

# Peterborough City Council (Proxy and Postal Voting) Pilot Order 2018

Made - - - -

22nd March 2018

Coming into force in accordance with Article 1

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

Peterborough City Council (“the 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 Council or a vacancy in a parish or community council in the Council’s area, whether the election is taken as a combined or standalone poll, arising on the ordinary day of elections in 2018.

The Minister for the Cabinet Office modified the Council’s proposals and consulted the Council on the modifications, as required by section 10(1) of the 2000 Act.

The Minister for the Cabinet Office also consulted the Electoral Commission on the proposals, as required by section 10(1A) of the 2000 Act.

The Minister for the Cabinet Office makes the following Order:

## Citation and commencement

1. This Order may be cited as the Peterborough City Council (Proxy and Postal Voting) Pilot Order 2018 and comes into force on the day after the day it is made.

## Interpretation

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

“2000 Act” means the Representation of the People Act 2000;

“2001 Regulations” means the Representation of the People (England and Wales) Regulations 2001;(b)

“2006 Principal Areas Rules” means the Local Elections (Principal Areas) (England and Wales) Rules 2006;(c)

“2006 Parishes Rules” means the Local Elections (Parishes and Communities) (England and Wales) Rules 2006;(d)

“the Appendix”, unless otherwise indicated, means—

(a) in Schedule 1 to this Order, the Appendix of Forms in Part 7 of Schedule 2 to the 2006 Principal Areas Rules (as modified by this Order);

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(a) 2000 c. 2.

(b) S.I. 2001/341.

(c) S.I. 2006/3304.

(d) S.I. 2006/3305.

- (b) in Schedule 3 to this Order, the Appendix of Forms in Part 7 of Schedule 3 to the 2006 Principal Areas Rules (as modified by this Order);
- (c) in Schedule 6 to this Order, the Appendix of Forms in Part 7 of Schedule 2 to the 2006 Parishes Rules (as modified by this Order);
- (d) in Schedule 8 to this Order, the Appendix of Forms in Part 7 of Schedule 3 to the 2006 Parishes Rules (as modified by this Order);

“ballot paper refusal form” means—

- (a) in Schedule 1 to this Order, the form for recording the refusal of a ballot paper referred to in paragraph (2E) of rule 35 of Schedule 2 to the 2006 Principal Areas Rules (as inserted by this Order);
- (b) in Schedule 3 to this Order, the form for recording the refusal of a ballot paper referred to in paragraph (2E) of rule 35 of Schedule 3 to the 2006 Principal Areas Rules (as inserted by this Order);
- (c) in Schedule 6 to this Order, the form for recording the refusal of a ballot paper referred to in paragraph (2E) of rule 35 of Schedule 2 to the 2006 Parishes Rules (as inserted by this Order);
- (d) in Schedule 8 to this Order, the form for recording the refusal of ballot paper referred to in paragraph (2E) of rule 35 of Schedule 3 to the 2006 Parishes Rules (as inserted by this Order).

“the election” means any local government election that takes place arising from a vacancy in the membership of Peterborough City Council or a vacancy in a parish or community council in the Council’s area, whether the election is taken as a combined or standalone poll, arising on the ordinary day of elections in 2018.

### **Conduct of elections**

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

(2) Schedule 2 to the 2006 Principal Areas Rules set out in column (1) of the Table in Schedule 1 to this Order shall have effect subject to the modification in column (2) of that Table.

(3) In the Appendix of Forms in Part 7 of Schedule 2 to the 2006 Principal Areas Rules—

- (a) for the form “official proxy poll card” substitute the form of the same name in Schedule 2 to this Order;
- (b) after “form of directions for the guidance of the voters in voting” insert “form of directions for the guidance of the proxy voters in voting” in Schedule 2 to this Order”;
- (c) after “form of declaration to be made by the companion of a voter with disabilities” insert “form of ballot paper refusal” in Schedule 2 to this Order.

(4) Schedule 3 to the 2006 Principal Areas Rules set out in column (1) of the Table in Schedule 3 to this Order shall have effect subject to the modifications in column (2) of that Table.

(5) In the Appendix of Forms in Part 7 of Schedule 3 to the 2006 Principal Areas Rules—

- (a) for the form “official proxy poll card” substitute the form of the same name in Schedule 4 to this Order;
- (b) after “form of directions for the guidance of the voters in voting” insert “form of directions for the guidance of the proxy voters in voting” in Schedule 4 to this Order;
- (c) after “form of declaration to be made by the companion of a voter with disabilities” insert “form of ballot paper refusal” in Schedule 4 to this Order.

(6) After Schedule 3 to the 2006 Principal Areas Rules insert, as Schedule 4, the Schedule set out in Schedule 5 to this Order.

(7) The provisions in Schedule 2 to the 2006 Parishes Rules set out in column (1) of the Table in Schedule 6 to this Order shall have effect subject to the modifications in column (2) of that Table.

- (8) In the Appendix of Forms in Part 7 of Schedule 2 to the 2006 Parishes Rules—
- (a) for the form “official proxy poll card” substitute the form of the same name in Schedule 7 to this Order;
  - (b) after “form of directions for the guidance of the voters in voting” insert “form of directions for the guidance of the proxy voters in voting” in Schedule 7 to this Order;
  - (c) after “form of declaration to be made by the companion of a voter with disabilities” insert “form of ballot paper refusal” in Schedule 7 to this Order.
- (9) The provisions in Schedule 3 to the 2006 Parishes Rules set out in column (1) of the Table in Schedule 8 to this Order shall have effect subject to the modifications in column (2) of that Table.
- (10) In the Appendix of Forms in Part 7 of Schedule 3 to the 2006 Parishes Rules—
- (a) for the form “official proxy poll card” substitute the form of the same name in Schedule 9 to this Order;
  - (b) after “form of directions for the guidance of the voters in voting”; insert “form of directions for the guidance of the proxy voters in voting” in Schedule 9 to this Order;
  - (c) after “form of declaration to be made by the companion of a voter with disabilities” insert “form of ballot paper refusal” in Schedule 9 to this Order.
- (11) After Schedule 4 to the 2006 Parishes Rules insert, as Schedule 5, the Schedule set out in Schedule 10 to this Order.
- (12) The provisions set out in column (1) of the Table in Schedule 11 to this Order shall have effect subject to the modifications in column (2) of that Table.

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

4.—(1) The returning officer for an election to which this Order applies must ensure that the Electoral Commission, and any person authorised by the Commission, is afforded access to any ballot paper, document, equipment, computer software, computer hardware, data stored electronically or place that is to be, is being, or has been used for the purposes of the election.

(2) Paragraph (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) Paragraph (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, data stored electronically which, by reason of a requirement in any enactment, is contained within a sealed packet.

22nd March 2018

*Chloe Smith*  
Minister for the Constitution  
Cabinet Office

## SCHEDULE 1

Article 3(2)

### Modifications to Schedule 2 to the 2006 Principal Areas Rules

**Table**

<i>(1)</i> <i>Rule</i>	<i>(2)</i> <i>Modification</i>
22  <b>Postal ballot papers</b>	After paragraph (1) insert—  “(1A) The returning officer must include with the documents referred to in paragraph (1) a leaflet providing information to the voter about electoral integrity and the secrecy of the ballot.  (1B) The leaflet referred to in paragraph (1A) must include, but is not limited to, the following information—  (a) it is the voter’s responsibility to complete the ballot paper and postal voting statement himself;  (b) the returning officer takes electoral fraud extremely seriously;  (c) details of who to contact if a voter suspects electoral fraud;  (d) a contact number through which persons can contact the returning officer about any issue relating to postal voting.  (1C) The returning officer may provide a translation into languages other than English of the leaflet referred to in paragraph (1A).”

After paragraph (4) insert—

“(5) This rule is subject to rule 22A.”

After rule 22 insert—

**iHand delivery of postal ballot papers**

**22A.**—(1) The returning officer must deliver, in accordance with this rule, a selection of the postal ballot papers and postal voting statements issued for the purposes of voting in the election.

(2) Each of the ballot papers and voting statement must be delivered by hand—

- (a) in the case of an elector, to the address as shown in the postal voters list;
- (b) in the case of a proxy, to the address as shown in the list of proxies.

(3) Where, in doing so, the returning officer delivers a ballot paper and postal voting statement to the voter to whom it was issued in person, the returning officer must—

- (a) ask the voter whether he applied for a postal vote;
- (b) inform the voter that the ballot paper and postal voting statement are for that voter to complete in secret; and
- (c) inform the voter of the returning officer’s contact details should the voter have any concerns about completing the ballot paper and postal voting statement.

(4) The returning officer must not deliver a postal ballot paper and postal voting statement to a voter if—

- (a) the returning officer is notified by that voter that he did not in fact apply to vote by post in the election; and
- (b) the returning officer is satisfied that the claim is true.

(5) Paragraphs (1) to (3) of regulation 76 of the 2001 Regulations do not apply in relation to postal ballot papers and postal voting statements that are to be delivered in accordance with this rule.

**Verification after issue of postal ballot papers**

**22B.** Within 10 days after issuing the first batch of postal ballot papers in accordance with rule 22, the returning officer may contact a selection of the people to whom they were issued, for the purpose of obtaining the following information—

- (a) to verify that the voter applied to vote by post;
- (b) to verify that the voter has received their postal ballot paper and postal voting statement;
- (c) to identify any problems with the voter receiving their postal ballot paper;
- (d) to verify that the voter understands that the ballot paper and postal voting statement are for that voter to complete in secret;
- (e) to verify that the voter is aware of the returning officer’s contact details should the voter have any concerns about completing the ballot paper and voting statement.”

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**Issue of official poll cards**

After subparagraph (3)(c) insert—

- i(ca)in the case of a proxy poll card, that the voter must bring identification to the polling station;î

After paragraph (4) insert—

i(4A) The returning officer must take reasonable steps to provide any proxy with information concerning the requirement to provide identification at the polling station and the forms of identification that are acceptable.”

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**Equipment of polling stations**

After subparagraph (3)(d) insert—

- i(e) the form referred to in rule 35(2E) for recording the refusal of a ballot paper (“ballot paper refusal form”) as prescribed in the Appendix;
- (f) the form referred to in rule 35(2I) for recording information relating to a specified document (“data collection form”);î

After paragraph (5) insert—

“(5A) The returning officer must also provide a large notice, to be displayed inside the polling station, which describes the types of specified document one of which a proxy voter must produce before receiving a ballot paper.î

After rule 29 insert—

**Return of postal  
ballot papers**

**Verification after opening of postal voters' ballot box**

**29A.** Not less than 3 days before the day of the poll, the returning officer must contact a selection of the postal voters whose postal ballot paper and postal voting statement have been returned to the returning officer, for the purpose of obtaining the following information—

- (a) to verify that the voter applied to vote by post;
- (b) to verify that the voter received the postal ballot paper;
- (c) to verify that the voter personally completed the ballot paper and postal voting statement and returned it to the returning officer;
- (d) to establish whether the voter had any concerns with completing their postal vote.

**Cancellation of postal ballot paper in cases of electoral fraud etc.**

**29B.—(1)** This rule applies where—

- (a) in accordance with rule 22A, the voter claims to the returning officer that he did not make an application to vote by post;
- (b) a postal ballot paper has been delivered to a postal voter under rule 22A of this Schedule or regulation 76 of the 2001 Regulations and the voter to whom that paper was delivered claims he—
  - (i) did not make an application to vote by post;
  - (ii) did make such an application, but has not received a postal ballot paper; or
- (c) a postal vote has been returned to the returning officer but the voter claims that he did not mark the ballot paper or complete the postal voting statement himself and return it to the returning officer.

**(2)** Where the returning officer—

- (a) is satisfied as to the identity of the voter making a claim described in paragraph (1);
- (b) has received a written declaration from the voter confirming that claim to be true; and
- (c) has no reason to doubt that claim;

the returning officer must cancel the postal ballot paper and postal voting statement issued to the voter.

**(3)** Where a postal ballot paper and postal voting statement is cancelled under paragraph (2) the returning officer must issue a replacement postal ballot paper and postal voting statement to the voter where that voter requests such a replacement.

**(4)** Where a person returns a postal ballot paper or postal voting statement that has been cancelled in accordance with

paragraph (2), the returning officer must make up those documents in a separate packet and must seal the packet; and, if any further documents are returned that have been cancelled in accordance with that paragraph, the returning officer must unseal the packet, make it up with those further documents and then reseal it.

(5) The returning officer must keep a list for the purpose of recording postal ballot papers cancelled under this rule (“the list of cancelled postal ballot papers in cases of electoral fraud etc.”) and record on it—

- (a) the name and number of the elector as stated in the register of electors;
- (b) the number of the cancelled ballot paper;
- (c) the number of any replacement postal ballot paper issued under paragraph (3); and
- (d) where the postal voter is a proxy, their name and address.

(6) Subject to paragraph (7) below, regulations 72 (except paragraph (3)), 74, 75 and 76, of the 2001 Regulations shall apply to the replacement postal ballot paper issued under paragraph (3) as they apply to a postal ballot paper issued under rule 22 of this Schedule.

(7) Where a replacement ballot paper is issued under paragraph (3), the returning officer may hand the replacement ballot paper to the voter instead of delivering it in accordance with regulation 76 of the 2001 Regulations.

(8) Where a postal ballot paper is cancelled under paragraph (2) on the grounds that the voter did not apply for a postal vote under Schedule 4 of the 2000 Act, the returning officer must notify the relevant registration officer of that fact.

(9) On completion of the counting of votes, the returning officer must forward to the relevant registration officer any sealed packets referred to in paragraph (4), endorsing on each packet a description of its contents, the date of the election to which it relates and the name of the electoral area (or areas) for which the election (or elections) was held.

(10) This rule applies without prejudice to rule 78A (cancellation of postal ballot papers) of the 2001 Regulations.

(11) In this rule, relevant registration officer has the meaning given by rule 52(2) (delivery of documents to relevant registration officer).

### **Recording of Information**

**29C.**—(1) The returning officer must record the following information in connection with the delivery under rule 22A and the verification undertaken in accordance with rule 22B and rule 29A—

- (a) the number of people who were delivered a ballot paper under rule 22A;
- (b) the number of people who were refused a ballot paper

under rule 22A;

- (c) the number of people who were contacted under rule 22B;
- (d) the number of people who provided information under rule 22B;
- (e) the number of people who were contacted under rule 29A;
- (f) the number of people who provided information under rule 29A;
- (g) the number of people who confirmed when contacted under rule 22A that they did not apply to vote by post;
- (h) the number of people who confirmed when contacted under rule 22B that they did not apply to vote by post;
- (i) the number of people who confirmed when contacted under rule 29A that they did not apply to vote by post;
- (j) the number of people who confirmed when contacted under rule 22B that they did not receive a postal ballot paper;
- (k) the number of people who confirmed when contacted under rule 29A that they did not receive a postal ballot paper;
- (l) the number of people who confirmed that they did not return their postal ballot paper and postal voting statement where those documents had been returned to the returning officer;
- (m) the number of cases referred to the police relating to postal voting fraud;
- (n) the number of postal ballot papers issued but not returned.

(2) Within 20 days after the day of the poll, the returning officer must forward the information recorded under paragraph (1) to the Electoral Commission, and send a copy of that information to the Cabinet Office and to Peterborough City Council.

(3) The recipient of the information recorded under paragraph (1) may only use the information for evaluating the pilot scheme or other electoral purposes.

(4) The information recorded under paragraph (1) may not be disclosed to any person other than—

- (a) for the purposes connected with evaluating the pilot scheme or other electoral purposes;
- (b) in proceedings relating to an election petition; or
- (c) in relation to an investigation into electoral fraud.î

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After sub-paragraph (1)(f) insert—

- i(fa) representatives of the Cabinet Office;î

**Admission to polling station**

33

In the Table of questions to be put to the voter, after question 6 insert—

**Questions to be put to voters**

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“7. Any person applying as a proxy	What is your name? What is your address?”
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After paragraph (4) insert—

i(5) Nothing in this rule prevents the presiding officer who attends at a polling station from providing any proxy voter with a questionnaire concerning the requirement to provide identification at the polling station in order to vote.

(6) The questionnaire mentioned in paragraph (5) must not—

- (a) be delivered to a voter until the voter has placed their ballot paper into the ballot box; or
- (b) contain any question designated to elicit any information from the voter as to the candidate for whom he has voted.â

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**Voting Procedure**

At the beginning of paragraph (1) insert “Subject to paragraphs (2A) to (2I),”

After paragraph (2) insert—

“(2A) A ballot paper must not be delivered to a proxy voter unless that voter has produced a specified document to the presiding officer or a clerk.

(2B) Where a proxy voter produces a specified document, the presiding officer or clerk to whom it is produced must deliver a ballot paper to the voter in accordance with paragraph (1) unless the officer or clerk decides that the document raises a reasonable doubt as to whether the voter is the proxy he represents himself to be.

(2C) Where in such a case—

- (a) it is the presiding officer who so decides, he must refuse to deliver a ballot paper to the voter;
- (b) it is the clerk who so decides, he must refer the matter and produce the document to the presiding officer, who shall proceed as if it had been to him that the voter had presented himself and produced the document in the first place.

(2D) The decision of the presiding officer under paragraph (2B) may not be questioned in any proceedings whatsoever other than proceedings on an election petition.

(2E) Where the presiding officer refuses to deliver a ballot paper in accordance with paragraph (2C), the voter’s electoral number must be recorded on the ballot paper refusal form together with the reason why a ballot paper was refused.

(2F) A specified document is—

- (a) in the case of a proxy with an anonymous entry, an electoral identity letter,
- (b) in any other case, a document specified in paragraph (2G).

(2G) The documents referred to in paragraph (2F)(b) are any of the following issued to the voter—

- (a) a passport issued by a Commonwealth country, a country within the European Economic Area or Switzerland;
  - (b) a photocard driving licence (including a provisional licence) issued in the United Kingdom or by a Crown Dependency or by a member State of the European Union;
  - (c) an electoral identity card issued under section 13C (electoral identity card: Northern Ireland) of the Representation of the People Act 1983<sup>(a)</sup>;
  - (d) a biometric immigration document issued in the United Kingdom in accordance with regulations made under section 5 of the UK Borders Act 2007<sup>(b)</sup>;
  - (e) an identity card issued in the European Economic Area which bears a photograph of the voter;
  - (f) a disabled person’s bus pass issued by Peterborough City Council;
  - (g) an identity card issued by the Ministry of Defence which bears the voter’s photograph;
  - (h) an electoral identity letter.
- (2H) The presiding officer must—
- (a) inspect a voter’s specified document in a private area where the voter makes a request to do so; and
  - (b) exclude any person other than the voter’s companion from that private area while such an inspection is taking place.
- (2I) The presiding officer must record the following information on the data collection form—
- (a) in relation to each type of document referred to in paragraph (2G), the number of voters producing a document where a ballot paper was delivered;
  - (b) the number of voters who produced a document referred to in paragraph (2G) but were refused a ballot paper;
  - (c) the number of voters who produced a document other than a specified document;
  - (d) the number of voters who produced no document;
  - (e) the number of voters referred to in subparagraphs (b) to (d) who later returned with a specified document and received a ballot paper;
  - (f) the number of voters who were refused a ballot paper due to a failure to correctly answer a statutory question.<sup>1</sup>

After paragraph (6) insert—

“(7) In this rule, a reference to—

- (a) an “electoral identity letter” is a reference to a letter issued by the returning officer in accordance with Schedule 4 for the purpose of the election;

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(a) 1983 c. 2.  
(b) 2007 c. 30.

- (b) a document is a reference to the document itself and not a copy, whether in paper or electronic form;
- (c) producing a document is a reference to producing the document for inspection.î

36 After paragraph (1) insert—

**Votes marked by presiding officer**

î(1A) Paragraphs (2A) to (2I) of rule 35 apply in the case of a proxy voter who applies under paragraph (1) above as they apply in the case of a proxy voter who applies under rule 35(1), but reading a reference to delivering a ballot paper to a proxy voter as a reference to causing a proxy voter's vote to be marked on a ballot paper.î

37 After paragraph (2) insert—

**Voting by persons with disabilities**

î(2A) Paragraphs (2A) to (2I) of rule 35 apply in the case of a proxy voter who applies under paragraph (1) above as they apply in the case of a proxy voter who applies under rule 35(1), but reading a reference to delivering a ballot paper to a proxy voter as a reference to granting a proxy voter's application.î

38 After paragraph (6) insert—

**Tendered ballot papers**

î(7) Paragraphs (2A) to (2I) of rule 35 apply in the case of a person who seeks to mark a tendered ballot paper under paragraph (1), (4) or (6) above as they apply in the case of a proxy voter who applies for a ballot paper under rule 35(1).î

43 After paragraph (1) insert—

**Procedure on close of poll**

î(1A) As soon as practicable after the close of the poll, the presiding officer must also make up into separate packets the data collection form and the ballot paper refusal form and arrange for them to be delivered to the returning officer in accordance with the returning officer's instructions.î

44 After subparagraph (2)(e) insert—

“(f) representatives of the Cabinet Office.”

**Attendance at counting of votes**

52 After paragraph (1) insert—

**Delivery of documents to relevant registration officer**

î(1A) Within 10 days after the day of the poll, the returning officer must forward—

- (a) the data collection form to the Electoral Commission, and a copy of that form to the Cabinet Office and to Peterborough City Council, and
- (b) the ballot paper refusal form to the relevant registration officer, and a copy of that form to the Electoral Commission and the Cabinet Office.

(1B) The recipient of such a form may only use the information contained in it for the purposes of evaluating the pilot scheme or other electoral purposes.

(1C) The data collection form and ballot paper refusal form may not be disclosed to any person other than in proceedings relating to an election petition or in relation to an investigation into electoral fraud.†

After paragraph (2) insert—

“(3) For the purposes of paragraph (1A), any day falling within rule 2(1) must be disregarded.†

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In paragraph (1)—

(a) at the end of subparagraph (a) omit “or”;

**Orders for production of documents**

(b) after subparagraph (a) insert—

“(ab) for the inspection or production of any ballot papers cancelled under rule 29B in his custody, or”

In paragraph (8), after “ballot papers” insert “, or any ballot papers cancelled under rule 29B”

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## SCHEDULE 2

Article 3(3)

### Forms to be used for the election

*Form of front of official proxy poll card*

<b>Proxy poll card</b>	
Election of councillors to <i>[insert name of local authority]</i>	
<i>[Insert name of electoral division/ward]</i>	
Date of election <i>[day] [date] [month] [year]</i>	

<b>Voting information</b>	
Polling day	
Voting hours	
Your polling station will be	

**Please turn over**

**YOU MUST BRING PHOTOGRAPHIC ID TO VOTE AS A PROXY AT THIS ELECTION** You will not be able to vote unless you show ID to polling station staff. We are piloting changes to proxy voting at this election and further information will be sent to you by post. A list of accepted ID can be found on the website *[insert website details]*.

**Your details:**

*\*[Proxy's name and qualifying address details here]*  
*\*Returning Officer to omit where poll card sent to the proxy of an anonymous elector. Poll card to proxy of an anonymous elector must be delivered in a sealed envelope.*

**You will receive a proxy vote**

\*\* [The person named on the back of this card] [Another person] has appointed you as a proxy to vote on their behalf at this election.

[You do not need to have this card with you when you go to vote.] [You must have this card with you when you go to vote. You cannot vote as a proxy without it.]

\*\* *If sent to the proxy of an anonymous elector omit the words in the first sets of brackets, if not omit the words in each of the second sets of brackets.*

*[Insert helpline and other details including website].*

*Form of back of official proxy poll card*

**You must bring photographic ID with you to your polling station when you go to vote as a proxy at this election**

For this election you are proxy for:

*\*[(Elector's name), (Elector's address), (Elector's number on register)]*

[the person with this elector number: *(Insert elector's number on register)*]

*\*If anonymous elector omit the words in the first set of square brackets, if not omit the words in the second set of square brackets*

**The person you are proxy for can vote themselves if they wish – but only if you have not already voted on their behalf.**

*This space for map or other information such as helpline and website details*

 **If you need any help or to find out if your polling station is accessible please contact us. [Returning Officer to add contact details including website if appropriate]**

**How to vote as a proxy**

1. *\*[At the polling station, tell the staff that you are a proxy for the person named above and hand them your photographic ID. It will be returned to you and they will give you that person's ballot paper.] \*[At the polling station, ask to speak to the presiding officer and show them this card. Hand them your photographic ID. They will return your ID and give you the ballot paper of the person you are proxy for.]*

*\*If anonymous elector omit the words in the first set of square brackets, if not omit the words in the second set of square brackets*

2. Go to one of the voting booths.

3. Follow the instructions on how to mark the ballot paper.

4. Fold the ballot paper and put in the ballot box.

**If you need any help, just ask the staff.**

If you are away or cannot go to the polling station on *[day] [date of poll]*

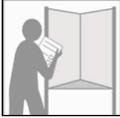
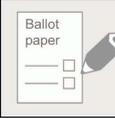
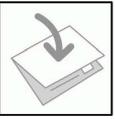
- You can apply to vote by post. The deadline for completed applications is **5pm on *[day] [date of deadline]***.
- If you are given a postal vote, you or the person you are proxy for will not be able to vote in person at this election.
- **To find out how to apply, please call us on *[insert helpline number or other contact details]*.**

**It is an offence to:**

- vote more than once at this election, unless you are voting on your own behalf and as a proxy for another person;
- vote as a proxy at this election for more than two people, unless you are their spouse, civil partner, parent, grandparent, brother, sister, child or grandchild;
- vote as a proxy for someone if you know that by law they are not allowed to vote.

The Returning Officer issued this card.  
If undelivered return to  
*[insert return address]*

*Form of directions for the guidance of the proxy voters in voting*

<b>Proxy Voters- How to vote at this election</b>		
<b>1</b>	Go to the desk and give your photographic ID to the staff.	
<b>2</b>	Tell the staff your name and address, and if your ID is acceptable, they will issue you with a ballot paper.	
<b>3</b>	Take your ballot paper to a voting booth.	
<b>4</b>	Read the instructions in the booth and on the ballot paper and mark your ballot paper accordingly.	
<b>5</b>	When you have marked your ballot paper, fold it so that nobody can see how you have voted.	
<b>6</b>	Put your folded ballot paper into the ballot box.	
<p><b>(!) Voting is secret. Do not let anyone see how you have voted.</b></p> <p><b> If you make a mistake or need some help, just ask the staff.</b></p>		



After paragraph (4) insert—

“(5) This rule is subject to rule 22A.”

After rule 22 insert—

### **Hand delivery of postal ballot papers**

**22A.**—(1) The returning officer must hand deliver, in accordance with this rule, a selection of the postal ballot papers and postal voting statements issued for the purposes of voting in the election.

(2) Each of the ballot papers and postal voting statements must be delivered by hand—

- (a) in the case of an elector, to the address as shown in the postal voters list;
- (b) in the case of a proxy, to the address as shown in the list of proxies.

(3) Where, in doing so, the returning officer delivers a ballot paper and postal voting statement to the voter to whom it was issued in person, the returning officer must—

- (a) ask the voter whether he applied for a postal vote;
- (b) inform the voter that the ballot paper and postal voting statement are for that voter to complete in secret; and
- (c) inform the voter of the returning officer’s contact details should the voter have any concerns about completing the ballot paper and postal voting statement.

(4) The returning officer must not deliver a postal ballot paper and postal voting statement to a voter if—

- (a) the returning officer is notified by that voter that he did not in fact apply to vote by post in the election; and
- (b) the returning officer is satisfied that the claim is true.

(5) Paragraphs (1) to (3) of regulation 76 of the 2001 Regulations do not apply in relation to postal ballot papers and postal voting statements that are to be delivered in accordance with this rule.

### **Verification after issue of postal ballot papers**

**22B.** Within 10 days after issuing the first batch of postal ballot papers in accordance with rule 22, the returning officer may contact a selection of the people to whom they were issued, for the purpose of obtaining the following information—

- (a) to verify that the voter applied to vote by post;
- (b) to verify that the voter has received their postal ballot paper and postal voting statement;
- (c) to identify any problems with the voter receiving their postal ballot paper;
- (d) to verify that the voter understands that the ballot paper and postal voting statement are for that voter to complete in secret;

- (e) to verify that the voter is aware of the returning officer’s contact details should the voter have any concerns about completing the ballot paper and voting statement.”

25

**Issue of official poll cards**

After subparagraph (3)(c) insert—

- i(ca) in the case of a proxy poll card, that the voter must bring identification to the polling station;î

After paragraph (4) insert—

i(4A) The returning officer must take reasonable steps to provide any proxy with information concerning the requirement to provide identification at the polling station and the forms of identification that are acceptable.”

26

**Equipment of polling stations**

After subparagraph (4)(d) insert—

- i(e) the form referred to in rule 35(2E) for recording the refusal of a ballot paper (“ballot paper refusal form”) as prescribed in the Appendix;
- i(f) the form referred to in rule 35(2I) for recording information relating to a specified document (“data collection form”);î

After paragraph (5) insert—

“(5A) The returning officer must also provide a large notice, to be displayed inside the polling station, which describes the types of specified document one of which a proxy voter must produce before receiving a ballot paper.î

29

**Return of postal ballot papers**

After rule 29 insert—

**Verification after opening of postal voters’ ballot box**

**29A.** Not less than 3 days before the day of the poll, the returning officer must contact a selection of the postal voters whose postal ballot paper and postal voting statement have been returned to the returning officer, for the purpose of obtaining the following information—

- (a) to verify that the voter applied to vote by post;
- (b) to verify that the voter received the postal ballot paper;
- (c) to verify that the voter personally completed the ballot paper and postal voting statement and returned it to the returning officer;
- (d) to establish whether the voter had any concerns with completing their postal vote.

**Cancellation of postal ballot paper in cases of electoral fraud etc.**

**29B.—(1)** This rule applies where—

- (a) in accordance with rule 22A, the voter claims to the returning officer that he did not make an application to

vote by post;

- (b) a postal ballot paper has been delivered to a postal voter under rule 22A of this Schedule or regulation 76 of the 2001 Regulations and the voter to whom that paper was delivered claims he—
  - (i) did not make an application to vote by post;
  - (ii) did make such an application, but has not received a postal ballot paper; or
- (c) a postal vote has been returned to the returning officer but the voter claims that he did not mark the ballot paper or complete the postal voting statement himself and return it to the returning officer.

(2) Where the returning officer—

- (a) is satisfied as to the identity of the voter making a claim described in paragraph (1);
- (b) has received a written declaration from the voter confirming that claim to be true; and
- (c) has no reason to doubt that claim;

the returning officer must cancel the postal ballot paper and postal voting statement issued to the voter.

(3) Where a postal ballot paper and postal voting statement is cancelled under paragraph (2) the returning officer must issue a replacement postal ballot paper and postal voting statement to the voter where that voter requests such a replacement.

(4) Where a person returns a postal ballot paper or postal voting statement that has been cancelled in accordance with paragraph (2), the returning officer must make up those documents in a separate packet and must seal the packet; and, if any further documents are returned that have been cancelled in accordance with that paragraph, the returning officer must unseal the packet, make it up with those further documents and then reseal it.

(5) The returning officer must keep a list for the purpose of recording postal ballot papers cancelled under this rule (“the list of cancelled postal ballot papers in cases of electoral fraud etc.”) and record on it—

- (a) the name and number of the elector as stated in the register of electors;
- (b) the number of the cancelled ballot paper;
- (c) the number of any replacement postal ballot paper issued under paragraph (3); and
- (d) where the postal voter is a proxy, their name and address.

(6) Subject to paragraph (7) below, regulations 72 (except paragraph (3)), 74, 75 and 76, of the 2001 Regulations shall apply to the replacement postal ballot paper issued under paragraph (3) as they apply to a postal ballot paper issued under rule 22 of this Schedule.

(7) Where a replacement ballot paper is issued under paragraph (3), the returning officer may hand the replacement ballot paper to the voter instead of delivering it in accordance with regulation

76 of the 2001 Regulations.

(8) Where a postal ballot paper is cancelled under paragraph (2) on the grounds that the voter did not apply for a postal vote under Schedule 4 of the 2000 Act, the returning officer must notify the relevant registration officer of that fact.

(9) On completion of the counting of votes, the returning officer must forward to the relevant registration officer any sealed packets referred to in paragraph (4), endorsing on each packet a description of its contents, the date of the election to which it relates and the name of the electoral area (or areas) for which the election (or elections) was held.

(10) This rule applies without prejudice to rule 78A (cancellation of postal ballot papers) of the 2001 Regulations.

(11) In this rule, relevant registration officer has the meaning given by rule 52(3) (delivery of documents to relevant registration officer).

### **Recording of Information**

**29C.**—(1) The returning officer must record the following information in connection with the delivery under rule 22A and the verification undertaken in accordance with rule 22B and rule 29A—

- (a) the number of people who were delivered a ballot paper under rule 22A;
- (b) the number of people who were refused a ballot paper under rule 22A;
- (c) the number of people who were contacted under rule 22B;
- (d) the number of people who provided information under rule 22B;
- (e) the number of people who were contacted under rule 29A;
- (f) the number of people who provided information under rule 29A;
- (g) the number of people who confirmed when contacted under rule 22A that they did not apply to vote by post;
- (h) the number of people who confirmed when contacted under rule 22B that they did not apply to vote by post;
- (i) the number of people who confirmed when contacted under rule 29A that they did not apply to vote by post;
- (j) the number of people who confirmed when contacted under rule 22B that they did not receive a postal ballot paper;
- (k) the number of people who confirmed when contacted under rule 29A that they did not receive a postal ballot paper;
- (l) the number of people who confirmed that they did not return their postal ballot paper and postal voting statement where those documents had been returned to the returning officer;
- (m) the number of cases referred to the police relating to

postal voting fraud;

- (n) the number of postal ballot papers issued but not returned.

(2) Within 20 days after the day of the poll, the returning officer must forward the information recorded under paragraph (1) to the Electoral Commission, and send a copy of that information to the Cabinet Office and to Peterborough City Council.

(3) The recipient of the information recorded under paragraph (1) may only use the information for evaluating the pilot scheme or other electoral purposes.

(4) The information recorded under paragraph (1) may not be disclosed to any person other than—

- (a) for the purposes connected with evaluating the pilot scheme or other electoral purposes;
- (b) in proceedings relating to an election petition; or
- (c) in relation to an investigation into electoral fraud.î

30

After sub-paragraph (1)(f) insert—

î(fa) representatives of the Cabinet Office;î

**Admission to the polling station**

33

In the Table of questions to be put to the voter, after question 6 insert—

**Questions to be put to voters**

“7.	Any person applying as a proxy	What is your name? What is your address?”
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After paragraph (4) insert—

î(5) Nothing in this rule prevents the presiding officer who attends at a polling station from providing any proxy voter with a questionnaire concerning the requirement to provide identification at the polling station in order to vote.

(6) The questionnaire mentioned in paragraph (5) must not—

- (a) be delivered to a voter until the voter has placed their ballot paper into the ballot box; or
- (b) contain any question designated to elicit any information from the voter as to the candidate for whom he has voted.î

35

At the beginning of paragraph (1) insert “Subject to paragraphs (2A) to (2I),”

**Voting Procedure**

After paragraph (2) insert—

“(2A) A ballot paper must not be delivered to a proxy voter unless that voter has produced a specified document to the presiding officer or a clerk.

(2B) Where a proxy voter produces a specified document, the presiding officer or clerk to whom it is produced must deliver a ballot paper to the voter in accordance with paragraph (1) unless

the officer or clerk decides that the document raises a reasonable doubt as to whether the voter is the proxy he represents himself to be.

(2C) Where in such a case—

- (a) it is the presiding officer who so decides, he must refuse to deliver a ballot paper to the voter;
- (b) it is the clerk who so decides, he must refer the matter and produce the document to the presiding officer, who shall proceed as if it had been to him that the voter had presented himself and produced the document in the first place.

(2D) The decision of the presiding officer under paragraph (2B) may not be questioned in any proceedings whatsoever other than proceedings on an election petition.

(2E) Where the presiding officer refuses to deliver a ballot paper in accordance with paragraph (2C), the voter's electoral number must be recorded on the ballot paper refusal form together with the reason why a ballot paper was refused.

(2F) A specified document is—

- (a) in the case of a proxy with an anonymous entry, an electoral identity letter,
- (b) in any other case, a document specified in paragraph (2G).

(2G) The documents referred to in paragraph (2F)(b) are any of the following issued to the voter—

- (a) a passport issued by a Commonwealth country, a country within the European Economic Area or Switzerland;
- (b) a photocard driving licence (including a provisional licence) issued in the United Kingdom or by a Crown Dependency or by a member State of the European Union;
- (c) an electoral identity card issued under section 13C (electoral identity card: Northern Ireland) of the Representation of the People Act 1983(a);
- (d) a biometric immigration document issued in the United Kingdom in accordance with regulations made under section 5 of the UK Borders Act 2007(b);
- (e) an identity card issued in the European Economic Area which bears a photograph of the voter;
- (f) a disabled person's bus pass issued by Peterborough City Council;
- (g) an identity card issued by the Ministry of Defence which bears the voter's photograph;
- (h) an electoral identity letter.

(2H) The presiding officer must—

- (a) inspect a voter's specified document in a private area

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(a) 1983 c. 2.  
(b) 2007 c. 30.

where the voter makes a request to do so; and

- (b) exclude any person other than the voter’s companion from that private area while such an inspection is taking place.

(2I) The presiding officer must record the following information on the data collection form—

- (a) in relation to each type of document referred to in paragraph (2G), the number of voters producing a document where a ballot paper was delivered;
- (b) the number of voters who produced a document referred to in paragraph (2G) but were refused a ballot paper;
- (c) the number of voters who produced a document other than a specified document;
- (d) the number of voters who produced no document;
- (e) the number of voters referred to in sub-paragraphs (b) to (d) who later returned with a specified document and received a ballot paper;
- (f) the number of voters who were refused a ballot paper due to a failure to correctly answer a statutory question.î

After paragraph (7) insert—

“(8) In this rule, a reference to—

- (a) an “electoral identity letter” is a reference to a letter issued by the returning officer in accordance with Schedule 4 for the purpose of the election;
- (b) a document is a reference to the document itself and not a copy, whether in paper or electronic form;
- (c) producing a document is a reference to producing the document for inspection.î

36

**Votes marked by  
presiding officer**

After paragraph (1) insert—

î(1A) Paragraphs (2A) to (2I) of rule 35 apply in the case of a proxy voter who applies under paragraph (1) above as they apply in the case of a proxy voter who applies under rule 35(1), but reading a reference to delivering a ballot paper to a proxy voter as a reference to causing a proxy voter's vote to be marked on a ballot paper.î

37

**Voting by persons  
with disabilities**

After paragraph (2) insert—

î(2A) Paragraphs (2A) to (2I) of rule 35 apply in the case of a proxy voter who applies under paragraph (1) above as they apply in the case of a proxy voter who applies under rule 35(1), but reading a reference to delivering a ballot paper to a proxy voter as a reference to granting a proxy voter's application.î

38

**Tendered ballot  
papers**

After paragraph (6) insert—

î(7) Paragraphs (2A) to (2I) of rule 35 apply in the case of a person who seeks to mark a tendered ballot paper under paragraph (1), (4) or (6) above as they apply in the case of a proxy voter who applies for a ballot paper under rule 35(1).î



## SCHEDULE 4

Article 3(5)

### Forms to be used for the election

*Form of front of official proxy poll card*

<b>Proxy poll card</b>	
Election of councillors to <i>[insert name of local authority]</i>	
<i>[Insert name of electoral division/ward]</i>	
Date of election <i>[day] [date] [month] [year]</i>	

<b>Voting information</b>	
Polling day	
Voting hours	
Your polling station will be	

**Please turn over**

**YOU MUST BRING PHOTOGRAPHIC ID TO VOTE AS A PROXY AT THIS ELECTION** You will not be able to vote unless you show ID to polling station staff. We are piloting changes to proxy voting at this election and further information will be sent to you by post. A list of accepted ID can be found on the website *[insert website details]*.

**Your details:**

*\*[Proxy's name and qualifying address details here]*

*\*Returning Officer to omit where poll card sent to the proxy of an anonymous elector. Poll card to proxy of an anonymous elector must be delivered in a sealed envelope.*

**You will receive a proxy vote**

\*\* [The person named on the back of this card] [Another person] has appointed you as a proxy to vote on their behalf at this election.

[You do not need to have this card with you when you go to vote.] [You must have this card with you when you go to vote. You cannot vote as a proxy without it.]

\*\* *If sent to the proxy of an anonymous elector omit the words in the first sets of brackets, if not omit the words in each of the second sets of brackets.*

*[Insert helpline and other details including website].*

Form of back of official proxy poll card

**You must bring photographic ID with you to your polling station when you go to vote as a proxy at this election**

For this election you are proxy for:

*\*[(Elector's name), (Elector's address), (Elector's number on register)]*

[the person with this elector number: *(Insert elector's number on register)*]

*\*If anonymous elector omit the words in the first set of square brackets, if not omit the words in the second set of square brackets*

**The person you are proxy for can vote themselves if they wish – but only if you have not already voted on their behalf.**

*This space for map or other information such as helpline and website details*

** If you need any help or to find out if your polling station is accessible please contact us. [Returning Officer to add contact details including website if appropriate]**

**How to vote as a proxy**

1. *\*[At the polling station, tell the staff that you are a proxy for the person named above and hand them your photographic ID. It will be returned to you and they will give you that person's ballot paper.] \*[At the polling station, ask to speak to the presiding officer and show them this card. Hand them your photographic ID. They will return your ID and give you the ballot paper of the person you are proxy for.]*

*\*If anonymous elector omit the words in the first set of square brackets, if not omit the words in the second set of square brackets*

2. Go to one of the voting booths.

3. Follow the instructions on how to mark the ballot paper.

4. Fold the ballot paper and put in the ballot box.

**If you need any help, just ask the staff.**

If you are away or cannot go to the polling station on [day] [date of poll]

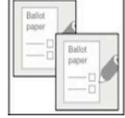
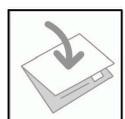
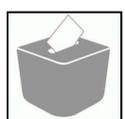
- You can apply to vote by post. The deadline for completed applications is 5pm on [day] [date of deadline].
- If you are given a postal vote, you or the person you are proxy for will not be able to vote in person at this election.
- **To find out how to apply, please call us on [insert helpline number or other contact details].**

**It is an offence to:**

- vote more than once at this election, unless you are voting on your own behalf and as a proxy for another person;
- vote as a proxy at this election for more than two people, unless you are their spouse, civil partner, parent, grandparent, brother, sister, child or grandchild;
- vote as a proxy for someone if you know that by law they are not allowed to vote.

The Returning Officer issued this card.  
If undelivered return to  
[insert return address]

*Form of directions for the guidance of the proxy voters in voting*

<b>Proxy Voters- How to vote at these elections</b>		
<b>1</b>	Go to the desk and give your photographic ID to the staff.	
<b>2</b>	Tell the staff your name and address, and if your ID is acceptable, they will issue you with your ballot papers.	
<b>3</b>	Take your ballot papers to a voting booth.	
<b>4</b>	Read the instructions in the booth and on each individual ballot paper and mark your ballot papers accordingly.	
<b>5</b>	When you have marked your ballot papers, fold them so that nobody can see how you have voted.	
<b>6</b>	Put your folded ballot papers into the ballot box.	
<b>(!) Voting is secret. Do not let anyone see how you have voted.</b> <b>f If you make a mistake or need some help, just ask the staff.</b>		



- (v) a declaration by the applicant that the information provided in the application is true;
  - (b) be accompanied by the documents required by paragraph 4; and
  - (c) be accompanied by a photograph which satisfies the requirements of paragraph 5.
- 4.—(1) The documents referred to in paragraph 3(b) are—
- (a) two of the documents in subparagraph (2), which may be a copy of the document or where the returning officer considers it appropriate, the document itself, and one of which must include the applicant’s registered address; or
  - (b) where the applicant is not able to provide the documents in accordance with paragraph (a), an attestation in accordance with subparagraph (3).
- (2) The documents referred to in paragraph 4(1)(a) are the following which must have been issued to the applicant—
- (a) the applicant's birth certificate;
  - (b) the applicant's marriage or civil partnership certificate;
  - (c) the applicant's adoption certificate;
  - (d) the applicant's firearms certificate granted under the Firearms Act 1968;
  - (e) the record of a decision on bail made in respect of the applicant in accordance with section 5(1) of the Bail Act 1976;
  - (f) the applicant's driving licence, which is not in the form of a photocard;
  - (g) a mortgage statement dated within 3 months of the date of the application;
  - (h) a bank or building society statement or passbook, or a letter from the bank or building society confirming the opening of an account, dated within 3 months of the date of the application;
  - (i) a current bank or building society cheque book;
  - (j) a post office savings account statement dated within 3 months of the date of the application;
  - (k) a credit card statement dated within 3 months of the date of the application;
  - (l) a pension statement dated within 3 months of the date of the application;
  - (m) a council tax demand letter or statement dated within 3 months of the date of the application;
  - (n) a utility bill dated within 3 months of the date of the application;
  - (o) a Form P45 or Form P60 issued to the applicant within 12 months of the date of the application;
  - (p) a mobile phone statement dated within 3 months of the application.
- (3) The attestation referred to in paragraph 4(1)(b) must—
- (a) be in writing and state—
    - (i) that the applicant is the person named in the application;
    - (ii) the full name, date of birth, address, electoral number and occupation of the person signing the attestation;
    - (iii) the date on which it is made; and
  - (b) be signed by an eligible person.
- (4) In subparagraph (3), “eligible person” means a person who—
- (a) the returning officer is satisfied is of good standing in community;
  - (b) is registered as an elector in a local authority area in England and Wales;
  - (c) is not the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild of the applicant; and

- (d) who has not already signed an attestation under subparagraph (3) for more than one other applicant.

5. The photograph referred to in paragraph 3(c) is a passport sized photograph which bears a likeness of the applicant and is attested as such by a person—

- (a) the returning officer is satisfied is of good standing in the community;
- (b) registered as an elector in a local authority area in England and Wales;
- (c) who is not the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild of the applicant; and
- (d) has not already attested a photograph under this paragraph for more than one other applicant.

6. The returning officer must issue an electoral identity letter in accordance with paragraph 7 if the returning officer is satisfied—

- (a) that the applicant is entitled to vote in the election as a proxy;
- (b) as to the identity of the applicant;
- (c) where appropriate, that the applicant has an anonymous entry in the register of local government electors;
- (d) the requirements imposed under this Schedule in relation to the application have been met.

7. An electoral identity letter issued—

- (a) to an applicant with an anonymous entry (A) must—
  - (i) state A’s electoral number; and
  - (ii) bear A’s photograph;
- (b) to any other applicant (P) must—
  - (i) state P’s full name and registered address; and
  - (ii) bear P’s photograph.

8. An application may not be made under this Schedule after 5pm on the day of the poll.”

## SCHEDULE 6

Article 3(7)

### Modifications to Schedule 2 to the 2006 Parishes Rules

**Table**

<i>(1)</i> <i>Rule</i>	<i>(2)</i> <i>Modification</i>
22	After paragraph (1) insert—  “(1A) The returning officer must include with the documents referred to in paragraph (1) a leaflet providing information to the voter about electoral integrity and the secrecy of the ballot.  (1B) The leaflet referred to in paragraph (1A) must include, but is not limited to, the following information—  (a) it is the voter’s responsibility to complete the ballot paper and postal voting statement himself;  (b) the returning officer takes electoral fraud extremely seriously;
<b>Postal ballot papers</b>	

- (c) details of who to contact if a voter suspects electoral fraud;
- (d) a contact number through which persons can contact the returning officer about any issue relating to postal voting.

(1C) The returning officer may provide a translation into languages other than English of the leaflet referred to in paragraph (1A).<sup>1</sup>

After paragraph (4) insert—

“(5) This rule is subject to rule 22A.”

After rule 22 insert—

### **Hand delivery of postal ballot papers**

**22A.**—(1) The returning officer must deliver, in accordance with this rule, a selection of the postal ballot papers and postal voting statements issued for the purposes of voting in the election.

(2) Each of the ballot papers and voting statements must be delivered by hand—

- (a) in the case of an elector, to the address as shown in the postal voters list;
- (b) in the case of a proxy, to the address as shown in the list of proxies.

(3) Where, in doing so, the returning officer delivers a ballot paper and postal voting statement to the voter whom it was issued in person, the returning officer must—

- (a) ask the voter whether he applied for a postal vote;
- (b) inform the voter that the ballot paper and postal voting statement are for that voter to complete in secret; and
- (c) inform the voter of the returning officer’s contact details should the voter have any concerns about completing the ballot paper and voting statement.

(4) The returning officer must not deliver a postal ballot paper and postal voting statement to a voter if—

- (a) the returning officer is notified by that voter that he did not in fact apply to vote by post in the election; and
- (b) the returning officer is satisfied that the claim is true.

(5) Paragraphs (1) to (3) of regulation 76 of the 2001 Regulations do not apply in relation to postal ballot papers and postal voting statements that are to be delivered in accordance with this rule.

### **Verification after issue of postal ballot papers**

**22B.** Within 10 days after issuing the first batch of postal ballot papers in accordance with rule 22, the returning officer may contact a selection of the people to whom they were issued,

for the purpose of obtaining the following information—

- (a) to verify that the voter applied to vote by post;
- (b) to verify that the voter has received their postal ballot paper and postal voting statement;
- (c) to identify any problems with the voter receiving their postal ballot paper;
- (d) to verify that the voter understands that the ballot paper and postal voting statement are for that voter to complete in secret;
- (e) to verify that the voter is aware of the returning officer’s contact details should the voter have any concerns about completing the ballot paper and voting statement.”

25

**Issue of official poll cards**

After subparagraph (4)(c) insert—

- ì(ca)in the case of a proxy poll card, that the voter must bring identification to the polling station;î

After paragraph (5) insert—

ì(5A) The returning officer must take reasonable steps to provide any proxy with information concerning the requirement to provide identification at the polling station and the forms of identification that are acceptable.”

26

**Equipment of polling stations**

After subparagraph (3)(d) insert—

- ì(e) the form referred to in rule 35(2E) for recording the refusal of a ballot paper (“ballot paper refusal form”) as prescribed in the Appendix;
- ì(f) the form referred to in rule 35(2I) for recording information relating to a specified document (“data collection form”);î

After paragraph (5) insert—

“(5A) The returning officer must also provide a large notice, to be displayed inside the polling station, which describes the types of specified document one of which a proxy voter must produce before receiving a ballot paper.î

29

**Return of postal ballot papers**

After rule 29 insert—

**ìVerification after opening of postal voters’ ballot box**

**29A.** Not less than 3 days before the day of the poll, the returning officer must contact a selection of the postal voters whose postal ballot paper and postal voting statement have been returned to the returning officer, for the purpose of obtaining the following information—

- (a) to verify that the voter applied to vote by post;
- (b) to verify that the voter received the postal ballot paper;
- (c) to verify that the voter personally completed the ballot

paper and postal voting statement and returned it to the returning officer;

- (d) to establish whether the voter had any concerns with completing their postal vote.

**Cancellation of postal ballot paper in cases of electoral fraud etc.**

**29B.**—(1) This rule applies where—

- (a) in accordance with rule 22A, the voter claims to the returning officer that he did not make an application to vote by post;
- (b) a postal ballot paper has been delivered to a postal voter under rule 22A of this Schedule or regulation 76 of the 2001 Regulations and the voter to whom that paper was delivered claims he—
  - (i) did not make an application to vote by post;
  - (ii) did make such an application, but has not received a postal ballot paper; or
- (c) a postal vote has been returned to the returning officer but the voter claims that he did not mark the ballot paper or complete the postal voting statement himself and return it to the returning officer.

(2) Where the returning officer—

- (a) is satisfied as to the identity of the voter making a claim described in paragraph (1);
- (b) has received a written declaration from the voter confirming that claim to be true; and
- (c) has no reason to doubt that claim;

the returning officer must cancel the postal ballot paper and postal voting statement issued to the voter.

(3) Where a postal ballot paper and postal voting statement is cancelled under paragraph (2) the returning officer must issue a replacement postal ballot paper and postal voting statement to the voter where that voter requests such a replacement.

(4) Where a person returns a postal ballot paper or postal voting statement that has been cancelled in accordance with paragraph (2), the returning officer must make up those documents in a separate packet and must seal the packet; and, if any further documents are returned that have been cancelled in accordance with that paragraph, the returning officer must unseal the packet, make it up with those further documents and then reseal it.

(5) The returning officer must keep a list for the purpose of recording postal ballot papers cancelled under this rule (“the list of cancelled postal ballot papers in cases of electoral fraud etc.”) and record on it—

- (a) the name and number of the elector as stated in the register of electors;
- (b) the number of the cancelled ballot paper;

- (c) the number of any replacement postal ballot paper issued under paragraph (3); and
- (d) where the postal voter is a proxy, their name and address.

(6) Subject to paragraph (7) below, regulations 72 (except paragraph (3)), 74, 75 and 76, of the 2001 Regulations shall apply to the replacement postal ballot paper issued under paragraph (3) as they apply to a postal ballot paper issued under rule 22 of this Schedule.

(7) Where a replacement ballot paper is issued under paragraph (3), the returning officer may hand the replacement ballot paper to the voter instead of delivering it in accordance with regulation 76 of the 2001 Regulations.

(8) Where a postal ballot paper is cancelled under paragraph (2) on the grounds that the voter did not apply for a postal vote under Schedule 4 of the 2000 Act, the returning officer must notify the relevant registration officer of that fact.

(9) On completion of the counting of votes, the returning officer must forward to the relevant registration officer any sealed packets referred to in paragraph (4), endorsing on each packet a description of its contents, the date of the election to which it relates and the name of the electoral area (or areas) for which the election (or elections) was held.

(10) This rule applies without prejudice to rule 78A (cancellation of postal ballot papers) of the 2001 Regulations.

(11) In this rule, relevant registration officer has the meaning given by rule 52(2) (delivery of documents to relevant registration officer).

### **Recording of Information**

**29C.**—(1) The returning officer must record the following information in connection with the delivery under rule 22A and the verification undertaken in accordance with rule 22B and rule 29A—

- (a) the number of people who were delivered a ballot paper under rule 22A;
- (b) the number of people who were refused a ballot paper under rule 22A;
- (c) the number of people who were contacted under rule 22B;
- (d) the number of people who provided information under rule 22B;
- (e) the number of people who were contacted under rule 29A;
- (f) the number of people who provided information under rule 29A;
- (g) the number of people who confirmed when contacted under rule 22A that they did not apply to vote by post;
- (h) the number of people who confirmed when contacted

under rule 22B that they did not apply to vote by post;

- (i) the number of people who confirmed when contacted under rule 29A that they did not apply to vote by post;
- (j) the number of people who confirmed when contacted under rule 22B that they did not receive a postal ballot paper;
- (k) the number of people who confirmed when contacted under rule 29A that they did not receive a postal ballot paper;
- (l) the number of people who confirmed that they did not return their postal ballot paper and postal voting statement where those documents had been returned to the returning officer;
- (m) the number of cases referred to the police relating to postal voting fraud;
- (n) the number of postal ballot papers issued but not returned.

(2) Within 20 days after the day of the poll, the returning officer must forward the information recorded under paragraph (1) to the Electoral Commission, and send a copy of that information to the Cabinet Office and to Peterborough City Council.

(3) The recipient of the information recorded under paragraph (1) may only use the information for evaluating the pilot scheme or other electoral purposes.

(4) The information recorded under paragraph (1) may not be disclosed to any person other than—

- (a) for the purposes connected with evaluating the pilot scheme or other electoral purposes;
- (b) in proceedings relating to an election petition; or
- (c) in relation to an investigation into electoral fraud.

30

After sub-paragraph (1)(f) insert—

i(fa) representatives of the Cabinet Office;

**Admission to the polling station**

33

In the Table of questions to be put to the voter, after question 6 insert—

**Questions to be put to voters**

“7.	Any person applying as a proxy	What is your name? What is your address?”
-----	--------------------------------	--

After paragraph (4) insert—

i(5) Nothing in this rule prevents the presiding officer who attends at a polling station from providing any proxy voter with a questionnaire concerning the requirement to provide identification at the polling station in order to vote.

(6) The questionnaire mentioned in paragraph (5) must not—

- (a) be delivered to a voter until the voter has placed their ballot paper into the ballot box; or

- (b) contain any question designated to elicit any information from the voter as to the candidate for whom he has voted.†

35

At the beginning of paragraph (1) insert “Subject to paragraphs (2A) to (2I),”

### Voting Procedure

After paragraph (2) insert—

“(2A) A ballot paper must not be delivered to a proxy voter unless that voter has produced a specified document to the presiding officer or a clerk.

(2B) Where a proxy voter produces a specified document, the presiding officer or clerk to whom it is produced must deliver a ballot paper to the voter in accordance with paragraph (1) unless the officer or clerk decides that the document raises a reasonable doubt as to whether the voter is the proxy he represents himself to be.

(2C) Where in such a case—

- (a) it is the presiding officer who so decides, he must refuse to deliver a ballot paper to the voter;
- (b) it is the clerk who so decides, he must refer the matter and produce the document to the presiding officer, who shall proceed as if it had been to him that the voter had presented himself and produced the document in the first place.

(2D) The decision of the presiding officer under paragraph (2B) may not be questioned in any proceedings whatsoever other than proceedings on an election petition.

(2E) Where the presiding officer refuses to deliver a ballot paper in accordance with paragraph (2C), the voter’s electoral number must be recorded on the ballot paper refusal form together with the reason why a ballot paper was refused.

(2F) A specified document is—

- (a) in the case of a proxy with an anonymous entry, an electoral identity letter,
- (b) in any other case, a document specified in paragraph (2G).

(2G) The documents referred to in paragraph (2F)(b) are any of the following issued to the voter—

- (a) a passport issued by a Commonwealth country, a country within the European Economic Area or Switzerland;
- (b) a photocard driving licence (including a provisional licence) issued in the United Kingdom or by a Crown Dependency or by a member State of the European Union;
- (c) an electoral identity card issued under section 13C (electoral identity card: Northern Ireland) of the Representation of the People Act 1983(a);

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(a) 1983 c. 2.

- (d) a biometric immigration document issued in the United Kingdom in accordance with regulations made under section 5 of the UK Borders Act 2007<sup>(a)</sup>;
- (e) an identity card issued in the European Economic Area which bears a photograph of the voter;
- (f) a disabled person’s bus pass issued by Peterborough City Council;
- (g) an identity card issued by the Ministry of Defence which bears the voter’s photograph;
- (h) an electoral identity letter.

(2H) The presiding officer must—

- (a) inspect a voter’s specified document in a private area where the voter makes a request to do so; and
- (b) exclude any person other than the voter’s companion from that private area while such an inspection is taking place.

(2I) The presiding officer must record the following information on the data collection form—

- (a) in relation to each type of document referred to in paragraph (2G), the number of voters producing a document where a ballot paper was delivered;
- (b) the number of voters who produced a document referred to in paragraph (2G) but were refused a ballot paper;
- (c) the number of voters who produced a document other than a specified document;
- (d) the number of voters who produced no document;
- (e) the number of voters referred to in sub-paragraphs (b) to (d) who later returned with a specified document and received a ballot paper;
- (f) the number of voters who were refused a ballot paper due to a failure to correctly answer a statutory question.<sup>1</sup>

After paragraph (6) insert—

“(7) In this rule, a reference to—

- (a) an “electoral identity letter” is a reference to a letter issued by the returning officer in accordance with Schedule 5 for the purpose of the election;
- (b) a document is a reference to the document itself and not a copy, whether in paper or electronic form;
- (c) producing a document is a reference to producing the document for inspection.<sup>1</sup>

36

**Votes marked by  
presiding officer**

After paragraph (1) insert—

i(1A) Paragraphs (2A) to (2I) of rule 35 apply in the case of a proxy voter who applies under paragraph (1) above as they apply in the case of a proxy voter who applies under rule 35(1), but reading a reference to delivering a ballot paper to a proxy voter

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(a) 2007 c. 30.

as a reference to causing a proxy voter's vote to be marked on a ballot paper.î

- 37 **Voting by persons with disabilities** After paragraph (2) insert—  
i(2A) Paragraphs (2A) to (2I) of rule 35 apply in the case of a proxy voter who applies under paragraph (1) above as they apply in the case of a proxy voter who applies under rule 35(1), but reading a reference to delivering a ballot paper to a proxy voter as a reference to granting a proxy voter's application.î
- 38 **Tendered ballot papers** After paragraph (6) insert—  
i(7) Paragraphs (2A) to (2I) of rule 35 apply in the case of a person who seeks to mark a tendered ballot paper under paragraph (1), (4) or (6) above as they apply in the case of a proxy voter who applies for a ballot paper under rule 35(1).î
- 43 **Procedure on close of poll** After paragraph (1) insert—  
i(1A) As soon as practicable after the close of the poll, the presiding officer must also make up into separate packets the data collection form and the ballot paper refusal form and arrange for them to be delivered to the returning officer in accordance with the returning officer's instructions.î
- 44 **Attendance at counting of votes** After subparagraph (2)(e) insert—  
“(f) representatives of the Cabinet Office.”
- 52 **Delivery of documents to relevant registration officer** After paragraph (1) insert—  
(1A) Within 10 days after the day of the poll, the returning officer must forward—  
(a) the data collection form to the Electoral Commission, and a copy of that form to the Cabinet Office and to Peterborough City Council, and  
(b) the ballot paper refusal form to the relevant registration officer, and a copy of that form to the Electoral Commission and the Cabinet Office.  
(1B) The recipient of such a form may only use the information contained in it for the purposes of evaluating the pilot scheme or other electoral purposes.  
(1C) The data collection form and ballot paper refusal form may not be disclosed to any person other than in proceedings relating to an election petition or in relation to an investigation into electoral fraud.î  
After paragraph (2) insert—  
“(3) For the purposes of paragraph (1A), any day falling within rule 2(1) must be disregarded.î

**Orders for production of documents**

- In paragraph (1)—
- (a) at the end of subparagraph (a) omit “or”;
  - (b) after subparagraph (a) insert—
    - i(ab)for the inspection or production of any ballot papers cancelled under rule 29B in his custody,”

In paragraph (8), after “ballot papers” insert “, or any ballot papers cancelled under rule 29B”

**SCHEDULE 7**

Article 3(8)

*Form of front of official proxy poll card*

<b>Proxy poll card</b>	
Election of councillors to <i>[insert name of parish council]</i>	
<i>[Insert name of ward]</i>	
Date of election <i>[day] [date] [month] [year]</i>	

<b>Voting information</b>	
Polling day	
Voting hours	
Your polling station will be	

**Please turn over**

**YOU MUST BRING PHOTOGRAPHIC ID TO VOTE AS A PROXY AT THIS ELECTION** You will not be able to vote unless you show photographic ID to polling station staff. We are piloting changes to proxy voting at this election and further information will be sent to you by post. A list of accepted ID can be found on the website *[insert website details]*.

**Your details:**

*\*[Proxy's name and qualifying address details here]*  
*\*Returning Officer to omit where poll card sent to the proxy of an anonymous elector. Poll card to proxy of an anonymous elector must be delivered in a sealed envelope.*

**You will receive a proxy vote**

\*\* [The person named on the back of this card] [Another person] has appointed you as a proxy to vote on their behalf at this election.

[You do not need to have this card with you when you go to vote.] [You must have this card with you when you go to vote. You cannot vote as a proxy without it.]

\*\* *If sent to the proxy of an anonymous elector omit the words in the first sets of brackets, if not omit the words in each of the second sets of brackets.*

*[Insert helpline and other details including website].*

Form of back of official proxy poll card

**You must bring photographic ID with you to your polling station when you go to vote as a proxy at this election**

For this election you are proxy for:

*\*[(Elector's name), (Elector's address), (Elector's number on register)]*

*[the person with this elector number: (insert elector's number on register)]*

*\*If anonymous elector omit the words in the first set of square brackets, if not omit the words in the second set of square brackets*

**The person you are proxy for can vote themselves if they wish – but only if you have not already voted on their behalf.**

*This space for map or other information such as helpline and website details*



**If you need any help or to find out if your polling station is accessible please contact us. [Returning Officer to add contact details including website if appropriate]**

**How to vote as a proxy**

1. *\*[At the polling station, tell the staff that you are a proxy for the person named above and hand them your photographic ID. Your ID will be returned and they will give you that person's ballot paper.] \* [At the polling station, ask to speak to the presiding officer and show them this card. Hand them your photographic ID. It will be returned to you and they will give you the ballot paper of the person you are proxy for.]*

*\*If anonymous elector omit the words in the first set of square brackets, if not omit the words in the second set of square brackets*

2. Go to one of the voting booths.

3. Follow the instructions on how to mark the ballot paper.

4. Fold the ballot paper and put in the ballot box

**If you need any help, just ask the staff.**

If you are away or cannot go to the polling station on *[day] [date of poll]*

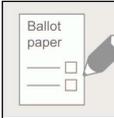
- You can apply to vote by post. The deadline for completed applications is **5pm on *[day] [date of deadline]***.
- If you are given a postal vote, you or the person you are proxy for will not be able to vote in person at this election.
- **To find out how to apply, please call us on *[insert helpline number or other contact details]*.**

**It is an offence to:**

- vote more than once at this election, unless you are voting on your own behalf and as a proxy for another person;
- vote as a proxy at this election for more than two people, unless you are their spouse, civil partner, parent, grandparent, brother, sister, child or grandchild;
- vote as a proxy for someone if you know that by law they are not allowed to vote.

The Returning Officer issued this card.  
If undelivered return to  
*[Insert return address]*

*Form of directions for the guidance of the proxy voters in voting*

<b>Proxy Voters- How to vote at this election</b>		
<b>1</b>	Go to the desk and give your photographic ID to the staff.	
<b>2</b>	Tell the staff your name and address, and if your ID is acceptable, they will issue you with a ballot paper.	
<b>3</b>	Take your ballot paper to a voting booth.	
<b>4</b>	Read the instructions in the booth and on the ballot paper and mark your ballot paper accordingly.	
<b>5</b>	When you have marked your ballot paper, fold it so that nobody can see how you have voted.	
<b>6</b>	Put your folded ballot paper into the ballot box.	
<p><b>(!) Voting is secret. Do not let anyone see how you have voted.</b></p> <p><b> If you make a mistake or need some help, just ask the staff.</b></p>		



After paragraph (4) insert—

“(5) This rule is subject to rule 22A.”

After rule 22 insert—

### **iHand delivery of postal ballot papers**

**22A.**—(1) The returning officer must deliver, in accordance with this rule, a selection of the postal ballot papers and postal voting statements issued for the purposes of voting in the election.

(2) Each of the ballot papers and voting statements must be delivered by hand—

- (a) in the case of an elector, to the address as shown in the postal voters list;
- (b) in the case of a proxy, to the address as shown in the list of proxies.

(3) Where, in doing so, the returning officer delivers a ballot paper and postal voting statement to the voter to whom it was issued in person, the returning officer must—

- (a) ask the voter whether he applied for a postal vote;
- (b) inform the voter that the ballot paper and postal voting statement are for that voter to complete in secret; and
- (c) inform the voter of the returning officer’s contact details should the voter have any concerns about completing the ballot paper and voting statement.

(4) The returning officer must not deliver a postal ballot paper and postal voting statement to a voter if—

- (a) the returning officer is notified by that voter that he did not in fact apply to vote by post in the election; and
- (b) the returning officer is satisfied that the claim is true.

(5) Paragraphs (1) to (3) of regulation 76 of the 2001 Regulations do not apply in relation to postal ballot papers and postal voting statements that are to be delivered in accordance with this rule.

### **Verification after issue of postal ballot papers**

**22B.** Within 10 days after issuing the first batch of postal ballot papers in accordance with rule 22, the returning officer may contact a selection of the people to whom they were issued, for the purpose of obtaining the following information—

- (a) to verify that the voter applied to vote by post;
- (b) to verify that the voter has received their postal ballot paper and postal voting statement;
- (c) to identify any problems with the voter receiving their postal ballot paper;
- (d) to verify that the voter understands that the ballot paper and postal voting statement are for that voter to complete in secret;

- (e) to verify that the voter is aware of the returning officer’s contact details should the voter have any concerns about completing the ballot paper and voting statement.”

25

**Issue of official poll cards**

After subparagraph (4)(c) insert—

- i(ca) in the case of a proxy poll card, that the voter must bring identification to the polling station;î

After paragraph (5) insert—

i(5A) The returning officer must take reasonable steps to provide any proxy with information concerning the requirement to provide identification at the polling station and the forms of identification that are acceptable.”

26

**Equipment of polling stations**

After subparagraph (4)(d) insert—

- i(e) the form referred to in rule 35(2E) for recording the refusal of a ballot paper (“ballot paper refusal form”) as prescribed in the Appendix;
- (f) the form referred to in rule 35(2I) for recording information relating to a specified document (“data collection form”).î

After paragraph (6) insert—

“(6A) The returning officer must also provide a large notice, to be displayed inside the polling station, which describes the types of specified document one of which a proxy voter must produce before receiving a ballot paper.î

29

**Return of postal ballot papers**

After rule 29 insert—

**Verification after opening of postal voters’ ballot box**

**29A.** Not less than 3 days before the day of the poll, the returning officer must contact a selection of the postal voters whose postal ballot paper and postal voting statement have been returned to the returning officer, for the purpose of obtaining the following information—

- (a) to verify that the voter applied to vote by post;
- (b) to verify that the voter received the postal ballot paper;
- (c) to verify that the voter personally completed the ballot paper and postal voting statement and returned it to the returning officer;
- (d) to establish whether the voter had any concerns with completing their postal vote.

**Cancellation of postal ballot paper in cases of electoral fraud etc.**

**29B.—(1)** This rule applies where—

- (a) in accordance with rule 22A, the voter claims to the returning officer that he did not make an application to vote by post;
- (b) a postal ballot paper has been delivered to a postal voter under rule 22A of this Schedule or regulation 76 of the 2001 Regulations and the voter to whom that paper was delivered claims he—
  - (i) did not make an application to vote by post;
  - (ii) did make such an application, but has not received a postal ballot paper; or
- (c) a postal vote has been returned to the returning officer but the voter claims that he did not mark the ballot paper or complete the postal voting statement himself and return it to the returning officer.

(2) Where the returning officer—

- (a) is satisfied as to the identity of the voter making a claim described in paragraph (1);
- (b) has received a written declaration from the voter confirming that claim to be true; and
- (c) has no reason to doubt that claim;

the returning officer must cancel the postal ballot paper and postal voting statement issued to the voter.

(3) Where a postal ballot paper and postal voting statement is cancelled under paragraph (2) the returning officer must issue a replacement postal ballot paper and postal voting statement to the voter where that voter requests such a replacement.

(4) Where a person returns a postal ballot paper or postal voting statement that has been cancelled in accordance with paragraph (2), the returning officer must make up those documents in a separate packet and must seal the packet; and, if any further documents are returned that have been cancelled in accordance with that paragraph, the returning officer must unseal the packet, make it up with those further documents and then reseal it.

(5) The returning officer must keep a list for the purpose of recording postal ballot papers cancelled under this rule (“the list of cancelled postal ballot papers in cases of electoral fraud etc.”) and record on it—

- (a) the name and number of the elector as stated in the register of electors;
- (b) the number of the cancelled ballot paper;
- (c) the number of any replacement postal ballot paper issued under paragraph (3); and
- (d) where the postal voter is a proxy, their name and address.

(6) Subject to paragraph (7) below, regulations 72 (except paragraph (3)), 74, 75 and 76, of the 2001 Regulations shall apply to the replacement postal ballot paper issued under paragraph (3) as they apply to a postal ballot paper issued under rule 22 of this Schedule.

(7) Where a replacement ballot paper is issued under paragraph (3), the returning officer may hand the replacement ballot paper to the voter instead of delivering it in accordance with regulation 76 of the 2001 Regulations.

(8) Where a postal ballot paper is cancelled under paragraph (2) on the grounds that the voter did not apply for a postal vote under Schedule 4 of the 2000 Act, the returning officer must notify the relevant registration officer of that fact.

(9) On completion of the counting of votes, the returning officer must forward to the relevant registration officer any sealed packets referred to in paragraph (4), endorsing on each packet a description of its contents, the date of the election to which it relates and the name of the electoral area (or areas) for which the election (or elections) was held.

(10) This rule applies without prejudice to rule 78A (cancellation of postal ballot papers) of the 2001 Regulations.

(11) In this rule, relevant registration officer has the meaning given by rule 52(3) (delivery of documents to relevant registration officer).

### **Recording of Information**

**29C.**—(1) The returning officer must record the following information in connection with the delivery under rule 22A and the verification undertaken in accordance with rule 22B and rule 29A—

- (a) the number of people who were delivered a ballot paper under rule 22A;
- (b) the number of people who were refused a ballot paper under rule 22A;
- (c) the number of people who were contacted under rule 22B;
- (d) the number of people who provided information under rule 22B;
- (e) the number of people who were contacted under rule 29A;
- (f) the number of people who provided information under rule 29A;
- (g) the number of people who confirmed when contacted under rule 22A that they did not apply to vote by post;
- (h) the number of people who confirmed when contacted under rule 22B that they did not apply to vote by post;
- (i) the number of people who confirmed when contacted under rule 29A that they did not apply to vote by post;
- (j) the number of people who confirmed when contacted under rule 22B that they did not receive a postal ballot paper;
- (k) the number of people who confirmed when contacted under rule 29A that they did not receive a postal ballot paper;

- (l) the number of people who confirmed that they did not return their postal ballot paper and postal voting statement where those documents had been returned to the returning officer;
- (m) the number of cases referred to the police relating to postal voting fraud;
- (n) the number of postal ballot papers issued but not returned.

(2) Within 20 days after the day of the poll, the returning officer must forward the information recorded under paragraph (1) to the Electoral Commission, and send a copy of that information to the Cabinet Office and to Peterborough City Council.

(3) The recipient of the information recorded under paragraph (1) may only use the information for evaluating the pilot scheme or other electoral purposes.

(4) The information recorded under paragraph (1) may not be disclosed to any person other than—

- (a) for the purposes connected with evaluating the pilot scheme or other electoral purposes;
- (b) in proceedings relating to an election petition; or
- (c) in relation to an investigation into electoral fraud.î

30

After subparagraph (1)(f) insert—

i(fa) representatives of the Cabinet Office;î

**Admission to the polling station**

33

In the Table of questions to be put to the voter, after question 6 insert—

**Questions to be put to voters**

“7.	Any person applying as a proxy	What is your name? What is your address?”
-----	--------------------------------	--

After paragraph (4) insert—

i(5) Nothing in this rule prevents the presiding officer who attends at a polling station from providing any proxy voter with a questionnaire concerning the requirement to provide identification at the polling station in order to vote.

(6) The questionnaire mentioned in paragraph (5) must not—

- (a) be delivered to a voter until the voter has placed their ballot paper into the ballot box; or
- (b) contain any question designated to elicit any information from the voter as to the candidate for whom he has voted.î

35

At the beginning of paragraph (1) insert “Subject to paragraphs (2A) to (2I),”

**Voting Procedure**

After paragraph (2) insert—

“(2A) A ballot paper must not be delivered to a proxy voter

unless that voter has produced a specified document to the presiding officer or a clerk.

(2B) Where a proxy voter produces a specified document, the presiding officer or clerk to whom it is produced must deliver a ballot paper to the voter in accordance with paragraph (1) unless the officer or clerk decides that the document raises a reasonable doubt as to whether the voter is the proxy he represents himself to be.

(2C) Where in such a case—

- (a) it is the presiding officer who so decides, he must refuse to deliver a ballot paper to the voter;
- (b) it is the clerk who so decides, he must refer the matter and produce the document to the presiding officer, who shall proceed as if it had been to him that the voter had presented himself and produced the document in the first place.

(2D) The decision of the presiding officer under paragraph (2B) may not be questioned in any proceedings whatsoever other than proceedings on an election petition.

(2E) Where the presiding officer refuses to deliver a ballot paper in accordance with paragraph (2C), the voter's electoral number must be recorded on the ballot paper refusal form together with the reason why a ballot paper was refused.

(2F) A specified document is—

- (a) in the case of a proxy with an anonymous entry, an electoral identity letter,
- (b) in any other case, a document specified in paragraph (2G).

(2G) The documents referred to in paragraph (2F)(b) are any of the following issued to the voter—

- (a) a passport issued by a Commonwealth country, a country within the European Economic Area or Switzerland;
- (b) a photocard driving licence (including a provisional licence) issued in the United Kingdom or by a Crown Dependency or by a member State of the European Union;
- (c) an electoral identity card issued under section 13C (electoral identity card: Northern Ireland) of the Representation of the People Act 1983(a);
- (d) a biometric immigration document issued in the United Kingdom in accordance with regulations made under section 5 of the UK Borders Act 2007(b);
- (e) an identity card issued in the European Economic Area which bears a photograph of the voter;
- (f) a disabled person's bus pass issued by Peterborough City Council;
- (g) an identity card issued by the Ministry of Defence

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(a) 1983 c. 2.  
(b) 2007 c.30..

which bears the voter's photograph;

(h) an electoral identity letter.

(2H) The presiding officer must—

- (a) inspect a voter's specified document in a private area where the voter makes a request to do so; and
- (b) exclude any person other than the voter's companion from that private area while such an inspection is taking place.

(2I) The presiding officer must record the following information on the data collection form—

- (a) in relation to each type of document referred to in paragraph (2G), the number of voters producing a document where a ballot paper was delivered;
- (b) the number of voters who produced a document referred to in paragraph (2G) but were refused a ballot paper;
- (c) the number of voters who produced a document other than a specified document;
- (d) the number of voters who produced no document;
- (e) the number of voters referred to in sub-paragraphs (b) to (d) who later returned with a specified document and received a ballot paper;
- (f) the number of voters who were refused a ballot paper due to a failure to correctly answer a statutory question.î

After paragraph (7) insert—

“(8) In this rule, a reference to—

- (a) an “electoral identity letter” is a reference to a letter issued by the returning officer in accordance with Schedule 5 for the purpose of the election;
- (b) a document is a reference to the document itself and not a copy, whether in paper or electronic form;
- (c) producing a document is a reference to producing the document for inspection.î

36

**Votes marked by  
presiding officer**

After paragraph (1) insert—

î(1A) Paragraphs (2A) to (2I) of rule 35 apply in the case of a proxy voter who applies under paragraph (1) above as they apply in the case of a proxy voter who applies under rule 35(1), but reading a reference to delivering a ballot paper to a proxy voter as a reference to causing a proxy voter's vote to be marked on a ballot paper.î

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**Voting by persons  
with disabilities**

After paragraph (2) insert—

î(2A) Paragraphs (2A) to (2I) of rule 35 apply in the case of a proxy voter who applies under paragraph (1) above as they apply in the case of a proxy voter who applies under rule 35(1), but reading a reference to delivering a ballot paper to a proxy voter as a reference to granting a proxy voter's application.î



## SCHEDULE 9

Article 3(10)

### Forms to be used for the election

*Form of front of official proxy poll card*

<b>Proxy poll card</b>
Election of councillors to <i>[insert name of parish council]</i>
<i>[Insert name of ward]</i>
Date of election <i>[day] [date] [month] [year]</i>

<b>Voting information</b>	
Polling day	
Voting hours	
Your polling station will be	

**Please turn over**

**YOU MUST BRING PHOTOGRAPHIC ID TO VOTE AS A PROXY AT THIS ELECTION** You will not be able to vote unless you show photographic ID to polling station staff. We are piloting changes to proxy voting at this election and further information will be sent to you by post. A list of accepted ID can be found on the website *[Insert website details]*.

**Your details:**

*\*[Proxy's name and qualifying address details here]*

*\*Returning Officer to omit where poll card sent to the proxy of an anonymous elector. Poll card to proxy of an anonymous elector must be delivered in a sealed envelope.*

**You will receive a proxy vote**

**\*\*** [The person named on the back of this card] [Another person] has appointed you as a proxy to vote on their behalf at this election.

[You do not need to have this card with you when you go to vote.] [You must have this card with you when you go to vote. You cannot vote as a proxy without it.]

**\*\*** *If sent to the proxy of an anonymous elector omit the words in the first sets of brackets, if not omit the words in each of the second sets of brackets.*

*[Insert helpline and other details including website].*

Form of back of official proxy poll card

**You must bring photographic ID with you to your polling station when you go to vote as a proxy at this election**

For this election you are proxy for:

\*[(Elector's name), (Elector's address), (Elector's number on register)]

[the person with this elector number: (insert elector's number on register)]

*\*If anonymous elector omit the words in the first set of square brackets, if not omit the words in the second set of square brackets*

**The person you are proxy for can vote themselves if they wish – but only if you have not already voted on their behalf.**

*This space for map or other information such as helpline and website details*



**If you need any help or to find out if your polling station is accessible please contact us. [Returning Officer to add contact details including website if appropriate]**

**How to vote as a proxy**

1. \*[At the polling station, tell the staff that you are a proxy for the person named above and hand them your photographic ID. Your ID will be returned and they will give you that person's ballot paper.] \*[At the polling station, ask to speak to the presiding officer and show them this card. Hand them your photographic ID. It will be returned to you and they will give you the ballot paper of the person you are proxy for.]

*\*If anonymous elector omit the words in the first set of square brackets, if not omit the words in the second set of square brackets*

2. Go to one of the voting booths.

3. Follow the instructions on how to mark the ballot paper.

4. Fold the ballot paper and put in the ballot box

**If you need any help, just ask the staff.**

If you are away or cannot go to the polling station on [day] [date of poll]

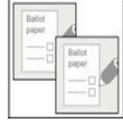
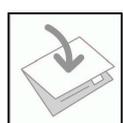
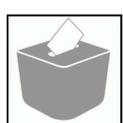
- You can apply to vote by post. The deadline for completed applications is 5pm on [day] [date of deadline].
- If you are given a postal vote, you or the person you are proxy for will not be able to vote in person at this election.
- To find out how to apply, please call us on [insert helpline number or other contact details].

**It is an offence to:**

- vote more than once at this election, unless you are voting on your own behalf and as a proxy for another person;
- vote as a proxy at this election for more than two people, unless you are their spouse, civil partner, parent, grandparent, brother, sister, child or grandchild;
- vote as a proxy for someone if you know that by law they are not allowed to vote.

The Returning Officer issued this card.  
If undelivered return to  
[Insert return address]

*Form of directions for the guidance of the proxy voters in voting*

<b>Proxy Voters- How to vote at these elections</b>		
<b>1</b>	Go to the desk and give your photographic ID to the staff.	
<b>2</b>	Tell the staff your name and address, and if your ID is acceptable, they will issue you with your ballot papers.	
<b>3</b>	Take your ballot papers to a voting booth.	
<b>4</b>	Read the instructions in the booth and on each individual ballot paper and mark your ballot papers accordingly.	
<b>5</b>	When you have marked your ballot papers, fold them so that nobody can see how you have voted.	
<b>6</b>	Put your folded ballot papers into the ballot box.	
<p><b>(!) Voting is secret. Do not let anyone see how you have voted.</b></p> <p><b> If you make a mistake or need some help, just ask the staff.</b></p>		



- (v) a declaration by the applicant that the information provided in the application is true;
  - (b) be accompanied by the documents required by paragraph 4; and
  - (c) be accompanied by a photograph which satisfies the requirements of paragraph 5.
- 4.—(1) The documents referred to in paragraph 3(b) are the following—
- (a) two of the documents in subparagraph (2), which may be a copy of the document or where the returning officer considers it appropriate, the document itself, and one of which must include the applicant’s registered address; or
  - (b) where the applicant is not able to provide the documents in accordance with paragraph (a), an attestation in accordance with subparagraph (3).
- (2) The documents referred to in paragraph 4(1)(a) are the following, which must have been issued to the applicant—
- (a) the applicant's birth certificate;
  - (b) the applicant's marriage or civil partnership certificate;
  - (c) the applicant's adoption certificate;
  - (d) the applicant's firearms certificate granted under the Firearms Act 1968;
  - (e) the record of a decision on bail made in respect of the applicant in accordance with section 5(1) of the Bail Act 1976;
  - (f) the applicant's driving licence, which is not in the form of a photocard;
  - (g) a mortgage statement dated within 3 months of the date of the application;
  - (h) a bank or building society statement or passbook, or a letter from the bank or building society confirming the opening of an account, dated within 3 months of the date of the application;
  - (i) a current bank or building society cheque book;
  - (j) a post office savings account statement dated within 3 months of the application;
  - (k) a credit card statement dated within 3 months of the date of the application;
  - (l) a pension statement dated within 3 months of the date of the application;
  - (m) a council tax demand letter or statement dated within 3 months of the date of the application;
  - (n) a utility bill dated within 3 months of the date of the application;
  - (o) a Form P45 or Form P60 issued to the applicant within 12 months of the date of the application;
  - (p) a mobile phone statement dated within 3 months of the date of the application.
- (3) The attestation referred to in paragraph 4(1)(b) must—
- (a) be in writing and state—
    - (i) that the applicant is the person named in the application;
    - (ii) the full name, date of birth, address, electoral number and occupation of the person signing the attestation;
    - (iii) the date on which it is made; and
  - (b) be signed by an eligible person.
- (4) In subparagraph (3), “eligible person” means a person who—
- (a) the returning officer is satisfied is of good standing in community;
  - (b) is registered as an elector in a local authority area in England and Wales;
  - (c) is not the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild of the applicant; and

- (d) has not already signed an attestation under subparagraph (3) for more than one other applicant.

5. The photograph referred to in paragraph 3(c) is a passport sized photo which bears a likeness of the applicant and is attested as such by a person—

- (a) the returning officer is satisfied is of good standing in the community;
- (b) registered as an elector in a local authority area in England and Wales;
- (c) who is not the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild of the applicant; and
- (d) who has not already attested a photograph under this paragraph for more than one other applicant.

6. The returning officer must issue an electoral identity letter in accordance with paragraph 7 if the returning officer is satisfied—

- (a) that the applicant is entitled to vote in the election as a proxy;
- (b) as to the identity of the applicant;
- (c) where appropriate, that the applicant has an anonymous entry in the register of local government electors; and
- (d) the requirements imposed under this Schedule in relation to the application have been met.

7. An electoral identity letter issued—

- (a) to an applicant with an anonymous entry (A) must—
  - (i) state A’s electoral number; and
  - (ii) bear A’s photograph;
- (b) to any other applicant (P) must—
  - (i) state P’s full name and registered address; and
  - (ii) bear P’s photograph.

8. An application may not be made under this Schedule after 5pm on the day of the poll.†

## SCHEDULE 11

Article 3(12)

### Modifications to other enactments

**Table**

<i>(1) Provision</i>	<i>(2) Modifications</i>
<i>2000 Act</i>	
Schedule 4, paragraph 3	In subparagraph (5)—
<b>Absent vote at election for definite or indefinite period</b>	(a) at the end of paragraph (c) omit “or”; (b) after paragraph (d) insert— <ul style="list-style-type: none"> <li>“, or,</li> <li>(e) if he is informed by the returning officer for any election to which the Peterborough City Council (Proxy and Postal Voting) Pilot Order 2018 applies that the person has notified that returning</li> </ul>

officer that he did not apply to vote by post.”

Schedule 4, paragraph 7

**Voting as proxy**

In subparagraph (9)—

(a) at the end of paragraph (c) omit “or”

(b) after paragraph (d) insert—

“, or,

(e) if he is informed by the returning officer for any election to which the Peterborough City Council (Proxy and Postal Voting) Pilot Order 2018 applies that the person has notified that returning officer that he did not apply to vote by post as proxy.”

*2006 Principal Areas Rules*

Rule 2(1)

**Interpretation**

Insert in the appropriate place—

““the Appendix” means—

(a) the Appendix of Forms in Part 7 of Schedule 2 as modified by the Peterborough City Council (Proxy and Postal Voting) Pilot Order 2018;

(b) the Appendix of Forms in Part 7 of Schedule 3 as modified by the Peterborough City Council (Proxy and Postal Voting) Pilot Order 2018;”

““ballot paper refusal form” means the form for recording the refusal of a ballot paper referred to in paragraph (2E) of rule 35 of Schedule 2 and paragraph (2E) of rule 35 of Schedule 3;”

““data collection form” means the form for recording the information relating to a specified document referred to in paragraph (2I) of rule 35 of Schedule 2 and paragraph (2I) of rule 35 of Schedule 3;”

““electoral area” means the local government area in which the election is held;”

““registered address” means the address which is entered on the local government register for the electoral area;”

““specified document” has the meaning given by paragraph (2F) of rule 35 of Schedule 2 and paragraph (2F) of rule 35 of Schedule 3;”

Rule 4

**Combination of Polls**

For rule 4 substitute—

“4. In any poll at the election of councillors to which the Peterborough City Council (Proxy and Postal Voting) Pilot Order 2018 applies, the rules set out in Schedule 3 to these Rules as modified by that Order shall apply.”

*2006 Parishes Rules*

Rule 2(1)

Insert in the appropriate place—

““the Appendix” means—

## **Interpretation**

(a) the Appendix of Forms in Part 7 of Schedule 2 as modified by the Peterborough City Council (Proxy and Postal Voting) Pilot Order 2018;

(b) the Appendix of Forms in Part 7 of Schedule 3 as modified by the Peterborough City Council (Proxy and Postal Voting) Pilot Order 2018;”

““ballot paper refusal form” means the form for recording the refusal of a ballot paper referred to in paragraph (2E) of rule 35 of Schedule 2 and paragraph (2E) of rule 35 of Schedule 3;”

““data collection form” means the form for recording the information relating to a specified document referred to in paragraph (2I) of rule 35 of Schedule 2 and paragraph (2I) of rule 35 of Schedule 3;”

““electoral area” means the local government area in which the election is held;”

““registered address” means the address which is entered on the local government register for the electoral area;”

““specified document” has the meaning given by paragraph (2F) of rule 35 of Schedule 2 and paragraph (2F) of rule 35 of Schedule 3;”

## **Rule 4**

For rule 4 substitute—

### **Combination of Polls**

“4. In any poll at the election of councillors to which the Peterborough City Council (Proxy and Postal Voting) Pilot Order 2018 applies, the rules set out in Schedule 3 to these Rules as modified by that Order shall apply.”