

STRATFORD ON AVON DISTRICT COUNCIL (ELECTION SECURITY MEASURES) PILOT ORDER 2006

Made 24 March 2006

Coming into force in accordance with Article 1

This Order is made in exercise of the powers conferred by section 10(1) of the Representation of the People Act 2000(a).

Stratford on Avon District Council submitted proposals for a scheme under section 10 of the 2000 Act to apply to any election that will take place in relation to any vacancy in the membership of the District Council or any parish council with which that election will be combined, arising on the ordinary date for elections in 2006.

The Secretary of State modified the District Council's proposals and consulted the District Council on the modifications, as he is required to under section 10 of the 2000 Act. The Secretary of State also consulted the Electoral Commission on the District Council's proposals, as he is required to under section 10(1A) of the 2000 Act.

The Secretary of State makes the following Order:

Citation and commencement

1. This Order may be cited as the Stratford on Avon District Council (Election Security Measures) Pilot Order 2006 and shall come into force forthwith.

Interpretation

2.—(1) In this Order and in any modification to an enactment made by this Order, unless the contrary intention appears—

- “1983 Act” means the Representation of the People Act 1983(b);
- “2000 Act” means the Representation of the People Act 2000(c);
- “1986 Principal Areas Rules” means the Local Elections (Principal Areas) Rules 1986(d);
- “1986 Parishes Rules” means the Local Election (Parishes and Communities) Rules 1986(e);
- “2001 Regulations” means the Representation of the People (England and Wales) Regulations 2001(f);
- “the Appendix” unless otherwise indicated—

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

(b) 1983 c.2

(c) 2000 c.2

(d) S.I. 1986/2214; amended by S.I. 1987/261, 1990/158, 1998/578, 1999/394 2001/81, 2004/223, 2004/1041, 2006/390

(e) S.I. 1986/2215; amended by S.I. 1987/260, 1990/157, 1998/585, 1999/395, 2001/80, 2004/224, 2004/1040, 2006/390

(f) S.I. 2001/341; amended by S.I.2002/1871, 2006/752.

- In Schedule 1 means the Appendix to Schedule 3 of the 1986 Principal Areas Rules as modified by Schedule 3 of this Order,
 - In Schedule 2 means the Appendix to Schedule 3 of the 1986 Parishes Rules as modified by Schedule 3 of this Order;
- “barcode” means a series of marks capable of being read by an electronic scanner so as to provide a reference to a number;
 - “corresponding number list” means the list referred to in rule 14A of Schedule 3 of the 1986 Principal Areas Rules and 1986 Parishes Rules, inserted by this Order;
 - “completed corresponding number list means any part of the list referred to in rule 14A of Schedule 3 of the 1986 Principal Areas Rules and 1986 Parishes Rules, inserted by this Order, which has been marked in accordance with Part 5 of the 2001 Regulations as modified by this Order;
 - “close of poll” means 10.00 p.m. on 4th May 2006;
 - “the election” means any local government election that takes place arising from a vacancy in the membership of Stratford on Avon District Council and any election to membership of any parish council for a related electoral area to Stratford District Council, arising on the ordinary day of elections in 2006;
 - “postal voting statement” means printed statement issued with a postal ballot paper in accordance with rule 19 of the 1986 Principal Area Rules and 1986 Parishes Rules in the form in the Appendix to Schedule 1 of this Order;
 - “the security mark” means a mark contained on a ballot paper, placed there to enable the returning officer or those assisting him to determine whether a ballot paper returned at the election was issued by the returning officer or is counterfeit;
 - “related electoral area” has the same meaning as in section 36 of the 1983 Act.

(2) any reference in any enactment to an “official mark” shall be construed as a reference to a “security mark”;

(3) any reference in any enactment to a “declaration of identity” shall be construed as a reference to a “postal voting statement”.

Conduct of the elections

3.—(1) In relation to the election, the enactments governing the conduct of the election specified in this Rule, shall have effect subject to the substitutions and modifications made by this Rule.

(2) The provisions in Schedule 3 of the 1986 Principal Areas Rules set out in column (1) of Table 1 in Schedule 1 shall have effect subject to the modifications set out in column (2) of that Table.

(3) For the form of front and back of declaration of identity and front and back of electors poll card set out in—

- (a) the Appendix to Schedule 3 of the 1986 Principal Areas Rules, and
- (b) the Appendix to Schedule 3 of the 1986 Parishes Rules,

there shall be substituted the form of postal voting statement and form of front and back of poll card in the Appendix to Schedule 1 of this Order.

(4) The provisions in Schedule 3 of the 1986 Parish Rules set out in column (1) of Table 2 in Schedule 2 shall have effect subject to the modifications set out in column (2) of that Table.

(5) The provisions set out in column (1) of Table 3 in Schedule 3 shall have effect subject to the modifications set out in column (2) of that Table.

Signed on behalf of the Secretary of State

24 March 2006

Bridget Prentice
Parliamentary Under Secretary of State
Department for Constitutional Affairs

SCHEDULE 1

Article 3(2)

Modifications to Schedule 3 of the 1986 Principal Areas Rules

Table 1

<i>(1)</i> <i>Rule</i>	<i>(2)</i> <i>Modification</i>
14	For subparagraph (2)(c) substitute—
The Ballot Papers	“(c) shall have a number printed on the back and be marked with a barcode corresponding to that number;”
14A	After rule 14 insert—
The Corresponding number list	<p>“The corresponding number list</p> <p>14A.—(1) The returning officer must prepare a list containing the numbers of all the ballot papers to be issued by him in pursuance of rule 19.</p> <p>(2) The list shall be in the form in the Appendix to Schedule 1 of the Stratford on Avon District Council (Election Security Measures) Pilot Order 2006.”</p>
15	For rule 15 “the official mark” substitute—
The official mark	<p>“The security mark</p> <p>15.—(1) Every ballot paper shall contain a security mark.</p> <p>(2) The security mark shall be kept secret, and an interval of not less than five years shall intervene between the use of the same security mark at elections for the same county, county borough, district or London borough, as the case may be.</p> <p>(3) The security mark used for ballot papers issued for the purpose of voting by post shall not be used at the same election for ballot papers issued for the purpose of voting in person.”</p>
19	For rule 19 “the postal ballot papers” substitute—
The postal ballot papers	<p>“The postal ballot papers</p> <p>19.—(1) The returning officer shall, in accordance with regulations made under the Representation of the People Act 1983 as modified by Schedule 3 of the Stratford on Avon District Council (Election Security Measures) Pilot Order 2006, issue to those entitled to vote by post—</p> <p>(a) a postal ballot paper in the form set out in the Appendix, and</p> <p>(b) a postal voting statement in the form set out in the Appendix to Schedule 1 of the Stratford on Avon District Council (Election Security Measures) Pilot Order 2006,</p>

or forms to like effect, together with such envelopes for their return (whether free of charge or otherwise) as may be prescribed by such regulations.”

23 In paragraph (3) omit subparagraph (b).

Equipment of polling stations

25A After rule 25 insert –

Return of postal ballot papers

“25A.—(1) Where—

- (a) a postal vote has been returned in respect of a person who is entered on the postal voters list, or
- (b) a proxy postal vote has been returned in respect of a proxy who is entered on the proxy postal voters list,

the returning officer must mark the list in the prescribed manner.

(2) For the purposes of paragraph (1) above, a postal vote is to be recorded as having been returned only if it has been returned together with the postal voting statement, in the manner prescribed in rule 41(4) and reaches the returning officer or polling station before the close of the poll.

(3) The returning officer may perform any aspect of his duty under paragraph (1) with the assistance of such computer hardware and software or other devices as can identify and process barcodes printed on any postal voting statement.

(4) The returning officer shall not publish any list marked in compliance with paragraph (1) before the close of the poll.

26 In paragraph (1) after subparagraph (g) insert—

Admission to a polling station

“(h) any representative of the Department for Constitutional Affairs.”

31 In paragraph (1) omit subparagraph (a).

Voting procedure

38 In subparagraph (1B)(d) remove “and”.

Attendance at the counting of votes

After subparagraph (1B)(e) insert—

“(f) any representatives of the Department for Constitutional Affairs,”

39 For subparagraph (3)(b) substitute—

The Count

“(b) the postal voting statement, duly signed is also returned in the manner set out in paragraph (3A) below and reaches him or such a polling station before that time.”

45 In paragraph (2) after “counterfoils” insert “, completed corresponding number lists”.

Sealing up of ballot papers

46 In subparagraph (1)(d) after “counterfoils” insert “, completed corresponding number lists”.

Delivery of documents

In subparagraph (1)(e) for “and of lists of proxies” substitute “, postal voters list, of lists of proxies and of the proxy postal voters list”.

47 In rule 47 after “counterfoils” in each place that it occurs insert “, completed corresponding number lists”.

Orders for production of documents

After paragraph (7) insert—

“(7A) The production from proper custody of —

- (a) ballot paper purporting to have been used at any election, and
- (b) completed corresponding number list with a number marked in writing beside the number of the ballot paper,

shall be prima facie evidence that the elector whose vote was given by that ballot paper was the person who at the time of the election had affixed to his name in the register of electors the same number as the number written on the corresponding number list.”

48 In paragraph (2) after “counterfoils” insert “, completed corresponding number lists”.

Retention and public inspection of documents

49 In subparagraph (3)(b) after “counterfoils” in the first place that it appears insert “, completed corresponding number lists”.

Countermand or abandonment of poll on death of candidate

Form of postal voting statement for at all elections covered by this Order

Form of front

Postal Voting Statement

For your vote to be counted you must sign the Declaration below and return with your sealed ballot paper envelope. This statement will be separated from your ballot paper envelope and placed in a container before the envelope is opened, so that your vote will remain secret.

If this declaration is not signed your vote will not be counted

Ballot Paper No.

I hereby declare that I am

and that I am the person to whom the ballot paper accompanying this statement was sent by the Returning Officer.

Signature or Mark

If you are voting as the registered proxy of a voter, you must also fill in this section.

I am voting as proxy for

Insert the name in BLOCK CAPITALS of the person who appointed you as proxy

Your vote is personal – complete it yourself and in private

If you need assistance you should contact the Returning Officer's staff.
Details are included within the 'Instructions to Voter'.

Back of form (form of instructions to the voter)

INSTRUCTIONS TO THE VOTER – Please read this information carefully

1. Please check that the Postal Vote Statement and the back of your ballot paper include a barcode. A ballot paper or postal vote statement not bearing a barcode or on which the barcode has been removed, altered or damaged may be rejected as invalid.
2. If your ballot paper or postal vote statement does not have a barcode or it has been altered or damaged please ask the returning officer who sent you your ballot pack for a replacement.
3. The barcode is a security measure that helps to prevent electoral fraud. It is used in a similar way to the numbers that appear on the ballot papers at traditional elections. It is used to keep a record of voters who have been issued with ballot papers and those voters who have returned their ballot papers.
4. Every person engaged in the electoral process is obliged to protect the secrecy of your vote. Anyone who breaks this rule can be charged with a criminal offence.
5. **You must sign the Postal Voting Statement. Without this your vote, will be invalid.**
6. Vote for no more than one candidate(s) on the *Colour* ballot paper, for the Election of a *Councillor*. Put no other mark on the ballot paper or your vote may not be counted.
7. Mark a cross (X) in the box on the right-hand side of the ballot paper opposite the name of the candidate you are voting for. Do this secretly. If someone is helping you to vote, that person MUST not disclose how you have voted.
8. Put the ballot paper in the small envelope marked "A" and seal it. Then put the envelope marked "A", together with the attached Postal Voting Statement, in the larger envelope marked "B". Return it to me without delay. I must receive it before polling stations close. Alternatively, it may be delivered to a polling station in this electoral area on the polling day.
9. If you receive more than one ballot paper, relating to the same election, remember that it is illegal to vote more than once (other than as a proxy) at the same election.
10. At these elections, you cannot vote in person at a polling station, even if you receive an official poll card.
11. If you accidentally spoil your postal ballot paper, you can apply to me for a new one. If you do this you MUST RETURN your spoilt ballot paper and in addition, in your application for a fresh postal ballot paper, you MUST RETURN in your own envelope the Postal Vote Statement. REMEMBER that there is little time if fresh postal ballot papers are to be issued.

Returning Officer

SCHEDULE 2

3(4)

Modifications to Schedule 3 of the 1986 Parish Rules

Table 2

<i>(1)</i> <i>Rule</i>	<i>(2)</i> <i>Modification</i>
14	For subparagraph (2)(c) substitute—
The Ballot Papers	“(c) shall have a number printed on the back and be marked with a barcode corresponding to that number;”
14A	After rule 14 insert—
The Corresponding number list	<p>“The corresponding number list</p> <p>14A.—(1) The returning officer must prepare a list containing the numbers of all the ballot papers to be issued by him in pursuance of rule 19.</p> <p>(2) The list shall be in the form in the Appendix to Schedule 1 of the Stratford on Avon District Council (Election Security Measures) Pilot Order 2006.”</p>
15	For rule 15 “the official mark” substitute—
The official mark	<p>“The security mark</p> <p>15.—(1) Every ballot paper shall contain a security mark.</p> <p>(2) The security mark shall be kept secret, and an interval of not less than five years shall intervene between the use of the same security mark at elections for the same parish or community.</p> <p>(3) The security mark used for ballot papers issued for the purpose of voting by post shall not be used at the same election for ballot papers issued for the purpose of voting in person.”</p>
19	For rule 19 “the postal ballot papers” substitute—
The postal ballot papers	<p>“The postal ballot papers</p> <p>19.—(1) The returning officer shall, in accordance with regulations made under the Representation of the People Act 1983 as modified by Schedule 3 of the Stratford on Avon District Council (Election Security Measures) Pilot Order 2006, issue to those entitled to vote by post—</p> <p style="margin-left: 40px;">(a) a postal ballot paper in the form set out in the Appendix, and</p> <p style="margin-left: 40px;">(b) a postal voting statement in the form set out in the Appendix to Schedule 1 of the Stratford on Avon District Council (Election Security Measures) Pilot Order 2006,</p> <p>or forms to like effect, together with such envelopes for their return (whether free of charge or otherwise) as may be prescribed by such</p>

regulations.”

23 In paragraph (3) omit subparagraph (b).

**Equipment of
polling stations**

25A After rule 25 insert –

**Return of postal
ballot papers**

“25A.—(1) Where—

(a) a postal vote has been returned in respect of a person who is entered on the postal voters list, or

(b) a proxy postal vote has been returned in respect of a proxy who is entered on the proxy postal voters list,

the returning officer must mark the list in the prescribed manner.

(2) For the purposes of paragraph (1) above, a postal vote is to be recorded as having been returned only if it has been returned together with the postal voting statement, in the manner prescribed in rule 41(4) and reaches the returning officer or polling station before the close of the poll.

(3) The returning officer may perform any aspect of his duty under paragraph (1) with the assistance of such computer hardware and software or other devices as can identify and process barcodes printed on any postal voting statement.

(4) The returning officer shall not publish any list marked in compliance with paragraph (1) before the close of the poll.

26 In paragraph (1) after subparagraph (g) insert—

“(h) any representative of the Department for Constitutional Affairs.”

**Admission to a
polling station**

31 In paragraph (1) omit subparagraph (a).

**Voting
procedure**

38 In subparagraph (1B)(d) remove “and”.

**Attendance at
the counting of
votes**

After subparagraph (1B)(e) insert—

“(f) any representatives of the Department for Constitutional Affairs,”

39 For subparagraph (3)(b) substitute—

The Count

“(b) the postal voting statement, duly signed is also returned in the manner set out in paragraph (3A) below and reaches him or such a polling station before that time.”

45 In paragraph (2) after “counterfoils” insert “, completed corresponding number lists”.

**Sealing up of
ballot papers**

- 46 In subparagraph (1)(d) after “counterfoils” insert “, completed corresponding number lists”.
- Delivery of documents**
- In subparagraph (1)(e) for “and of lists of proxies” substitute “, postal voters list, of lists of proxies and of the proxy postal voters list”.
- 47 In rule 47 after “counterfoils” in each place that it occurs insert “, completed corresponding number lists”.
- Orders for production of documents**
- After paragraph (7) insert—
- “(7A) The production from proper custody of —
- (a) ballot paper purporting to have been used at any election, and
- (b) completed corresponding number list with a number marked beside the number of the ballot paper,
- shall be prima facie evidence that the elector whose vote was given by that ballot paper was the person who at the time of the election had affixed to his name in the register of electors the same number as the number written on the corresponding number list.”
- 48 In paragraph (2) after “counterfoils” insert “, completed corresponding number lists”.
- Retention and public inspection of documents**
- 49 In subparagraph (3)(b) after “counterfoils” in the first place that it appears insert “, completed corresponding number lists”.
- Countermand or abandonment of poll on death of candidate**

SCHEDULE 3

3(5)

Table 3

Modifications to other enactments

<i>(1)</i> <i>Provision</i>	<i>(2)</i> <i>Modification</i>
<i>1983 Act</i>	
Section 65	Substitute—

Tampering with Nomination papers, ballot papers etc.

“ Tampering with nomination papers, ballot papers

65.—(1) A person shall be guilty of an offence, if, at a parliamentary or local government election, he—

- (a) fraudulently defaces or fraudulently destroys any nomination paper; or
- (b) fraudulently defaces or fraudulently destroys any ballot paper, or any barcode or security mark on any ballot paper, or any postal voting statement or official envelope used in connection with voting by post; or
- (c) without due authority supplies any ballot paper to any person; or
- (d) fraudulently puts into any ballot box any paper other than the ballot paper which he is authorised by law to put in; or
- (e) fraudulently takes out of the polling station any ballot paper; or
- (f) without due authority destroys, takes, opens or otherwise interferes with any ballot box or packet of ballot papers then in use for the purposes of the election;
- (g) fraudulently or without due authority, as the case may be, attempts to do any of the foregoing acts.

(2) In Scotland, a person shall be guilty of an offence if—

- (a) at a parliamentary or local government election, he forges any nomination paper, delivers to the returning officer any nomination paper knowing it to be forged, or forges or counterfeits any ballot paper or the security mark on any ballot paper; or
- (b) at a local government election, he signs any nomination paper as candidate or in any other capacity certifies the truth of any statement contained in it, knowing such statement to be false; or
- (c) he fraudulently or without due authority, as the case may be, attempts to do any of the foregoing acts.

(3) If a returning officer, a presiding officer or a clerk appointed to assist in taking the poll, counting the votes or assisting at the proceedings in connection with the issue or receipt of postal ballot papers is guilty of an offence under this section, he shall be liable—

- (a) on conviction on indictment to a fine, or to imprisonment for a term not exceeding 2 years, or to both;
- (b) on summary conviction, to a fine not exceeding the statutory maximum, or to imprisonment for a term not exceeding 6 months, or to both.

(4) If any other person is guilty of an offence under this section, he shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale, or to imprisonment for a term not exceeding 6 months, or to both.”

Section 66 Substitute—

**Requirement
of secrecy.**

“66.—(1) The following persons—

- (a) every returning officer and every presiding officer or clerk attending at a polling station,
- (b) every candidate or election agent or polling agent so attending,
- (c) every representative of the Electoral Commission so attending,
- (d) every representative of the Department for Constitutional Affairs so attending,
- (d) every person authorised by the returning officer to assist him in carrying out his duties, including any person engaged in the provision, maintenance or repair of any computer hardware or software, data, equipment or other services in use for the purpose of the election.

shall maintain and aid in maintaining the secrecy of voting and shall not, except for some purpose authorised by law, communicate to any person before the poll is closed any information as to—

- (i) the name of any elector or proxy for an elector who has or has not applied for a ballot paper or voted at a polling station;
- (ii) the number on the register of electors of any elector who, or whose proxy, has or has not applied for a ballot paper or voted at a polling station; or
- (iii) any barcode or security mark printed on any ballot paper.

(2) Every person attending at the counting of the votes shall maintain and aid in maintaining the secrecy of voting and shall not—

- (a) ascertain or attempt to ascertain at the counting of the votes any number on the back of any ballot paper;
- (b) communicate any information obtained at the counting of the votes as to the candidate for whom any vote is given on any particular ballot paper.

(3) No person shall—

- (a) interfere with or attempt to interfere with a voter when recording his vote;
- (b) otherwise obtain or attempt to obtain in a polling station information as to the candidate for whom a voter in that station is about to vote or has voted;
- (c) communicate at any time to any person any information obtained in a polling station as to the candidate for whom a voter in that station is about to vote or has voted, or as to the number on the back of the ballot paper given to a voter at that station;
- (d) directly or indirectly induce a voter to display his ballot paper after he has marked it so as to make known to any person the name of the candidate for whom he has or has not voted.

(4) Every person attending the proceedings in connection with the issue or the receipt of ballot papers for persons voting by post shall maintain and aid in maintaining the secrecy of the voting and shall not—

- (a) except for some purpose authorised by law, communicate, before the poll is closed, to any person any information obtained at those proceedings as to the barcode or security mark; or
- (b) except for some purpose authorised by law, communicate to any person at any time any information obtained at those proceedings as to the number on the back of the ballot paper sent to any person; or
- (c) except for some purpose authorised by law, attempt to ascertain at the proceedings in connection with the receipt of ballot papers the number on the back of any ballot paper given to a voter at that station;
- (d) attempt to ascertain at the proceedings in connection with the receipt of the ballot papers the candidate for whom any vote is given in any particular ballot paper or communicate any information with respect thereto obtained at those proceedings.

(5) No person having undertaken to assist a blind voter to vote shall communicate at any time to any person any information as to the candidate for whom that voter intends to vote or has voted, or as to the number on the back of the ballot paper given for the use of that voter.

(6) If a person acts in contravention of this section he shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale or to imprisonment for a term not exceeding 6 months.

(7) In their application in relation to an election of the London members of the London Assembly at an ordinary election, the preceding provisions of this section shall have effect with the insertion, after the words ‘‘the candidate for whom’’, in each place where they occur, of ‘‘, or the registered political party towards the return of whose candidates,’’.

(8) In relation to an election of the London members of the London Assembly at an ordinary election, any reference in this section to the return of a registered political party's candidates is a reference to the return of candidates included in the list of candidates submitted by the registered political party for the purposes of the election. ”

Section 202 At the appropriate place insert—

General provisions as to interpretation

- “barcode” has the same meaning as in the 1986 Principal Areas Rules as modified by the Stratford on Avon District Council (Election Security Measures) Pilot Order 2006;
- “election” has the same meaning as in the 1986 Principal Areas Rules as modified by the Stratford on Avon District Council (Election Security Measures) Pilot Order 2006;
- “the postal voting statement has the same meaning as in the 1986 Principal Areas Rules as modified by the Stratford on Avon District Council (Election Security Measures) Pilot Order 2006;
- “security mark” has the same meaning as in the 1986 Principal Areas Rules as modified by the Stratford on Avon District Council (Election Security Measures) Pilot Order 2006;”

2000 Act

Section 10 After section 10, insert—

**Pilot Schemes
for local
elections in
England and
Wales.**

“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 shall 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 purposes of the election.

(2) Subsection (1) shall 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.

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

2001 Regulations

Regulation 64 The current text of Regulation 64 shall be renumbered 64(1) and for “valid declaration of identity” insert “valid postal voting statement”.

**Interpretation
of Part V**

In 64(1) insert in the appropriate place—

- “barcode” has the same meaning as in the 1986 Principal Areas Rules as modified by the Stratford on Avon District Council (Election Security Measures) Pilot Order 2006;
- “corresponding number list” has the same meaning as in the 1986 Principal Areas Rules as modified by the Stratford on Avon District Council (Election Security Measures) Pilot Order 2006;
- “postal voting statement” has the same meaning as in the 1986 Principal Areas Rules as modified by the Stratford on Avon District Council (Election Security Measures) Pilot Order 2006;
- “security mark” has the same meaning as in the 1986 Principal Areas Rules as modified by the Stratford on Avon District Council (Election Security Measures) Pilot Order 2006;”

After paragraph (1) insert—

“(2) For the purposes of this part of these Regulations any reference in this part to a “declaration”, “declaration of identity”, or “valid declaration of identity” shall be construed as a reference to a postal voting statement or valid postal voting statement.”

Regulation 67	After “clerks” insert “or any representatives of Electoral Commission or Department for Constitutional Affairs”.
Persons entitled to be present at proceedings on the issue of postal ballot papers.	
Regulation 68	In subparagraph (c) remove “and”.
Person entitled to be present at the proceedings on receipt of postal ballot papers	In subparagraph (d) for “,” insert “.” and after subparagraph (d) insert— <div style="margin-left: 40px;">“(e) any representative of the Electoral Commission, (f) any representative of the Department for Constitutional Affairs.”</div>
Regulation 72	For paragraph (1) substitute—
Procedure on issue of postal ballot paper	<div style="margin-left: 40px;">“(1) Each postal ballot paper issued shall contain a security mark.”</div> For paragraph (2) substitute— <div style="margin-left: 40px;">“(2) The number of the elector as stated in the register shall be marked on the corresponding number list, which may be created electronically, in the place corresponding with the ballot paper issued to the elector.”</div> After (2) insert— <div style="margin-left: 40px;">“(2A) The ballot paper shall be detached from the counterfoil.”</div> For paragraph (4) substitute— <div style="margin-left: 40px;">“(4) The number and the barcode printed on the postal ballot paper or papers shall be marked on the postal voting statement.”</div> In subparagraph (5)(b) after “number” insert “and barcode”.
Regulation 75	In shoulder heading for “counterfoils” substitute “corresponding number lists”.
Sealing up of corresponding number lists and security of special lists	In subparagraph (1) for “counterfoils” substitute “paper copies of the corresponding number lists marked with the numbers”.

Regulation 84	After paragraph (4) insert—
Opening of covering envelopes	“(5) Where a covering envelope contains a postal voting statement, the barcode on the postal voting statement shall be processed by the returning officer using such equipment as he has provided for the purpose of recording postal ballots as returned in accordance with rule 25A in Schedule 3 to the Principal Areas Rules and Schedule 3 to the Parishes Rules as inserted by Schedule 3 of the Stratford on Avon District Council (Election Security Measures) Pilot Order 2006.”
Regulation 85	For subsection (1) substitute—
Procedure in relation to postal voting statements	“(1) The returning officer shall satisfy himself that the postal voting statement has been duly signed by the voter.”
	In (2) after “envelope” insert “(if it has been detached)”.
Regulation 86	In paragraph (1) after “envelope” insert “and scan the barcode on any ballot paper returned, using the equipment referred to in Regulation 84(5) and”.
Opening of ballot paper envelope	

1986 Principal Areas Rules

Rule 4(1)	In paragraph (1) insert in the appropriate place—
Interpretation	<p>“— “the Appendix” in Schedule 3 of these rules, means the Appendix to Schedule 3 of these rules as modified by Schedule 3 of the Stratford on Avon District Council (Election Security Measures) Pilot Order 2006;</p> <p>— “barcode” means a series of marks capable of being read by an electronic scanner so as to provide a reference to a number;</p> <p>— “corresponding number list” means the list referred to in rule 14A of Schedule 3 of the 1986 Parishes Rules, in the form in the Appendix to Schedule 1 of the Stratford on Avon District Council (Election Security Measures) Pilot Order 2006;</p> <p>— “completed corresponding number list” means a corresponding number list which is marked in accordance with Part 5 of the 2001 Regulations as modified by the Stratford on Avon District Council (Election Security Measures) Pilot Order 2006;</p> <p>— “the election” means any local government election that takes place arising from a vacancy in the membership of Stratford on Avon District Council and any election to membership of any parish council for a related electoral area to Stratford District Council, arising on the ordinary day of elections in 2006;</p> <p>— “postal voting statement” means a printed statement issued with a postal ballot paper in accordance with rule 19 in Schedule 3 of these rules, in the form in the Appendix to Schedule 1 to the Stratford on Avon District Council (Election Security Measures) Pilot Order 2006;</p> <p>— “security mark” means a mark on the ballot paper, placed there to enable the returning officer or those assisting him to determine whether</p>

a ballot paper returned at the election was issued by the returning officer or is counterfeit;”

After (2) insert—

“(3) any reference in these rules to an “official mark” shall be construed as a reference to a “security mark”.

(4) any reference in these rules to a “declaration of identity” shall be construed as a reference to a “postal voting statement”.”

Rule 6 For rule 6 insert—

Combination of polls

Combination of polls

“6. In any poll at the election of councillors to the council of a principal area covered by the Stratford on Avon District Council (Election Security Measures) Pilot Order 2006, the rules set out in Schedule 3 to these rules, as modified by that Order shall apply”.

Schedule 3 In the Appendix of forms—

- In the Directions as to printing the ballot paper
 - after 1. insert—

“1A. The ballot paper shall contain a security mark.”
 - in 5. After “characters” insert “and shall have a corresponding barcode printed adjacent to it”.
- In the Form of back of elector’s official poll card omit the words “see that he stamps the official mark on it for you”.
- In the Form of directions for guidance of the voters in voting—
 - omit 1.
 - in 2. for “Go” substitute “When you are given a ballot paper go”.
 - in 3. for “official mark” substitute “security mark”.

1986 Parishes Rules

Rule 4(1) In paragraph (1) insert in the appropriate place—

Interpretation

- “the Appendix” in Schedule 3 of these rules, means the Appendix to Schedule 3 of these rules as modified by Schedule 3 of the Stratford on Avon District Council (Election Security Measures) Pilot Order 2006;
- “barcode” means a series of marks capable of being read by an electronic scanner so as to provide a reference to a number;
- “corresponding number list” means the list referred to in rule 14A of Schedule 3 of the 1986 Parishes Rules, in the form in the Appendix to Schedule 1 of the Stratford on Avon District Council (Election Security Measures) Pilot Order 2006;
- “completed corresponding number list” means a corresponding number list which is marked in accordance with Part 5 of the 2001 Regulations as modified by the Stratford on Avon District Council (Election

Security Measures) Pilot Order 2006;

- “the election” means any local government election that takes place arising from a vacancy in the membership of Stratford on Avon District Council and any election to membership of any parish council for a related electoral area to Stratford District Council, arising on the ordinary day of elections in 2006;
- “postal voting statement” means a printed statement issued with a postal ballot paper in accordance with rule 19 in Schedule 3 of these rules, in the form in the Appendix to Schedule 1 to the Stratford on Avon District Council (Election Security Measures) Pilot Order 2006;
- “security mark” means a mark on the ballot paper, placed there to enable the returning officer or those assisting him to determine whether a ballot paper returned at the election was issued by the returning officer or is counterfeit;”

After (2) insert—

“(3) any reference in these rules to an “official mark” shall be construed as a reference to a “security mark”.

(4) any reference in these rules to a “declaration of identity” shall be construed as a reference to a “postal voting statement”.”

Rule 6 For rule 6 insert—

Combination of polls

Combination of polls

“6. In any poll at the election of councillors to the council of a parish or community covered by the Stratford on Avon District Council (Election Security Measures) Pilot Order 2006, the rules set out in Schedule 3 to these rules, as modified by that Order shall apply”.”

Schedule 3 In the Appendix of forms—

- In the Directions as to printing the ballot paper
 - after 1. insert—

“1A. The ballot paper shall contain a security mark.”
 - in 5. After “characters” insert “and shall have a corresponding barcode printed adjacent to it”.
- In the Form of back of elector’s official poll card omit the words “see that he stamps the official mark on it for you”.
- In the Form of directions for guidance of the voters in voting—
 - omit 1.
 - in 2. for “Go” substitute “When you are given a ballot paper go”.
 - in 3. for “official mark” substitute “security mark”.