Draft Order laid before Parliament under section 96(2) of the Northern Ireland Act 1998, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2014 No.

NORTHERN IRELAND

The Northern Ireland Assembly (Elections) (Amendment) Order 2014

Made - - - - ***

Coming into force - - 15th September 2014

In accordance with section 7(1) and (2)(h) of the Political Parties, Elections and Referendums Act 2000(**1**),the Secretary of State has consulted with the Electoral Commission prior to this Order being made.

A draft of this Order has been laid before Parliament in accordance with section 96(2)(b) of the Northern Ireland Act 1998(**2**) and approved by a resolution of each House of Parliament.

Accordingly, the Secretary of State, in exercise of the powers conferred by section 34(4) and (6) of the Northern Ireland Act 1998, makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Northern Ireland Assembly (Elections) (Amendment) Order 2014.

(2) This Order comes into force on 15th September 2014.

(3) In this Order—

"the 1983 Act" means the Representation of the People Act 1983(**3**);

"the 2001 Order" means the Northern Ireland Assembly (Elections) Order 2001(**4**);

"the 2008 Regulations" means the Representation of the People (Northern Ireland) Regulations 2008(**5**); and

"the elections rules" means the Parliamentary elections rules contained in Schedule 1 to the 1983 Act.

(**1**) 2000 c. 41; there have been amendments to section 7 but they are not relevant to this Order.
(**2**) 1998 c. 47; there have been amendments to section 96 but they are not relevant to this Order.
(**3**) 1983 c. 2; relevant amendments are referenced in this Order.
(**4**) S.I. 2001/2599 was amended by S.I. 2002/1964, S.I. 2003/2989, S.I. 2007/308, S.I. 2009/256, S.I. 2010/2892 and S.I. 2014/1116.
(**5**) S.I. 2008/1741; relevant amendments are referenced in this Order.

Amendments to Schedule 1 to the 2001 Order

2.—(1) Schedule 1 to the 2001 Order (application with modifications of statutory provisions relating to elections)(**6**) is amended as follows.

(2) In the right-hand column of the Schedule, alongside the entry in respect of rule 28 of the elections rules (issue of official poll cards)(**7**), omit the paragraph beginning "After paragraph (1A)" (including the inserted text).

(3) In the right-hand column of the Schedule, alongside the entry in respect of rule 40ZA of the elections rules (tendered postal ballot papers: anonymous entries in Northern Ireland)(**8**), insert—

"In paragraphs (4) and (8), for "in the prescribed manner" substitute "as provided for in regulation 81A of the 2008 Regulations(**9**)".

In paragraph (7), for "rule 45(2) and (2A)" substitute "rule 44B(3) and (4)(**10**)"."

(4) In the right-hand column of the Schedule, in the entry in respect of rule 44B—

(a) in paragraph (5), after "tendered ballot paper" insert "or tendered postal ballot paper"; and

(b) in paragraph (7), after "tendered votes list" (in both places) insert "and tendered postal votes list".

(5) In the right-hand column of the Schedule, alongside the entry in respect of Schedule 2A to the 1983 Act (control of donations to candidates) insert—

"In paragraph 10 (statement of relevant donations)(**11**), in sub-paragraph (2), for "prescribed by the Secretary of State in regulations" substitute "provided for in regulation 2 of the Donations to Candidates (Anonymous Registration) Regulations 2014(**12**)".".

Amendments to Schedule 2 to the 2001 Order

3.—(1) Schedule 2 to the 2001 Order (application and modification of provisions of subordinate legislation relating to elections)(**13**) is amended as follows.

(2) In the heading of the Schedule, after "2008 Regulations," insert "the Donations to Candidates (Anonymous Registration) Regulations 2014,".

(3) After the entry for regulation 81 of the 2008 Regulations (spoilt postal ballot papers) insert—

"Regulation 81A (tendered postal ballot papers) ":	

(4) In the right-hand column of the Schedule, alongside the entry in respect of regulation 91 of the 2008 Regulations (forwarding of documents), in the paragraph beginning "For paragraph (1)", in paragraph (1) substituted by that paragraph—

(a) after "81(5)," insert "81A(11)";

(b) after "name of the constituency" insert ", and the list of spoilt ballot papers and the list of tendered postal ballot papers,"; and

(**6**) Schedule 1 was substituted in its entirety by S.I. 2009/256. Other relevant amendments are referenced in this Order.
(**7**) The entry in respect of rule 28 was amended by S.I. 2010/2892.
(**8**) The entry in respect of rule 40ZA was inserted by S.I. 2014/1116.
(**9**) Regulation 81A is inserted into S.I. 2008/1741 by S.I. 2014/XXXX.
(**10**) Rules 44A to 44M are inserted by Schedule 1 to the 2001 Order as modifications to the Parliamentary Elections Rules when applied to Assembly elections as the Assembly Elections Rules.
(**11**) Paragraph 10 was inserted by paragraph 1 of Schedule 16 of the Political Parties, Elections and Referendums Act 2000 (c. 41) and amended by paragraph 16 of Schedule 1 to the Electoral Administration Act 2006 (c. 22).
(**12**) S.I. 2014/XXXX.
(**13**) Schedule 2 was substituted in its entirety by S.I. 2009/256.