



The
Electoral
Commission

UK Parliamentary general
election – Northern Ireland

Guidance for candidates and agents

Part 5 of 6 – Your right to
attend key electoral events

April 2017 (updated August 2022)

This document applies to a UK Parliamentary general election in Northern Ireland. Further resources and forms are available from the Electoral Office for Northern Ireland (EONI): www.eoni.org.uk/elections/Information-for-candidates-and-agents

Guidance and resources for other elections in the UK can be accessed from the Commission's website at: www.electoralcommission.org.uk/guidance/resources-for-those-we-regulate/candidates-and-agents.

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Essential information

This section of the document contains our guidance on attending key electoral processes at UK Parliamentary general election in Northern Ireland.

Supplementary information, which may only be relevant to some candidates, is provided at the back of this document. You can also view this supplementary guidance by clicking on the links within this document or by clicking on the chapter heading on the contents page.

The EONI and the Commission are here to help if you have any questions. See our [Overview document](#) for contact details.

In this document, we use 'you' to refer to the candidate. We use 'must' when we refer to a specific requirement. We use 'should' for items we consider to be minimum good practice, but which are not legal or regulatory requirements.

Deadlines mentioned in this document are generic. If a UKPGE is called, please refer to the EONI website for a date specific timetable.

The issue and opening of postal votes

1.1 You, your election agent and a person appointed by you to attend in your election agent's place are entitled to attend the postal vote issue and the opening of returned postal votes¹. Additionally, you may appoint agents to attend the issue or opening on your behalf². See [Part 2a – Standing as an independent candidate](#) or [Part 2b – Standing as a party candidate](#) for details on how to appoint these agents.

Candidates, election agents and postal voting agents are entitled to attend the issue and receipt of postal votes.

What is postal voting?

1.2 People aged 18 or over who are registered, or have applied to be registered, can apply to vote by post in UK Parliamentary elections by submitting an application to the EONI. The application must be received by the EONI by 5pm on the 14th working day before the poll³. Those who have been appointed to vote as a proxy on behalf of someone else may also apply for a postal vote by applying by 5pm on the 14th working day before the poll. The Chief Electoral Officer has no discretion to extend the deadline for whatever reason.

1.3 Postal ballot packs will be sent to electors one to two weeks before polling day. There will be a final batch of postal votes issued to electors who registered close to the registration deadline once their names have been added to the final register update on the fifth working day before the poll.

1.4 Electors will then complete their postal vote and must return it to the EONI before the close of poll (by 10pm on polling day) for it to be able to be counted. In Northern Ireland, postal votes cannot be accepted at polling stations.

What does the postal ballot pack contain?

- **Envelope A** is the envelope that the elector returns their ballot paper in.
- **Envelope B** is the envelope that the elector will use to return the ballot paper envelope and the declaration of identity.
- **The declaration of identity** 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**
- **Quick guide** which explains how to complete the postal ballot

What does a postal voting agent do?

1.5 A postal voting agent is allowed to attend and observe postal vote issue and opening sessions, which are run by the Chief Electoral Officer or their representative.

1.6 At each issue session the staff will compile and issue the postal vote packs and the updated postal vote list will be available for candidates.

1.7 At each opening session decisions will be made on whether or not the date of birth and signature provided by electors on their declaration of identity match the signature and date of birth previously provided and held on their records. If there is a mismatch, the postal vote will be rejected.

1.8 A postal voting agent has a right to observe, but not to interfere with, this process. A postal voting agent can, however, object to the decision of the CEO or their representative to reject a postal vote⁴. It will not affect the decision, but any objections will be recorded by marking the declaration of identity with the words 'rejection objected to'.

1.9 Like your postal voting agents, you, your election agent and the person you may have appointed to attend on your election agent's behalf are also entitled to object to a rejection.

1.10 The CEO or their representative will explain the postal vote opening process to you and may issue you with information on the procedures to be followed, including instructions on what you can and cannot do at the session. You should comply with any instructions given.

Duty to maintain secrecy

1.11 Anyone attending an opening session must not attempt to look at identifying marks or numbers on ballot papers, disclose how any particular ballot paper has been marked or pass on any such information gained from the session⁵. Anyone found guilty of breaching these requirements can face a fine of up to £5,000, or may be imprisoned for up to six months.

When are postal votes opened and how will you know when an opening session is taking place?

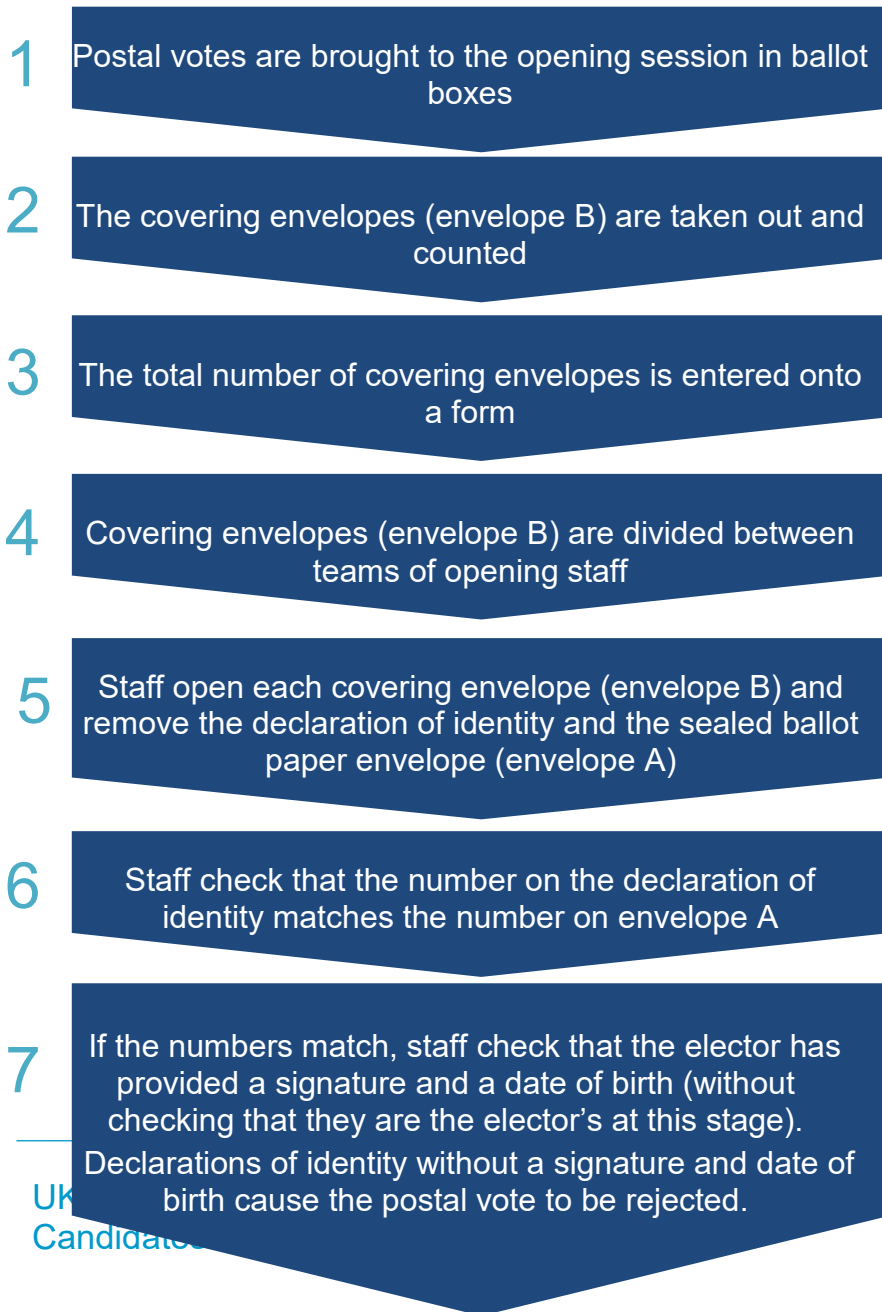
1.12 It is likely that several opening sessions will take place before polling day, as well as on polling day itself.

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1.13 The CEO must give candidates at least 48 hours' notice of when and where the sessions will take place⁶. They will also tell you how many postal voting agents will be allowed to attend each session. The notices of each postal vote issue and opening will also be published on the [EONI website](#).

Flowchart of the opening session process

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



The CEO or their representative will match up postal voting documents received separately, provided the declaration of identity is completed correctly and received by the close of poll.

- 8 If the declaration **or** ballot paper envelope is missing, or the numbers on the declaration and ballot paper envelope do not match, the document(s) are set aside, recorded and stored in secure packets
 - 9 The CEO or their representative must verify the dates of birth and signatures provided on the declarations
 - 10 The CEO or their representative must be satisfied that the dates of birth and signatures on the declarations match those previously provided and held on record
 - 11 Following verification of the signatures and dates of birth, declarations of identity 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
- Ballot papers must be kept face down throughout this process.
- Valid** ballot papers are those ballot papers whose related declaration of identity has passed the signature and date of birth checks.
- Invalid ballot papers are set aside and stored in secure packets.

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Invalid and rejected postal voting statements

1.15 The CEO or their representative will reject a declaration of identity if a signature and/or date of birth is missing or if a signature and/or date of birth does not match that previously provided by the elector and held on record.

1.16 Rejected declarations are attached to the relevant ballot paper or ballot paper envelope. They are marked as 'rejected' and shown to any agents present.

1.17 Agents can object to the decision to reject any postal vote and, if they do, the words 'rejection objected to' are added to it. However, the decision is final and the postal vote will remain rejected.

Polling stations

Polling agents

1.18 You and your election agent are entitled to observe proceedings inside polling stations⁷. Additionally, you or your election agent may appoint polling agents to attend polling stations on your behalf⁸. See [Part 2a – Standing as an independent candidate](#) or [Part 2b – Standing as a party candidate](#) for details on how to appoint polling agents.

1.19 The EONI have issued instructions to polling station staff to check the identity of polling agents against the list of names and addresses provided to the CEO. The polling agent will be asked to produce one of the forms of photographic identification used by a voter. If this is not provided, or if the name and address given by the person does not match the list, the Presiding Officer will ask the person to leave the polling station.

1.20 The primary 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).

1.21 Additional duties which a polling agent may undertake include:

- Checking that the ballot box is empty at 7am.

Polling agents' seals cannot be attached to ballot boxes at the start of or during the poll.

- 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. The agent can affix their own seal to the box or any packet, in addition to the official seal.

1.22 Polling agents must observe the requirement of secrecy. See paragraphs **1.26** to **1.29** below.

1.23 Polling agents must comply with all lawful instructions of the Presiding Officer and staff and with those set out in the EONI's 'Polling Agents Instructions'. Copies of these instructions are available from the [EONI website](#) and at each polling station.

While a polling agent can observe the poll, they do not have to be present in a polling station for polling and related procedures to take place.

1.24 A person may be appointed to be a polling agent at more than one polling station but only one polling agent for each candidate may be present at any polling station at the same time.

1.25 You and your election agent can also do anything that a polling agent is entitled to do⁹.

Maintaining the secrecy of the ballot

1.26 Anyone attending a polling station has a duty to maintain the secrecy of the ballot¹⁰. 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

1.27 You must also not try to ascertain how a voter has voted or who they are about to vote for.

1.28 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 will need to leave the marked copy of the register in the polling station to ensure that secrecy requirements are not breached.

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1.29 Any person found guilty of breaching the secrecy requirements can face a fine of up to £5,000, or may be imprisoned for up to six months.

Who can vote at polling stations?

1.30 Most people choose to vote in person at their polling station. Any person on the polling station's electoral register can vote at the polling station in a UK Parliamentary election, 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
- they are a peer in the House of Lords
- they are an EU citizen (except for British and Irish citizens and citizens from Cyprus and Malta, who are entitled to vote at a UK Parliamentary election)

1.31 Electors will receive a poll card before the election telling them where and when they can vote. Electors do not need to take their poll card to the polling station in order to vote.

1.32 Registered postal voters cannot be issued with a ballot paper at the polling station.

Polling station opening hours

1.33 Polling stations will be open on polling day between 7am and 10pm.

Finding the location of polling stations

1.34 The CEO will give public notice of the location of polling stations by 4pm on the 18th working day before the poll. The polling station scheme will be available to download from the [EONI website](#). There is also a postcode search facility on the website that allows voters to find their polling station location online.

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.

What is the normal voting process?

1.35 The normal voting process at a polling station is straightforward and can be summarised as follows:

Polling station staff will...

- ask voters for their name and address
- ask voters to provide a specified form of ID and check it
- 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

The voter should...

- mark the ballot paper in private in the polling booth
- fold the ballot paper and show the ballot paper number and unique identifying mark on the back of the ballot paper to the Presiding Officer
- place the ballot paper in the ballot box and leave the polling station

1.36 The Presiding Officer can assist anyone who is unable to mark the ballot paper themselves¹¹. Alternatively, a voter may bring along someone they know and trust to assist them in marking their vote¹². The person assisting the voter must either be a close relative over the age of 18, or be a person entitled to vote at the election.

What happens after polls close?

1.37 Once all voters who have been issued with a ballot paper have voted, the ballot box is sealed by the Presiding Officer and polling agents, candidates or election agents can add their own seal if they wish¹³. After the Presiding Officer has

Voters at a polling station in Northern Ireland must provide one of the following specified forms of ID before they can be issued with a ballot paper:

- A UK or Irish passport
- A UK or EEA driving licence (photographic part)
- A Translink Senior Smartpass, 60+ Smartpass, Blind Persons Smartpass or War Disabled Smartpass
- An electoral ID card

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completed all of the paperwork, the sealed ballot box is taken to the count venue.

The count

1.38 You and your election agent are entitled to attend the count¹⁴. Additionally, you can invite one other person to attend the count. You, or your election agent, may also appoint agents to attend the count on your behalf¹⁵.

1.39 See [Part 2a – Standing as an independent candidate](#) or [Part 2b – Standing as a party candidate](#) for details on how to appoint counting agents.

1.40 To gain access to the count all persons will have their name checked against a list of those entitled to be present. Counting agents will be asked to produce photographic identification of the kind that can be used when voting. Others, if not known to the staff on duty, may also be asked to prove their identity.

1.41 You and your election agent, counting agents or the one other person chosen by you to attend, must not attempt to enter the restricted area where the DRO's staff will reconcile and count the votes. You will be able to observe the process from immediately outside the restricted area. The restricted area will be clearly defined. The DRO may, however, ask the candidates to enter the restricted area when sharing the provisional result.

1.42 All those present at the count must maintain the secrecy of the vote.

What does a counting agent do?

1.43 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 DRO to reject a ballot paper, they can ask the DRO 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 DRO seals the ballot boxes and envelopes.

1.44 You and your election agent can do anything a counting agent is allowed to do¹⁶.

Duty to maintain secrecy¹⁷

1.45 Anyone attending the count has a duty to maintain the secrecy of the count.¹ 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 candidate for whom any vote is given on any particular ballot paper

When and where will the count take place?

1.46 A count information pack will be made available to candidates detailing the count venue and processes that will be followed. All DROs must take reasonable steps to have completed the reconciliation of the ballot papers and begun counting the votes as soon as practicable within four hours of the close of poll.

1.47 Where this doesn't happen in practice – for example, as a result of higher-than-expected turnout levels, queues in polling stations at close of poll, or the particular geography of a constituency – the CEO must report this to the Commission.

1.48 While it is important that a count is timely, it is also important that the count produces an accurate result that everyone can have confidence in.

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How the votes will be counted

Check-in

1 EONI staff deliver the ballot boxes from the polling stations to the count venue

2 The DRO's staff check in ballot boxes as they arrive at the count venue

Reconciliation

3 Ballot boxes are emptied onto tables and the empty boxes are shown to agents

4 Staff count the ballot papers returned from each polling station

5 Staff reconcile the number of ballot papers against the number of papers issued, as recorded on the Presiding Officers' ballot paper accounts

6 The ballot papers are reconciled face up

7 The DRO determines the reasons for any discrepancies and produces a final total of ballot papers to be included in the count

8 The DRO produces a statement of the verification. Agents can view or copy this statement if they wish

Counting of the votes

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Staff sort ballot papers by candidate

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Staff count the number of votes cast for each candidate

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The DRO will share the provisional result with you and the agents. You or your election agent can ask the DRO to recount the votes

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The DRO can refuse to recount if they think the request is unreasonable

What if the result is not clear?

1.49 A ballot paper will not be counted if it:

- is unmarked
- does not contain the official mark
- contains votes for more than one candidate
- contains any mark or writing that can identify the voter
- does not indicate the voter's intention with certainty

1.50 The DRO must draw up a statement showing the number of ballot papers rejected for these reasons¹⁸.

1.51 If the voter's intention is clear on a ballot paper and the voter cannot be identified by any mark or writing, it will not be void if a vote is marked:

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- elsewhere than in the proper place
- by other means than a cross (e.g. a tick or a number)
- by more than one mark

1.52 The DRO must mark the word “rejected” on any ballot paper that is rejected. They must add the words “rejection objected to” if a counting agent objects to the DRO’s decision. For more details on the adjudication of doubtful ballot papers, see paragraph **1.52**.

Equality of votes

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If two or more candidates have the same number of votes, and a further vote for either would see the candidate elected, the DRO must decide between them by drawing lots

The DRO will decide the method of drawing lots.

Declaration of result

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The DRO will declare elected the candidate with the most votes

The DRO will allow candidates to make speeches after the result is declared. Please check arrangements with your DRO.

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The DRO will give public notice of the result.

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EONI will publish a notice with the name of the candidate elected, the number of votes for all candidates, and the number of rejected ballot papers.

What happens to the paperwork after the result is announced?

1.53 The DRO must seal all election documentation and add a description of the contents to each packet. In Northern Ireland most election documents are held by the Clerk of the Crown, except for marked registers (including notices of alteration) and marked postal and proxy voter lists, which are retained by the Chief Electoral Officer¹⁹.

For details of what happens after the result has been announced see:

[Part 6 – After the declaration of result](#)

Supplementary information

Doubtful ballot papers

1.54 To assist DROs, the Commission has produced guidance on how to adjudicate votes on ballot papers that may appear doubtful. This guidance is contained in the Commission's booklet [Dealing with doubtful ballot papers](#), which DROs may refer to at the count. The Commission has also produced a [placemat of allowed and rejected votes](#) for quick reference.

1.55 The examples given in this document are based on the election rules. Please note that while this document provides guidance for DROs, each individual DRO has the ultimate responsibility for making a decision on individual ballot papers. Their decision to reject a particular ballot paper during the count or recount is final and can be reviewed only at an election petition after the declaration of the result. For more details on election petitions, see [Part 6 – After the declaration of result](#).

¹Representation of the People Regulations (Northern Ireland) 2008, (RPR (NI) 2008) Regulation 72

² RPR (NI) 2008, Regulation 73

³ RPR (NI) 2008, Regulation 61(1)

⁴ RPR (NI) 2008, Regulation 87 (4)

⁵ Representation of the People Act 1983, (RPA 1983), Section 66(4)

⁶ RPR (NI) 2008, Regulation 82

⁷ RPA 1983 Schedule 1 rule 32(1)(c)

⁸ RPA 1983 Schedule 1 rule 30(1)(a)

⁹ RPA 1983 Schedule 1 rule 30(8)-(9)

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- ¹⁰ RPA 1983, Section 66
 - ¹¹ RPA 1983 Schedule 1 rule 38
 - ¹² RPA 1983 Schedule 1 rule 39
 - ¹³ RPA 1983 Schedule 1 rule 43(1)
 - ¹⁴ RPA 1983 Schedule 1 rule 44(2)
 - ¹⁵ RPA 1983 Schedule 1 rule 30
 - ¹⁶ RPA 1983 Schedule 1 rule 30(8)
 - ¹⁷ RPA 1983, Section 66
 - ¹⁸ RPA 1983 Schedule 1 rule 47(4)
 - ¹⁹ RPA 1983 Schedule 1 rule 55