

## **2022 (WG-10)**

# **The County Borough of Caerphilly (Electoral Pilot Scheme) Order 2022**

### **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order, the County Borough of Caerphilly (Electoral Pilot Scheme) Order 2022, makes provision for the implementation of an electoral pilot scheme within the County Borough of Caerphilly.

This Order applies to the election of councillors to Caerphilly County Borough Council for which the ordinary day of election is 5 May 2022. It also applies to the election of councillors to the community councils within the County Borough of Caerphilly, for which the ordinary day of election is 5 May 2022.

Following proposals submitted by Caerphilly County Borough Council to the Welsh Ministers, this electoral pilot scheme will provide individuals entitled to vote at those elections the opportunity to vote in advance of polling day. Advance voting will take place at a central advance voting station on Saturday 30 April 2022 and Sunday 1 May 2022.

Schedule 1 modifies relevant primary legislation, namely the Representation of the People Act 1983 (c. 2) and the Representation of the People Act 2000 (c. 2), to give effect to these proposals.

Schedules 2 and 3 modify the Rules which govern the conduct of local government elections to give effect to these proposals:

- Schedule 2 modifies the Local Elections (Principal Areas) (Wales) Rules 2021 (S.I. 2021/1459 (W. 374)) which apply to elections of councillors to the council of a principal area (being a county or county borough);
- Schedule 3 modifies the Local Elections (Communities) (Wales) Rules 2021 (S.I. 2021/1460 (W. 375)) which apply to elections of councillors to a community

council within a county or county borough.

### **Regulatory Impact Assessment**

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to this Order. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with this Order.

**2022 (WG-10)**

**The County Borough of Caerphilly  
(Electoral Pilot Scheme) Order  
2022**

*Made*

*15 March 2022*

*Coming into force in accordance with article 1*

Caerphilly County Borough Council has, in accordance with section 10(1) of the Representation of the People Act 2000<sup>(1)</sup> (“the 2000 Act”), submitted proposals to the Welsh Ministers for a pilot scheme under that section to apply to the local government elections that will take place on 5 May 2022 in relation to the election of councillors to Caerphilly County Borough Council, and the election of councillors to the community councils falling within the County Borough of Caerphilly.

The Welsh Ministers make the following Order in exercise of the powers conferred on them by section 10(1), (2)(a), 2(b) and (3)(a) of the 2000 Act<sup>(2)</sup>.

In accordance with section 10(1A) of the 2000 Act, the Welsh Ministers have consulted with the Electoral Commission in relation to the proposals.

**Title, coming into force and application**

**1.**—(1) The title of this Order is the County Borough of Caerphilly (Electoral Pilot Scheme) Order 2022.

(2) This Order comes into force on 23 March 2022.

(3) This Order applies to—

(a) the election of councillors to Caerphilly County Borough Council; and

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(1) 2000 c. 2. Section 10 was amended by the Political Parties, Elections and Referendums Act 2000 c. 41, section 158(1) and Schedule 21, paragraph 16.

(2) Functions of the Secretary of State were transferred to the Welsh Ministers by article 45 of, and paragraph 2 of Schedule 1 to, the Welsh Ministers (Transfer of Functions) Order 2018 (S.I. 2018/644).

- (b) the election of councillors to the community councils within the County Borough of Caerphilly,

the ordinary day of election of which is 5 May 2022.

## Interpretation

2. In this Order, in any modification to an enactment made by this Order, or in any other enactment which applies in relation to the relevant pilot elections—

“1983 Act” (*“Deddf 1983”*) means the Representation of the People Act 1983<sup>(1)</sup>;

“Communities Rules” (*“Rheolau Cymunedau”*) means the Local Elections (Communities) (Wales) Rules 2021<sup>(2)</sup>;

“Principal Areas Rules” (*“Rheolau Prif Ardaloedd”*) means the Local Elections (Principal Areas) (Wales) Rules 2021<sup>(3)</sup>;

“advance voting” (*“pleidleisio ymlaen llaw”*) means voting on an advance voting day during the hours of 10 a.m. and 4 p.m.

“advance voting ballot paper” (*“papur pleidleisio ymlaen llaw”*) means a ballot paper issued to a voter at an advance voting station for the purpose of voting on an advance voting day;

“advance voting day” (*“diwrnod pleidleisio ymlaen llaw”*) means 30 April 2022 and 1 May 2022;

“advance voting station” (*“gorsaf pleidleisio ymlaen llaw”*) means a polling station where advance voting is held;

“close of the poll” (*“cau’r bleidlais”*) means 10.00 p.m. on 5 May 2022;

“date of the poll” or “day of the poll” (*“diwrnod y bleidlais”* neu *“dyddiad y bleidlais”*) means 5 May 2022;

“polling station” (*“gorsaf bleidleisio”*) means a polling station on the day of the poll and an advance voting station, except where specific provision is made in relation to an advance voting station differing from that made for a polling station on the day of the poll;

“relevant pilot election” (*“etholiad peilot perthnasol”*) means—

- (a) the election of councillors to Caerphilly County Borough Council, or

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(1) 1983 c. 2.

(2) S.I. 2021/1460 (W. 375).

(3) S.I. 2021/1459 (W. 374).

- (b) the election of councillors to a community council within the County Borough of Caerphilly,

for which the ordinary day of election is 5 May 2022.

### **Conduct of relevant pilot elections**

**3.—**(1) In relation to a relevant pilot election, the enactments governing the conduct of the elections specified in the Schedule 1 to this Order, have effect subject to the modifications made by this Order.

(2) The rules set out in Schedules 1 and 2 to the Principal Areas Rules are to apply to the conduct of the election of councillors to Caerphilly County Borough Council the ordinary day of election of which is 5 May 2022, but have effect subject to the modifications made by Schedule 2 to this Order.

(3) The rules set out in Schedules 1 and 2 to the Communities Rules are to apply to the conduct of the election of councillors to a community council within the County Borough of Caerphilly the ordinary day of election of which is 5 May 2022, but have effect subject to the modifications made by Schedule 3 to this Order.

(4) Where the poll at the election of councillors to Caerphilly County Borough Council is taken together with the poll at an election of councillors to a community council within the County Borough of Caerphilly, the exercise of those functions specified in regulation 5(2) of the Representation of the People (Combination of Polls) (England and Wales) Regulations 2004<sup>(1)</sup> (as they apply to local government elections in Wales), will extend, where appropriate, to those functions being exercised on and in relation to an advance voting day as well as the day of the poll.

### **Advance voting: days, time and place of voting**

**4.—**(1) Any person who would be entitled to vote at a relevant pilot election on the day of the poll, may vote at an advance voting station on an advance voting day instead of at a polling station on the day of the poll.

(2) Paragraph (1) applies notwithstanding anything in any enactment.

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<sup>(1)</sup> S.I. 2004/294 as amended by paragraph 17 of Schedule 2 to the Local Government and Elections (Wales) Act 2021 asc 1 and by S.I. 2006/3278, S.I. 2012/1917, S.I. 2014/920 and S.I. 2015/654.

*Rebecca Evans*

Minister for Finance and Local Government, one of  
the Welsh Ministers

15 March 2022

## Modifications to Enactments

### The 1983 Act

#### 1. The 1983 Act is modified as follows—

- (a) in section 2(1)(1) (local government electors), after “electoral area” insert “, on an advance voting day or the day of the poll,”;
- (b) in section 49(2) (effect of registers)—
  - (i) for subsection (4) substitute—
 

“(4) Subject to subsection (4B), any entry in the register of parliamentary or local government electors, if it gives a date as that on which the person named will attain voting age, will for any purpose of this Part relating to the person as elector, be conclusive that until the date given in the entry the person is not of voting age nor entitled to be treated as an elector.”;
  - (ii) after subsection (4A) insert—
 

“(4B) A person is entitled to be treated as an elector for the purposes of voting at an advance voting station on an advance voting day where the date relating to the person in the register is the 5 May 2022 or any earlier date.”;
- (c) in section 66(3) (requirement of secrecy), after subsection (8) insert—
 

“(9) Nothing in this section prevents the returning officer from carrying out an enquiry, either before or after the close of the poll, concerning whether an elector or the elector’s proxy has voted, and the manner and location in which they did so.”;
- (d) in section 202 (general provisions as to interpretation), in the appropriate place insert—
 

““advance voting day” means 30 April and 1 May 2022;

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- (1) Section 2(1) was substituted by section 1(1) Representation of the People Act 2000 c. 2. Section 2 was also amended by section 2(1) Local Government and Elections (Wales) Act 2021. Subsequent amendments have been made to section 2 which are not relevant to this Order.
  - (2) Amendments have been made to section 49 which are not relevant to this Order.
  - (3) Amendments have been made to section 66 which are not relevant to this Order.

“advance voting station” means a polling station where advance voting is held;”.

## **The 2000 Act**

2. After section 10 of the 2000 Act insert—

### **“Duty to co-operate with the Electoral Commission**

**10A.**—(1) The returning officer for a local government election to which an order under section 10 applies must ensure that the Electoral Commission, and any person authorised by the Commission, is afforded access to any ballot paper, document, equipment, computer software, computer hardware, data stored electronically or place that is to be, is being, or has been used for the purpose of the election.

(2) Sub-section (1) will apply only to the extent that the Electoral Commission reasonably requires access to the ballot paper, document, equipment, computer software, computer hardware, data stored electronically or place, for the purpose of enabling the Commission to assess the election in question and prepare its report in accordance with section 10(6).

(3) Sub-section (1) will not require the returning officer to give access, without an order of the court, to any ballot paper, document, equipment, computer software, computer hardware, data stored electronically which, by reason of the requirement in any enactment, is contained within a sealed packet.”

## **SCHEDULE 2 Article 3(2)**

### **Modifications to the Principal Areas Rules**

**1.** The Principal Areas Rules are modified in accordance with paragraphs 2 to 50.



## PART 1

Modifications to Schedule 1 (Rules for conduct of an election of councillors for a principal area where poll is not taken together with poll at another election)

2. In rule 1 (timetable), in the table in paragraph (1), for the entry for “Polling” substitute—

“

Polling	Between the hours of 10 a.m. and 4 p.m. on an advance voting day  Between the hours of 7 a.m. and 10 p.m. on the day of election
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”.

3. In rule 2 (computation of time)—

(a) for paragraph (2) substitute—

“(2) Subject to paragraph (2A), no proceedings under these rules up to the close of the poll may take place on an excluded day.”;

(b) after paragraph (2) insert—

“(2A) Advance voting at an advance voting station may take place on an excluded day, unless that excluded day is a day appointed for thanksgiving or mourning.”

4. In rule 27 (notice of poll), for paragraph (1)(a) substitute—

“(a) the days and hours fixed for the advance voting days and the day of the poll,”.

5. For rule 29 (provision of polling stations) substitute—

### **“Provision of polling stations and advance voting stations**

**29.—**(1) The returning officer must—

- (a) provide a sufficient number of polling stations on the day of the poll, and
- (b) allot the electors to the polling stations.

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

(3) The returning officer may also provide advance voting stations for polling on advance voting days.

(4) The returning officer may allot any elector to an advance voting station.

(5) The returning officer must provide each polling station and advance voting station with such number of compartments as may be necessary in which voters can mark their votes screened from observation.”

**6.** In rule 31(4) (issue of official poll cards) after sub-paragraph (d) insert—

“(da) the dates and hours of advance voting and the situation of the elector’s advance voting station,”.

**7.** In rule 32 (equipment of polling stations)—

(a) after paragraph (3) insert—

“(3A) In relation to an advance voting station on an advance voting day, in paragraph (3), “the relevant register of electors” means the registers of electors for all electoral wards.”;

(b) in paragraph (4), for “In paragraph (3)” substitute “In relation to a polling station on the day of the poll, in paragraph (3)”;

(c) after paragraph (4) insert—

“(4A) The copies of the relevant register of electors, or relevant part of the register of electors, and corresponding number list provided to a polling station on the day of the poll must take account of any votes cast at an advance voting station on an advance voting day.”

**8.** In rule 33 (appointment of polling and counting agents)—

(a) in paragraph (1)(b), after “votes” insert “and the early verification of advance voting ballot papers”;

(b) in paragraph (5)(b), after “count” insert “or the early verification of advance voting ballot papers (whichever is applicable)”.

**9.** In rule 38 (keeping of order in station), for paragraph (4) substitute—

“(4) Where a person is removed from the advance voting station on an advance voting day, the person must not, without the presiding officer’s permission, re-enter the advance voting station on that day or on any subsequent advance voting day, or enter a polling station on the day of the poll.

(4A) Where a person is removed from the polling station on the day of the poll, the person must not, without the presiding officer’s permission, re-enter the polling station on that day.”

**10.** In rule 39(1) (sealing of ballot boxes), for “the poll begins” substitute “polling begins on the first advance voting day and the day of the poll”.

**11.** For rule 42(7) (voting procedure), substitute—

“(7) If a voter is in the polling station, or in a queue outside the polling station—

- (a) at the close of polling on an advance voting day, or
- (b) at the close of the poll on the day of the poll,

and has not yet been able to cast their vote, the presiding officer must permit the voter to cast their vote as soon as practicable.”

**12.** In rule 49 (correction of errors on day of poll), for “The presiding officer” substitute “On an advance voting day and the day of the poll, the presiding officer”.

**13.** For rule 50 (adjournment of poll in case of riot), substitute—

**“Adjournment of poll in case of riot**

**50.**—(1) This rule applies where proceedings at any polling station are interrupted or obstructed by riot or open violence.

(2) Where the interruption occurs on an advance voting day, the presiding officer must—

- (a) where there is a further advance voting day scheduled, adjourn the proceedings to that day, or
- (b) where there is no further advance voting day scheduled, adjourn the proceedings to the day of the poll,

and immediately inform the returning officer.

(3) Where the interruption occurs on the day of the poll, the presiding officer must—

- (a) adjourn the proceedings until the following day, and
- (b) immediately inform the returning officer.

(4) Where polling is adjourned to a further advance voting day, the hours of polling will be as prescribed for that advance voting day, and polling will take place at the advance voting station.

(5) Where polling is adjourned—

- (a) to the day of the poll, or
- (b) on the day of the poll to the following day,

the hours of polling will be as prescribed for the day of the poll, and polling will take place at the polling stations to which electors are allotted by the returning officer for polling on the day of the poll.

(6) References in these rules to the close of the poll are to be read as references to the end of the hours of polling on the day of the poll on the day to which it is adjourned.”

**14.** After rule 50 (adjournment of poll in case of riot), insert—

**“Procedure on close of polling on an advance voting day**

**50A.**—(1) This rule sets out the steps that must be taken by the presiding officer as soon as practicable after polling has ended on an advance voting day.

(2) At the end of the first advance voting day the presiding officer must take all reasonable precautions to ensure the security of the ballot boxes, ballot papers and other documents ahead of the second advance voting day.

(3) At the end of the second advance voting day, in the presence of the polling agents, the presiding officer must seal each ballot box (with the key if any attached) in use at the advance voting station so as to prevent the introduction of additional ballot papers, using the presiding officer’s seal and the seals of any polling agents who wish to affix their seal.

(4) The presiding officer must place each of the following in separate packets, sealed using the presiding officer’s seal and the seals of any polling agents who wish to affix their seal—

- (a) the unused and spoilt ballot papers (together);
- (b) the tendered ballot papers;
- (c) the advance voting station’s corresponding number list, as marked (see rule 42(2)(c)) (referred to in the following provisions of these rules as “the completed corresponding number list”);
- (d) any certificates surrendered under rule 37(4) or (5) (surrender of certificates issued to constables or staff of returning officers);
- (e) the following lists and declarations (together)—
  - (i) the list of votes marked by the presiding officer, together with a

statement of the number of voters whose votes are marked under the heads “disability” and “unable to read” (see rule 43);

- (ii) the declarations made by the companions of voters with disabilities (see rule 44);
- (iii) the list of voters with disabilities assisted by companions (see rule 45);
- (iv) the tendered votes list (see rule 47);
- (v) the list maintained under rule 49 (correction of errors on an advance voting day).

(5) The presiding officer must do anything required by paragraph (4)(a), (b), (d) or (e) in the polling station, in the presence of any polling agents who are there.

(6) The presiding officer may do anything required by paragraph (4)(c)—

- (a) in the polling station, in the presence of any polling agents who are there, or
- (b) if the presiding officer has informed the polling agents and given them an opportunity to attend, at any other place that the presiding officer considers appropriate, in the presence of any polling agents who are there.

(7) The presiding officer must deliver the sealed ballot boxes and packets to the returning officer or cause them to be delivered in accordance with arrangements approved by the returning officer.

(8) The packets must be accompanied by a statement (“a ballot paper account”) prepared by the presiding officer showing—

- (a) the number of ballot papers given to the presiding officer;
- (b) how the ballot papers are accounted for under the following headings—
  - (i) the number of ballot papers issued and not otherwise accounted for;
  - (ii) the number of ballot papers unused;
  - (iii) the number of spoilt ballot papers;
  - (iv) the number of tendered ballot papers.

(9) The presiding officer must also deliver the marked copies of the registration records and the list of proxies to the returning officer or

cause them to be delivered in accordance with arrangements approved by the returning officer.

(10) During any time between receiving the ballot papers and other documents, and

(a) the early verification of advance voting ballot papers in accordance with rule 52A, or

(b) the counting of the votes,

the returning officer must take proper precautions for the security of the ballot papers and other documents.

(11) In this rule, “the marked copies of the registration records” means the copies of the registration records (as defined by rule 40(7)), as marked in accordance with these rules.”

**15.** After rule 52 (arrangements for the counting of votes), insert—

**“Early verification of advance voting ballot papers**

**52A.**—(1) A returning officer may open the ballot boxes containing advance voting ballot papers after the close of polling on the final advance voting day but before the close of the poll, for the purpose of verifying those ballot papers only.

(2) Where advance voting ballot papers are not verified early in accordance with this rule, they will be verified in accordance with rule 54.

(3) Any votes given on an advance voting ballot paper verified before the close of poll in accordance with this rule will be counted following the close of poll in accordance with rules 54(6) to 59.

(4) The counting agents and the election agents are entitled to be present when a ballot box containing advance voting ballot papers is opened by the returning officer before the close of the poll, and the returning officer must give the counting agents and election agents a notice stating the time and place at which the returning officer will verify the advance voting ballot papers.

(5) The returning officer must, in the presence of the counting agents, open each ballot box, take out the advance voting ballot papers, count them and record the number of ballot papers.

(6) The returning officer must not count any tendered ballot papers.

(7) The returning officer must, in the presence of the election agents, verify each ballot paper account by comparing it with—

- (a) the number of ballot papers recorded on the advance voting days,
- (b) the unused and spoilt ballot papers in the returning officer's possession following the advance voting days, and
- (c) the tendered votes list from the advance voting days,

(opening and resealing the packets containing the unused and spoilt ballot papers and tendered votes list).

(8) The returning officer must prepare a statement as to the result of the verification and give a copy of the statement to any election agent who requests it.

(9) While counting and recording the number of advance voting ballot papers for the purposes of verification, the returning officer must keep the ballot papers with their faces downwards and take proper precautions to prevent any person from seeing the votes made on the advance voting ballot papers.

(10) Following the completion of the verification process the advance voting ballot papers must be returned to the ballot boxes and the ballot boxes must be sealed (with the key if any attached), using the returning officer's seal and the seals of any election agents who wish to affix their seal.

(11) Following the sealing of the ballot boxes in accordance with paragraph (10), the returning officer must take proper precautions for the security of the ballot papers and other documents, until the ballot boxes are reopened in accordance with rule 54 for the purposes of counting the votes given.

(12) The returning officer must make arrangements to ensure that every person attending at the verification of advance voting ballot papers has been given a notice setting out the provisions of section 66(2) and (6) of the 1983 Act (notification of requirement of secrecy)."

**16. In rule 54 (the count: steps)—**

- (a) after paragraph (5) insert—

"(5A) Paragraphs (2) to (5) do not apply in relation to advance voting ballot papers which have previously been verified in accordance with rule 52A.";

- (b) before paragraph (7)(a) insert—

"(za) handed in at an advance voting station before the close of polling on any day that the advance voting station is open,";

(c) after paragraph (8) insert—

“(8A) Where, at the close of polling on an advance voting day, a person is in an advance voting station, or in a queue outside an advance voting station, for the purpose of handing in a postal ballot paper and postal voting statement—

(a) the person must be permitted to hand the ballot paper and statement in at the advance voting station, and

(b) where handed in, they are to be treated as having been properly returned for the purposes of this rule.”;

(d) after paragraph (10)(a) insert—

“(aa) in the case of advance voting ballot papers verified in accordance with rule 52A, they have been mixed with the ballot papers from at least one other ballot box, and”.

**17.** In rule 61 (sealing up of ballot papers at contested elections), in the opening words to paragraph (3), for “rule 51(3)” substitute “rules 50A(4) and 51(3)”.

**18.** In rule 62 (delivery of documents to registration officer at contested elections)—

(a) in paragraph (2)(b), for “rule 51(5)” substitute “rules 50A(8) and 51(5)”;

(b) in paragraph (2)(d), for “rule 54(5)” substitute “rules 52A(7) (where applicable) and 54(5)”.

**19.** In rule 67(2) (countermand or abandonment of poll on death of a candidate), after “if polling has begun” insert “either on an advance voting day or on the day of the poll”.

**20.** In Appendix 3 (corresponding number list), in Part 2, for “Date of poll:” substitute “Date of advance voting days/date of poll:”.

**21.** In Appendix 4 (form of postal voting statement), in the instructions on marking the ballot paper and completing the postal voting statement, in instruction 9—

(a) in paragraph (b), omit “or”;

(b) for paragraph (c), substitute—

“(c) handed in on [insert date(s) of advance voting days] at the advance voting station before 4 p.m.; or

(d) handed in on [insert date of the poll] at any polling station in the electoral ward before 10 p.m.”

**22.** In Appendix 5 (poll cards)—



- (a) in the text for the official poll card (to be sent or delivered to an elector voting in person), on the front of the card—
  - (i) for “Polling Day:” substitute—
 

“Advance Voting Days:  
Polling Day:”;
  - (ii) for “Polling Hours: 7 a.m. to 10 p.m.” substitute “Polling Hours: 10 a.m. to 4 p.m. on 30 April 2022; 10 a.m. to 4 p.m. on 1 May 2022; and 7 a.m. to 10 p.m. on 5 May 2022”;
  - (iii) for “Your polling station will be:” substitute—
 

“Your advance voting station will be:  
Your polling station will be:”;
- (b) in the text for the official postal poll card (to be sent or delivered to an elector voting by post), on the back of the card, for “On the day of the poll, you can deliver them to any polling station in the electoral ward before 10 p.m.” substitute—
 

“On an advance voting day (30 April 2022 and 1 May 2022), you can deliver them to the advance voting station before 4 p.m.

On the day of the poll (5 May 2022), you can deliver them to any polling station in the electoral ward before 10 p.m.”;
- (c) in the text for the official proxy poll card (to be sent or delivered to a proxy voting in person), on the front of the card—
  - (i) for “Polling Day:” substitute—
 

“Advance Voting Days:  
Polling Day:”;
  - (ii) for “Polling Hours: 7 a.m. to 10 p.m.” substitute “Polling Hours: 10 a.m. to 4 p.m. on 30 April 2022; 10 a.m. to 4 p.m. on 1 May 2022; and 7 a.m. to 10 p.m. on 5 May 2022”;
  - (iii) for “Your polling station will be:” substitute—
 

“Your advance voting station will be:  
Your polling station will be:”;
- (d) in the text for the official proxy postal poll card (to be sent or delivered to a proxy voting by post), on the back of the card, for “On the day of the poll, you can deliver them to any polling station in the electoral ward before 10 p.m.” substitute—
 

“On an advance voting day (30 April 2022 and 1 May 2022), you can deliver them

to the advance voting station before 4 p.m.

On the day of the poll (5 May 2022), you can deliver them to any polling station in the electoral ward before 10 p.m.”

23. For Appendix 8 (form of declaration to be made by the companion of a voter with disabilities), substitute—

“

**Appendix 8**

**Rule 44(5)**

**Form of declaration to be made by the companion of a voter with disabilities**

**Polling Station:** [insert name of advance voting station/polling station]

**Electoral ward:** [insert name of electoral ward voter is voting in relation to]

I [insert name of companion] of [insert address of companion] having been asked to assist [insert name of voter being assisted], whose number on the register is [insert number of voter being assisted], to give their vote at the election now being held in the electoral ward named above, hereby declare that\*—

I have attained the age of 16.

I have not previously assisted any voter with disabilities to vote except [insert the name and address of any other voter who has been assisted by the companion to vote at the election] (see note 2).

Signed by companion:

Date:

\*If the companion is asked to assist a voter with disabilities voting as proxy the opening words of the declaration must instead be “I [insert name of companion] of [insert address of companion] having been asked to assist [insert name of voter being assisted] who is voting as proxy for [insert name of elector], whose number on the register is [insert number of elector], to give their vote at the election now being held in the electoral ward named above hereby declare that—”.

I, the undersigned, being the presiding officer for [insert name of advance voting station/polling station] for the [insert name] electoral ward of [insert name of the county or county borough] hereby certify that the above declaration was read to the companion and was signed by the companion in my presence.

Signed by presiding officer:

Date:

Time:

**Notes to the form of declaration to be made by the companion of a voter with disabilities**

1. A voter with disabilities is a voter who has made a declaration under rule 44(2) that they are so affected by blindness or other disability, or by inability to read, as to be unable to vote without the assistance of a companion.
2. The companion may have assisted one (and only one) other person to vote at the election.

”.

## PART 2

Modifications to Schedule 2 (Rules for conduct of an election of councillors for a principal area where poll is taken together with poll at a relevant election)

**24.** In rule 1 (timetable), in the table in paragraph (1), for the entry for “Polling” substitute—

“

Polling	Between the hours of 10 a.m. and 4 p.m. on an advance voting day
	Between the hours of 7 a.m. and 10 p.m. on the day of election

”.

**25.** In rule 2 (computation of time)—

(a) for paragraph (2) substitute—

“(2) Subject to paragraph (2A), no proceedings under these rules up to the close of the poll may take place on an excluded day.”

(b) after paragraph (2) insert—

“(2A) Advance voting at an advance voting station may take place on an excluded day, unless that excluded day is a day appointed for thanksgiving or mourning.”

**26.** In rule 27 (notice of poll), for paragraph (1)(a) substitute—

“(a) the days and hours fixed for the advance voting days and the day of the poll,”.

**27.** For rule 29 (provision of polling stations) substitute—

**“Provision of polling stations and advance voting stations**

**29.**—(1) The returning officer must—

- (a) provide a sufficient number of polling stations on the day of the poll, and
- (b) allot the electors to the polling stations.

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

(3) The returning officer may also provide advance voting stations for polling on advance voting days.

(4) The returning officer may allot any elector to an advance voting station.

(5) The returning officer must provide each polling station and advance voting station with such number of compartments as may be necessary in which voters can mark their votes screened from observation.

(6) Where the returning officer is not the co-ordinating returning officer, see also regulations 4 and 5 of the Combination of Polls Regulations (which provide for circumstances in which the functions of the returning officer under this rule are to be discharged by the co-ordinating returning officer).”

**28.** In rule 31(4) (issue of official poll cards), after sub-paragraph (d) insert—

“(da) the dates and hours of advance voting and the situation of the elector’s advance voting station,”.

**29.** In rule 32 (equipment of polling stations)—

(a) after paragraph (5) insert—

“(5A) In relation to an advance voting station on an advance voting day, in paragraph (5), “the relevant register of electors” means the registers of electors for all electoral wards.”;

(b) in paragraph (6) for “In paragraph (5)” substitute “In relation to a polling station on the day of the poll, in paragraph (5)”;

(c) after paragraph (6) insert—

“(6A) The copies of the relevant register of electors, or relevant part of the register of electors, and corresponding number list provided to a polling station on the day of the poll must take account of any votes cast at an advance voting station on an advance voting day.”

**30.** In rule 33 (appointment of polling and counting agents)—

- (a) in paragraph (1)(b), after “votes” insert “and the early verification of advance voting ballot papers”;
- (b) in paragraph (5)(b), after “count” insert “or the early verification of advance voting ballot papers (whichever is applicable)”.

**31.** In rule 38 (keeping of order in station), for paragraph (4) substitute—

“(4) Where a person is removed from the advance station on an advance voting day, the person must not, without the presiding officer’s permission, re-enter the advance voting station on that day or on any subsequent advance voting day, or enter a polling station on the day of the poll.

(4A) Where a person is removed from the polling station on the day of the poll, the person must not, without the presiding officer’s permission, re-enter the polling station on that day.”

**32.** In rule 39(1) (sealing of ballot boxes), for “the poll begins” substitute “polling begins on the first advance voting day and the day of the poll”.

**33.** For rule 42(7) (voting procedure), substitute—

“(7) If a voter is in the polling station, or in a queue outside the polling station—

- (a) at the close of polling on an advance voting day, or
- (b) at the close of the poll on the day of the poll,

and has not yet been able to cast their vote, the presiding officer must permit the voter to cast their vote as soon as practicable.”

**34.** In rule 49(1) (correction of errors on day of poll), for “The presiding officer” substitute “On an advance voting day and the day of the poll, the presiding officer”.

**35.** For rule 50 (adjournment of poll in case of riot), substitute—

#### **“Adjournment of poll in case of riot**

**50.**—(1) This rule applies where proceedings at any polling station are interrupted or obstructed by riot or open violence.

(2) Where the interruption occurs on an advance voting day, the presiding officer must—

- (a) where there is a further advance voting day scheduled, adjourn the proceedings to that day, or

(b) where there is no further advance voting day scheduled, adjourn the proceedings to the day of the poll, and immediately inform the returning officer.

(3) Where the interruption occurs on the day of the poll, the presiding officer must—

(a) adjourn the proceedings until the following day, and

(b) immediately inform the returning officer.

(4) Where polling is adjourned to a further advance voting day, the hours of polling will be as prescribed for that advance voting day, and polling will take place at the advance voting station.

(5) Where polling is adjourned—

(a) to the day of the poll, or

(b) or on the day of the poll to the following day,

the hours of polling will be as prescribed for the day of the poll, and polling will take place at the polling stations to which electors are allotted by the returning officer for polling on the day of the poll.

(6) References in these rules to the close of the poll are to be read as references to the end of the hours of polling on the day of the poll on the day to which it is adjourned.”

**36.** After rule 50 (adjournment of poll in case of riot), insert—

**“Procedure on close of polling on an advance voting day**

**50A.**—(1) This rule sets out the steps that must be taken by the presiding officer as soon as practicable after polling has ended on an advance voting day.

(2) At the end of the first advance voting day the presiding officer must take all reasonable precautions to ensure the security of the ballot boxes, ballot papers and other documents ahead of the second advance voting day.

(3) At the end of the second advance voting day, in the presence of the polling agents, the presiding officer must seal each ballot box (with the key if any attached) in use at the advance voting station so as to prevent the introduction of additional ballot papers, using the presiding officer’s seal and the seals of any polling agents who wish to affix their seal.

(4) The presiding officer must place each of the following in separate packets, sealed using the presiding officer's seal and the seals of any polling agents who wish to affix their seal—

- (a) the unused and spoilt ballot papers (together);
- (b) the tendered ballot papers;
- (c) the advance voting station's corresponding number list, as marked (see rule 42(2)(c)) (referred to in the following provisions of these rules as "the completed corresponding number list");
- (d) any certificates surrendered under rule 37(4) or (5) (surrender of certificates issued to constables or staff of returning officers);
- (e) the following lists and declarations (together)—
  - (i) the list of votes marked by the presiding officer, together with a statement of the number of voters whose votes are marked under the heads "disability" and "unable to read" (see rule 43);
  - (ii) the declarations made by the companions of voters with disabilities (see rule 44);
  - (iii) the list of voters with disabilities assisted by companions (see rule 45);
  - (iv) the tendered votes list (see rule 47);
  - (v) the list maintained under rule 49 (correction of errors on an advance voting day).

(5) The presiding officer must do anything required by paragraph (4)(a), (b), (d) or (e) in the polling station, in the presence of any polling agents appointed for the purposes of the principal area election or a relevant election who are there.

(6) The presiding officer may do anything required by paragraph (4)(c)—

- (a) in the polling station, in the presence of any polling agents appointed for the purposes of the principal area election or a relevant election who are there, or
- (b) if the presiding officer has informed the polling agents appointed for the purposes of the principal area election or a relevant election and given them an opportunity to attend, at any other

place that the presiding officer considers appropriate, in the presence of any of those polling agents who are there.

(7) The presiding officer must deliver the sealed ballot boxes and packets to the co-ordinating returning officer or cause them to be delivered in accordance with arrangements approved by that returning officer.

(8) The packets must be accompanied by a statement (“a ballot paper account”) prepared by the presiding officer showing—

- (a) the number of ballot papers given to the presiding officer;
- (b) how the ballot papers are accounted for under the following headings—
  - (i) the number of ballot papers issued and not otherwise accounted for;
  - (ii) the number of ballot papers unused;
  - (iii) the number of spoilt ballot papers;
  - (iv) the number of tendered ballot papers.

(9) The presiding officer must also deliver the marked copies of the registration records and the list of proxies to the co-ordinating returning officer or cause them to be delivered in accordance with arrangements approved by that returning officer.

(10) During any time between receiving the ballot papers and other documents, and—

- (a) the early verification of advance voting ballot papers in accordance with rule 54A, or
- (b) the counting of the votes,

the co-ordinating returning officer must take proper precautions for the security of the ballot papers and other documents.

(11) In this rule, “the marked copies of the registration records” means the copies of the registration records (as defined by rule 40(7)), as marked in accordance with these rules.”

**37.** In rule 52(2) (overview of rules and interpretation), after sub-paragraph (b) insert—

“(ba) rule 54A (early verification and separation of advance voting ballot papers etc. where the returning officer is the co-ordinating returning officer).”.

**38.** In rule 53 (attendance at proceedings under this Part)—



- (a) in paragraph (1), for “rules 55(2) to (10)” substitute “rules 54A(3) to (13), 55(2) to (10), 55(10A)”;
- (b) in paragraph (2), for “rule 55(2) to (10)” substitute “rules 54A(3) to (13), 55(2) to (10) and 55(10A)”;
- (c) in paragraph (3), for “rules 55(2) to (10)” substitute “rules 54A(3) to (13), 55(2) to (10), 55(10A)”;
- (d) in paragraph (5)(a), for “rule 55(2) to (10)” substitute “rules 54A(3) to (13), 55(2) to (10) and 55(10A)”.

**39.** In rule 54 (preliminary and general duties where returning officer is co-ordinating returning officer), after paragraph (1) insert—

“(1A) The returning officer may verify and separate advance voting ballot papers in accordance with rule 54A.”

**40.** After rule 54 (preliminary and general duties where returning officer is co-ordinating returning officer), insert—

**“Early verification and separation of advance voting ballot papers etc. where the returning officer is the co-ordinating returning officer**

**54A.**—(1) A returning officer who is the co-ordinating returning officer may open the ballot boxes containing advance voting ballot papers for each election after the close of polling on the final advance voting day but before the close of the poll, for the purpose of verifying those ballot papers only.

(2) Where advance voting ballot papers are not verified early in accordance with this rule, they will be verified in accordance with rule 55.

(3) Any votes given on an advance voting ballot paper verified before the close of poll in accordance with this rule will be counted following the close of poll in accordance with rules 59 to 61.

(4) The returning officer must, in the presence of the principal area counting agents and the other counting agents, open each ballot box, take out the advance voting ballot papers, count them and record separately the number of ballot papers used in each relevant election.

(5) The returning officer must not count any tendered ballot papers.

(6) Where separate ballot boxes were used on an advance voting day, no vote for a candidate in the principal area election is to be treated as

invalid because it was placed in the ballot box intended for use at a relevant election.

(7) The returning officer must, in the presence of the principal area election agents and the other election agents, verify each ballot paper account by comparing it with—

- (a) the number of ballot papers recorded on the advance voting days,
- (b) the unused and spoilt ballot papers in the returning officer's possession following the advance voting days, and
- (c) the tendered votes list from the advance voting days,

(opening and resealing the packets containing the unused and spoilt ballot papers and tendered votes list).

(8) While counting and recording the number of advance voting ballot papers for the purposes of verification, the returning officer must keep the ballot papers with their faces downwards and take proper precautions to prevent any person from seeing the votes made on the advance voting ballot papers.

(9) The returning officer must prepare a statement as to the result of the verification and give a copy of the statement to any principal election agent, and to any other election agent, who requests it.

(10) The returning officer must also—

- (a) count the postal ballot papers that have been properly returned (as to which see rule 58), and
- (b) record separately the number counted at the advance voting days at the principal area election and any other relevant election.

(11) The returning officer must then—

- (a) separate the advance voting ballot papers relating to the principal area election from the advance voting ballot papers relating to any other relevant election,
- (b) make up into packets the advance voting ballot papers for any other relevant election, and
- (c) seal up the packets in separate containers endorsing on each a description of the area to which the advance voting ballot papers relate.

(12) The returning officer must then deliver or cause to be delivered to the returning officer for each relevant election—

- (a) the containers of advance voting ballot papers relating to the election, together with a list of the containers and their contents,
- (b) the advance voting ballot paper accounts relating to the election, together with a copy of the statements as to the result of the verification, and
- (c) the packets of unused and spoilt advance voting ballot papers and tendered advance voting ballot papers.

(13) Following the completion of the verification process the advance voting ballot papers in relation to the principal area election must be returned to the ballot boxes and the ballot boxes must be sealed (with the key if any attached), using the returning officer's seal and the seals of any principal area election agents who wish to affix their seal.

(14) Following the sealing of the ballot boxes in accordance with paragraph (13) the returning officer must take proper precautions for the security of the advance voting ballot papers and other documents, until the advance voting ballot papers are counted in accordance with rules 59 to 61."

**41.** In rule 55 (separation of ballot papers etc. where returning officer is co-ordinating returning officer)—

(a) after paragraph (9) insert—

"(9A) Paragraphs (1) to (8) do not apply in relation to advance voting ballot papers that have been verified and separated in accordance with rule 54A.";

(b) after paragraph (10) insert—

"(11) Advance voting ballot papers for a principal area election which have been verified and separated in accordance with rule 54A must be mixed together with all other ballot papers used at the principal area election."

**42.** In rule 58 (further provision about postal ballot papers)—

(a) in paragraph (1), before "55(7)(a)" insert "54A(10)(a), ";

(b) after paragraph (3) insert—

"(3A) Where, at the close of polling on an advance voting day, a person is in an advance voting station, or in a queue outside an advance voting station, for the purpose of handing in a postal ballot paper and postal voting statement—

- (a) the person must be permitted to hand the ballot paper and statement in at the advance voting station, and
- (b) where handed in, they are to be treated as having been properly returned for the purposes of this rule.”

**43.** In rule 59(1) (the count: general), after “55(10)” insert “and (11)”.

**44.** In rule 65 (sealing up of ballot papers at contested elections)—

- (a) in paragraph (3), for “rule 51(3)” substitute “rules 50A(4) and 51(3)”;
- (b) in the opening words to paragraph (4), for “rule 51(3)” substitute “rules 50A(4) and 51(3)”.

**45.** In rule 66 (delivery of documents to registration officer at contested elections)—

- (a) in paragraph (2)(b), for “rule 51(5)” substitute “rules 50A(8) and 51(5)”;
- (b) in paragraph (2)(d), for “rule 55(6)” substitute “rules 54A(9) (where applicable) and 55(6)”.

**46.** In rule 71(2) (countermand or abandonment of poll on death of a candidate), after “if polling has begun” insert “either on an advance voting day or on the day of the poll”.

**47.** In Appendix 3 (corresponding number list), in Part 2, for “Date of poll” substitute “Date of advance voting days/date of poll”.

**48.** In Appendix 4 (form of postal voting statement)—

- (a) in the Form of Postal Voting Statement (for use where there is a joint issue and receipt of postal ballot papers), in instruction 9 of the instructions on marking the ballot paper and completing the postal voting statement—
  - (i) in paragraph (b), omit “or”;
  - (ii) for paragraph (c) substitute—
    - “(c) handed in on [insert date(s) of advance voting days] at the advance voting station before 4 p.m.; or
    - (d) handed in on [insert date of the poll] at any polling station in the appropriate area before 10 p.m.”;
  - (iii) in the final words, for “paragraph (c)” substitute “paragraph (d)”;
- (b) in the Form of Postal Voting Statement (for use where polls are combined but the issue and receipt of postal ballot papers is not combined), in instruction 9 of the instructions

on marking the ballot paper and completing the postal voting statement—

- (i) in paragraph (b), omit “or”;
- (ii) for paragraph (c) substitute—

“(c) handed in on [insert date(s) of advance voting days] at the advance voting station before 4 p.m.; or
- (d) handed in on [insert date of the poll] at any polling station in the appropriate area before 10 p.m.”;
- (iii) in the final words, for “paragraph (c)” substitute “paragraph (d)”.

**49.** In Appendix 5 (poll cards (where a decision is made to combine poll cards))—

- (a) in the text for the official poll card (to be sent or delivered to an elector voting in person), on the front of the card—

- (i) for “Polling Day:” substitute—

“Advance Voting Days:

Polling Day:”;

- (ii) for “Polling Hours: 7 a.m. to 10 p.m.” substitute “Polling Hours: 10 a.m. to 4 p.m. on 30 April 2022; 10 a.m. to 4 p.m. on 1 May 2022; and 7 a.m. to 10 p.m. on 5 May 2022”;

- (iii) for “Your polling station will be:” substitute—

“Your advance voting station will be:

Your polling station will be:”;

- (b) in the text for the official postal poll card (to be sent or delivered to an elector voting by post), on the back of the card, for “On the day of the poll, you can deliver them to any polling station in the appropriate area before 10 p.m.” substitute—

“On an advance voting day (30 April 2022 and 1 May 2022), you can deliver them to the advance voting station before 4 p.m.

On the day of the poll (5 May 2022), you can deliver them to any polling station in the appropriate area before 10 p.m.”;

- (c) in the text for the official proxy poll card (to be sent or delivered to a proxy voting in person), on the front of the card—

- (i) for “Polling Day:” substitute—

“Advance Voting Days:

Polling Day:”;

- (ii) for “Polling Hours: 7 a.m. to 10 p.m.” substitute “Polling Hours: 10 a.m. to 4

p.m. on 30 April 2022; 10 a.m. to 4 p.m. on 1 May 2022; and 7 a.m. to 10 p.m. on 5 May 2022”;

(iii) for “Your polling station will be:” substitute—

“Your advance voting station will be:

Your polling station will be:”;

(d) in the text for the official proxy postal poll card (to be sent or delivered to a proxy voting by post), on the back of the card, for “On the day of the poll, you can deliver them to any polling station in the appropriate area before 10 p.m.” substitute—

“On an advance voting day (30 April 2022 and 1 May 2022), you can deliver them to the advance voting station before 4 p.m.

On the day of the poll (5 May 2022), you can deliver them to any polling station in the appropriate area before 10 p.m.”

**50.** For Appendix 8 (form of declaration to be made by the companion of a voter with disabilities) substitute—

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<b>Appendix 8</b>	<b>Rule 44(5)</b>
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**Form of declaration to be made by the companion of a voter with disabilities**

This form shows the declaration to be used at an election of councillors for a county or county borough. The declaration to be used at each relevant election may be included in the same form. Alternatively, separate forms may be used for each declaration instead.

**Polling Station:** [insert name of advance voting station/polling station]

**Electoral ward:** [insert name of electoral ward voter is voting in relation to]

I [insert name of companion] of [insert address of companion] having been asked to assist [insert name of voter being assisted], whose number on the register is [insert number of voter being assisted]\*, to give their vote at the election of councillors to the [insert name of county or county borough council] now being held in the electoral ward named above, hereby declare that—

I have attained the age of 16.

I have not previously assisted any voter with disabilities to vote except [insert the name and address of any other voter who has been assisted by the companion to vote at the election] (see

note 2).

Signed by companion:

Date:

\*If the companion is asked to assist a voter with disabilities voting as proxy the opening words of the declaration must instead be “I [insert name of companion] of [insert address of companion] having been asked to assist [insert name of voter being assisted] who is voting as proxy for [insert name of elector], whose number on the register is [insert number of elector]”

I, the undersigned, being the presiding officer for [insert name of advance polling station/polling station] hereby certify that the above declaration was read to the companion and was signed by the companion in my presence.

Signed by presiding officer:

Date:

Time:

**Notes to the form of declaration to be made by the companion of a voter with disabilities at the election of councillors to a county or county borough council**

1. A voter with disabilities is a voter who has made a declaration under rule 44(2) that they are so affected by blindness or other disability, or by inability to read, as to be unable to vote without the assistance of a companion.

2. The companion may have assisted one (and only one) other person to vote at the election.

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## **SCHEDULE 3 Article 3(3)**

### **Modifications to the Communities Rules**

**1.** The Communities Rules are modified in accordance with paragraphs 2 to 50.

## **PART 2**

**Modifications to Schedule 1 (Rules for conduct of an election of councillors for a community**

where poll is not taken together with poll at another election)

2. In rule 1 (timetable), in the table in paragraph (1), for the entry for “Polling” substitute—

“

Polling	Between the hours of 10 a.m. and 4 p.m. on an advance voting day  Between the hours of 7 a.m. and 10 p.m. on the day of election
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”.

3. In rule 2 (computation of time)—

(a) for paragraph (2) substitute—

“(2) Subject to paragraph (2A), no proceedings under these rules up to the close of the poll may take place on an excluded day.”;

(b) after paragraph (2) insert—

“(2A) Advance voting at an advance voting station may take place on an excluded day, unless that excluded day is a day appointed for thanksgiving or mourning.”

4. In rule 27 (notice of poll), for paragraph (1)(a) substitute—

“(a) the days and hours fixed for the advance voting days and the day of the poll,”.

5. For rule 29 (provision of polling stations), substitute—

**“Provision of polling stations and advance voting stations**

**29.—**(1) The returning officer must—

(a) provide a sufficient number of polling stations on the day of the poll, and

(b) allot the electors to the polling stations.

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

(3) The returning officer may also provide advance voting stations for polling on advance voting days.

(4) The returning officer may allot any elector to an advance voting station.

(5) The returning officer must provide each polling station and advance voting station with such number of compartments as may be



necessary in which voters can mark their votes screened from observation.”

**6.** In rule 31(6) (issue of official poll cards), after sub-paragraph (d) insert—

“(da) the dates and hours of advance voting and the situation of the elector’s advance voting station,”.

**7.** In rule 32 (equipment of polling stations)—

(a) after paragraph (3) insert—

“(3A) In relation to an advance voting station on an advance voting day, in paragraph (3), “the relevant register of electors” means the registers of electors for all electoral wards.”;

(b) in paragraph (4), for “In paragraph (3)” substitute “In relation to a polling station on the day of the poll, in paragraph (3)”;

(c) after paragraph (4) insert—

“(4A) The copies of the relevant register of electors, or relevant part of the register of electors, and corresponding number list provided to a polling station on the day of the poll must take account of any votes cast at an advance voting station on an advance voting day.”

**8.** In rule 33 (appointment of polling and counting agents)—

(a) in paragraph (1)(b), after “votes” insert “and the early verification of advance voting ballot papers”;

(b) in paragraph (5)(b), after “count” insert “or the early verification of advance voting ballot papers (whichever is applicable)”.

**9.** In rule 38 (keeping of order in station), for paragraph (4) substitute—

“(4) Where a person is removed from the advance voting station on an advance voting day, the person must not, without the presiding officer’s permission, re-enter the advance voting station on that day or any subsequent advance voting day, or enter a polling station on the day of the poll.

(4A) Where a person is removed from the polling station on the day of the poll, the person must not, without the presiding officer’s permission, re-enter the polling station on that day.”

**10.** In rule 39(1) (sealing of ballot boxes), for “the poll begins” substitute “polling begins on the first advance voting day and the day of the poll”.

**11.** For rule 42(7) (voting procedure), substitute—

“(7) If a voter is in in the polling station, or in a queue outside the polling station—

- (a) at the close of polling on an advance voting day, or
- (b) at the close of the poll on the day of the poll,

and has not yet been able to cast their vote, the presiding officer must permit the voter to cast their vote as soon as practicable.”

**12.** In rule 49 (correction of errors on day of poll), for “The presiding officer” substitute “On an advance voting day and the day of the poll, the presiding officer”.

**13.** For rule 50 (adjournment of poll in case of riot), substitute—

**“Adjournment of poll in case of riot**

**50.**—(1) This rule applies where proceedings at any polling station are interrupted or obstructed by riot or open violence.

(2) Where the interruption occurs on an advance voting day, the presiding officer must—

- (a) where there is a further advance voting day scheduled, adjourn the proceedings to that day, or
- (b) where there is no further advance voting day scheduled, adjourn the proceedings to the day of the poll,

and immediately inform the returning officer.

(3) Where the interruption occurs on the day of the poll, the presiding officer must—

- (a) adjourn the proceedings until the following day, and
- (b) immediately inform the returning officer.

(4) Where polling is adjourned to a further advance voting day, the hours of polling will be as prescribed for that advance voting day, and polling will take place at the advance voting station.

(5) Where polling is adjourned—

- (a) to the day of the poll, or
- (b) on the day of the poll to the following day,

the hours of polling will be as prescribed for the day of the poll, and polling will take place at the polling stations to which electors are allotted by the returning officer for polling on the day of the poll.

(6) References in these rules to the close of the poll are to be read as references to the end of the hours of polling on the day of the poll on the day to which it is adjourned.”

**14.** After rule 50 (adjournment of poll in case of riot), insert—

**“Procedure on close of polling on an advance voting day**

**50A.**—(1) This rule sets out the steps that must be taken by the presiding officer as soon as practicable after polling has ended on an advance voting day.

(2) At the end of the first advance voting day the presiding officer must take all reasonable precautions to ensure the security of the ballot boxes, ballot papers and other documents ahead of the second advance voting day.

(3) At the end of the second advance voting day, in the presence of the polling agents, the presiding officer must seal each ballot box (with the key if any attached) in use at the advance voting station so as to prevent the introduction of additional ballot papers, using the presiding officer’s seal and the seals of any polling agents who wish to affix their seal.

(4) The presiding officer must place each of the following in separate packets, sealed using the presiding officer’s seal and the seals of any polling agents who wish to affix their seal—

- (a) the unused and spoilt ballot papers (together);
- (b) the tendered ballot papers;
- (c) the advance voting station’s corresponding number list, as marked (see rule 42(2)(c)) (referred to in the following provisions of these rules as “the completed corresponding number list”);
- (d) any certificates surrendered under rule 37(4) or (5) (surrender of certificates issued to constables or staff of returning officers);
- (e) the following lists and declarations (together)—
  - (i) the list of votes marked by the presiding officer, together with a statement of the number of voters whose votes are marked under the heads “disability” and “unable to read” (see rule 43);

- (ii) the declarations made by the companions of voters with disabilities (see rule 44);
- (iii) the list of voters with disabilities assisted by companions (see rule 45);
- (iv) the tendered votes list (see rule 47);
- (v) the list maintained under rule 49 (correction of errors on an advance voting day).

(5) The presiding officer must do anything required by paragraph (4)(a), (b), (d) or (e) in the polling station, in the presence of any polling agents who are there.

(6) The presiding officer may do anything required by paragraph (4)(c)—

- (a) in the polling station, in the presence of any polling agents who are there, or
- (b) if the presiding officer has informed the polling agents and given them an opportunity to attend, at any other place that the presiding officer considers appropriate, in the presence of any polling agents who are there.

(7) The presiding officer must deliver the sealed ballot boxes and packets to the returning officer or cause them to be delivered in accordance with arrangements approved by the returning officer.

(8) The packets must be accompanied by a statement (“a ballot paper account”) prepared by the presiding officer showing—

- (a) the number of ballot papers given to the presiding officer;
- (b) how the ballot papers are accounted for under the following headings—
  - (i) the number of ballot papers issued and not otherwise accounted for;
  - (ii) the number of ballot papers unused;
  - (iii) the number of spoilt ballot papers;
  - (iv) the number of tendered ballot papers.

(9) The presiding officer must also deliver the marked copies of the registration records and the list of proxies to the returning officer or cause them to be delivered in accordance with arrangements approved by the returning officer.

(10) During any time between receiving the ballot papers and other documents, and

(a) the early verification of advance voting ballot papers in accordance with rule 52A, or

(b) the counting of the votes,

the returning officer must take proper precautions for the security of the ballot papers and other documents.

(11) In this rule, “the marked copies of the registration records” means the copies of the registration records (as defined by rule 40(7)), as marked in accordance with these rules.”

**15.** After rule 52 (arrangements for the counting of votes), insert—

**“Early verification of advance voting ballot papers**

**52A.**—(1) A returning officer may open the ballot boxes containing advance voting ballot papers after the close of polling on the final advance voting day but before the close of the poll, for the purpose of verifying those ballot papers only.

(2) Where advance voting ballot papers are not verified early in accordance with this rule, they will be verified in accordance with rule 54.

(3) Any votes given on an advance voting ballot paper verified before the close of poll in accordance with this rule will be counted following the close of poll in accordance with rules 54(7) to 59.

(4) The counting agents and the election agents (if appointed) are entitled to be present when a ballot box containing advance voting ballot papers is opened by the returning officer before the close of the poll, and the returning officer must give the counting agents and election agents a notice stating the time and place at which the returning officer will verify the advance voting ballot papers.

(5) The returning officer must, in the presence of the counting agents, open each ballot box, take out the advance voting ballot papers, count them and record the number of ballot papers.

(6) The returning officer must not count any tendered ballot papers.

(7) The returning officer must, in the presence of the election agents (if appointed), verify each ballot paper account by comparing it with—

(a) the number of ballot papers recorded on the advance voting days,

- (b) the unused and spoilt ballot papers in the returning officer's possession following the advance voting days, and
- (c) the tendered votes list from the advance voting days,

(opening and resealing the packets containing the unused and spoilt ballot papers and tendered votes list).

(8) The returning officer must prepare a statement as to the result of the verification and give a copy of the statement to any election agent who requests it.

(9) Where a candidate has not appointed an election agent—

- (a) the verification of the ballot paper account must be done in the presence of the candidate's counting agents instead, and
- (b) a copy of the statement must be given to any of the candidate's counting agents who requests it.

(10) While counting and recording the number of advance voting ballot papers for the purposes of verification, the returning officer must keep the ballot papers with their faces downwards and take proper precautions to prevent any person from seeing the votes made on the advance voting ballot papers.

(11) Following the completion of the verification process the advance voting ballot papers must be returned to the ballot boxes and the ballot boxes must be sealed (with the key if any attached), using the returning officer's seal and the seals of any election agents (if appointed) who wish to affix their seal.

(12) Following the sealing of the ballot boxes in accordance with paragraph (11), the returning officer must take proper precautions for the security of the ballot papers and other documents, until the ballot boxes are reopened in accordance with rule 54 for the purposes of counting the votes given.

(13) The returning officer must make arrangements to ensure that every person attending at the verification of advance voting ballot papers has been given a notice setting out the provisions of section 66(2) and (6) of the 1983 Act (notification of requirement of secrecy)."

**16. In rule 54 (the count: steps)—**

- (a) after paragraph (5) insert—

“(5A) Paragraphs (2) to (5) do not apply in relation to advance voting ballot papers which

have previously been verified in accordance with rule 52A.”;

(b) before paragraph (8)(a) insert—

“(za) handed in at an advance voting station before the close of polling on any day that the advance voting station is open,”;

(c) after paragraph (9) insert—

“(9A) Where, at the close of polling on an advance voting day, a person is in an advance voting station, or in a queue outside an advance voting station, for the purpose of handing in a postal ballot paper and postal voting statement—

(a) the person must be permitted to hand the ballot paper and statement in at the advance voting station, and

(b) where handed in, they are to be treated as having been properly returned for the purposes of this rule.”;

(d) after paragraph (11)(a) insert—

“(aa) in the case of advance voting ballot papers verified in accordance with rule 52A, they have been mixed with the ballot papers from at least one other ballot box, and”.

**17.** In rule 61 (sealing up of ballot papers at contested elections), in the opening words to paragraph (3), for “rule 51(3)” substitute “rules 50A(4) and 51(3)”.

**18.** In rule 62 (delivery of documents to registration officer at contested elections)—

(a) in paragraph (2)(b), for “rule 51(5)” substitute “rules 50A(8) and 51(5)”;

(b) in paragraph (2)(d), for “rule 54(5)” substitute “rules 52A(7) (where applicable) and 54(5)”.

**19.** In rule 67(2) (countermand or abandonment of poll on death of a candidate), after “if polling has begun” insert “either on an advance voting day or on the day of the poll”.

**20.** In Appendix 3 (corresponding number list), in Part 2, for “Date of poll:” substitute “Date of advance voting days/date of poll:”.

**21.** In Appendix 4 (form of postal voting statement), in the instructions on marking the ballot paper and completing the postal voting statement, in instruction 9—

(a) in paragraph (b), omit “or”;

(b) for paragraph (c), substitute—

- “(c) handed in on [insert date(s) of advance voting days] at the advance voting station before 4 p.m.; or
- (d) handed in on [insert date of the poll] at any polling station in the electoral area before 10 p.m.”

**22. In Appendix 5 (poll cards)—**

- (a) in the text for the official poll card (to be sent or delivered to an elector voting in person), on the front of the card, in the first column—

- (i) for “Polling Day:” substitute—

“Advance Voting Days:

Polling Day:”;

- (ii) for “Polling Hours: 7 a.m. to 10 p.m.” substitute “Polling Hours: 10 a.m. to 4 p.m. on 30 April 2022; 10 a.m. to 4 p.m. on 1 May 2022; and 7 a.m. to 10 p.m. on 5 May 2022”;

- (iii) for “Your polling station will be:” substitute—

“Your advance voting station will be:

Your polling station will be:”;

- (b) in the text for the official postal poll card (to be sent or delivered to an elector voting by post), on the back of the card, for “On the day of the poll, you can deliver them to any polling station in the electoral area before 10 p.m.” substitute—

“On an advance voting day (30 April 2022 and 1 May 2022), you can deliver them to the advance voting station before 4 p.m.

On the day of the poll (5 May 2022), you can deliver them to any polling station in the electoral area before 10 p.m.”;

- (c) in the text for the official proxy poll card (to be sent or delivered to a proxy voting in person), on the front of the card—

- (i) for “Polling Day:” substitute—

“Advance Voting Days:

Polling Day:”;

- (ii) for “Polling Hours: 7 a.m. to 10 p.m.” substitute “Polling Hours: 10 a.m. to 4 p.m. on 30 April 2022; 10 a.m. to 4 p.m. on 1 May 2022; and 7 a.m. to 10 p.m. on 5 May 2022”;

- (iii) for “Your polling station will be:” substitute—

“Your advance voting station will be:

Your polling station will be:”;



- (d) in the text for the official proxy postal poll card (to be sent or delivered to a proxy voting by post), on the back of the card, for “On the day of the poll, you can deliver them to any polling station in the electoral area before 10 p.m.” substitute—

“On an advance voting day (30 April 2022 and 1 May 2022), you can deliver them to the advance voting station before 4 p.m.

On the day of the poll (5 May 2022), you can deliver them to any polling station in the electoral area before 10 p.m.”

**23.** For Appendix 8 (form of declaration to be made by the companion of a voter with disabilities), substitute—

“

#### **Appendix 8**

#### **Rule 44(5)**

##### **Form of declaration to be made by the companion of a voter with disabilities**

**Polling Station:** [insert name of advance voting station/polling station]

**Electoral area:** [insert name of electoral area voter is voting in relation to]

I [insert name of companion] of [insert address of companion] having been asked to assist [insert name of voter being assisted], whose number on the register is [insert number of voter being assisted], to give their vote at the election now being held in the electoral area named above, hereby declare that\*—

I have attained the age of 16.

I have not previously assisted any voter with disabilities to vote except [insert the name and address of any other voter who has been assisted by the companion to vote at the election] (see note 2).

Signed by companion:

Date:

\*If the companion is asked to assist a voter with disabilities voting as proxy the opening words of the declaration must instead be “I [insert name of companion] of [insert address of companion] having been asked to assist [insert name of voter being assisted] who is voting as proxy for [insert name of elector], whose number on the register is [insert number of elector], to give their vote at the election now being held in the electoral area named above hereby declare that—”.

I, the undersigned, being the presiding officer for [insert name of advance voting station/polling station]

for the [insert name] electoral area of [insert name of community] hereby certify that the above declaration was read to the companion and was signed by the companion in my presence.

Signed by presiding officer:

Date:

Time:

**Notes to the form of declaration to be made by the companion of a voter with disabilities**

1. A voter with disabilities is a voter who has made a declaration under rule 44(2) that they are so affected by blindness or other disability, or by inability to read, as to be unable to vote without the assistance of a companion.
2. The companion may have assisted one (and only one) other person to vote at the election.

”.

### PART 3

Modifications to Schedule 2 (Rules for conduct of an election of councillors for a community where poll is taken together with poll at a relevant election)

**24.** In rule 1 (timetable), in the table in paragraph (1), for the entry for “Polling” substitute—

“

Polling	Between the hours of 10 a.m. and 4 p.m. on an advance voting day
	Between the hours of 7 a.m. and 10 p.m. on the day of election

”.

**25.** In rule 2 (computation of time)—

(a) for paragraph (2) substitute—

“(2) Subject to paragraph (2A), no proceedings under these rules up to the close of the poll may take place on an excluded day.”

(b) after paragraph (2) insert—

“(2A) Advance voting at an advance voting station may take place on an excluded day, unless that excluded day is a day appointed for thanksgiving or mourning.”

**26.** In rule 27 (notice of poll), for paragraph (1)(a) substitute—

“(a) the days and hours fixed for the advance voting days and the day of the poll,”.

**27.** For rule 29 (provision of polling stations), substitute—

**“Provision of polling stations and advance voting stations**

**29.**—(1) The returning officer must—

- (a) provide a sufficient number of polling stations on the day of the poll, and
- (b) allot the electors to the polling stations.

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

(3) The returning officer may also provide advance voting stations for polling on advance voting days.

(4) The returning officer may allot any elector to an advance voting station.

(5) The returning officer must provide each polling station and advance voting station with such number of compartments as may be necessary in which voters can mark their votes screened from observation.

(6) Where the returning officer is not the co-ordinating returning officer, see also regulations 4 and 5 of the Combination of Polls Regulations (which provide for circumstances in which the functions of the returning officer under this rule are to be discharged by the co-ordinating returning officer).”

**28.** In rule 31(4) (issue of official poll cards), after sub-paragraph (d) insert—

“(da) the dates and hours of advance voting and the situation of the elector’s advance voting station,”.

**29.** In rule 32 (equipment of polling stations)—

- (a) after paragraph (5) insert—

“(5A) In relation to an advance voting station on an advance voting day, in paragraph (5), “the relevant register of electors” means the registers of electors for all electoral areas.”;

- (b) in paragraph (6), for “In paragraph (5)” substitute “In relation to a polling station on the day of the poll, in paragraph (5)”;

- (c) after paragraph (6) insert—

“(6A) The copies of the relevant register of electors, or relevant part of the register of

electors, and corresponding number list provided to a polling station on the day of the poll must take account of any votes cast at an advance voting station on an advance voting day.”

**30.** In rule 33 (appointment of polling and counting agents)—

- (a) in paragraph (1)(b), after “votes” insert “and the early counting of advance voting ballot papers”;
- (b) in paragraph (5)(b), after “count” insert “or the early counting of advance voting ballot papers (whichever is applicable)”.

**31.** In rule 38 (keeping of order in station), for paragraph (4) substitute—

“(4) Where a person is removed from the advance voting station on an advance voting day, the person must not, without the presiding officer’s permission, re-enter the advance voting station on that day or on any subsequent advance voting day, or enter a polling station on the day of the poll.

(4A) Where a person is removed from the polling station on the day of the poll, the person must not, without the presiding officer’s permission, re-enter the polling station on that day.”

**32.** In rule 39(1) (sealing of ballot boxes), for “the poll begins” substitute “polling begins on the first advance voting day and the day of the poll”.

**33.** For rule 42(7) (voting procedure), substitute—

“(7) If a voter is in the polling station, or in a queue outside the polling station—

- (a) at the close of polling on an advance voting day, or
- (b) at the close of the poll on the day of the poll,

and has not yet been able to cast their vote, the presiding officer must permit the voter to cast their vote as soon as practicable.”

**34.** In rule 49(1) (correction of errors on day of poll), for “The presiding officer” substitute “On an advance voting day and the day of the poll, the presiding officer”.

**35.** For rule 50 (adjournment of poll in case of riot), substitute—

### **“Adjournment of poll in case of riot**

**50.**—(1) This rule applies where proceedings at any polling station are interrupted or obstructed by riot or open violence.

(2) Where the interruption occurs on an advance voting day, the presiding officer must—

- (a) where there is a further advance voting day scheduled, adjourn the proceedings to that day, or
- (b) where there is no further advance voting day scheduled, adjourn the proceedings to the day of the poll,

and immediately inform the returning officer.

(3) Where the interruption occurs on the day of the poll, the presiding officer must—

- (a) adjourn the proceedings until the following day, and
- (b) immediately inform the returning officer.

(4) Where polling is adjourned to a further advance voting day, the hours of polling will be as prescribed for that advance voting day, and polling will take place at the advance voting station.

(5) Where polling is adjourned—

- (a) to the day of the poll, or
- (b) on the day of the poll to the following day,

the hours of polling will be as prescribed for the day of the poll, and polling will take place at the polling stations to which electors are allotted by the returning officer for polling on the day of the poll.

(6) References in these rules to the close of the poll are to be read as references to the end of the hours of polling on the day of the poll on the day to which it is adjourned.”

**36.** After rule 50 (adjournment of poll in case of riot), insert—

### **“Procedure on close of polling on an advance voting day**

**50A.**—(1) This rule sets out the steps that must be taken by the presiding officer as soon as practicable after polling has ended on an advance voting day.

(2) At the end of the first advance voting day the presiding officer must take all reasonable precautions to ensure the security of the ballot

boxes, ballot papers and other documents ahead of the second advance voting day.

(3) At the end of the second advance voting day, in the presence of the polling agents, the presiding officer must seal each ballot box (with the key if any attached) in use at the advance voting station so as to prevent the introduction of additional ballot papers, using the presiding officer's seal and the seals of any polling agents who wish to affix their seal.

(4) The presiding officer must place each of the following in separate packets, sealed using the presiding officer's seal and the seals of any polling agents who wish to affix their seal—

- (a) the unused and spoilt ballot papers (together);
- (b) the tendered ballot papers;
- (c) the advance voting station's corresponding number list, as marked (see rule 42(2)(c)) (referred to in the following provisions of these rules as "the completed corresponding number list");
- (d) any certificates surrendered under rule 37(4) or (5) (surrender of certificates issued to constables or staff of returning officers);
- (e) the following lists and declarations (together)—
  - (i) the list of votes marked by the presiding officer, together with a statement of the number of voters whose votes are marked under the heads "disability" and "unable to read" (see rule 43);
  - (ii) the declarations made by the companions of voters with disabilities (see rule 44);
  - (iii) the list of voters with disabilities assisted by companions (see rule 45);
  - (iv) the tendered votes list (see rule 47);
  - (v) the list maintained under rule 49 (correction of errors on an advance voting day).

(5) The presiding officer must do anything required by paragraph (4)(a), (b), (d) or (e) in the polling station, in the presence of any polling agents appointed for the purposes of the community election or a relevant election who are there.

(6) The presiding officer may do anything required by paragraph (3)(c)—

- (a) in the polling station, in the presence of any polling agents appointed for the purposes of the community election or a relevant election who are there, or
- (b) if the presiding officer has informed the polling agents appointed for the purposes of the community election or a relevant election and given them an opportunity to attend, at any other place that the presiding officer considers appropriate, in the presence of any of those polling agents who are there.

(7) The presiding officer must deliver the sealed ballot boxes and packets to the co-ordinating returning officer or cause them to be delivered in accordance with arrangements approved by that returning officer.

(8) The packets must be accompanied by a statement (“a ballot paper account”) prepared by the presiding officer showing—

- (a) the number of ballot papers given to the presiding officer;
- (b) how the ballot papers are accounted for under the following headings—
  - (i) the number of ballot papers issued and not otherwise accounted for;
  - (ii) the number of ballot papers unused;
  - (iii) the number of spoilt ballot papers;
  - (iv) the number of tendered ballot papers.

(9) The presiding officer must also deliver the marked copies of the registration records and the list of proxies to the co-ordinating returning officer or cause them to be delivered in accordance with arrangements approved by that returning officer.

(10) During any time between receiving the ballot papers and other documents, and—

- (a) the early verification of advance voting ballot papers in accordance with rule 54A, or
- (b) the counting of the votes,

the co-ordinating returning officer must take proper precautions for the security of the ballot papers and other documents.

(11) In this rule, “the marked copies of the registration records” means the copies of the

registration records (as defined by rule 40(7)), as marked in accordance with these rules.”

**37.** In rule 52(2) (overview of rules and interpretation), after sub-paragraph (b) insert—

“(ba) rule 54A (early verification and separation of advance voting ballot papers etc. where the returning officer is the co-ordinating returning officer),”.

**38.** In rule 53 (attendance at proceedings under this Part)—

- (a) in paragraph (1), for “rules 55(2) to (10)” substitute “rules 54A(3) to (13), 55(2) to (10), 55(10A);
- (b) in paragraph (2), for “rule 55(2) to (10)” substitute “rules 54A(3) to (13), 55(2) to (10) and 55(10A)”;
- (c) in paragraph (3), for “rules 55(2) to (10)” substitute “rules 54A(3) to (13), 55(2) to (10), 55(10A)”;
- (d) in paragraph (5)(a), for “rule 55(2) to (10)” substitute “rules 54A(3) to (13), 55(2) to (10) and 55(10A)”.

**39.** In rule 54 (preliminary and general duties where returning officer is co-ordinating returning officer), after paragraph (1) insert—

“(1A) The returning officer may verify and separate advance voting ballot papers in accordance with rule 54A.”

**40.** After rule 54 (preliminary and general duties where returning officer is co-ordinating returning officer), insert—

**“Early verification and separation of advance voting ballot papers etc. where the returning officer is the co-ordinating returning officer**

**54A.**—(1) A returning officer who is the co-ordinating returning officer may open the ballot boxes containing advance voting ballot papers for each election after the close of polling on the final advance voting day but before the close of the poll, for the purpose of verifying those ballot papers only.

(2) Where advance voting ballot papers are not verified early in accordance with this rule, they will be verified in accordance with rule 55.

(3) Any votes given on an advance voting ballot paper verified before the close of poll in accordance with this rule will be counted following the close of poll in accordance with rules 59 to 61.



(4) The returning officer must, in the presence of the community counting agents and the other counting agents, open each ballot box, take out the advance voting ballot papers, count them and record separately the number of ballot papers used in each relevant election.

(5) The returning officer must not count any tendered ballot papers.

(6) Where separate ballot boxes were used on an advance voting day, no vote for a candidate in the community election is to be treated as invalid because it was placed in the ballot box intended for use at a relevant election.

(7) The returning officer must, in the presence of the community election agents (if appointed) and the other election agents, verify each ballot paper account by comparing it with—

- (a) the number of ballot papers recorded on the advance voting days,
- (b) the unused and spoilt ballot papers in the returning officer's possession following the advance voting days, and
- (c) the tendered votes list from the advance voting days,

(opening and resealing the packets containing the unused and spoilt ballot papers and tendered votes list).

(8) While counting and recording the number of advance voting ballot papers for the purposes of verification, the returning officer must keep the ballot papers with their faces downwards and take proper precautions to prevent any person from seeing the votes made on the advance voting ballot papers.

(9) The returning officer must prepare a statement as to the result of the verification and give a copy of the statement to any community election agent (if appointed), and to any other election agent, who requests it.

(10) Where a candidate at the community election has not appointed an election agent—

- (a) the verification of the ballot paper account must be done in the presence of the candidate's counting agents instead, and
- (b) on request, a copy of the statement must be given to the candidate.

(11) The returning officer must also—

- (a) count the postal ballot papers that have been properly returned (as to which see rule 58), and

- (b) record separately the number counted at the advance voting days at the community election and any other relevant election.

(12) The returning officer must then—

- (a) separate the advance voting ballot papers relating to the community election from the advance voting ballot papers relating to any other relevant election,
- (b) make up into packets the advance voting ballot papers for any other relevant election, and
- (c) seal up the packets in separate containers endorsing on each a description of the area to which the advance voting ballot papers relate.

(13) The returning officer must then deliver or cause to be delivered to the returning officer for each relevant election—

- (a) the containers of advance voting ballot papers relating to the election, together with a list of the containers and their contents,
- (b) the advance voting ballot paper accounts relating to the election, together with a copy of the statements as to the result of the verification, and
- (c) the packets of unused and spoilt advance voting ballot papers and tendered advance voting ballot papers.

(14) Following the completion of the verification process the advance voting ballot papers in relation to the community election must be returned to the ballot boxes and the ballot boxes must be sealed (with the key if any attached), using the returning officer's seal and the seals of any community election agents (if appointed) who wish to affix their seal.

(15) Following the sealing of the ballot boxes in accordance with paragraph (14) the returning officer must take proper precautions for the security of the advance voting ballot papers and other documents, until the advance voting ballot papers are counted in accordance with rules 59 to 61.”

**41.** In rule 55 (separation of ballot papers etc. where returning officer is co-ordinating returning officer)—

- (a) after paragraph (10) insert—

“(10A) Paragraphs (1) to (9) do not apply in relation to advance voting ballot papers that have been verified and separated in accordance with rule 54A.”;

(b) after paragraph (11) insert—

“(12) Advance voting ballot papers for a community election which have been verified and separated in accordance with rule 54A must be mixed together with all other ballot papers used at the community election.”

**42.** In rule 58 (further provision about postal ballot papers)—

(a) in paragraph (1), before “55(8)(a)” insert “54A(11)(a), ”;

(b) after paragraph (3) insert—

“(3A) Where, at the close of polling on an advance voting day, a person is in an advance voting station, or in a queue outside an advance voting station, for the purpose of handing in a postal ballot paper and postal voting statement—

(a) the person must be permitted to hand the ballot paper and statement in at the advance voting station, and

(b) where handed in, they are to be treated as having been properly returned for the purposes of this rule.”

**43.** In rule 59(1) (the count: general), after “55(11)” insert “and (12)”.

**44.** In rule 65 (sealing up of ballot papers at contested elections)—

(a) in paragraph (3), for “rule 51(3)” substitute “rules 50A(4) and 51(3)”;

(b) in the opening words to paragraph (4), for “rule 51(3)” substitute “rules 50A(4) and 51(3)”.

**45.** In rule 66 (delivery of documents to registration officer at contested elections)—

(a) in paragraph (2)(b), for “rule 51(5)” substitute “rules 50A(8) and 51(5)”;

(b) in paragraph (2)(d), for “rule 55(6)” substitute “rules 54A(9) (where applicable) and 55(6)”.

**46.** In rule 71(2) (countermand or abandonment of poll on death of a candidate), after “if polling has begun” insert “either on an advance voting day or on the day of the poll”.

**47.** In Appendix 3 (corresponding number list), in Part 2, for “Date of poll” substitute “Date of advance voting days/date of poll”.

**48.** In Appendix 4 (form of postal voting statement)—

(a) in the Form of Postal Voting Statement (for use where there is a joint issue and receipt of

postal ballot papers), in instruction 9 of the instructions on marking the ballot paper and completing the postal voting statement—

- (i) in paragraph (b), omit “or”;
  - (ii) for paragraph (c) substitute—
    - “(c) handed in on [insert date(s) of advance voting days] at the advance voting station before 4 p.m.; or
    - (d) handed in on [insert date of the poll] at any polling station in the appropriate area before 10 p.m.”;
  - (iii) in the final words, for “paragraph (c)” substitute “paragraph (d)”;
- (b) in the Form of Postal Voting Statement (for use where polls are combined but the issue and receipt of postal ballot papers is not combined), in instruction 9 of the instructions on marking the ballot paper and completing the postal voting statement—
- (i) in paragraph (b), omit “or”;
  - (ii) for paragraph (c) substitute—
    - “(c) handed in on [insert date(s) of advance voting days] at the advance voting station before 4 p.m.; or
    - (d) handed in on [insert date of the poll] at any polling station in the appropriate area before 10 p.m.”;
  - (iii) in the final words, for “paragraph (c)” substitute “paragraph (d)”.

**49.** In Appendix 5 (poll cards (where a decision is made to combine poll cards))—

- (a) in the text for the official poll card (to be sent or delivered to an elector voting in person), on the front of the card—
  - (i) for “Polling Day:” substitute—

“Advance Voting Days:  
Polling Day:”;
  - (ii) for “Polling Hours: 7 a.m. to 10 p.m.” substitute “Polling Hours: 10 a.m. to 4 p.m. on 30 April 2022; 10 a.m. to 4 p.m. on 1 May 2022; and 7 a.m. to 10 p.m. on 5 May 2022”;
  - (iii) for “Your polling station will be:” substitute—

“Your advance voting station will be:  
Your polling station will be:”;
- (b) in the text for the official postal poll card (to be sent or delivered to an elector voting by post), on the back of the card, for “On the day of the poll, you can deliver them to any

polling station in the appropriate area before 10 p.m.” substitute—

“On an advance voting day (30 April 2022 and 1 May 2022), you can deliver them to the advance voting station before 4 p.m.

On the day of the poll (5 May 2022), you can deliver them to any polling station in the appropriate area before 10 p.m.”;

- (c) in the text for the official proxy poll card (to be sent or delivered to a proxy voting in person), on front of the card—

- (i) for “Polling Day:” substitute—

“Advance Voting Days:

Polling Day:”;

- (ii) for “Polling Hours: 7 a.m. to 10 p.m.” substitute “Polling Hours: 10 a.m. to 4 p.m. on 30 April 2022; 10 a.m. to 4 p.m. on 1 May 2022; and 7 a.m. to 10 p.m. on 5 May 2022”;

- (iii) for “Your polling station will be:” substitute—

“Your advance voting station will be:

Your polling station will be:”;

- (d) in the text for the official proxy postal poll card (to be sent or delivered to a proxy voting by post), on the back of the card, for “On the day of the poll, you can deliver them to any polling station in the appropriate area before 10 p.m.” substitute—

“On an advance voting day (30 April 2022 and 1 May 2022), you can deliver them to the advance voting station before 4 p.m.

On the day of the poll (5 May 2022), you can deliver them to any polling station in the appropriate area before 10 p.m.”

**50.** For Appendix 8 (form of declaration to be made by the companion of a voter with disabilities), substitute—

“

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**Appendix 8**

**Rule 44(5)**

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**Form of declaration to be made by the companion of a voter with disabilities**

This form shows the declaration to be used at an election of councillors for a community. The declaration to be used at each relevant election may be included in the same form.

Alternatively, separate forms may be used for each declaration instead.

**Polling Station:** [insert name of advance voting station/polling station]

**Electoral area:** [insert name of electoral area voter is voting in relation to]

I [insert name of companion] of [insert address of companion] having been asked to assist [insert name of voter being assisted], whose number on the register is [insert number of voter being assisted]\*, to give their vote at the election of councillors for the [insert name of community council] now being held in the electoral area named above, hereby declare that—

I have attained the age of 16.

I have not previously assisted any voter with disabilities to vote except [insert the name and address of any other voter who has been assisted by the companion to vote at the election] (see note 2).

Signed by companion:

Date:

\*If the companion is asked to assist a voter with disabilities voting as proxy the opening words of the declaration must instead be “I [insert name of companion] of [insert address of companion] having been asked to assist [insert name of voter being assisted] who is voting as proxy for [insert name of elector], whose number on the register is [insert number of elector]”

I, the undersigned, being the presiding officer for [insert name of advance polling station/polling station] hereby certify that the above declaration was read to the companion and was signed by the companion in my presence.

Signed by presiding officer:

Date:

Time:

**Notes to the form of declaration to be made by the companion of a voter with disabilities at the election of councillors to a community council**

1. A voter with disabilities is a voter who has made a declaration under rule 44(2) that they are so affected by blindness or other disability, or by inability to read, as to be unable to vote

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without the assistance of a companion.

2. The companion may have assisted one (and only one) other person to vote at the election.

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