

# Part C – Action before the poll

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# 1 Timetable

1.1 Much of the election timetable is calculated by excluding *dies non*, which are Saturdays, Sundays, Christmas Eve, Christmas Day, Good Friday and any other bank holiday.<sup>1</sup> Throughout this guidance, references to ‘working’ days appear where the time period in question is calculated by excluding *dies non*. Any references to ‘calendar’ days appear where the time period is calculated by counting all days, without excluding any weekend or bank holiday.

1.2 When calculating the election timetable for a general election to the European Parliament, it is also important to remember that a bank holiday anywhere in the UK will affect the election timetable everywhere in the UK. Consequently, Local Returning Officers in England and Wales must incorporate Scotland-only bank holidays into their timetables, just as Local Returning Officers in Scotland must include bank holidays that only apply to England and Wales into theirs.<sup>2</sup>

1.3 The timetable in Table 1 covers both a standalone European Parliamentary election, as well as combined local government and European Parliamentary elections in England. No text under ‘Local election difference’ means that the same deadlines as for the European Parliamentary election will apply to any local government elections combined with the European Parliamentary poll.

**Table 1: Election timetable 2009**

<b>Proceeding</b>	<b>Local election difference</b>	<b>Day</b>
Notice of election to be published		Not later than <b>Tuesday 28 April</b>
Delivery of nomination papers	From date stated on notice of election; during working hours	On any working day after notice of election is published; between <b>10am</b> and <b>4pm</b>
Deadline for delivery of nomination papers		<b>4pm on Thursday 7 May</b>
Deadline for withdrawals of nomination	12 noon on Tuesday 12 May	<b>4pm on Thursday 7 May</b>

<sup>1</sup> Please note: Maundy Thursday is no longer a *dies non*.

<sup>2</sup> Rule 2(2)(c), European Parliamentary Election Rules (EPE Rules), Schedule 1, European Parliamentary Election (Amendment) Regulations (EPE Regulations) 2009.

**Table 1 (continued): Election timetable 2009**

<b>Proceeding</b>	<b>Local election difference</b>	<b>Day</b>
Deadline to make objections to nominations	Objections not allowed	<b>Thursday 7 May (12 noon</b> for nominations delivered up to and including <b>Wednesday 6 May; 5pm</b> for those delivered on <b>Thursday 7 May)</b>
Publication of statement of parties and individual candidates nominated and notice of poll	Statement of persons nominated only: by 12 noon on Monday 11 May	<b>5pm on Thursday 7 May</b> (if no objections are made)  Not later than <b>4pm on Friday 8 May</b> (if objections are made)
Deadline for notice of appointment of election agents	Deadline 12 noon on Tuesday 12 May	<b>4pm on Thursday 7 May</b>
Last day to submit a registration application form to be included on the register of electors in order to be able to vote at the election		<b>Tuesday 19 May</b>
Deadline for requests for a new postal vote or to change or cancel an existing postal vote or proxy arrangement		<b>5pm on Tuesday 19 May</b>
Deadline for requests for a new postal vote or to change or cancel an existing postal vote or proxy arrangement		<b>5pm on Tuesday 19 May</b>
Deadline for new applications to vote by proxy (not postal proxy), except for medical emergencies		<b>5pm on Wednesday 27 May</b>

**Table 1 (continued): Election timetable 2009**

<b>Proceeding</b>	<b>Local election difference</b>	<b>Day</b>
Publish notice of poll	No later than Wednesday 27 May	Not applicable
Publish election notice of alteration to the register		<b>Thursday 28 May</b>
Last day for notice of appointment of polling and counting agents		<b>Thursday 28 May</b>
Last day for the appointment of sub-agents		<b>Thursday 28 May</b>
First day to issue replacement postal ballot packs in response to requests to replace lost postal ballot papers		<b>Friday 29 May</b>
<b>Polling day</b>		<b>7am–10pm, Thursday 4 June</b>
Deadline for the issue of replacements for spoilt or lost postal ballot papers		<b>5pm on Thursday 4 June</b>
Deadline for new applications to vote by proxy on grounds of a medical emergency		<b>5pm on Thursday 4 June</b>
Deadline to make alterations to the register to correct a clerical error or to implement a court (registration appeal) decision		<b>9pm on Thursday 4 June</b>
Last day for the receipt of return of election expenses	Within 35 calendar days of the date the election result is declared	Within 50 calendar days of the date the election result is declared

**Please note:** unless stated, the deadline is **12 midnight**.

## 2 The electoral register

### Legal requirements

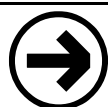
2.1 No specific 'election register' is published: the register of electors to be used on polling day is the version as it stands on the fifth working day before the poll, although amendments to correct a clerical error or to implement the decision of a court (registration appeal) may still be made to the register up to 9pm on polling day.

2.2 The Electoral Registration Officer is required to publish a notice of alteration five working days before the poll and to provide an amended register for the use of the Local Returning Officer.

2.3 A person will be entitled to vote at an election if their registration **has taken effect** by the fifth working day before polling day. Therefore, as the Electoral Registration Officer must determine the application, and the standard five-day period for objections applies, preceded by a day for listing the application, the deadline for individuals submitting applications to register ahead of a particular election is 11 working days before the poll.<sup>3</sup>



In order to be eligible to vote at the elections on 4 June 2009, applications for registration will need to have been received by the Electoral Registration Officer by Tuesday 19 May 2009 and to have been determined before the publication of the alteration notices on Thursday 28 May 2009. As there is no objection process for anonymous registrants, anonymous registration applications may be added to the register in time for the European Parliamentary election if received after the 11 working day deadline, as long as they can be determined in time for the publication of the alteration notices on Thursday 28 May 2009. The register of electors to be used on polling day (subject to any amendments made to correct a clerical error or to implement the decision of a court (registration appeal)) is the version that is in force on 28 May 2009. Poll cards and postal votes for late registrants can be sent to electors from that day, but should not be sent before 28 May 2009 as applicants will not have been included on the electoral register and should not have been allocated their elector number.



For further information on the anonymous registration process, please see Part F, 'Special category electors', Section 6, 'Anonymous registration' of the Commission's guidance *Managing electoral registration in Great Britain: guidance for Electoral Registration Officers*.

### Amending the electoral register – clerical errors

2.4 The register to be used on polling day may be amended by the Electoral Registration Officer:

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<sup>3</sup> Section 13B, Representation of the People Act (RPA Act) 1983, as amended by RPA 1985 and 2000.

- to rectify any clerical error, or
- to implement a court (registration appeal) decision

that is notified to and determined by them by 9pm on polling day.<sup>4</sup>

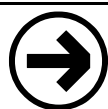
2.5 No other changes may be made to the election register for any reason.

2.6 Representations that a clerical error has occurred in the register may be made to the Electoral Registration Officer either orally or in writing before 9pm on polling day. Where such a representation is made to a Presiding Officer at a polling station, they must communicate that representation to the Electoral Registration Officer as soon as practicable.<sup>5</sup> This clearly requires that the Electoral Registration Officer and Local Returning Officer ensure that adequate communication systems are in place to make and receive such representations.

2.7 In all cases, the Electoral Registration Officer must make a determination on the representation by 9pm on polling day for any error to be corrected and the necessary change made to the election register.<sup>6</sup>

2.8 Where a clerical amendment is made to the register or a court decision is received, the Electoral Registration Officer must issue a notice specifying the appropriate alteration. This must be done by making it available for inspection under supervision at their office and at other places, if any, in the registration area that have reasonable facilities for the purpose; by sending a copy to the person affected; and by forwarding copies to the usual recipients of the register (political parties, the Electoral Commission, etc).<sup>7</sup>

2.9 Where a clerical amendment is made after the polling station registers have been supplied by the Electoral Registration Officer and forwarded to the relevant Presiding Officers, the Electoral Registration Officer must take reasonable steps to ensure that the notice comes to the attention of the appropriate Presiding Officer. The steps could include notifying the Presiding Officer by telephone, and where this is done, the Presiding Officer must make a written record of the notice.<sup>8</sup> This requirement again supports the need for adequate communication systems to be put in place.



For further consideration of clerical errors, see Part E, 'The poll', Section 4, 'The register of electors' of this manual, and the Commission's guidance *Managing electoral registration in Great Britain*, Part D, 'Monthly alterations to the register', Section 4, 'Notice of alteration'.

<sup>4</sup> Section 13B, RPA 1983; Rule 47, EPE Rules.

<sup>5</sup> Rule 47(6), EPE Rules.

<sup>6</sup> Regulation 36(3), Representation of the People Regulations 2001 (RPR); Section 13B, RPA 1983.

<sup>7</sup> Regulation 36(2), RPR 2001.

<sup>8</sup> Regulation 36A, RPR 2001.

## Polling station registers

2.10 Polling station registers can be printed once the deadline for amending the register has passed, i.e. five working days before the election. However, procedures will need to be put in place to cope with any necessary amendments to the polling station registers should either clerical errors be identified or court decisions (registration appeals) be notified after the registers have been printed.

2.11 Where such determinations are made before polling day, the Electoral Registration Officer should ensure that the relevant details of such amendments are notified to the Local Returning Officer and to the relevant Presiding Officer before the poll commences. Where an amendment is made on polling day, the procedure highlighted above and further detailed in Part E, 'The poll', Section 4, 'The register of electors' should be followed.

2.12 A revised register should not be published as standard practice in advance of an election. Where a revised register is not published but the Electoral Registration Officer has allocated a suffix number (e.g. AB 147/1) to those electors added under the monthly procedure, such entries should appear in the correct position in the copy of the register used at the polling station.

## Access and supply

2.13 Certain persons are entitled to be supplied with the full electoral register, free of charge and in electronic format, unless a request is received in advance of supply for the register to be provided as a printed copy.<sup>9</sup> Details are set out below.



### **Combination**

Returning Officers with combined elections will need to ensure that sufficient copies of documents are available from the Electoral Registration Officer to enable supply for both the European Parliamentary and local government elections taking place within their area. Local Returning Officers who have been appointed as deputy Returning Officers to run the local government elections in England should consult Part C, 'Action before the poll', of the Commission's guidance *Managing a local government election in England and Wales*. This can be downloaded from the Commission's website at [www.electoralcommission.org.uk/guidance/resources-for-electoral-administrators/local-elections/local-government-elections-in-england](http://www.electoralcommission.org.uk/guidance/resources-for-electoral-administrators/local-elections/local-government-elections-in-england)

## Supply of the register to candidates

2.14 At a European Parliamentary election, both registered party lists and individual candidates are entitled to receive the full register, free of charge. In the case of a party list, this entitlement is conferred on the election agent of the party. Individuals on the party list are not entitled to be supplied with the register.<sup>10</sup> By

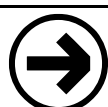
<sup>9</sup> Regulation 102, RPR 2001; Regulation 101, Representation of the People Regulations (Scotland) 2001 (RPR (Scotland) 2001).

<sup>10</sup> Regulation 108(3), RPR 2001; Regulation 107, RPR (Scotland) 2001.

contrast, individual candidates are entitled to obtain a copy themselves, and indeed there is no provision to supply a copy to their election agent.<sup>11</sup>

2.15 The agent for the party list is entitled to receive the register from the moment the list is submitted to the Regional Returning Officer.<sup>12</sup> An individual candidate can obtain the register from the last day for publication of the notice of election, regardless of whether nomination papers have been delivered, as long as they, or others, have declared them to be a candidate.<sup>13</sup>

2.16 As the Regional Returning Officer will be the main point of contact for participants at the nominations stage, Electoral Registration Officers and Local Returning Officers should liaise with the Regional Returning Officer at an early stage to agree the process for the supply of the register.



Detailed information on access and supply of the electoral register to candidates can be found in Part H, 'Access and supply' of the Commission's guidance *Managing electoral registration in Great Britain*. This can be downloaded from the Commission's website at [www.electoralcommission.org.uk/guidance/resources-for-electoral-administrators/electoral-registration/managing-electoral-registration-services](http://www.electoralcommission.org.uk/guidance/resources-for-electoral-administrators/electoral-registration/managing-electoral-registration-services)

## Supply of the register to registered political parties

2.17 A registered political party can request a copy of the full register at any time.<sup>14</sup> The local UK Parliamentary constituency organisation for any registered political party, through a person nominated by the registered party's Nominating Officer, may obtain a register at any time.<sup>15</sup>

## Supply of the register to elected representatives

2.18 An MEP is entitled to a copy of the register for the region that they represent at any time on request.<sup>16</sup> This should be supplied free of charge and in electronic format unless the MEP has requested in advance of supply that it be supplied in hard copy.

## Inspection of the register

2.19 A copy of the full register must be made available for inspection, under supervision, at the office of the Electoral Registration Officer and at any other place, if any, that is suitable to allow inspection under supervision in the registration area.<sup>17</sup> Any person who inspects the register may only make handwritten notes to record any part of it, and these notes must not be used for

<sup>11</sup> Regulation 108(2)(b), RPR 2001; Regulation 107, RPR (Scotland) 2001.

<sup>12</sup> Regulation 31(2), EPE Regulations.

<sup>13</sup> Regulation 31(2), EPE Regulations.

<sup>14</sup> Regulation 106, RPR 2001; Regulation 105, RPR (Scotland) 2001.

<sup>15</sup> Regulation 105, RPR 2001; Regulation 104, RPR (Scotland) 2001.

<sup>16</sup> Regulation 103, RPR 2001; Regulation 102, RPR (Scotland) 2001.

<sup>17</sup> Regulation 43, RPR 2001.

marketing purposes.<sup>18</sup> All those inspecting the register should be made aware of the restrictions before being given access to the register.

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<sup>18</sup> Regulation 96, RPR 2001; Regulation 95, RPR (Scotland) 2001.

## 3 Nomination process

### Publication of the notice of election

3.1 The publication of the notice of election triggers the start of the nomination process. For a European Parliamentary election, the notice of election has to be published, at the latest, by the twenty-fifth working day before the election.<sup>19</sup> This is the responsibility of the Regional Returning Officer, who will inform all Local Returning Officers of the date that the notice will be published.

3.2 Additionally, the Regional Returning Officer will send a copy of the notice to the Local Returning Officer for each local counting area in the electoral region, and each Local Returning Officer must publish the copy of the notice at a place within the area in which they act.<sup>20</sup>

3.3 'Publish' means, as a minimum, posting in a conspicuous place within the local counting area (e.g. council offices, libraries and other public buildings). The Commission strongly recommends that the Local Returning Officer also uses other means, including the council's website, to facilitate easier access to election notices for all residents, including disabled people. The Commission also recommends that during the election period a link is created on the front page of the council website leading to information on the election process.

### Nominations

3.4 The receipt and processing of nominations of all registered party lists and individual candidates at a European Parliamentary election is the responsibility of the Regional Returning Officer.

### Statement of parties and individual candidates nominated

3.5 The Regional Returning Officer will publish a statement of parties and individual candidates nominated by no later than 24 hours after the latest date of the delivery of nomination papers.<sup>21</sup>

3.6 Immediately after the publication of the statement of persons nominated, a copy will be forwarded to the Local Returning Officer for each local counting area contained in the electoral region. Each Local Returning Officer must then publish a copy of the notice at a place within the area in which they act as soon as possible.<sup>22</sup>

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<sup>19</sup> Rules 1 and 3, EPE Rules.

<sup>20</sup> Rule 3(4), EPE Rules.

<sup>21</sup> Rules 1 and 15, EPE Rules.

<sup>22</sup> Rule 17, EPE Rules.

## 4 Appointment of election, polling and counting agents

### Appointment of election agents<sup>23</sup>

4.1 The Secretary of State is responsible for receiving the notices of appointment of a national election agent in the case of a registered party standing in more than one electoral region.<sup>24</sup> In all other circumstances, notice of the appointment of an election agent and any sub-agents will be dealt with by the Regional Returning Officer.

### Appointment of polling and counting agents

4.2 Election agents or sub-agents of registered political parties or individual candidates may appoint polling agents to be in attendance at polling stations for the purpose of detecting personation, and counting agents to attend the verification of ballot paper accounts and the counting of votes.<sup>25</sup> It should be noted, however, that election agents and sub-agents can do anything that the polling and counting agents are authorised to do.<sup>26</sup>

4.3 Notice of the appointments with names and addresses must be given in writing to the Local Returning Officer not later than the fifth working day before the poll (i.e. not later than **Thursday 28 May 2009**).<sup>27</sup>

4.4 There is no limit to the number of polling agents that may be appointed, but not more than one polling agent on behalf of the same registered political party or individual candidate may be admitted into a particular polling station at any time.<sup>28</sup>

4.5 The Local Returning Officer may limit the number of counting agents, but the number must be the same for each registered political party which has submitted a list of candidates and for each individual candidate, and must not, unless in exceptional circumstances, be fewer than the number obtained by dividing the number of verification and count assistants by the number of registered parties and individual candidates.<sup>29</sup>

4.6 The counting agents have the same rights to access to the verification as to the counting of the votes.

4.7 One counting agent may, if desired by the election agent or sub-agent, be granted the power to require a recount. No other counting agents have the power

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<sup>23</sup> Regulations 33(1), 34(3), 35(4) and (7) and 38(1), EPE Regulations.

<sup>24</sup> Regulation 33(3), EPE Regulations.

<sup>25</sup> Rule 33(1), EPE Rules.

<sup>26</sup> Rule 33(9) and (10), EPE Rules.

<sup>27</sup> Rule 33(4), EPE Rules.

<sup>28</sup> Rule 36(3), EPE Rules.

<sup>29</sup> Rule 33(3), EPE Rules.

to require a recount except where they are also a candidate, agent or sub-agent.<sup>30</sup>



More information on recounts is included in Part F, 'Verification and count', Section 5, 'Recounts' of this manual.

4.8 Polling and counting agents are subject to the requirements of secrecy and have to be given, in writing, a copy of the relevant legislative provisions.<sup>31</sup>

4.9 If a polling or counting agent dies or becomes incapable of acting, the person who appointed them may appoint another agent in their place. Notice in writing of the appointment must be given to the relevant Local Returning Officer.<sup>32</sup>

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<sup>30</sup> Rules 33(2) and 54, EPE Rules.

<sup>31</sup> Regulation 29, EPE Regulations.

<sup>32</sup> Rule 33(5), EPE Rules.

## 5 Production and distribution of poll cards

### Production

5.1 The Local Returning Officer is required to send an official poll card to all electors (excluding overseas electors), including postal voters and their proxies, as soon as practicable after the publication of the notice of election.<sup>33</sup> To ensure as far as possible that all electors receive a service that is consistent across the same electoral region, Local Returning Officers should liaise with the Regional Returning Officer on the content, format and times for distribution of poll cards.



#### **Combination**

The issue of poll cards is the responsibility of the Local Returning Officer for the European Parliamentary election and the county Returning Officer for the local government elections. However, poll cards can be combined if the Returning Officers agree.<sup>34</sup> Where there is this agreement, the responsibility for issue falls not to the Local Returning Officer, but to the Returning Officer for the other election(s).

Local Returning Officers in England who have been appointed as deputy Returning Officers for the local government elections can find further information on poll cards at local government elections in Part C, 'Action before the poll' of the Commission's manual *Managing a local government election in England and Wales*.

5.2 Poll cards are required to be in the format prescribed in the forms contained in the legislation or in a form to the like effect and must contain the following information.<sup>35</sup>

- the name of the electoral region and electoral area
- the elector's name, qualifying address and number on the register
- the date and hours of the poll
- in the case of an elector who does not have a postal vote, the location of the polling station
- in the case of a postal or postal proxy voter, confirmation that they will receive their ballot paper by post, with an indication as to when they are likely to be sent out, and information on how the elector may arrange to cancel the postal vote
- in the case of a proxy or postal proxy voter, the proxy's name and address in addition to the details of the elector for whom the proxy is voting
- such other information as the Local Returning Officer thinks appropriate – different information may be provided to different electors or different descriptions of electors

5.3 In the case of an elector with an anonymous entry, the poll card must be sent in a covering envelope. It should be made clear on the poll card that the

<sup>33</sup> Rule 31, EPE Rules.

<sup>34</sup> Paragraph 6, Schedule 2, RPR 2004.

<sup>35</sup> Forms F, G, H and J, Appendix of forms, EPE Rules.

anonymous elector or their proxy **must** have their poll card in order to be able to vote at the polling station. The name and address of the anonymous elector must not be shown on the poll card.

5.4 Suggestions for good practice when producing poll cards include the following:

- Poll cards should be produced in clear, large print.
- Include both a helpline number and an email address that people can use if they have any enquiries.
- Consider including details of how to apply for a postal or proxy vote, and give the closing date for applications and cancellations.
- Consider including maps showing the location of the polling station. If the location or access arrangements have changed, it is particularly important to draw this to the attention of voters. Any map included should not be so small that electors have difficulty reading it.
- Consider including any access details on poll cards, taking into account the size of the poll card to be used. For example, it may be helpful to inform voters about relevant accessibility information, such as by detailing disabled access to the building, availability of low-level voting booths, availability of large-print sample ballot papers, tactile voting templates and the fact that electors can vote with the help of a companion or the Presiding Officer. If the poll card is too small to permit the addition of this information, the Local Returning Officer may wish to consider other ways of disseminating this information.


## Distribution

5.5 Poll cards can be distributed by hand or by post, the method being determined by the Local Returning Officer as what is most appropriate for the particular area concerned. If poll cards are to be delivered by a postal service provider, a written statement should be given to the service provider with each batch of poll cards, showing the number of cards and the polling districts to which they relate. Proof of posting should be obtained and, if possible, tracking of deliveries undertaken in order to assist with responding to any queries regarding possible non-delivery.

## 6 Production and allocation of ballot papers

6.1 Once the nomination process has been completed and the statement of parties and individual candidates nominated has been published, ballot papers can be printed.


6.2 Local Returning Officers should be aware that the Regional Returning Officer may wish to provide advice on procurement or even organise central procurement of ballot papers or the enlarged ballot papers.


 At all stages of the ballot paper production process, Local Returning Officers should work closely with the Regional Returning Officer to confirm procurement arrangements, the form of the ballot paper, the colour and numbering of the ballot paper, the unique identifying mark and the official mark. Once exact specifications have been agreed, Local Returning Officers should ensure that these are implemented by their suppliers.

6.3 Where the Local Returning Officer is required to source and print their own ballot papers, it is important that contact is made with printers and a programme of production agreed well before the close of nominations.

6.4 The Regional Returning Officer will send a copy of the ballot paper that must be reproduced exactly by the local printer. This template will, however, exclude the details that it has been agreed are for the Local Returning Officer to include such as the ballot paper number and the unique identifying mark.

6.5 The Commission strongly advises that checks are made on both the 'proof' and final versions of the ballot papers to ensure that no errors have been made. Even though the production of ballot papers has to be undertaken to a tight timescale, it is essential that Local Returning Officers schedule and take time to proof ballot papers.

 The Local Returning Officer must check the returned proof from their printer against the proof sent by the Regional Returning Officer to ensure that the details have been reproduced correctly, including checking that the correct emblems and font type and size have been used.

 Further guidance on outsourcing and managing contractors and suppliers can be found in Part B, 'Preparing for a European Parliamentary election'.

6.6 There are very few working days for all the ballot papers to be printed, collated and allocated for use at polling stations. The timescale is even more acute for the ballot papers required for the issue of postal votes, which have to be despatched in sufficient time for electors to complete and return them before the close of poll. It is therefore essential that a timetable including deadlines is agreed between the Local Returning Officer and the supplier at an early stage in the process, and that this timetable is adhered to.

## Ballot paper security

6.7 It should be noted that as the official mark can be printed when the ballot papers are created and does not need to be added at the point of issue, where this is the case such ballot papers are effectively 'live' as soon as they have been printed. Additional security arrangements should therefore be considered to prevent unauthorised access to or use of the papers during the production process, while they are in the possession of the printer, and throughout delivery to and storage by the Local Returning Officer.

## Form of the ballot paper

6.8 The form of the ballot paper is prescribed in the legislation and these instructions have to be followed precisely.<sup>36</sup> The Regional Returning Officer will produce a proof of the ballot paper for use, although this is likely to require some additional information to be added by the Local Returning Officer, such as the ballot paper number.

6.9 Ballot papers for postal voters and for polling station use must be the same in form (except that the official mark may be different if desired).

6.10 The Regional Returning Officer may include an official mark in the ballot paper, in which case this should be reproduced by the Local Returning Officer. The Local Returning Officer may, however, add an additional security mark to the ballot papers, with the combination of the two marks becoming the official mark for the ballot paper.

6.11 If the Local Returning Officer is adding to or creating the appropriate security marking – the '**official mark**' – the following should be noted:<sup>37</sup>

- The mark must be distinctive and does not have to be a perforation added at the time of issue of the ballot paper, although stamping instruments may still be used to create a perforating official mark.
- It could be a printed emblem or mark or a special printing device such as a watermark.
- The official mark can be the same for all ballot papers at an election or different official marks can be used for different purposes at the same election, for example one for postal votes and another for polling station ballot papers.
- The official mark cannot be re-used for five years for election to the same local counting area.

6.12 Discussions with the Regional Returning Officer on the official mark and unique identifying marks should be made at an early stage in the planning process, to enable decisions to be reached and preparations made with suppliers as appropriate.

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<sup>36</sup> Rule 22, EPE Rules; Form A, Appendix of forms, Schedule 1, EPE Regulations.

<sup>37</sup> Rule 24, EPE Rules.

6.13 Due to the use of a corresponding number list in connection with the issue and receipt of postal ballot papers and the issue of ballot papers at polling stations, ballot papers need not have a counterfoil attached. Local Returning Officers will therefore need to consider with their print suppliers how best to produce the ballot papers for use at polling stations. Options might include producing counterfoil-less books that are securely glued at the seam, or having the books produced with narrow blank counterfoils that are discarded after use.

## Allocation of ballot papers

6.14 The Local Returning Officer is required to supply each polling station with such number of ballot papers as they consider necessary.<sup>38</sup> Careful consideration needs to be given to the number that will be required.

6.15 When allocating ballot papers, it is important that the numbers given to each Presiding Officer run consecutively in order to avoid any problems with completing the corresponding number list or ballot paper accounts.

6.16 Presiding Officers should also be advised to check the numbering of the ballot papers allocated to them in order to ensure that there are no printing, numbering or distribution errors.

6.17 Tendered ballot papers must also be supplied to Presiding Officers.<sup>39</sup> They must be a different colour from the ordinary ballot papers and should be placed in an envelope with instructions stating that the envelope should only be opened and the ballot papers issued in prescribed circumstances, along with brief details of those circumstances. This can help to avoid tendered ballot papers being issued in error. This message should be reinforced at any briefing or training sessions for polling station staff.

6.18 When deciding on the number of tendered ballot papers to be supplied to polling stations, Local Returning Officers should bear in mind that tendered ballot papers can be issued in the following circumstances and where the prescribed questions have been answered satisfactorily:

- An elector or proxy has been marked on the register or any amendment notice, or on the list of proxies, as having already voted.
- An elector or proxy who is shown on both the register of electors and the postal or postal proxy voters list as having been issued with a postal ballot paper claims never to have applied for a postal vote.
- After 5pm, an elector or proxy who is shown on both the register of electors and the postal or postal proxy voters list as having been issued with a postal ballot paper claims to have lost or not received their postal vote.

## Corresponding number lists

6.19 Local Returning Officers will need to consider how the corresponding number lists will be produced, since, for each ballot paper printed, the ballot

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<sup>38</sup> Rule 32(1), EPE Rules.

<sup>39</sup> Rule 45, EPE Rules.

paper number and unique identifying mark must be recorded. The corresponding number lists are prescribed documents.<sup>40</sup> There are two corresponding number lists: Forms B and C in the Appendix of forms to the EPE Regulations, each of which is explained below.

6.20 Form B will contain the number of every ballot paper produced for the election and the corresponding unique identifying mark for that ballot paper. It is also used for the issue of postal votes and so has a column for the addition of the elector number for those ballot papers issued at the postal vote issue.

6.21 Form C is for use in polling stations and only contains the ballot paper number and a column to add the elector numbers of voters to whom the ballot papers are issued. This polling station corresponding number list will be produced to match the ballot papers that are issued to each polling station. Although these forms can be 'adapted so far as circumstances require', with particular reference to the corresponding number list to be used in the polling station, the Local Returning Officer should note that this does not allow the corresponding number list to be produced in elector number order. It must be produced in ballot paper order.



### **Combination**

For those areas in England where the polls at the European Parliamentary election have been combined with elections to a county council, it is the responsibility of the Returning Officer for the county election to prepare the corresponding number list to be used in polling stations and at the issue of postal votes.<sup>41</sup>

Combined elections require a combined polling station corresponding number list to be used. The ballot paper numbers for both the European Parliamentary and local government elections must be pre-printed on the same corresponding number list.<sup>42</sup>

Where Local Returning Officers have been appointed as deputy county Returning Officers to run the local government election(s) in their area, they will need to consider how they manage this process in practice, particularly if there are parishes with elections where the parish area is not coterminous with the principal area boundary. Also, Returning Officers should give consideration to the fact that electors may choose not to accept ballot papers for both elections or may spoil only one of the ballot papers. One possible solution could be to use a separate sheet of paper for each poll but which are joined together in some way (for example, by staple), which may still satisfy the requirement of having a combined list which is to the same effect as that prescribed in the election rules.

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<sup>40</sup> Rule 23, EPE Rules.

<sup>41</sup> Regulation 5(2)(za)(zb), Representation of the People (Combination of Polls) (England and Wales) Regulations (RPR) 2004, as amended by RPR (Amendment) 2006 and 2007.

<sup>42</sup> Forms M1 and M2, Schedule 3, Local Elections (Principal Areas) (England and Wales) Rules 2006.

The issuing process at a combined election will be covered in the Commission's combined *Handbook for polling station staff*. It will be available in hard copy to those Returning Officers who ordered them and for download from the Commission's website at [www.electoralcommission.org.uk/guidance/resources-for-electoral-administrators/european-parliamentary-elections](http://www.electoralcommission.org.uk/guidance/resources-for-electoral-administrators/european-parliamentary-elections)

## 7 Notices and equipment

### Notice of poll and situation of polling stations

7.1 If there are more candidates (whether on a registered party list or individual candidates) than vacancies and there is to be a contest, the Regional Returning Officer will publish a notice of poll combined with the statement of parties and individual candidates nominated, stating the day and hours fixed for the poll.<sup>43</sup>

7.2 In respect of each local counting area or part thereof contained in an electoral region, the Local Returning Officer must also give public notice of the situation of each polling station and the description of voters entitled to vote there.<sup>44</sup> This means indicating the elector numbers of all electors entitled to vote at each polling station.

7.3 When determining the polling stations that will be used at the election, the Local Returning Officer should consult the list of polling places held by the local authority. The polling station should be within the polling place for that area. There should also be consideration of any comments made during the last review of any accessibility issues and how they can be addressed for this election.

7.4 'Giving public notice' is defined as posting the notice in some conspicuous place or places in the local counting area.<sup>45</sup> Notice should also be given in any other manner that the Local Returning Officer thinks appropriate. All appropriate communication channels should be utilised, which should include using the council's website where possible in order to ensure that the information reaches the widest possible audience.

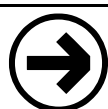


#### **Combination**

Where the European Parliamentary election in England has been combined with a local government election, the notice of poll will also state that the poll at the European Parliamentary election is to be taken together with the local government election and will specify the relevant local authority.

### Polling station equipment, notices and supplies

7.5 The Local Returning Officer is required to supply each polling station with materials to enable voters to mark the ballot papers.<sup>46</sup> The legislation does not specify any particular means, but pencils probably remain the most convenient. It is sensible to ensure both that the quality of the ballot papers is conducive to pencil, and that the pencils are suitable for making a clear, bold mark.



A checklist of items that the Local Returning Officer must provide to each polling station is contained in Part E, 'The poll', Section 7, 'Resources'.

<sup>43</sup> Rules 20(1) and 27(1), EPE Rules.

<sup>44</sup> Rule 27(2), EPE Rules.

<sup>45</sup> Regulation 123(2), EPE Regulations.

<sup>46</sup> Rule 32(3), EPE Rules.

**Combination**

The provision and equipment of polling stations will be the responsibility of the Returning Officer at the local government elections. Where Local Returning Officers have been designated as a deputy Returning Officer for the local government elections, they should consult Part C, 'Action before the poll' and Part E, 'The poll' of the Commission's manual *Managing a local government election in England and Wales*.