rule 6 of the referendum rules;
 - (b) rule 19A of the Assembly Elections Rules;
- (3) In that case, this paragraph applies instead of—
- (a) rule 6(2) of the referendum rules;
 - (b) rule 19A(2) of the Assembly Elections Rules.
- 8 (1) This paragraph applies where the Chief Electoral Officer decides that the proceedings on the issue and receipt of postal ballot papers in respect of the referendum and the relevant elections are not to be taken together.
- (2) If the Chief Electoral Officer thinks fit, the officer may prepare a single list containing the numbers and other unique identifying marks of all of the ballot papers to be provided to presiding officers in pursuance of the following provisions—
- (a) rule 16(1) of the referendum rules;
 - (b) rule 29(1) of the Assembly Elections Rules.
- (3) The list must be in the form set out in Form 1 in Part 2 of this Schedule.
- (4) If a list is prepared in relation to ballot papers under this paragraph, the list prepared under the following provisions must not include details relating to those ballot papers—
- (a) rule 6 of the referendum rules;
 - (b) rule 19A of the Assembly Elections Rules.
- (5) A reference in an enactment to a list prepared under a provision mentioned in sub-paragraph (4) has effect, in so far as it relates to ballot papers to be provided in pursuance of the provisions mentioned in sub-paragraph (2), as a reference to the list prepared under this paragraph.

Notice of polling stations

- 9 (1) The notice given under rule 10(3) of the referendum rules must—
- (a) state that the poll for the referendum is to be taken together with the poll for the relevant elections, and
 - (b) specify the constituency or district council for which each relevant election is to be held.
- (2) The notice given under rule 23(2) of the Assembly Elections Rules must—
- (a) state that the poll for the Assembly election is to be taken together with the poll for the referendum, and
 - (b) state that the poll for the Assembly election is to be taken together with the poll for a local election, specifying the relevant district council.
- (3) The notice given under rule 20(2) of the Local Elections Rules must—
- (a) state that the poll for the local election is to be taken together with the poll for the referendum, and
 - (b) state that the poll for the local election is to be taken together with the poll for an Assembly election, specifying the relevant constituency.

Parliamentary Voting System and Constituencies Bill, *continued**Declarations of identity*

- 10 (1) This paragraph applies where the Chief Electoral Officer decides that the proceedings on the issue and receipt of postal ballot papers in respect of the referendum and the relevant elections are to be taken together.
- (2) The declaration of identity to be issued to those entitled to vote by post in the referendum and in the relevant elections must be in the form set out in Form 2 in Part 2 of this Schedule.
- (3) Where that form is used, this paragraph applies instead of any requirement in the following provisions for a declaration of identity to be in a particular form.
- (4) The provisions are—
- (a) rule 11(1)(c) of the referendum rules;
 - (b) rule 24(1)(c) of the Assembly Elections Rules;
 - (c) rule 21(1) of the Local Elections Rules.
- 11 (1) This paragraph applies where the Chief Electoral Officer decides that the proceedings on the issue and receipt of postal ballot papers in respect of the referendum and the relevant elections are not to be taken together.
- (2) The declaration of identity to be issued to those entitled to vote by post in the referendum must be in the form set out in Form 3 in Part 2 of this Schedule.
- (3) This paragraph applies instead of the requirement in rule 11(1)(c) of the referendum rules for a declaration of identity to be in a particular form.

Colour of ballot papers

- 12 The ballot papers used for the referendum and for each relevant election must be of a different colour.

Polling stations

- 13 The referendum polling stations are to be used for the combined polls.

Official poll cards

- 14 (1) If the Chief Electoral Officer thinks fit, the official poll cards used for the referendum and the relevant elections may be combined.
- (2) In that case, the forms required to be used for official poll cards for the referendum and relevant elections must be adapted in whatever manner seems necessary.

Ballot boxes

- 15 (1) If the Chief Electoral Officer thinks fit, the same ballot box may be used at the polls for the referendum and the relevant elections.
- (2) Where separate ballot boxes are used, each must be clearly marked to show—
- (a) the poll to which it relates, and
 - (b) the colour of ballot papers that should be placed in it.

Form of corresponding number lists provided to polling stations

- 16 (1) If the Chief Electoral Officer thinks fit, the lists to be provided under the following provisions may be combined in the form set out in Form 4 in Part 2 of this Schedule—
- (a) rule 16(3)(d) of the referendum rules;
 - (b) rule 29(3)(e) of the Assembly Elections Rules.

Parliamentary Voting System and Constituencies Bill, *continued*

- (2) In that case, this paragraph applies instead of the second sentence in rule 16(3) of the referendum rules.

Ballot paper displayed in polling stations

- 17 (1) The large version of the ballot paper displayed inside the polling station under rule 16(4)(a) of the referendum rules must be of the same colour as the ballot papers to be used for the referendum.
- (2) The large version of the ballot paper displayed inside the polling station under rule 29(3A)(a) of the Assembly Elections Rules must be of the same colour as the ballot papers to be used for the Assembly election.
- (3) The large version of the ballot paper displayed inside the polling station under rule 26(3A)(a) of the Local Elections Rules must be of the same colour as the ballot papers to be used for the local election.

Guidance to be exhibited outside and inside polling stations

- 18 (1) Rule 16 of the referendum rules has effect as if—
- (a) in paragraph (6), for “inside and outside every polling station” there were substituted “outside every polling station and in every compartment of every polling station”, and
 - (b) paragraph (7) were omitted.
- (2) Rule 29 of the Assembly Elections Rules has effect as if—
- (a) in paragraph (4), for “inside and outside every polling station” there were substituted “outside every polling station and in every compartment of every polling station”, and
 - (b) paragraph (5) were omitted.
- (3) The notice referred to in rule 29(4) of the Assembly Elections Rules or rule 26(4) of the Local Elections Rules—
- (a) must clearly indicate the election to which it relates, and
 - (b) must be on paper of the same colour as the ballot papers used for the election to which it relates,
- and the notice referred to in rule 16(6) of the referendum rules must be on paper of the same colour as the ballot papers used for the referendum.
- (4) If the Chief Electoral Officer thinks fit, a notice in the form set out in Form 5 in Part 2 of this Schedule, giving directions for the guidance of voters in voting—
- (a) must be printed in conspicuous characters;
 - (b) must be exhibited outside every polling station and in every compartment of every polling station.
- (5) In that case, paragraph (4) applies instead of—
- (a) paragraphs (1) to (3);
 - (b) rule 16(6) and (7) of the referendum rules;
 - (c) rule 29(4) and (5) of the Assembly Elections Rules;
 - (d) rule 26(4) of the Local Elections Rules.

THE POLL

Admission to the polling station

- 19 (1) Rule 20(1) of the referendum rules has effect as if the persons listed there included persons who would be entitled to be admitted to the polling station for any relevant election if the poll for that election were held on its own.

Parliamentary Voting System and Constituencies Bill, *continued*

- (2) Rule 32(1) of the Assembly Elections Rules has effect as if the persons listed there included—
 - (a) persons who would be entitled to be admitted to the polling station for the referendum if the poll for the referendum were held on its own, and
 - (b) persons who would be entitled to be admitted to the polling station for the local election if the poll for that election were held on its own.
- (3) Rule 29(1) of the Local Elections Rules has effect as if the persons listed there included—
 - (a) persons who would be entitled to be admitted to the polling station for the referendum if the poll for the referendum were held on its own, and
 - (b) persons who would be entitled to be admitted to the polling station for the Assembly election if the poll for that election were held on its own.

Questions to be put to voters

- 20 (1) Rule 35 of the Assembly Elections Rules has effect as if, in the questions in entries 1, 2 and 4 of the table in paragraph (1), after “at this” (in each place) there were inserted “Assembly”.
- (2) Rule 32 of the Local Elections Rules has effect as if, in paragraphs (1) and (2), after “at this” (in each place) there were inserted “local”.

Voting procedure: copies of registers and lists of proxies

- 21 (1) If the Chief Electoral Officer thinks fit, the same copy of the register of electors may be used under the following provisions for the purposes of the referendum and the relevant elections—
 - (a) rule 27(2) of the referendum rules;
 - (b) rule 37(1) of the Assembly Elections Rules;
 - (c) rule 34(1) of the Local Elections Rules.
 - (2) Sub-paragraphs (3) and (4) apply where the same copy of the register is used as mentioned in sub-paragraph (1).
 - (3) In a case where a ballot paper is delivered at the same time in respect of the referendum and the relevant elections, a single mark must be placed in the register against the number of the elector under—
 - (a) rule 27(2)(c) of the referendum rules,
 - (b) rule 37(1)(d) of the Assembly Elections Rules, and
 - (c) rule 34(1)(d) of the Local Elections Rules.
 - (4) In any other case, a mark must be placed in the register against the number of the elector identifying the poll to which each ballot paper delivered relates.
 - (5) In the case of an elector who is added to the register in pursuance of a notice issued under section 13BA(9) of the 1983 Act—
 - (a) references in this paragraph to the copy of the register of electors are to be read as references to the copy of the notice;
 - (b) references to a mark being placed in the register of electors are to be read as references to a mark being made on the copy of the notice.
- 22 (1) If the Chief Electoral Officer thinks fit, he or she may require the relevant registration officer to produce a combined list of proxies for the referendum and the relevant elections.
 - (2) The following provisions apply where the lists are combined and a person applies for a ballot paper as proxy.
 - (3) Immediately before delivery of the ballot paper the list of proxies must be marked in a way that identifies—
 - (a) the proxy,

Parliamentary Voting System and Constituencies Bill, *continued*

- (b) the elector for whom the proxy is applying for the ballot paper, and
 - (c) the referendum or relevant election to which the ballot paper relates.
- (4) Sub-paragraph (3) applies instead of—
- (a) rule 27(2)(d) of the referendum rules;
 - (b) rule 37(1)(e) of the Assembly Elections Rules;
 - (c) rule 34(1)(e) of the Local Elections Rules.

List of votes marked by presiding officer

- 23 (1) If the Chief Electoral Officer thinks fit, a single list of votes marked by the presiding officer may be used for the purposes of the referendum and the relevant elections.
- (2) Where a person's entry in that list does not relate to the referendum and each relevant election the entry must—
- (a) indicate whether it relates to the referendum, and
 - (b) identify any relevant election to which it relates.
- (3) In this paragraph "list of votes marked by the presiding officer" means a list compiled under—
- (a) rule 29(4) of the referendum rules,
 - (b) rule 38(2) of the Assembly Elections rules, or
 - (c) rule 35(3) of the Local Elections Rules.

Declaration to be made by the companion of a voter with disabilities

- 24 (1) A declaration made by the companion of a voter with disabilities must be in the form set out in Form 6 in Part 2 of this Schedule.
- (2) In this paragraph "declaration made by the companion of a voter with disabilities" means a declaration made by a companion under—
- (a) rule 30 of the referendum rules,
 - (b) rule 39 of the Assembly Elections Rules, or
 - (c) rule 36 of the Local Elections Rules.
- (3) This paragraph applies instead of—
- (a) rule 30(5)(a) of the referendum rules;
 - (b) rule 39(5)(a) of the Assembly Elections Rules;
 - (c) rule 36(5)(a) of the Local Rules.

List of voters with disabilities assisted by companions

- 25 (1) If the Chief Electoral Officer thinks fit, a single list of voters with disabilities assisted by companions may be used for the purposes of the referendum and the relevant elections.
- (2) Where a person's entry in that list does not relate to the referendum and each relevant election the entry must—
- (a) indicate whether it relates to the referendum, and
 - (b) identify any relevant election to which it relates.
- (3) In this paragraph "list of voters with disabilities assisted by companions" means a list compiled under—
- (a) rule 30(8) of the referendum rules,
 - (b) rule 39(4) of the Assembly Elections Rules, or
 - (c) rule 36(4) of the Local Elections Rules.

Parliamentary Voting System and Constituencies Bill, *continued**Tendered votes list*

- 26 (1) If the Chief Electoral Officer thinks fit, a single tendered votes list may be used for the purposes of the referendum and the relevant elections.
- (2) Where a person's entry in that list does not relate to the referendum and each relevant election the entry must—
- (a) indicate whether it relates to the referendum, and
 - (b) identify any relevant election to which it relates.
- (3) In this paragraph "tendered votes list" means a list compiled under—
- (a) rule 32(7) of the referendum rules,
 - (b) rule 40(3) of the Assembly Elections Rules, or
 - (c) rule 37(6) of the Local Elections Rules.

Lists relating to correction of errors on day of poll

- 27 (1) If the Chief Electoral Officer thinks fit, a single list of persons to whom ballot papers are delivered in consequence of late alterations to the register may be used for the purposes of the referendum and the relevant elections.
- (2) Where a person's entry in that list does not relate to the referendum and each relevant election the entry must—
- (a) indicate whether it relates to the referendum, and
 - (b) identify any relevant election to which it relates.
- (3) In this paragraph "list of persons to whom ballot papers are delivered in consequence of late alterations to the register" means a list compiled under—
- (a) rule 35 of the referendum rules,
 - (b) rule 41B of the Assembly Elections Rules, or
 - (c) rule 39A of the Local Elections Rules.

Procedure on close of poll

- 28 (1) In rule 37(1) of the referendum rules the reference to polling agents includes a reference to polling agents appointed for the purposes of the relevant elections.
- (2) In rule 43(1) of the Assembly Elections Rules the reference to polling agents includes a reference to—
- (a) polling agents appointed for the purposes of the referendum;
 - (b) polling agents appointed for the purposes of the local election.
- (3) In rule 41(1) of the Local Elections Rules the reference to polling agents includes a reference to—
- (a) polling agents appointed for the purposes of the referendum;
 - (b) polling agents appointed for the purposes of the Assembly election.
- 29 (1) A packet made up under one of the following provisions may not be combined with a packet made up under another of those provisions.
- (2) The provisions are—
- (a) rule 37(1)(b), (c) or (f) of the referendum rules;
 - (b) rule 43(1)(b), (c) or (e) of the Assembly Elections Rules;
 - (c) rule 41(1)(b), (c) or (e) of the Local Elections Rules.
- 30 (1) The ballot paper account prepared under one of the following provisions may not be combined with the ballot paper account made up under another of those provisions.
- (2) The provisions are—
- (a) rule 37(6) of the referendum rules;

Parliamentary Voting System and Constituencies Bill, *continued*

- (b) rule 43(3) of the Assembly Election Rules;
- (c) rule 41(3) of the Local Election Rules.

COUNTING OF VOTES

Attendance and arrangements for counting

- 31
- (1) The Chief Electoral Officer must make arrangements for carrying out the functions conferred by paragraph 32, and for counting the votes as soon as practicable, in the presence of the counting agents.
 - (2) The Chief Electoral Officer must give the counting agents—
 - (a) notice in writing of the time and place at which the proceedings under paragraph 32 will begin;
 - (b) notice of the time and place at which the counting of the votes will begin.
 - (3) A person may be present at those proceedings or at the counting of the votes only if the person falls within—
 - (a) paragraphs (a) to (e) of rule 38(4) of the referendum rules,
 - (b) paragraphs (a) to (e) of rule 44(2) of the Assembly Elections Rules, or
 - (c) paragraphs (a) to (e) of rule 44(1) of the Local Elections Rules,or the person is permitted by the Chief Electoral Officer to attend.
 - (4) The Chief Electoral Officer may give a person permission under subparagraph (3) only if—
 - (a) the officer is satisfied that the person's attendance will not impede the efficient conduct of the proceedings, and
 - (b) the officer has consulted the referendum agents and election agents or thought it impracticable to do so.
 - (5) The Chief Electoral Officer must give the counting agents—
 - (a) whatever reasonable facilities for overseeing the proceedings (including, in particular, facilities for satisfying themselves that the ballot papers are correctly sorted), and
 - (b) whatever information with respect to the proceedings, the officer can give them consistently with the orderly conduct of the proceedings and the discharge of the officer's duties.

Counting and separation of ballot papers

- 32
- (1) As soon as practicable after the close of the poll the Chief Electoral Officer must—
 - (a) in the presence of the counting agents, open the ballot boxes and count and record separately the number of ballot papers relating to the referendum and each relevant election;
 - (b) count the postal ballot papers that have been duly returned for the referendum and each relevant election and record separately the number relating to each;
 - (c) separate the ballot papers relating to the referendum and those relating to each relevant election.
 - (2) A postal ballot paper is not to be taken to be duly returned unless—
 - (a) it is returned in the proper envelope so as to reach the Chief Electoral Officer before the close of the poll and is accompanied by the declaration of identity duly signed and authenticated, and
 - (b) in the case of an elector, the declaration of identity states the elector's date of birth and the Chief Electoral Officer is satisfied that the date

Parliamentary Voting System and Constituencies Bill, *continued*

stated corresponds with the date supplied as the elector's date of birth in pursuance of section 10(4A)(b), 10A(1A)(b) or 13A(2A)(b) of the 1983 Act.

- (3) Unless section 10(4B), 10A(1B) or 13A(2B) of the 1983 Act applies, the declaration of identity referred to in sub-paragraph (2) is not to be taken to be duly signed unless the Chief Electoral Officer is satisfied that the signature on the declaration corresponds with the signature supplied as the elector's signature in pursuance of section 10(4A)(a), 10A(1A)(a) or 13A(2A)(a) of that Act.
- (4) The Chief Electoral Officer must not count any tendered ballot papers.
- (5) The Chief Electoral Officer, while counting and recording the number of ballot papers, must—
 - (a) keep the ballot papers with their faces upwards, and
 - (b) take all proper precautions for preventing anyone from seeing the numbers or other unique identifying marks printed on the back of the papers.
- (6) The Chief Electoral Officer must, in the presence of the referendum agents and the election agents for the relevant elections—
 - (a) verify each ballot paper account by comparing it with the number of ballot papers recorded by the officer, and the unused and spoilt ballot papers in the officer's possession and the tendered votes list (opening and resealing the packets containing the unused and spoilt ballot papers and the tendered votes list);
 - (b) draw up a separate statement as to the result of the verification in relation to each poll.
- (7) An election agent for a relevant election may copy the statement relating to that relevant election.
- (8) A counting agent for the referendum present at the verification may copy the statement relating to the referendum.
- (9) Once the statement relating to the referendum is drawn up, the Chief Electoral Officer must inform the Chief Counting Officer of the contents of the statement.
- (10) If the Chief Electoral Officer has not begun to count the votes given on the ballot papers for a particular poll by the time the statements under sub-paragraph (6)(b) in relation to all the polls are prepared—
 - (a) the ballot papers for that poll must be sealed into packets, each of which must be endorsed with a description of its contents, and
 - (b) the packets may not be opened until the Chief Electoral Officer begins dealing with the ballot papers in those packets under paragraph 33(1).

Counting of votes

- 33 (1) The Chief Electoral Officer must count the votes given on the ballot papers, separately in respect of the referendum and each relevant election, but must not do so until—
 - (a) in the case of postal ballot papers, they have been mixed with the ballot papers from at least one ballot box;
 - (b) in the case of ballot papers from a ballot box, they have been mixed with the ballot papers from at least one other ballot box.
- (2) The Chief Electoral Officer, while counting the votes, must—
 - (a) keep the ballot papers with their faces upwards, and

Parliamentary Voting System and Constituencies Bill, *continued*

- (b) take all proper precautions for preventing anyone from seeing the numbers or other unique identifying marks printed on the back of the papers.
- (3) The Chief Electoral Officer must so far as practicable proceed continuously with the counting of votes, allowing only time for refreshment, except that—
 - (a) the officer may exclude the whole or any part of the period between 11 pm and 9 am on the next day;
 - (b) the officer may exclude a day mentioned in rule 2(1) of the referendum rules.
- (4) During the time so excluded the Chief Electoral Officer must—
 - (a) place the ballot papers and other documents relating to the referendum or election under the officer’s own seal and the seals of any of the counting agents who want to affix their seals, and
 - (b) otherwise take proper precautions for the security of the papers and documents.

Application

- 34 Paragraphs 31 to 33 apply instead of—
- (a) rules 38 and 39 of the referendum rules;
 - (b) rules 44 and 44B of the Assembly Elections Rules;
 - (c) rules 43(1), 44 and 45 of the Local Elections Rules.

Ballot papers placed in wrong ballot box

- 35 Where separate ballot boxes are used for the referendum and a relevant election, the placing of a ballot paper in the wrong ballot box does not render it void.

DECLARATION OF RESULT

Declaration

- 36 The result of the referendum or a relevant election may not be declared until the statement as to the result of the verification of the ballot paper accounts in relation to each poll has been prepared.

DISPOSAL OF DOCUMENTS ETC

Retention of certain documents by Chief Electoral Officer

- 37 (1) Rules 49(1)(b) and 51 of the referendum rules apply to the documents specified in sub-paragraphs (c) and (e) of paragraph (1) of rule 58 of the Local Elections Rules, and that paragraph applies as if those sub-paragraphs were omitted.
- (2) Rule 56(8) of the Assembly Elections Rules and rule 59(7) of the Local Elections Rules each have effect as if for “by this rule provided” there were substituted “provided by this rule (or a court order)”.

Countermand or abandonment of poll

- 38 (1) Where—
- (a) under rule 63 of the Assembly Elections Rules notice of the poll at an Assembly election is countermanded or it is directed that the poll be abandoned, or

Parliamentary Voting System and Constituencies Bill, *continued*

- (b) under rule 61 of the Local Elections Rules notice of the poll at a local election is countermanded or it is directed that the poll be abandoned, the countermand or direction does not affect the poll for the other election or the poll for the referendum.
- (2) If the poll for a relevant election is abandoned because of a candidate’s death—
 - (a) no further ballot papers at that election must be delivered in any polling station;
 - (b) at the close of the other polls the presiding officer must comply with the requirements of rule 43 of the Assembly Elections Rules (where the abandoned poll was the poll for the Assembly election) or rule 41 of the Local Elections Rules (where the abandoned poll was the poll for the local election) as if the poll for the relevant election had not been abandoned;
 - (c) the Chief Electoral Officer must dispose of the ballot papers used at the abandoned election and other documents in the officer’s possession as the officer would have been required to do on the completion of the counting of the votes.
- (3) In a case falling within sub-paragraph (2)—
 - (a) a ballot paper account for the abandoned election need not be prepared or verified;
 - (b) the Chief Electoral Officer, having separated the ballot papers relating to the referendum and each relevant election, must take no further step for the counting of the ballot papers used at the abandoned election or for the counting of the votes;
 - (c) the Chief Electoral Officer must seal up the ballot papers used at the abandoned election whether the votes on them have been counted or not;
 - (d) it is not necessary to seal up counted and rejected ballot papers used at the abandoned election in separate packets.
- (4) This paragraph applies instead of—
 - (a) rule 65(1) to (6) of the Assembly Elections Rules;
 - (b) rule 61(2) of the Local Elections Rules.

PART 2

FORMS REFERRED TO IN PART 1

Note - The forms contained in this Part may be adapted so far as circumstances require.

Paragraphs 7(2) and 8(3)

FORM 1 - FORM OF CORRESPONDING NUMBER LIST (TO BE USED FOR COMBINED POLLS)

Voting area/constituency/district electoral area:
Date of Poll:
Sheet No.:

Parliamentary Voting System and Constituencies Bill, *continued*

Address of witness (WRITE CLEARLY)

.....

SEE INSTRUCTIONS ON THE BACK OF THIS FORM

Back of form**INSTRUCTIONS TO THE VOTER**

- 1.** You must sign this declaration of identity in the presence of a person known to you. That person should then sign this declaration as a witness, adding his or her name and address. Without this the declaration will be invalid and your vote will not be counted.
- 2.** When you are voting in the referendum on the voting system for United Kingdom parliamentary elections (*[insert colour of ballot paper]* ballot paper), mark a cross (X) in the box on the right hand side of the ballot paper opposite the answer you are voting for. Do this secretly. If you cannot vote without assistance, the person assisting you must not disclose how you have voted. Vote once only. Do not mark the ballot paper in any other way or your vote may not be counted.
- 3.** When you are voting in the election to the Northern Ireland Assembly or for the election of district councillors, different colours are used for the ballot papers for each election.
- 4.** When you are voting in the election to the Northern Ireland Assembly (*[insert colour of ballot paper]* ballot paper), number the candidates in order of preference, putting “1” against the candidate of your 1st preference, “2” against your 2nd preference and so on. You should not put the same preference against more than one candidate. You may show your preference for as many or as few candidates as you wish. Put no other mark on the ballot paper, or your vote may not be counted. Do this secretly. If you cannot vote without assistance, the person assisting you must not disclose how you have voted.
- 5.** When you are voting in the election of district councillors (*[insert colour of ballot paper]* ballot paper), number the candidates in order of preference, putting “1” against the candidate of your 1st preference, “2” against your 2nd preference and so on. You should not put the same preference against more than one candidate. You may show your preference for as many or as few candidates as you wish. Put no other mark on the ballot paper, or your vote may not be counted. Do this secretly. If you cannot vote without assistance, the person assisting you must not disclose how you have voted.
- 6.** Put the ballot papers in the small envelope marked “A” and seal it. Then put the envelope marked “A”, together with the declaration of identity, in the larger envelope marked “B”. Return it without delay. The ballot papers must be received by the counting officer not later than the close of the poll.
- 7.** If you receive more than one ballot paper, remember that it is illegal to vote more than once (otherwise than as proxy) at the same election or to vote more than once (otherwise than as proxy) in the referendum. You are entitled to vote at different elections which are held on the same day.
- 8.** In this referendum or in these elections you cannot vote in person at a polling station.
- 9.** If by mistake you spoil your ballot paper, you can apply to the counting officer for another one. With your application you must return, in your own envelope, the spoiled ballot paper(s), the declaration of identity and the envelopes marked “A” and “B”. We can only issue replacement postal ballot papers before 5 p.m. on [-1 day/date deadline].

Parliamentary Voting System and Constituencies Bill, *continued*

Paragraph 11(2)

FORM 3 - FORM OF DECLARATION OF IDENTITY (TO BE USED WHERE PROCEEDINGS ON ISSUE AND RECEIPT OF POSTAL BALLOT PAPERS NOT COMBINED)

Front of form**Declaration of identity****Referendum on the voting system for United Kingdom parliamentary elections**

Ballot Paper no.....
(*insert colour*)

I am the person to whom the ballot paper numbered above was sent.

My date of birth is (you are not required to give your date of birth if you are to vote as a proxy for someone else).

Voter's signature

The voter, who is personally known to me, has signed this declaration in my presence.

Witness's signature

Name of witness (WRITE CLEARLY)

Address of witness (WRITE CLEARLY)

.....

SEE INSTRUCTIONS ON THE BACK OF THIS FORM

Back of form**INSTRUCTIONS TO THE VOTER**

1. You must sign this declaration of identity, even if you have already signed a declaration of identity in respect of an election to be held on the same day. You must sign in the presence of a person known to you. That person should then sign this declaration as a witness, adding his or her name and address. Without this the declaration will be invalid and your vote will not be counted.
2. Vote once only. Put no other mark on the ballot paper or your vote may not be counted.
3. Mark a cross (X) in the box on the right hand side of the ballot paper opposite the answer you are voting for. Do this secretly. If you cannot vote without assistance, the person assisting you must not disclose how you have voted.
4. Put the ballot paper in the small envelope marked "A" and seal it. Then put the envelope marked "A", together with the declaration of identity, in the larger envelope marked "B". Return it without delay. The ballot paper must be received by the counting officer not later than the close of the poll.

Parliamentary Voting System and Constituencies Bill, *continued*

Paragraph 18(4)

FORM 5 - GUIDANCE FOR VOTERS TO BE EXHIBITED OUTSIDE EVERY POLLING STATION AND IN EVERY COMPARTMENT INSIDE

1. When you are given your ballot papers go to one of the compartments.
2. On the *[insert colour]* referendum ballot paper, mark a cross (X) in the box on the right hand side of the ballot paper opposite the answer you are voting for.
3. On the ballot paper for the election to the Northern Ireland Assembly (*[insert colour]* ballot paper), and the ballot paper for the election of district councillors (*[insert colour]* ballot paper), number the candidates in order of preference, putting “1” against the candidate of your 1st preference, “2” against your 2nd preference and so on. You should not put the same preference against more than one candidate.
4. Vote once only in the referendum. In the Assembly election and the election for district councillors, you may show your preference for as many or as few candidates as you wish. Put no other mark on the ballot paper, or your vote may not be counted.
5. If by mistake you spoil a ballot paper, show it to the presiding officer and ask for another one.
6. Fold each ballot paper in two. Show the presiding officer the number and other unique identifying mark on the back of each ballot paper, but do not let anyone see your vote. Put each ballot paper in the *[appropriate]** ballot box and leave the polling station.

* Complete or omit as necessary.

Paragraph 24(1)

FORM 6 - FORM OF DECLARATION TO BE MADE BY THE COMPANION OF A VOTER WITH DISABILITIES

I, (name of companion)
of (address of companion)
having been requested to assist (name of voter)
[in the case of a person with disabilities voting as proxy, add
voting as proxy for (name of elector)]
whose name on the register is to record their vote at the
[referendum] [and]* [election(s)*]* being held in this [voting area]* [/constituency]* [/*
*district electoral area]**
hereby declare that

Parliamentary Voting System and Constituencies Bill, *continued*

- (a) [I am entitled to vote as an elector at the said [referendum]* [and]* [election(s)]*,]*
- (b) [I am the #..... of the said voter and have attained the age of 18 years,]* and
- (c) I have not previously assisted any voter with disabilities [except (name of other elector), of (address of other elector)], to vote at the said [referendum]* [or]* [election(s)]*.*

#State the relationship of the companion to the voter.

*Delete as appropriate.

(Signed) (companion)

Date

I, the undersigned, being the presiding officer for the polling station for the [*insert name of voting area*] hereby certify that the above declaration, having been first read to the above-named declarant, was signed by the declarant in my presence.

(Signed).....

Date

Time (am/pm)

NOTE: (1) If the person making the above declaration knowingly and wilfully makes therein a statement false in a material particular, he or she will be guilty of an offence.

(2) A voter with disabilities is a voter who has made a declaration that he or she is so incapacitated by blindness or other disability, or by an inability to read, as to be unable to vote without assistance.’.

As Amendments to New Schedule 5 (Combination of Polls: Northern Ireland):—

Edward Miliband
Sadiq Khan
Chris Bryant
Mr Peter Hain

(a)

Leave out paragraph 12 and insert—

- ‘12 (1) The Chief Electoral Officer shall select the colour of the ballot paper used for the referendum.
- (2) The ballot papers used for any relevant elections shall be of a different colour from that selected by the Chief Electoral Officer.’.

Edward Miliband
Sadiq Khan
Chris Bryant
Mr Peter Hain

(b)

Paragraph 14, leave out sub-paragraph (1) and insert—

- ‘(1) The official poll cards used for the referendum and for the relevant elections must be combined for all electors qualified to vote in all the polls.’.

Parliamentary Voting System and Constituencies Bill, *continued*

Edward Miliband
Sadiq Khan
Chris Bryant
Mr Peter Hain

(c)

Paragraph 15, leave out sub-paragraphs (1) and (2) and insert—

- ‘(1) Separate ballot boxes must be used for the referendum to that used for other relevant elections taking place on the same day.
- (2) Each ballot box must be marked to show—
 - (a) the referendum or relevant election to which it relates, and
 - (b) the colour of ballot papers that should be placed in it.’

Edward Miliband
Sadiq Khan
Chris Bryant
Mr Peter Hain

(d)

After paragraph 18 insert—

‘Electoral Commission guidance

- 18A The Electoral Commission are to supply posters to be displayed in every polling station used for the referendum, which give neutral information on first past the post and alternative vote systems that are the subject of the referendum, subject to agreement by the Speaker’s Committee on the Electoral Commission.’.

Edward Miliband
Sadiq Khan
Chris Bryant
Mr Peter Hain

(e)

Paragraph 31, at the end of sub-paragraph (3) insert ‘or is a Member of Parliament.’.

Edward Miliband
Sadiq Khan
Chris Bryant
Mr Peter Hain

(f)

Paragraph 32, in sub-paragraph (1)(c), leave out ‘separate’ and insert ‘keep separate throughout.’.

Edward Miliband
Sadiq Khan
Chris Bryant
Mr Peter Hain

(g)

In paragraph 33, at the end of sub-paragraph (1)(a), insert ‘containing ballot papers for the referendum vote.’.

Parliamentary Voting System and Constituencies Bill, *continued*

Edward Miliband
Sadiq Khan
Chris Bryant
Mr Peter Hain

(h)

In paragraph 33, at the end of sub-paragraph (1)(b) insert ‘containing ballot papers for the referendum vote.’.

Edward Miliband
Sadiq Khan
Chris Bryant
Mr Peter Hain

(i)

In paragraph 48, at the end of sub-paragraph (3)(a) insert ‘containing ballot papers for the referendum vote.’.

Edward Miliband
Sadiq Khan
Chris Bryant
Mr Peter Hain

(j)

In paragraph 48, sub-paragraph (3), at end of sub-sub-paragraph (b) insert ‘containing ballot papers for the referendum vote.’.

ORDER OF THE HOUSE [6 SEPTEMBER 2010]

That the following provisions shall apply to the Parliamentary Voting System and Constituencies Bill:

Committal

1. The Bill shall be committed to a Committee of the whole House.

Proceedings in Committee

2. Proceedings in Committee of the whole House shall be completed in five days.
3. Standing Order No. 83B (Programming committees) shall not apply to the proceedings on the Bill in Committee of the whole House.

Consideration and Third Reading

4. Any proceedings on consideration and proceedings on Third Reading shall be completed in two days.
5. Any proceedings on consideration shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on the second day.
6. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.
7. Standing Order No. 83B (Programming committees) shall not apply to proceedings on consideration and Third Reading.

Other proceedings

8. Any other proceedings on the Bill (including any proceedings on consideration of any messages from the Lords) may be programmed.

Parliamentary Voting System and Constituencies Bill, *continued*

ORDER OF THE HOUSE [12 OCTOBER 2010]

That the following provisions shall apply to the Parliamentary Voting System and Constituencies Bill, in addition to those of the Order of 6 September 2010—

1. Proceedings in Committee of the whole House shall be taken on each of the days as shown in the following Table and in the order so shown.
2. The proceedings shall (so far as not previously concluded) be brought to a conclusion at the time shown in the third column of the Table.

<i>Day</i>	<i>Proceedings</i>	<i>Time for conclusion of proceedings</i>
First day	Clause 1	11 pm.
Second day	Schedule 1, Clauses 2 and 3, Schedules 2 to 4, Clause 4, Schedule 5, Clauses 5 and 6	11 pm.
Third day	Clause 7, Schedule 6, Clauses 8 and 9	11 pm.
Fourth day	Clauses 10 to 13, Schedule 7, Clauses 14 to 17.	9 pm.
Fifth day	New Clauses, New Schedules, remaining proceedings on the Bill	One hour after the moment of interruption.

ORDER OF THE HOUSE [19 OCTOBER 2010]

That the Order of 12 October (Parliamentary Voting System and Constituencies Bill (Programme) (No. 2)) be varied as follows:—

1. In the Table, for the entry relating to the third and fourth days of Committee there shall be substituted:

<i>Day</i>	<i>Proceedings</i>	<i>Time for conclusion of proceedings</i>
Third and fourth days	Clause 7, Schedule 6, Clauses 8 to 13, Schedule 7, Clauses 14 to 17.	9 pm on the fourth day.

2. On the third day paragraph (1) of Standing Order No. 15 (Exempted business) shall apply to the proceedings until 11.00 pm.
-