

Watford Borough Council (Identification in Polling Stations) Pilot Order 2018

Made - - - -

14th January 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).

Watford Borough 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 that Borough Council arising on the ordinary day for elections in 2018 and any election of local mayor in the Borough with which that election will be combined.

The Minister for the Cabinet Office modified the Borough 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 these 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 Watford Borough Council (Identification in Polling Stations) 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;

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

“2007 Mayoral Regulations” means the Local Authorities (Mayoral Elections) (England and Wales) Regulations 2007;(c)

“the Appendix”, unless otherwise indicated means—

(a) in Schedule 1 to this Order, the Appendix of Forms in Part 7 of Schedule 3 to the 2006 Principal Areas Rules (as modified by this Order);

(b) in Schedule 3 to this Order, the Appendix of Forms in Part 7 of Schedule 3 to the 2007 Mayoral Regulations (as modified by this Order);

“ballot paper refusal form” means—

(a) 2000 c. 2.
(b) S.I. 2006/3304.
(c) S.I. 2007/1024.

- (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 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 37 of the 2007 Mayoral Regulations (as inserted by this Order);
- “the election” means any local government election that takes place arising from a vacancy in the membership of Watford Borough Council or election of local mayor in the Borough with which that election will be combined, 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) The provisions in Schedule 3 to the 2006 Principal Areas Rules set out in column (1) of Table 1 in Schedule 1 to this Order shall have effect subject to the modifications in column (2) of that Table.

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

- (a) for the following forms substitute the form of the same name in Schedule 2 to this Order—
 - (i) “official poll card”;
 - (ii) “official proxy poll card”;
 - (iii) “form of directions for the guidance of the voters in voting”;
- (b) 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) The provisions in Schedule 3 to the 2007 Mayoral Regulations set out in column (1) of Table 2 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 Schedule 3 to the 2007 Mayoral Election Regulations—

- (a) for the following forms substitute the form of the same name in Schedule 4 to this Order—
 - (i) “official poll card”;
 - (ii) “official proxy poll card”;
 - (iii) “form of directions for the guidance of the voters in voting”;
- (b) 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) The provisions set out in column (1) of Table 3 in Schedule 5 to this Order shall have effect subject to the modifications in column (2) of that Table.

14th January 2018

David Lidington
Minister for the Cabinet Office
Cabinet Office

SCHEDULE 1

Article 3(2)

Modifications to Schedule 3 to the 2006 Principal Areas Rules

Table 1

<i>(1)</i>	<i>(2)</i>
<i>Rule</i>	<i>Modification</i>
23	<p>After paragraph (4) insert—</p> <p>i(5) The returning officer must ensure that each polling station has an area where a voter can produce a specified document in private where the voter makes a request to do so.î</p>
Provision of polling stations	
25	<p>After sub-paragraph (3)(c) insert—</p> <p>i(ca)that the voter must bring identification to the polling station;î</p> <p>After sub-paragraph (4) insert—</p> <p>i(4A) The returning officer must take reasonable steps to provide the elector and any proxy with information concerning the requirement to provide identification at the polling station and the forms of identification that are acceptable.”</p>
Issue of official poll cards	
	<p>After rule 25 insert—</p> <p>Replacement poll card</p> <p>25A.—(1) Where an elector claims he has lost or not received his poll card he may apply to the returning officer for a replacement poll card.</p> <p>(2) The application must include—</p> <ul style="list-style-type: none"> (a) evidence of the elector’s identity; (b) the reason for making the application; and (c) confirmation that the elector would not be able to provide any document in accordance with rule 35(2A). <p>(3) Where the returning officer—</p> <ul style="list-style-type: none"> (a) is satisfied as to the elector’s identity; (b) is satisfied that the elector would not be able to provide any document in accordance with rule 35(2A); and (c) has no reason to doubt that the elector has either lost or has not received the poll card, <p>the returning officer must issue another poll card in accordance with paragraphs (4) and (5).</p> <p>(4) Rule 25(2) to (5) applies in relation to the issue of a replacement poll card as those paragraphs apply to the initial issue of a poll card, subject to paragraph (5).</p> <p>(5) Where an elector applies for a replacement poll card in person—</p> <ul style="list-style-type: none"> (a) before 5pm on the fourth day before the day of the poll, the returning officer may hand a replacement poll card

to him;

- (b) after 5pm on that day, the returning officer may only hand a replacement poll card to him,

instead of delivering it in accordance with rule 25(2).

(6) The returning officer must enter in a list—

- (a) the name and number of the elector as stated in the register; or
- (b) in the case of an elector who has an anonymous entry, his electoral number alone.

(7) An application may not be made under paragraph (1) after 9pm on the day of the poll.

(8) This regulation applies in the case of a proxy who claims that he has lost or not received his proxy poll card but—

- (a) reading a reference to an elector as a reference to a proxy, and
- (b) reading a reference to a poll card as a reference to a proxy poll card.

Cancellation of poll card

25B.—(1) The returning officer must immediately cancel a poll card if—

- (a) an elector notifies the returning officer that he has lost or not received that poll card, and the returning officer—
 - (i) is satisfied as to the elector’s identity, and
 - (ii) has no reason to doubt that the elector has either lost or has not received it; or
- (b) the returning officer has issued a replacement poll card under rule 25A.

(2) This regulation applies in the case of a proxy poll card but—

- (a) reading a reference to an elector as a reference to a proxy, and
- (b) reading a reference to a poll card as a reference to a proxy poll card.î

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Equipment of polling stations

After sub-paragraph 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 specified documents one of which a voter must produce before receiving a ballot paper.î

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

(2B) Where a 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 elector or 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) the voter's poll card; or
- (b) where the voter is unable to produce their poll card, 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 or a member State of the European Union;
- (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;
- (d) a biometric immigration document issued in the United Kingdom in accordance with regulations made under section 5 of the UK Borders Act 2007;
- (e) an identity card issued in the European Economic Area which bears a photograph of the voter;
- (f) a valid bank or building society debit card or credit card.

(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) the total number of voters who produced a poll card where a ballot paper was delivered;
- (b) 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;
- (c) the number of voters who produced a document referred to in paragraph (2G) but were refused a ballot paper;
- (d) the number of voters who produced a document other than a specified document;
- (e) the number of voters who produced no document;
- (f) the number of voters referred to in sub-paragraphs (c) to (e) who later returned with a specified document and received a ballot paper;
- (g) the number of voters who were refused a ballot paper due to a failure to correctly answer a statutory question.¹

After paragraph (7) insert—

i(8) This rule applies to a proxy as it applies to an elector but a reference to a poll card is to be read as a reference to a proxy poll card.

(9) In this rule, a reference to—

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

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

37 After paragraph (2) insert—
 Voting by persons with disabilities
 ì(2A) Paragraphs (2A) to (2I) of rule 35 apply in the case of a voter who applies under paragraph (1) above as they apply in the case of a voter who applies under rule 35(1), but reading a reference to delivering a ballot paper to a voter as a reference to granting a voter's application.î

38 After paragraph (6) insert—
 Tendered ballot papers
 ì(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 voter who applies for a ballot paper under rule 35(1).î

43 After sub-paragraph (2) insert—
 Procedure on close of poll
 ì(2A) 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

After paragraph (5) insert—
 ì(6) Where marked copies of the register of electors (including any copy notices issued under section 13B(3B) or (3D) of the 1983 Act), the list of proxies or completed corresponding number lists are held in electronic form, as soon as practicable after the close of the poll the presiding officer must—
 (a) ensure that those registers or lists are securely transmitted to the relevant registration officer; and
 (b) notify the returning officer that he has done so.
 (7) As soon as reasonable practicable after receiving such notice, the returning officer must ensure that such information held other than by the relevant registration officer is destroyed.î

44 After sub-paragraph (3)(e) insert—
 Attendance at counting of votes
 “(f) representatives of the Cabinet Office.”

**Delivery of documents
to relevant
registration officer**

After paragraph (2) insert—

i(2A) Within 10 days after the day of the poll, the returning officer must forward—

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

(2B) The recipient of such a form may only use the information contained in it for the purposes of evaluating the pilot scheme or electoral purposes.

(2C) 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

In paragraph (3) for “rules 53, 54 and 55” substitute “rules 43, 53, 54 and 55”.

After paragraph (3) insert—

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

SCHEDULE 2

Article 3(3)

Forms to be used for the election

Form of front of official poll card

Poll Card	
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>	

Please keep this poll card safe.

You must bring it with you as proof of ID when you go to vote.

Voting information	
Polling day	
Polling hours	
Your polling station will be	

Your details:

** [Elector's name and qualifying address details here]*

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

Number on register:

****** [You must have this card with you. You cannot vote without it.]

****** *If anonymous elector include the words in the brackets.*

[Insert helpline and other details including website].

Please turn over


Form of back of official poll card

You must bring this card with you to your polling station as proof of ID when you go to vote.

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

 **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]

If undelivered return to:
[Insert return address]

If you are away or cannot go to the polling station on [day] [date of poll] you can do one of the following:

- Apply to vote by post. Completed applications must reach us **before 5pm on [day] [date of deadline]**. If you are given a postal vote, you will not be able to vote in person at this election.

OR

- Apply to vote by proxy (this means someone else can vote on your behalf). Completed applications must reach us by **5pm on [day] [date of deadline]**. If you appoint a proxy, you can vote if you wish, but only if your proxy has not already voted on your behalf and has not got a postal vote for you.

If after 5pm on [the eleventh day before the date of the poll] you are unable to vote in person because you:

- Have a medical emergency after 5pm on [day] [date of deadline]
- Learn you cannot go to the polling station because of work reasons

You can apply to vote by proxy. Completed applications must reach us **before 5pm on [day] [date of deadline]**. To find out how to apply, call the helpline immediately.

The Returning Officer issued this card.

Form of front of official proxy poll card

Proxy poll card	
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>	

Voting information	
Polling day	
Polling hours	
Your polling station will be	

Please turn over

Please keep this poll card safe. You must bring it with you as proof of ID when you go to vote.

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 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 set of brackets, if not omit the words in each of the second and third sets of brackets.*

[Insert helpline and other details including website].

Form of back of official proxy poll card

You must bring this card with you to your polling station as proof of ID when you go to vote

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. 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. 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.




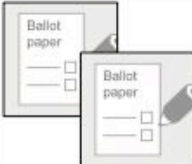


If you are away or cannot go to the polling station on *[day] [date of poll]*

- 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]

<h2>How to vote at this election</h2>		
1	Go to the desk and give your poll card (or alternative ID) to the staff.	
2	Tell the staff your name and address, they confirm your registration and will issue you with your ballot papers.	
3	Take your ballot papers to a voting booth.	
4	Read the instructions in the booth and on each individual ballot paper and mark your ballot papers accordingly.	
5	When you have marked your ballot papers, fold each separately so that nobody can see how you have voted.	
6	Put your folded ballot papers into the ballot box.	
<p>(!) Voting is secret. Do not let anyone see how you have voted. 🗣️ If you make a mistake or need some help, just ask the staff.</p>		

SCHEDULE 3

Article 3(4)

Modifications to Schedule 3 to the 2007 Mayoral Election Rules

Table 2

<i>(1)</i> <i>Rule</i>	<i>(2)</i> <i>Modification</i>
2 Interpretation	<p>For the definition “the Appendix” substitute—</p> <p>““the Appendix” means the Appendix of forms to these Rules as modified by the Watford Borough Council (Identification in Polling Stations) Pilot Order 2018;”</p> <p>Insert in the appropriate place—</p> <p>““ballot paper refusal form” means the form for recording the refusal of a ballot paper referred to in paragraph (2E) of rule 37 of this Schedule;”</p> <p>““data collection form” means the form for recording the information relating to a specified document referred to in paragraph (2I) of rule 37 of this Schedule;”</p> <p>“day or date of the poll” means 3rd May 2018;”</p> <p>““the election” means any local government election that takes place arising from a vacancy in the membership of Watford Borough Council or election of local mayor in the Borough with which that election will be combined, arising on the ordinary day of elections in 2018;”</p> <p>““electoral area” means the local government area in which the election is held;”</p> <p>““registered address” means the address which is entered on the local government register for the electoral area;”</p> <p>““specified document” has the meaning given by paragraph (2F) of rule 37 of this Schedule;”</p> <p>After rule 2(4) insert—</p> <p style="padding-left: 40px;">i(5) In these Rules, a reference to copies of the register of electors (including any copy notices issued under section 13B(3B) or (3D) of the 1983 Act), list of proxies and corresponding number list, is a reference to those documents being held in either paper or electronic form.</p>
25 Provision of polling stations	<p>After paragraph (4) insert—</p> <p style="padding-left: 40px;">i(5) The returning officer must ensure that each polling station has an area where a voter can produce a specified document in private where the voter makes a request to do so.</p>
27 Issue of official poll cards	<p>After sub-paragraph (3)(c) insert—</p> <p style="padding-left: 40px;">i(ca) that the voter must bring identification to the polling station;</p>

After sub-paragraph (4) insert—

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

After rule 27 insert—

iReplacement poll card

27A.—(1) Where an elector claims he has lost or not received his poll card he may apply to the returning officer for a replacement poll card.

(2) The application must include—

- (a) evidence of the elector’s identity;
- (b) the reason for making the application; and
- (c) confirmation that the elector would not be able to provide any documents in accordance with rule 37(2A).

(3) Where the returning officer—

- (a) is satisfied as to the elector’s identity;
- (b) is satisfied that the elector would not be able to provide any document in accordance with rule 37(2A); and
- (c) has no reason to doubt that the elector has either lost or has not received the poll card,

the returning officer must issue another poll card in accordance with paragraphs (4) and (5).

(4) Rule 27(2) to (5) applies in relation to the issue of a replacement poll card as those paragraphs apply to the initial issue of a poll card, subject to paragraph (5).

(5) Where an elector applies for a replacement poll card in person—

- (a) before 5pm on the fourth day before the day of the poll, the returning officer may hand a replacement poll card to him;
- (b) after 5pm on that day, the returning officer may only hand a replacement poll card to him,

instead of delivering it in accordance with rule 27(2).

(6) The returning officer must enter in a list—

- (a) the name and number of the elector as stated in the register; or
- (b) in the case of an elector who has an anonymous entry, his electoral number alone.

(7) An application may not be made under paragraph (1) after 9pm on the day of the poll.

(8) This regulation applies in the case of a proxy who claims that he has lost or not received his proxy poll card but—

- (a) reading a reference to an elector as a reference to a proxy, and
- (b) reading a reference to a poll card as a reference to a

proxy poll card.

Cancellation of poll card

27B.—(1) The returning officer must immediately cancel a poll card if—

- (a) an elector notifies the returning officer that he has lost or not received that poll card, and the returning officer—
 - (i) is satisfied as to the elector’s identity, and
 - (ii) has no reason to doubt that the elector has either lost or has not received it; or
- (b) the returning officer has issued a replacement poll card under rule 27A.

(2) This regulation applies in the case of a proxy poll card but—

- (a) reading a reference to an elector as a reference to a proxy, and
- (b) reading a reference to a poll card as a reference to a proxy poll card.î

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Equipment of polling stations

After sub-paragraph 4(d) insert—

- “(e) the form referred to in rule 37(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 37(2I) for recording information relating to a specified document (“data collection form”).î

After paragraph (6) insert—

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

32

Admission to polling station

After sub-paragraph (1)(f) insert—

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

35

Questions to be put to voters

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

“7.	Any person applying as an elector or 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 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.

37

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

Voting Procedure

After paragraph (2) insert—

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

(2B) Where a 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 elector or 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) the voter’s poll card; or
- (b) where the voter is unable to produce their poll card, 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 or a member State of the European Union;
- (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;
- (d) a biometric immigration document issued in the United Kingdom in accordance with regulations made under

section 5 of the UK Borders Act 2007;

- (e) an identity card issued in the European Economic Area which bears a photograph of the voter;
- (f) a valid bank or building society debit card or credit card.

(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 a 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) the total number of voters who produced a poll card where a ballot paper was delivered;
- (b) 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;
- (c) the number of voters who produced a document referred to in paragraph (2G) but were refused a ballot paper;
- (d) the number of voters who produced a document other than a specified document;
- (e) the number of voters who produced no document;
- (f) the number of voters referred to in sub-paragraphs (c) to (e) who later returned with a specified document and received a ballot paper;
- (g) 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—

i(8) This rule applies to a proxy as it applies to an elector but a reference to a poll card is to be read as a reference to a proxy poll card.

(9) In this rule, a reference to—

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

38

**Votes marked by
presiding officer**

After paragraph (1) insert—

i(1A) Paragraphs (2A) to (2I) of rule 37 apply in the case of a voter who applies under paragraph (1) above as they apply in the case of a voter who applies under rule 37(1), but reading a reference to delivering a ballot paper to a voter as a reference to causing a voter's vote to be marked on a ballot paper.î

39

**Voting by persons
with disabilities**

After paragraph (2) insert—

i(2A) Paragraphs (2A) to (2I) of rule 37 apply in the case of a voter who applies under paragraph (1) above as they apply in the case of a voter who applies under rule 37(1), but reading a reference to delivering a ballot paper to a voter as a reference to

granting a voter's application.â

- 40 **Tendered ballot papers** After paragraph (6) insert—
i(7) Paragraphs (2A) to (2I) of rule 37 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 voter who applies for a ballot paper under rule 37(1).â
- 45 **Procedure on close of poll** After sub-paragraph (2) insert—
i(2A) 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.â
In paragraph (3) for "paragraph (1)" substitute "paragraphs (1) and (2A)".
After paragraph (5) insert—
i(6) Where copies of the register of electors (including any copy notices issued under section 13B(3B) or (3D) of the 1983 Act), list of proxies or corresponding number list are held in electronic form, as soon as practicable after the close of the poll the presiding officer must—
(a) ensure that those registers or lists are securely transmitted to the relevant registration officer; and
(b) notify the returning officer that he has done so.
(7) As soon as reasonable practicable after receiving such notice, the returning officer must ensure that such information held other than by the relevant registration officer is destroyed.â
- 46 **Attendance at the count** After sub-paragraph (3)(e) insert—
“(f) representatives of the Cabinet Office.”
- 57 **Delivery and retention of documents** After paragraph (2) insert—
i(2A) Within 10 days after the day of the poll, the returning officer must forward—
(a) the data collection form to the Electoral Commission, and send a copy of that form to the Cabinet Office and to Watford Borough Council, and
(b) the ballot paper refusal form to the relevant registration officer, and send a copy of that form to the Electoral Commission and the Cabinet Office.
(2B) The recipient of such a form may only use the information contained in it for the purposes of evaluating the pilot scheme or electoral purposes.
(2C) The data collection form and ballot paper refusal form
-

may not be disclosed to any other person other than in proceedings relating to an election petition or in relation to an investigation into electoral fraud.â

In paragraph (3) for “rules 58, 59 and 60” substitute “rules 45, 58, 59 and 60”.

After paragraph (3) insert—

i(4) For the purposes of paragraph (2A), any day falling within rule 2(1) must be disregarded.â

SCHEDULE 4

Article 3(5)

Forms to be used for the election

Form of front of official poll card

Poll Card	
Election of the Mayor for <i>[insert name of authority]</i>	
Date of election <i>[day] [date] [month] [year]</i>	

<p>Please keep this poll card safe.</p> <p>You <u>must</u> bring it with you as proof of ID when you go to vote.</p>
--

Voting information	
Polling day	
Polling hours	
Your polling station will be	

<p>Your details:</p> <p><i>* [Elector's name and qualifying address details here]</i></p> <p><i>* Returning Officer to omit where poll card sent to an anonymous elector. Poll card to an anonymous elector must be delivered in a sealed envelope</i></p> <p>Number on register:</p>

** [You must have this card with you. You cannot vote without it.]

** If anonymous elector include the words in the brackets.

[Insert helpline and other details including website].

Please turn over


Form of back of official poll card

You must bring this card with you to your polling station as proof of ID when you go to vote.

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

 **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]

If undelivered return to:

[Insert return address]

If you are away or cannot go to the polling station on **[day] [date of poll]** you can do one of the following:

- Apply to vote by post. Completed applications must reach us before **5pm on [day] [date of deadline]**. If you are given a postal vote, you will not be able to vote in person at this election.

OR

- Apply to vote by proxy (this means someone else can vote on your behalf). Completed applications must reach us by **5pm on [day] [date of deadline]**. If you appoint a proxy, you can vote if you wish, but only if your proxy has not already voted on your behalf and has not got a postal vote for you.

If after 5pm on **[the eleventh day before the date of the poll]** you are unable to vote in person because you:

- Have a medical emergency after 5pm on **[day] [date of deadline]**
- Learn you cannot go to the polling station because of work reasons

You can apply to vote by proxy. Completed applications must reach us before **5pm on [day] [date of deadline]**. To find out how to apply, call the helpline immediately.

The Returning Officer issued this card.

Form of front of official proxy poll card

Proxy poll card	
Election of the Mayor for [insert name of authority]	
Date of election [day] [date] [month] [year]	

Voting information	
Polling day	
Polling hours	
Your polling station will be	

Please turn over

Please keep this poll card safe. You must bring it with you as proof of ID when you go to vote.

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 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 set of brackets, if not omit the words in each of the second and third sets of brackets.*

[Insert helpline and other details including website].

Form of back of official proxy poll card

You must bring this card with you to your polling station as proof of ID when you go to vote

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. 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. 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.




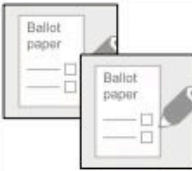


If you are away or cannot go to the polling station on *[day] [date of poll]*

- 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]

<h2>How to vote at this election</h2>		
1	Go to the desk and give your poll card (or alternative ID) to the staff.	
2	Tell the staff your name and address, they confirm your registration and will issue you with your ballot papers.	
3	Take your ballot papers to a voting booth.	
4	Read the instructions in the booth and on each individual ballot paper and mark your ballot papers accordingly.	
5	When you have marked your ballot papers, fold each separately so that nobody can see how you have voted.	
6	Put your folded ballot papers into the ballot box.	
<p>(!) Voting is secret. Do not let anyone see how you have voted. 🗣️ If you make a mistake or need some help, just ask the staff.</p>		

SCHEDULE 5

Article 3(6)

Modifications to other enactments

Table 3

<i>(1) Provision</i>	<i>(2) Modifications</i>
<i>2000 Act</i>	
Section 10	<p>After section 10 insert—</p> <p>iDuty to co-operate with the Electoral Commission</p> <p>10A.—(1) The returning officer for a local government election to which an order under section 10 applies shall ensure that the Electoral Commission, and any person authorised by the Commission, is afforded access to any ballot paper, document, equipment, computer software, computer hardware, data stored electronically or place that is to be, is being, or has been used for the purposes of the election.</p> <p>(2) Subsection (1) shall apply only to the extent that the Electoral Commission reasonably requires access to the ballot paper, document, equipment, computer software, computer hardware, data stored electronically or place for the purpose of enabling the Commission to assess the election in question.</p> <p>(3) Subsection (1) shall not require the returning officer to give access without an order of the court, to any ballot paper, document, equipment, computer software, computer hardware, data stored electronically which, by reason of a requirement in any enactment, is contained within a sealed packet.î</p>
<i>2006 Principal Areas Rules</i>	
Rule 2(1)	<p>Insert in the appropriate place—</p> <p>““the Appendix” means in Schedule 3 to these Rules, the appendix of forms in Part 7 as modified by the Watford Borough Council (Identification in Polling Stations) Pilot Order 2018;”</p> <p>““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 3;”</p> <p>î“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 3;î</p> <p>î“day or date of the poll” means 3rd May 2018;î</p>
Interpretation	

““the election” means any local government election that takes place arising from a vacancy in the membership of Watford Borough Council or election of local mayor in the Borough with which that election will be combined, arising on the ordinary day of elections in 2018;”

““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 3;”

After rule 2(3) insert—

i(4) In these rules, a reference to copies of the register of electors (including any copy notices issued under section 13B(3B) or (3D) of the 1983 Act), list of proxies and corresponding number list, is a reference to those documents being held in either paper or electronic form.î

Rule 4

For rule 4 substitute—

Combination of Polls

“4. In any poll at the election of councillors to which the Watford Borough Council (Identification in Polling Station) Pilot Order 2018 applies, the rules set out in Schedule 3 to these Rules as modified by that Order shall apply.”

2007 Mayoral Rules

Rule 4

For rule 4 substitute—

Combination of polls

“4. In a poll at a mayoral election to which the Watford Borough Council (Identification in Polling Station) Pilot Order 2018 applies, the rules set out in Schedule 3 to these Rules as modified by that Order shall apply.”