

Guidance for observers of European Parliamentary elections in Northern Ireland

May 2019

This guidance is for electoral observers who have been accredited by the Electoral Commission. It includes information on what elections are taking place, who does what at these elections and what to expect at the electoral processes you are entitled to observe.

If you want to apply to become an accredited observer you can find out how to do so on our website here: <https://www.electoralcommission.org.uk/find-information-by-subject/elections-and-referendums/observing-elections-and-referendums>

What elections are taking place?

1.1 On Thursday 23 May 2019 European Parliamentary elections are scheduled across the UK. This guidance is for observers in Northern Ireland. Separate guidance is available for observers in England, Scotland and Wales.

What can I observe?

1.2 As an accredited observer you are entitled to attend:

- the issue and receipt of postal ballot papers
- the poll
- the verification and counting of the votes

1.3 We have published a [Code of Practice](#) for electoral observers. You must comply with the standards of behaviour set out in this Code.

1.4 You do not need to tell electoral officials that you want to observe proceedings. However, if you do tell them, they may be able to provide you with some relevant local information, for example a list of polling stations. You can still make unannounced visits or change your plans if you want to.

Who can vote in these elections?

1.5 A person can vote in these elections if they are:

- included on the electoral register
- at least 18 years of age on 23 May 2019
- a British, Irish, European or qualifying Commonwealth citizen
- resident in the UK

Citizens of member States of the European Union are only qualified to vote at European Parliamentary elections if a completed EC6 registration form is submitted by the close of registration on Tuesday 7 May 2019.

What voting method will be used?

1.6 The European Parliament is currently made up of 751 Members of the European Parliament (MEPs) who are elected by 28 European Union member countries. Elections take place across Europe once every five years.

1.7 The UK is currently represented by 73 MEPs at the European Parliament. There are 11 electoral regions in Great Britain and one in Northern Ireland. Each region is represented by between three and 10 MEPs. Northern Ireland is represented by three MEPs.

1.8 In Northern Ireland, the single transferable vote (STV) system is used. Candidates may be standing on behalf of a political party or as an independent candidate.

1.9 Ballot papers will include a list of candidates and voters mark 1, 2, 3 against candidates in order of preference.

Who does what at a European Parliamentary election?

The Returning Officer

1.10 The Returning Officer for all elections in Northern Ireland is Virginia McVea, the Chief Electoral Officer (CEO). The CEO is also the Registration Officer for the whole of Northern Ireland and is responsible for maintaining the register of electors and the absent voters list. You can contact her as follows:

Chief Electoral Officer
3rd Floor
St Anne's House
15 Church Street
Belfast
BT1 1ER

Tel: 028 9044 6680
Email: info@eoni.org.uk
Website: www.eoni.org.uk

1.11 The Electoral Office for Northern Ireland (EONI) is the collective name for the staff who assist the Chief Electoral Officer in the performance of her statutory duties.

The Electoral Commission

1.12 The Electoral Commission is an independent statutory body set up by UK Parliament.

1.13 We register political parties and non-party campaigners, monitor and publish donations to political parties and regulate spending at certain elections. We also accredit observers to attend election proceedings.

1.14 We do not run elections but have responsibility for providing advice and assistance on electoral matters to all those involved in elections. We also promote voter awareness.

1.15 Our contact details are:

The Electoral Commission
Ground Floor
4 Cromac Place
The Gasworks
Belfast
BT7 2JB

Tel: 0333 103 1928

Email: inforthernireland@electoralcommission.org.uk

Website: www.electoralcommission.org.uk

Candidates

1.16 Candidates must submit a nomination paper and consent to nomination to the Returning Officer during the nomination period and no later than 4pm on Thursday 25 April 2019.

1.17 The Returning Officer must publish the statement of candidates nominated no later than 5pm on Thursday 25 April 2019. This will show the candidates standing for election and which, if any, party they are standing for. The statement of candidates nominated is available to view on the [EONI website](#).

Postal voting

1.18 Voters in Northern Ireland can apply for a postal vote if they are unable to make it to their polling station in person on polling day. They must provide a valid reason as to why they cannot attend, for example because of illness, disability, holiday or work arrangements.

1.19 The EONI starts to send postal voting packs to postal voters around two weeks before polling day. Completed postal ballot papers must be returned by 10pm on polling day.

1.20 You are entitled to attend both the issuing of postal voting packs and postal vote opening sessions.

1.21 The EONI will be able to tell you when and where postal votes will be issued and opened.

What happens at a postal vote issuing session?

1.22 There are likely to be several sessions for issuing postal votes. The EONI can tell you when and where the issuing sessions will be held.

1.23 At the issuing session, postal voting packs will be put together. The packs will include:

- **Envelope A** – this is the envelope that the elector returns their ballot paper in. It is marked with the letter 'A' and the words 'ballot paper envelope'
- **Envelope B** – this is the envelope that the elector will use to return the ballot paper envelope and the postal voting statement. It is marked with the letter 'B' and the address of the EONI
- **The postal voting statement** – this contains the elector's name, the number of the ballot paper issued to them, instructions on how to vote by post and space for the elector to sign and provide their date of birth
- **The ballot paper**

1.24 Postal voting packs will then be delivered to electors by post.

When will postal votes be opened?

1.25 It is likely that there will be several postal vote opening sessions before polling day, as well as on polling day itself. All postal vote opening sessions will take place in the EONI Head Office in Belfast.

What happens at a postal vote opening session?

1.26 Postal voters must complete and return a postal voting statement which includes their signature (or Digital Registration number) and date of birth, as well as their ballot paper.

1.27 An appointed representative of the Chief Electoral Officer will decide whether or not the date of birth and signature (or Digital Registration Number) provided by electors on their postal voting statements matches the signature (or Digital Registration number) and date of birth previously provided when the individual registered. If they do not match, the postal vote will be rejected.

1.28 Staff will explain the postal vote opening process to you. They may issue you with information on the procedures to be followed during the opening session, including instructions on what you can and cannot do at the session. You should comply with any instructions that the Chief Electoral Officer or her staff have given.

1.29 Ballot papers will be kept face down throughout a postal vote opening session. Anyone attending an opening session must not attempt to see how individual ballot papers have been marked.

1.30 The postal vote opening process can be summarised as follows:

- 1 Postal votes are brought to the opening session in ballot boxes
- 2 The covering envelopes (envelope B) are taken out and counted
- 3 The total number of covering envelopes is entered onto a form
- 4 Covering envelopes (envelope B) are divided between teams of opening staff
- 5 Staff open each covering envelope (envelope B) and remove the postal voting statement and the sealed ballot paper envelope (envelope A)
- 6 Staff check that the number on the postal voting statement matches the number on envelope A
- 7 If the numbers match, staff check that the elector has provided a signature and a date of birth, or Digital Registration Number (without checking that they are the elector's at this stage).
Postal voting statements without a signature and date of birth cause the postal vote to be rejected.

8

If the statement **or** ballot paper envelope is missing, or the numbers on the statement and ballot paper envelope do not match, the document(s) are set aside, recorded and stored in secure packets

9

The Returning Officer must verify the dates of birth and signatures provided on the statements

10

The Returning Officer must be satisfied that the dates of birth and signatures on the statements match those previously provided and held on record

11

Following verification of the signatures and dates of birth, postal voting statements are removed from the tables

12

Staff open the ballot paper envelopes (envelope A) and remove the ballot paper

13

Staff check that the number on the back of the ballot paper matches the number on the ballot paper envelope (envelope A)

14

Valid ballot papers (**not** votes) are counted and the total number is recorded

15

All valid ballot papers are placed into ballot boxes and stored securely before being delivered to the count venue for counting after the close of poll

Duty to maintain secrecy

1.31 The Chief Electoral Officer or their representative will give you a copy of the statutory Requirement of Secrecy. Anyone attending a postal vote issuing or opening session must comply with this.

1.32 Ballot papers will be kept face down throughout a postal vote opening session. Anyone attending an opening session must not:

- attempt to see how individual ballot papers have been marked
- attempt to look at identifying marks or numbers on ballot papers
- disclose how any particular ballot paper has been marked
- pass on any such information gained from the session

1.33 Anyone found guilty of breaching these requirements can face an unlimited fine, or may be imprisoned for up to six months.

Observing at polling stations

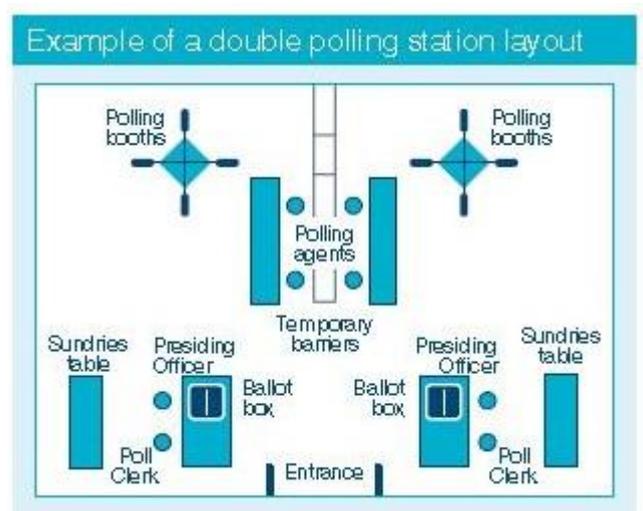
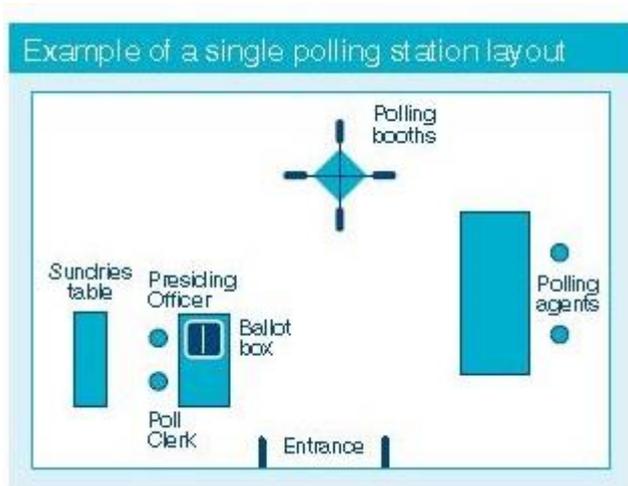
1.34 You are entitled to observe inside polling stations. A list of all polling stations is available on the [EONI website](#).

When are polling stations open?

1.35 Polling stations will be open between 7am and 10pm on Thursday 23 May 2019. You are permitted to arrive shortly before this to observe the sealing of the ballot box(es) prior to the poll opening.

What will the inside of the polling station look like?

1.36 The layout within each polling station may differ, but it may look similar to the images below:



Who can vote at polling stations?

1.37 Any person on the polling station's electoral register can vote at the polling station unless:

- they are a registered postal voter
- they are a registered proxy voter and their proxy has already voted for them or has applied to vote on their behalf by post
- they are not 18 years of age or older on polling day

1.38 Electors receive a poll card before the election telling them where they can vote.

Who is allowed to be in the polling station?

1.39 The following people are entitled by law to be present in a polling station:

- voters
- persons under the age of 18 who accompany voters
- companions of disabled voters
- candidates, their election agents and any sub agents
- polling agents
- the Returning Officer and their staff
- the Presiding Officer and clerks
- constables on duty
- Electoral Commission representatives
- observers accredited by the Electoral Commission

What do polling agents do?

1.40 Candidates can appoint polling agents to be present at any polling station. Only one polling agent for each candidate may be present at any time.

1.41 The main role of a polling agent is to detect personation (when an individual votes as someone else – whether that person is living or dead, or is a fictitious person).

1.42 Other duties that the polling agents may undertake include:

- checking that the ballot box is empty at 7am
- being present when the Presiding Officer marks a ballot paper on behalf of a voter
- being present at the close of poll to observe the sealing up of the ballot box and other packages
- attaching their own seal to the ballot box or any packet in addition to the official seal

What happens in a polling station?

1.43 Polling station staff will:

- ask voters for their name and address, and make sure they are eligible to vote

- ask voters for photographic ID
- mark a straight line against the voter's entry on the register of electors
- call out the number and name of the elector
- write the elector number on a list next to the number of the ballot paper to be issued
- ensure the ballot paper includes the official mark (e.g. a barcode or watermark)
- fold the ballot paper and then hand it to the voter unfolded so that they can see all of the options on the ballot paper

1.44 Voters will need to produce one of the following documents in order to prove their identity:

- a UK, Irish or EEA Driving Licence (photographic part, provisional accepted)
- a UK, Irish or EU Passport
- an Electoral Identity Card
- a Translink Senior SmartPass
- a Translink 60+ SmartPass
- a Translink War Disabled SmartPass
- a Translink Blind Person's SmartPass

1.45 These documents are listed in legislation and no other forms of identity can be accepted. The identification document does not need to be current, but the photograph must be of a good enough likeness to allow polling station staff to confirm the identity of the holder.

1.46 The voter will then mark their ballot paper in the privacy of a polling booth, fold their completed ballot paper in half, show the back to the Presiding Officer and put it in the ballot box.

What assistance is available for voters with disabilities?

1.47 There are a number of facilities available at polling stations to assist voters with disabilities:

- a polling booth with a shelf at a height suitable for people in wheelchairs
- a polling booth with extra lighting
- a large print version of the ballot paper (for reference purposes only)
- a tactile voting device to help voters with sight loss to mark their ballot paper

1.48 If a voter is unable to mark the ballot paper themselves because they have a disability, the Presiding Officer or a companion can mark it for them. The voter must tell the polling station staff that this is how they want to vote.

1.49 If a companion marks the ballot paper for a voter, they will be asked to fill in a form. A companion cannot assist more than two electors to vote at an election.

What happens after polls close?

1.50 Polls close at 10:00pm. Any voters waiting in a queue at their polling station at 10pm will be allowed to vote, even if they haven't been issued with a ballot paper yet.

1.51 Once all voters who have been issued with a ballot paper have voted, the Presiding Officer must seal the ballot box. Polling agents can also add their own seal if they want to.

1.52 The Presiding Officer must then complete a number of official forms:

- the ballot paper account (this states how many ballot papers were issued)
- the list of voters with disabilities assisted by companions
- the list of votes marked by the Presiding Officer
- the statement of the number of voters whose votes were marked by the Presiding Officer
- the list of tendered votes

1.53 The Presiding Officer must take the following to their designated collection point without delay:

- the ballot box(es)
- official forms
- election stationery
- all other materials

Duty to maintain secrecy in the polling station

1.54 Anyone attending a polling station must maintain the secrecy of the ballot. In particular, the following information must not be disclosed:

- the name or electoral number of who has or has not voted
- the number or other unique identifying mark on the ballot paper

1.55 Anyone attending a polling station must not try to determine how a voter has voted or who they are about to vote for.

1.56 A polling agent can mark off on their copy of the register of electors those voters who have applied for ballot papers. If the polling agent leaves the polling station during the hours of polling, they must leave the marked copy of the register in the polling station to ensure that secrecy requirements are not breached.

Observing the verification and count

1.57 You are entitled to attend the verification and count. You are only permitted to observe the process. You are not allowed to enter the restricted area where staff count the votes. The RO has the right to limit the number of observers who may be present at any one time during the verification and count.

1.58 The verification of used ballot papers will commence at 8am on Friday 24 May. The count will commence at 8am on Monday 27 May. The RO will be able to tell you the location of the verification and count.

Who can attend the verification and count?

1.59 The following people are entitled by law to attend the verification and count:

- the Returning Officer and their staff
- candidates, plus one guest per candidate
- election agents and sub agents
- counting agents
- Electoral Commission representatives
- observers accredited by the Electoral Commission
- any other person permitted by the Returning Officer

1.60 The RO may allow representatives of the media to attend the verification and count. They must not interfere with the process or compromise the secrecy of the vote.

What do counting agents do?

1.61 Counting agents have a number of important roles to play at the count:

- they observe the counting process and make sure that it is accurate
- they can draw to the attention of count staff any doubtful ballot papers
- if they disagree with a decision by the RO to reject a ballot paper, they can ask the RO to mark on the ballot paper “rejection objected to”
- if a count is suspended for any reason, counting agents can add their seals when the RO seals the ballot boxes and envelopes

What is verification?

1.62 After polling stations close at 10pm the ballot boxes will be delivered to the verification venue. Postal ballot papers previously received and opened will also be brought to the venue in sealed ballot boxes.

1.63 All ballot papers must then be verified, with the ballot papers kept face down. Verification has two main purposes:

- to make sure and show that all ballot papers issued at polling stations and all the returned postal ballot papers have been brought to the count
- to provide the figure that should match the result of the count

1.64 The number of ballot papers in each box will be compared with the number on the ballot paper account. If the number of ballot papers in each box matches the ballot paper account the verification of that box is complete.

1.65 If the numbers do not match, the ballot papers will be recounted and the documentation checked again. This process will continue until the RO is satisfied as to the actual number of ballot papers to be included in the count.

1.66 The RO will complete the verification statement containing the result of the verification process.

How are the votes counted?

1.67 The RO must mix the ballot papers before sorting and counting the votes.

1.68 All boxes should be opened in full view of any agents and observers that are present. When a box has been sealed by an agent, care should be taken to show to any agents and observers present that this seal is still intact prior to opening.

1.69 The RO must mix the ballot papers before sorting and counting the votes.

1.70 Count staff will then sort the ballot papers into votes for each candidate according to the first preference marked. Once this is completed the quota will be worked out. Any candidate who exceeds the quota will be deemed elected. The count continues onto the next by either transferring the surplus votes of a candidate who has exceeded the quota or eliminating the candidate (or candidates) with the least number of votes and redistributing their votes. This process is repeated until there are only three candidates left.

1.71 The ballot papers should be visible at all times to any candidates, agents and observers present.

1.72 Any doubtful ballot papers should be placed aside for adjudication.

What are doubtful ballot papers?

1.73 A doubtful ballot paper is a ballot paper that has not been completed in accordance with the instructions. During the count, these ballot papers will be placed aside. The RO will adjudicate these ballot papers regularly throughout the count to determine whether the intention of the voter clearly appears on the ballot paper.

1.74 An announcement will be made that an adjudication on doubtful ballot papers is about to be made. The RO will decide whether each doubtful ballot paper is valid in the presence of candidates, agents and observers. You can attend the adjudication but it will not be delayed if you are not present.

1.75 The RO will inform those present whether or not each doubtful ballot paper is valid and the reason for their decision. The ROs decision is final and can only be challenged by an election petition.

1.76 Any doubtful ballot papers that are declared as valid must be counted and included in the total number of votes cast for the appropriate party or candidate.

1.77 A ballot paper will not be counted if it:

- is unmarked
- does not contain the official mark
- contains more than one first preference vote
- contains any mark or writing that can identify the voter

- does not indicate the voter’s intention with certainty

1.78 The RO must mark the word “rejected” on any ballot paper that is rejected and must draw up a statement showing the number of ballot papers rejected for these reasons.

What happens after the votes are counted?

1.79 After each stage of the count, the RO will share the provisional result with the candidates and their agents.

1.80 At this point, candidates and relevant counting agents may ask the RO to recount the votes for that stage although the RO can refuse to do so if they think the request is unreasonable. Once a stage has been completed it cannot be recounted at a later stage of the count.

1.81 Once three candidates have exceeded quota or if all other candidates have been eliminated the RO will make a declaration of the result.

Duty to maintain secrecy

1.82 Anyone attending the count has a duty to maintain the secrecy of the count. In particular, anyone attending must not:

- ascertain or attempt to ascertain number or other unique identifying mark on the back of any ballot paper
- communicate any information obtained at the count as to the party or candidate for whom any vote is given on any particular ballot paper

Submitting feedback

1.83 We welcome feedback from your electoral observations and on your experiences of the Electoral Commission’s observer scheme which you can submit using our [feedback form](#).

1.84 If you want to submit feedback on the May 2019 European Parliamentary elections, the deadline for this feedback to be considered is Friday 7 June 2019.

1.85 Feedback may be shared with the Chief Electoral Officer to help improve the running of elections and the observer scheme.

1.86 You may find it helpful to print a copy of the [feedback form](#) in advance to take with you when observing.

1.87 If you would like to send feedback in a different format please email observers@electoralcommission.org.uk